

ORDINANCE NO. C-18-06

AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY, A PORTION OF THE PLATTED 14-FOOT ALLEY LYING ADJACENT TO LOTS 5, 6, 7, 8 AND 9, BLOCK "H", "STRANAHAN'S REVISED AND ADDITIONAL SUBDIVISION IN THE TOWN OF FORT LAUDERDALE, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 9, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTH FEDERAL HIGHWAY (US1), NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 5TH AVENUE AND SOUTH OF SOUTHEAST 2ND STREET, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Charles Humphries, Related Development LLC, applied for the vacation of a public right-of-way more particularly described in Exhibit "A" which is attached hereto and incorporated herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of January 17, 2018 (PZ Case No. V17012), recommended to the City Commission of the City of Fort Lauderdale ("City Commission") that they approve the application for the vacation of a public right-of-way more specifically described and shown on Exhibit "A" attached hereto, subject to the conditions recommended by the board at the January 17, 2018 Planning and Zoning Board meeting; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, April 3, 2018 and Tuesday, April 17, 2018 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 of the right-of-way; 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 in Section 47-24.6.A.4 of the City of Fort Lauderdale Unified Land Development Regulations;

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

SECTION 1. That the public right-of-way located west of South Federal Highway (US 1), north of East Las Olas Boulevard, east of Southeast 5<sup>th</sup> Avenue and south of Southeast 2<sup>nd</sup> Street, as more particularly described in Exhibit "A" attached hereto, is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

SECTION 2. 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 3. 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 4. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

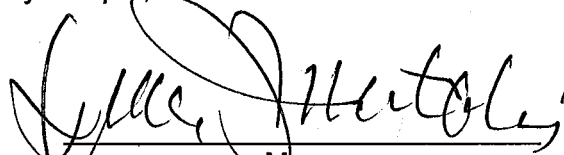
SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect upon the recordation in the public records of Broward County, Florida, of a certificate executed by the City Engineer evidencing that all conditions listed on Exhibit "B" attached hereto have been met. The applicant shall provide a copy of the recorded certificate to the City.

PASSED FIRST READING this the 3rd day of April, 2018.

PASSED SECOND READING this the 17th day of April, 2018.

  
\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:



\_\_\_\_\_  
City Clerk

JEFFREY A. MODARELLI

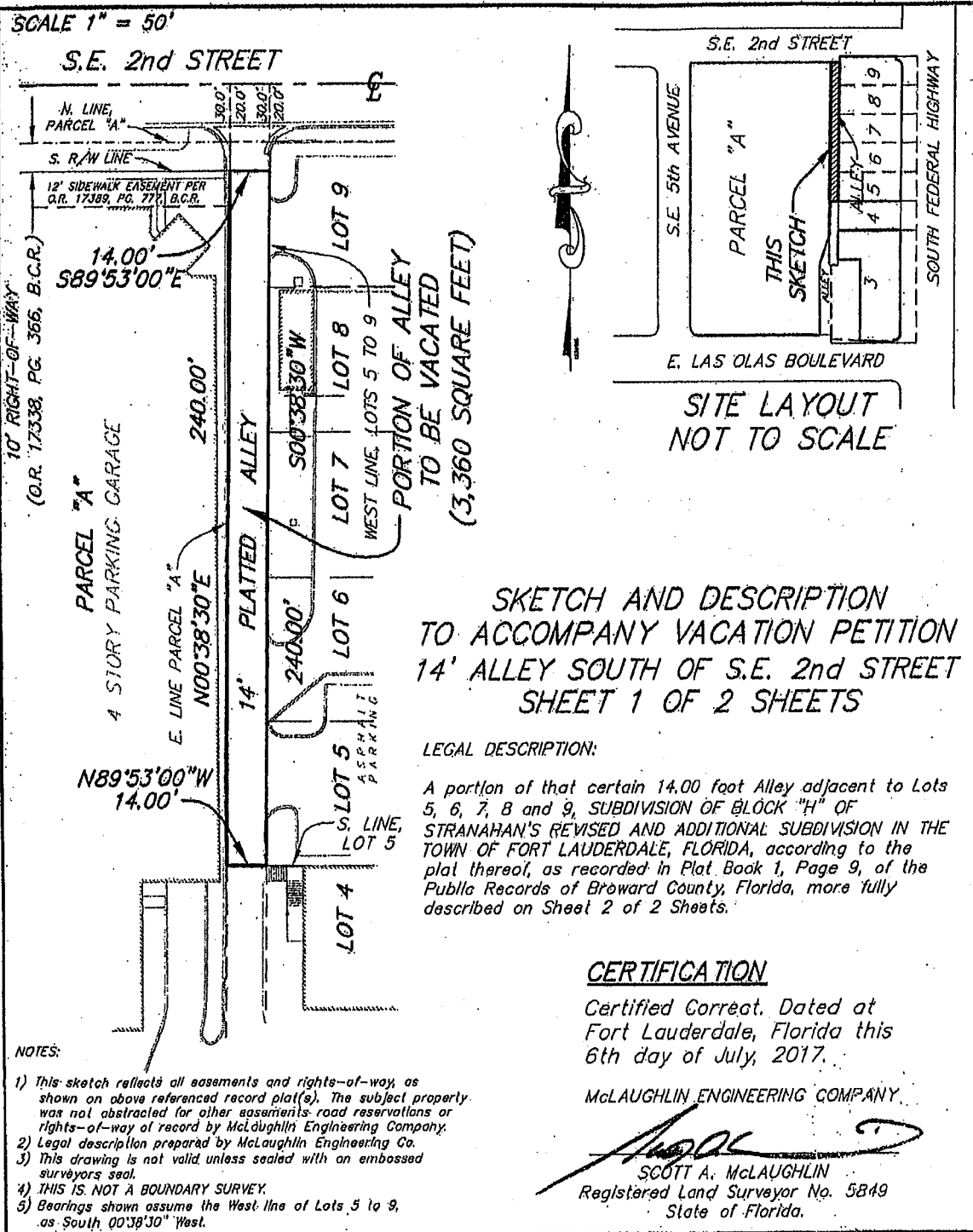
C-18-06



M.A. U.L.

# McLAUGHLIN ENGINEERING COMPANY LB#285

ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309  
PHONE (954) 763-7611 \* FAX (954) 763-7615



FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr

JOB ORDER NO. V-2511

CHECKED BY: \_\_\_\_\_

REF. DWG.: 15-3-82

C: \JMMjr\2017\V2390

Exhibit A

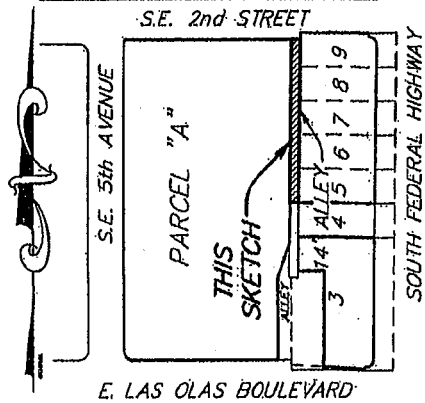


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## SKETCH AND DESCRIPTION TO ACCOMPANY VACATION PETITION 14' ALLEY SOUTH OF S.E. 2nd STREET SHEET 2 OF 2 SHEETS



E. LAS OLAS BOULEVARD

SITE LAYOUT  
NOT TO SCALE

### LEGAL DESCRIPTION:

A portion of that certain 14.00 foot Alley adjacent to Lots 5, 6, 7, 8 and 9, SUBDIVISION OF BLOCK "H" OF STRANAHAN'S REVISED AND ADDITIONAL SUBDIVISION IN THE TOWN OF FORT LAUDERDALE, FLORIDA, according to the plat thereof, as recorded in Plat Book 1, Page 9, of the Public Records of Broward County, Florida, bounded as follows:

On the East by the West line of said Lots 5, 6, 7, 8 and 9. On the South by the Westerly extension of the South line of said Lot 5. On the West by the East line of Parcel "A", of AMENDED PLAT OF SOUTH FEDERAL, INC. SUB., according to the plat thereof, as recorded in Plat Book 72, Page 22, of the public records of Broward County, Florida. On the North by the Easterly extension of a line 10.00 feet South of and parallel with the North line of said Parcel "A", being the Easterly extension of the South right-of-way line of S.E. 2nd Street, per Official Records Book 17338, Page 366, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 3,360 square feet or 0.0771 acres, more or less.

### CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 6th day of July, 2017.

McLAUGHLIN ENGINEERING COMPANY

*Scott A. McLaughlin*  
SCOTT A. McLAUGHLIN  
Registered Land Surveyor No. 5849  
State of Florida.

### NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of Lots 5 to 9, as South 00°38'30" West.

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr \_\_\_\_\_

JOB ORDER NO. V-2511 \_\_\_\_\_

CHECKED BY: \_\_\_\_\_

REF. DWG.: 15-3-82

C: \JMMjr/2017/V2390

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL  
CASE NO. V17012**

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. If acceptable to the City Engineer, in lieu of relocating all city utilities within the vacated area, the applicant shall dedicate a utility easement for city utilities that remain within the vacated area; and
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. If acceptable to the City Engineer, in lieu of relocating all other utilities within the vacated area, the applicant shall dedicate a utility easement for utilities that remain within the vacated area; and
3. Prior to building permit approval, applicant's engineer shall design a new sanitary sewer manhole to be located at the south end of the vacated alleyway. The new manhole and portion of the existing 8" VCP located north of the new manhole shall be a private sewer main to be maintained by the applicant. The site plan and applicable civil drawings shall call out the demarcation point for public/private maintenance; and
4. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City; and
5. Applicant shall grant an access easement over the vacated alley right-of-way to maintain the existing vehicular connection between SE 2nd Street and Las Olas Boulevard.