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RESOLUTION NO. 18-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT PORTION OF THE RETAINED 10 FOOT UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 10545, PAGE 941 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH 3.47 FEET OF LOTS 30 AND 31, AND THAT PORTION OF THE EAST/WEST 10 FOOT ALLEY ABUTTING LOTS 3, 4, 5, 26 AND THE WEST 15 FEET OF LOT 27 "EVA A. OLIVER'S SUBDIVISION OF BLOCK 28", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 37, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTHEAST 3RD AVENUE, NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 2ND AVENUE AND SOUTH OF SOUTHEAST 2ND STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), Broward County Foundation, Inc., is applying for the vacation of a 10-foot retained utility easement (Case No. E18010) more fully described in Section 1 below, located at 201 East Las Olas Boulevard, Fort Lauderdale, Florida; and

WHEREAS, pursuant to the provisions of the aforementioned Section 47-24.7 of the ULDR, all utilities known to have an interest have been notified and have no objection to the vacation of the easement; and

WHEREAS, the City Engineer has certified that there is no objection to the vacation; and

WHEREAS, the Department of Sustainable Development has made the required reports and has also recommended the vacation of the easement, certifying that the same will not be required to serve the property;

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

SECTION 1. That the below described easement is hereby vacated and shall no longer constitute an easement for utilities, subject to the conditions provided in SECTION 2 of this resolution:

THAT PORTION OF THE RETAINED 10 FOOT UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 10545, PAGE 941 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SOUTH OF THE SOUTH 3.47 FEET OF LOTS 30 AND 31, AND THAT PORTION OF THE EAST/WEST 10 FOOT ALLEY ABUTTING LOTS 3, 4, 5, 26 AND THE WEST 15 FEET OF LOT 27 "EVA A. OLIVER'S SUBDIVISION OF BLOCK 28", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 37, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

(4)

More particularly described in Exhibit "A" attached.

Location: West of Southeast 3rd Avenue, North of East Las Olas Boulevard,
East of Southeast 2nd Avenue and South of Southeast 2nd Street.

SECTION 2. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

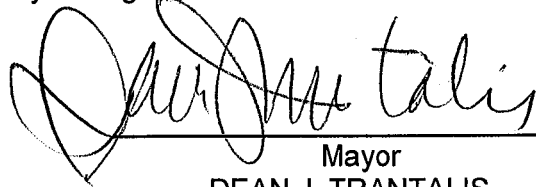
1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.
2. Any other utility infrastructure known or unknown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

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

SECTION 4. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the 21st day of August, 2018.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI

M.D. O.K.

SKETCH & DESCRIPTION
UTILITY EASEMENT ABANDONMENT
A PORTION OF EVA A. OLIVER'S SUBDIVISION
(P.B. 1, PG. 37, D.C.R.)
CITY OF FORT LAUDERDALE

LAND DESCRIPTION:

A portion of a 10 foot Alley, EVA A. OLIVER'S SUBDIVISION OF BLOCK 28, according to the Plat thereof as recorded in Plat Book 1, Page 37, of the Public Records of Dade County, Florida and vacated per Official Records 7569, Page 516 and Official Records Book 10545, Page 941, of the Public Records of Broward County, Florida, being more particularly described as follows:

Commence at the southeast corner of Lot 5 of said Plat; thence N88°00'07"E along the south line of Lots 2, 3 and 4 of said Plat, 150.00 feet to the east line of Lot 2 of said Plat; thence N02°07'24"W along the east line of Lot 2 of said Plat, 140.00 feet to the north line of Lot 2 of said Plat; thence S88°00'07"W along the north line of Lot 2 of said Plat, 50.00 feet to the east line of an abandoned 10' alley as recorded in Official Records Book 10545, Page 941 of the Public Records Of Broward County, Florida, also being the **Point Of Beginning**; thence N01°59'53"W along said east line of an abandoned 10 foot alley, 10.00 feet to the south line of Lot 27 of said Plat; thence S88°00'07"W along the south line of Lot 27 of said Plat, 15.00 feet to the west line of Lot 27 of said Plat; thence N02°07'24"W along the west line of Lots 27, 28 and 31 of said Plat, 103.47 feet to the North line of the south 3.47 feet of Lots 30 and 31 of said Plat; thence S88°00'07"W along the north line of the south 3.47 feet of Lots 30 and 31 of said Plat to the east line of Lot 30 of said Plat; thence S02°07'24"E along the east line of Lots 26, 29 and 30 of said Plat, 103.47 feet to the south line of Lot 26 of said Plat; thence S88°00'07"W along the south line of Lot 26 of said Plat, 115.00 feet to the east right-of-way line of S.E. 2nd Avenue, as recorded in Official Records Book 8508, Page 725 of the Public Records of Broward County, Florida; thence S02°08'33"E along the said east right-of-way line, 10.00 feet to the north line of Lot 5 of said Plat; thence N88°00'07"E along the north line of Lots 2, 3, 4 and 5 of said Plat, 140.00 feet to the said east line of an abandoned 10 foot alley, also being the **Point Of Beginning**.

Said lands lying in the City of Fort Lauderdale, Broward County, Florida.

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the north line of Lot 5 having a bearing of N88°00'07"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; D.C.R. = Dade County Records; F.B. = Field Book; L.B. = Licensed Business; O.R.B. = Official Records Book; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 7/20/18

Michael D. Aviom

MICHAEL D. AVIOM, P.L.S.
Florida Registration No. 3268
AVIOM & ASSOCIATES, INC.
L.B. No. 3300

NOT VALID WITHOUT SHEETS 1 AND 2

REVISIONS		
REVISED	W.R.E.	03/06/2018
REVISED	W.R.E.	06/08/18
REVISED	W.R.E.	07/20/18



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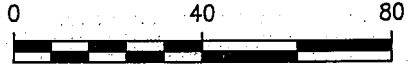
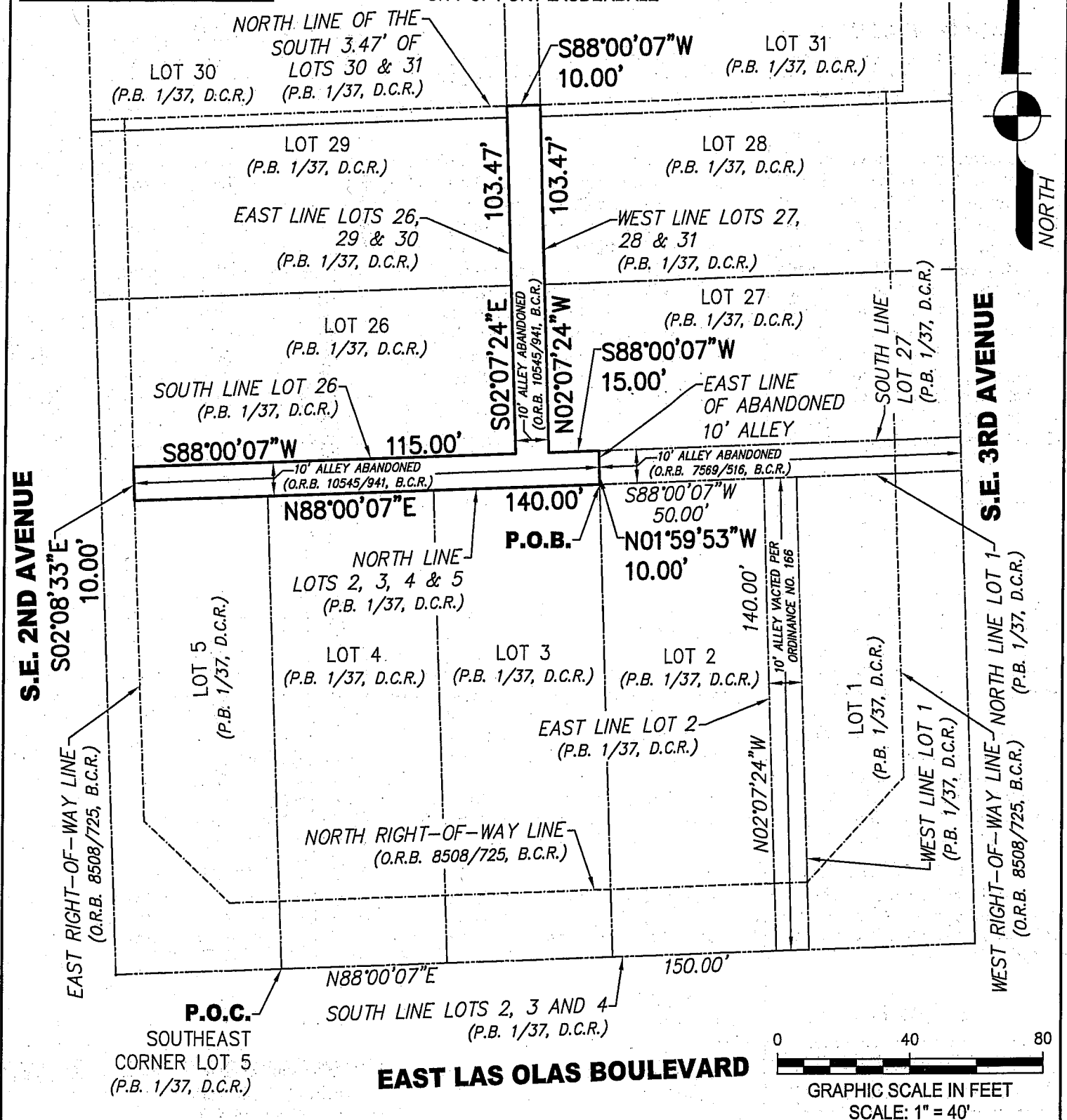
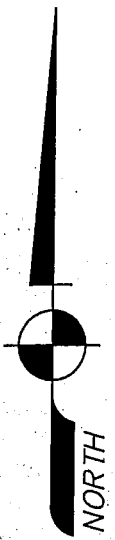
JOB #:	10400-3_UE
SCALE:	-
DATE:	12/19/2017
BY:	W.R.E.
CHECKED:	M.D.A.
F.B.	- PG. -
SHEET:	1 OF 2

M.D.O.K.

SKETCH & DESCRIPTION UTILITY EASEMENT ABANDONMENT

A PORTION OF EVA A. OLIVER'S SUBDIVISION
(P.B. 1, PG. 37, D.C.R.)
CITY OF FORT LAUDERDALE

**NOT VALID WITHOUT
SHEETS 1 AND 2**



GRAPHIC SCALE IN FEET
SCALE: 1" = 40'

REVISIONS		
REVISED	W.R.E.	03/06/2018
REVISED	W.R.E.	06/08/18
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JOB #:	10400-3_UE
SCALE:	1" = 40'
DATE:	12/19/2017
BY:	W.R.E.
CHECKED:	M.D.A.
F.B. - PG. -	- -
SHEET:	2 OF 2