

ORDINANCE NO. C-14-11

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL THAT PORTION OF THE RIGHT-OF-WAY IDENTIFIED AS SOUTHWEST 26TH AVENUE PLATTED AS SOUTHWEST 24TH AVENUE AS SHOWN ON "AMENDED PLAT OF BLOCKS 4, 5, 6, 7 AND 14 OF WOODLAND PARK – UNIT 1" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 30, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 2ND STREET AND SOUTHWEST 2ND COURT, IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, GDC Broward RB LLC, Carl T. Waldron, George and Arlene Berger/Riverbend Marketplace, applied for the vacation of certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of December 18, 2013 (PZ Case No. 27-P-13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described right-of-way subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, February 4, 2014, and Tuesday, February 18, 2014, at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the Unified Land Development Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the below-described right-of-way is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

See Exhibit "A" attached hereto
and made a part hereof

Location: East of S.W. 27th Avenue between S.W. 2nd Street
and S.W. 2nd Court

SECTION 2. That the City shall retain a temporary utility easement over the above-described right-of-way until such time as a Certificate is executed by the City Engineer and recorded in the Public Records of Broward County evidencing that all conditions for the termination of the temporary easement listed on Exhibit "B" have been met.

SECTION 3. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect upon adoption.

PASSED FIRST READING this the 4th day of February, 2014.

PASSED SECOND READING this the _____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

m. 20
OK

**LEGAL DESCRIPTION TO ACCOMPANY SKETCH
PORTION OF THE NORTHEAST 1/4 OF
SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

LEGAL DESCRIPTION:

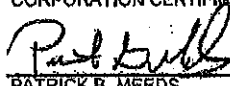
ALL OF SOUTHWEST 26TH AVENUE, PLATTED AS SOUTHWEST 24TH AVENUE, (BEING A 50 FOOT PLATTED RIGHT-OF-WAY) AS SHOWN ON AMENDED PLAT OF BLOCKS 4, 5, 6, 7 AND 14, WOODLAND PARK - UNIT 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPTING THEREFROM A PORTION OF SOUTHWEST 26TH AVENUE PREVIOUSLY VACATED AS RECORDED IN OFFICIAL RECORD BOOK 46862, PAGE 994, BROWARD COUNTY, FLORIDA.

CONTAINING 16,500 SQUARE FEET OR 0.37680 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK B. MEEDS, P.S.M.
FLORIDA LICENSE No. LS - 4728
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 6705



PATRICK B. MEEDS
PROFESSIONAL SURVEYOR AND MAPPER

11/18/13

DATE OF SIGNATURE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/1980 ADJUSTMENT), BASED UPON THE CENTERLINE OF S.W. 2ND STREET BEING NORTH 87°47' EAST.

2. ALL DISTANCES SHOWN HEREON ARE CALCULATED, UNLESS OTHERWISE NOTED.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

THIS IS NOT A SURVEY

CREECH
ENGINEERS, INC.

CIVILIZATION ENGINEERED
7883 S.W. ELLIPSE WAY, STUART, FLORIDA 34987 (772) 283-1413
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 5139
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0006705

**S.W. 26TH AVENUE
RIGHT-OF-WAY VACATION**

BROWARD COUNTY

FLORIDA

PROJECT NO. 12016.00

DATE NOV. 01, 2013

CADD FILE 12016 SKY & DESO RW ARAND

SCALE N/A

SHEET 1 OF 2

M.D.
OK

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

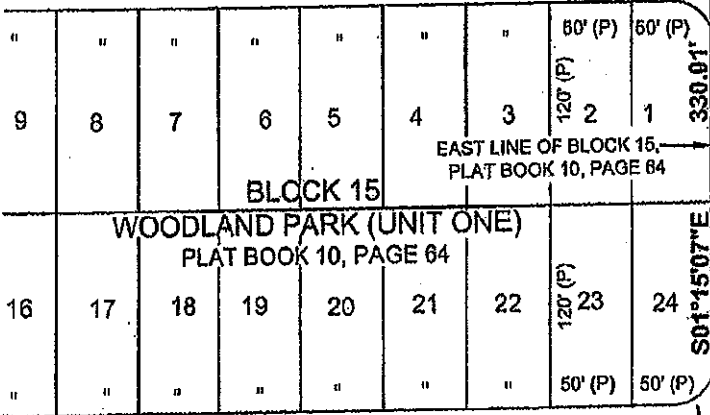
PARCEL A
AMENDED PLAT OF
WOODLAND PARK - UNIT 1
PLAT BOOK 30, PAGE 45

SOUTH LINE OF PARCEL A,
PLAT BOOK 30, PAGE 45

N87°47'47"E
50.01'

50' RIGHT-OF-WAY
ABANDONED IN
O.R.B. 46862, PG. 994

S.W. 2ND STREET N87°47'47"E (BEARING BASE)
60' RIGHT-OF-WAY (P.B. 10, PG. 64)



PARCEL B
AMENDED PLAT OF
WOODLAND PARK - UNIT 1
PLAT BOOK 30, PAGE 45

WEST LINE OF PARCEL B,
PLAT BOOK 30, PAGE 45

SOUTH LINE OF PARCEL B,
PLAT BOOK 30, PAGE 45

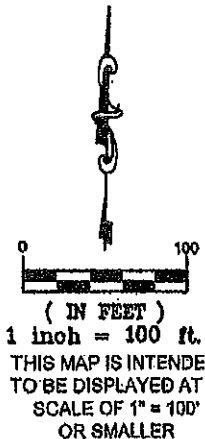
S.W. 2ND COURT 30' RIGHT-OF-WAY (P.B. 10, PG. 64)

N87°47'47"E
50.01'

UNPLATTED

LEGEND

- (P) PLAT
- INC. INCORPORATED
- LB LICENSED BUSINESS
- LS LICENSED SURVEYOR
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- PG. PAGE
- P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- NAD NORTH AMERICAN DATUM



NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

THIS IS NOT A SURVEY

CREECH
ENGINEERS, INC.

CIVILIZATION ENGINEERS
7801 S.W. ELLIPSE WAY, STUART, FLORIDA 34987 (772) 283-1413
OFFICES ALSO IN NELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 8139
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0008703

S.W. 26TH AVENUE
RIGHT-OF-WAY VACATION

BROWARD COUNTY

FLORIDA

PROJECT NO. 12016.00

DATE NOV. 01, 2013

DADD FILE: 12016 SKT & DESC RW ABAND

SCALE 1" = 100'

SHEET 2 OF 2

EXHIBIT "B"

**CONDITIONS OF APPROVAL
CASE NO. 27-P-13**

1. Any city infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department, and as approved by the City Engineer.
2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider, and as approved by the City Engineer.