

INSTR # 116117198

Recorded 10/16/19 at 04:55 PM

Broward County Commission

7 Page(s)

#2

CERTIFICATION

I certify this to be a true and correct  
copy of the record of the City of  
Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of  
the City of Fort Lauderdale, Florida, this  
the 16th day of October, 2019.  
*Wendy K. Thompson* City Clerk

RESOLUTION NO. 19-191

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THAT CERTAIN 15.00 FOOT WIDE UTILITY, GOVERNMENTAL AND EMERGENCY INGRESS AND EGRESS EASEMENT RETAINED PURSUANT TO CITY OF FORT LAUDERDALE ORDINANCE NO. C-97-15, MORE PARTICULARLY DESCRIBED HEREIN, LOCATED WEST OF NORTHEAST 1<sup>ST</sup> AVENUE, NORTH OF NORTHEAST 6<sup>TH</sup> STREET (EAST SISTRUNK BOULEVARD), EAST OF NORTH ANDREWS AVENUE AND SOUTH OF NORTHEAST 7<sup>TH</sup> STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

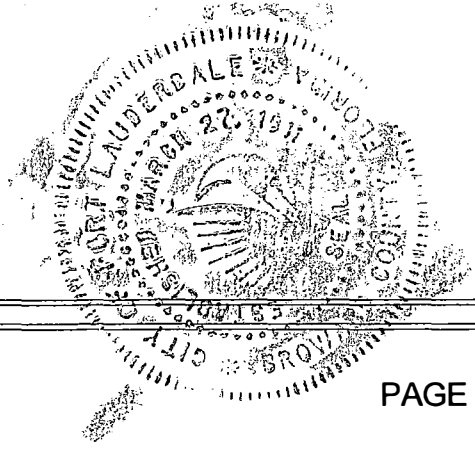
WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), FV Development, LLC is applying for the vacation of 15-foot wide utility, governmental and emergency ingress and egress easement (Case No. E18021) more fully described in SECTION 2 below, located at 640 North Andrews Avenue, 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:

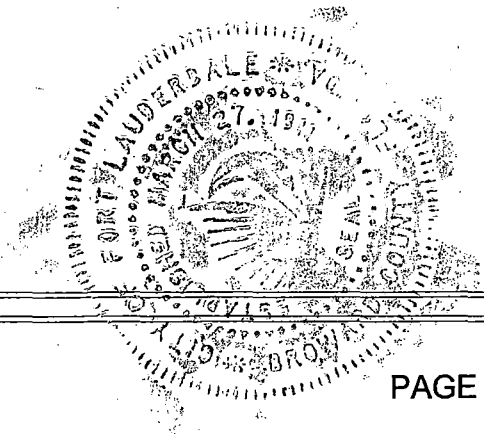


**SECTION 1.** The City Commission finds that the application for vacation of easement meets the criteria of Section 47-24.7 of the ULDR as enunciated and memorialized in the minutes of its meeting of September 17, 2019, a portion of those findings expressly listed as follows:

1. The easement area is no longer needed for public purpose. The portion of the easement area being vacated is completely located on the subject property. In addition, the right-of-way is not needed for utilities, governmental, and emergency ingress or egress. The applicant has received a letter of no objection from the City of Fort Lauderdale Utilities Division and as a condition of approval, the utilities within the easement, as specified in the letter will be relocated, removed, or abandoned at the developer's expense; and
2. The applicant has received letters of no objection from all applicable franchise utilities and has provided a site plan which indicates the abandonment of the sewer line and the FPL poles to be rerouted underground. The franchise utility letters of no objection and site plan are included within Exhibit 1 to Commission Agenda Memorandum No. 19-0849.

**SECTION 2.** That the below described easement is hereby vacated and shall no longer constitute an easement for utilities, governmental and emergency ingress and egress, subject to the conditions provided in SECTION 3 of this resolution:

A PORTION OF THAT CERTAIN 15.00 FOOT WIDE UTILITY, GOVERNMENTAL AND EMERGENCY INGRESS AND EGRESS EASEMENT RETAINED PURSUANT TO CITY OF FORT LAUDERDALE ORDINANCE NO. C-97-15 RECORDED IN OFFICIAL RECORDS BOOK 26690, PAGE 282, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WEST OF LOTS 11, 12, 13 AND 14, BLOCK 319, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. AND EAST OF LOTS 35, 36, 37 AND 38, BLOCK 319, "SUPPLEMENTAL PLAT OF BLOCK 319, TOWN OF PROGRESSO DADE CO. FLA.", AND THE WEST 7.50 FEET OF THE 15.00 FOOT RETAINED EASEMENT LYING EAST OF LOT 39, BLOCK 319 OF SAID "SUPPLEMENTAL PLAT OF BLOCK 319, TOWN OF PROGRESSO DADE CO. FLA.",



ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 125, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.  
Location: West of Northeast 1<sup>st</sup> Avenue, north of Northeast 6<sup>th</sup> Street (East Sistrunk Boulevard), east of North Andrews Avenue and south of Northeast 7<sup>th</sup> Street, Fort Lauderdale, Broward County, Florida

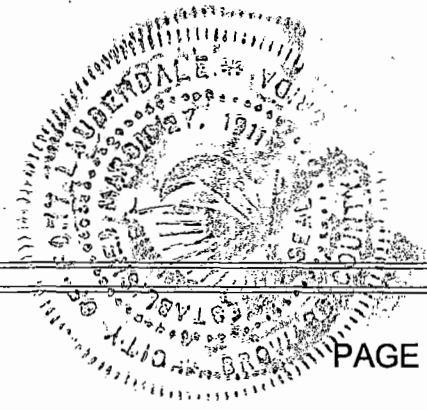
**SECTION 3.** That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

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 easements will be dedicated, 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 easements will be dedicated, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

**SECTION 4.** 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 5.** 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 6.** This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.



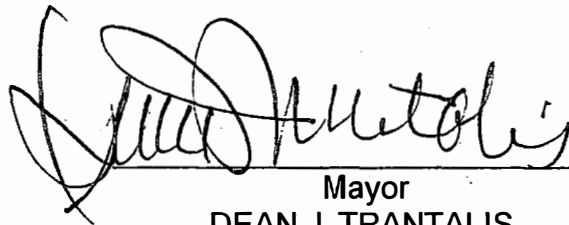
RESOLUTION NO. 19-191

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SECTION 7. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 8. That if any clause, section, or other part of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution shall not be affected thereby, but shall remain in full force and effect.

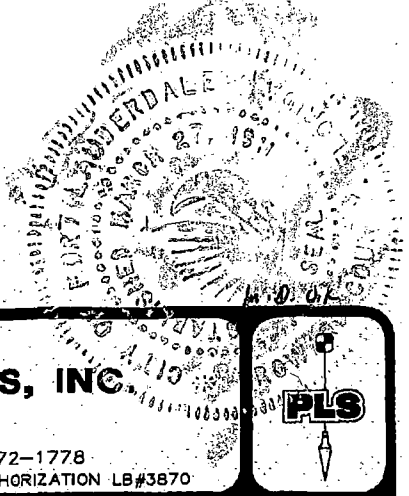
ADOPTED this the 17th day of September, 2019.

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

ATTEST:



\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI



PLS



SKETCH AND LEGAL DESCRIPTION

BY  
**PULICE LAND SURVEYORS, INC**

6381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

PLS



**LEGAL DESCRIPTION:**

THE 15.00 FOOT STRIP OF LAND LYING WEST OF LOTS 11, 12, 13 AND 14, BLOCK 319, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; AND EAST OF LOTS 35, 36, 37 AND 38, BLOCK 319, "SUPPLEMENTAL PLAT OF BLOCK 319, TOWN OF PROGRESSO DADE CO. FLA.", AND THE WEST 7.50 FEET OF THE 15.00 STRIP OF LAND LYING EAST OF LOT 39 OF SAID "SUPPLEMENTAL PLAT OF BLOCK 319, TOWN OF PROGRESSO DADE CO. FLA." ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 125, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID STRIPS OF LAND BEING THE PORTION OF THE ALLEY VACATED BY ORDINANCE NO. C-97-15 IN OFFICIAL RECORDS BOOK 26690, PAGE 282, 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 1,687 SQUARE FEET, MORE OR LESS.

**NOTES:**

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, UNLESS OTHERWISE NOTED.

FILE: HTG VILLAGE VIEW, LLC

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 65378A

DATE: 11/6/18; REV 7/10/19

EASEMENT VACATION

FT LAUDERDALE, BROWARD COUNTY, FLORIDA

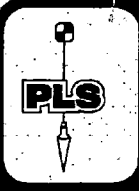
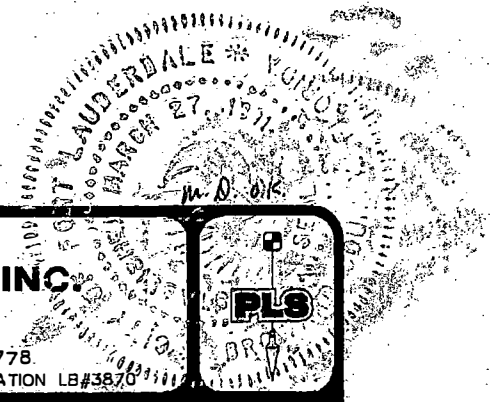
FOR: VILLAGE VIEW

SHEET 1 OF 3

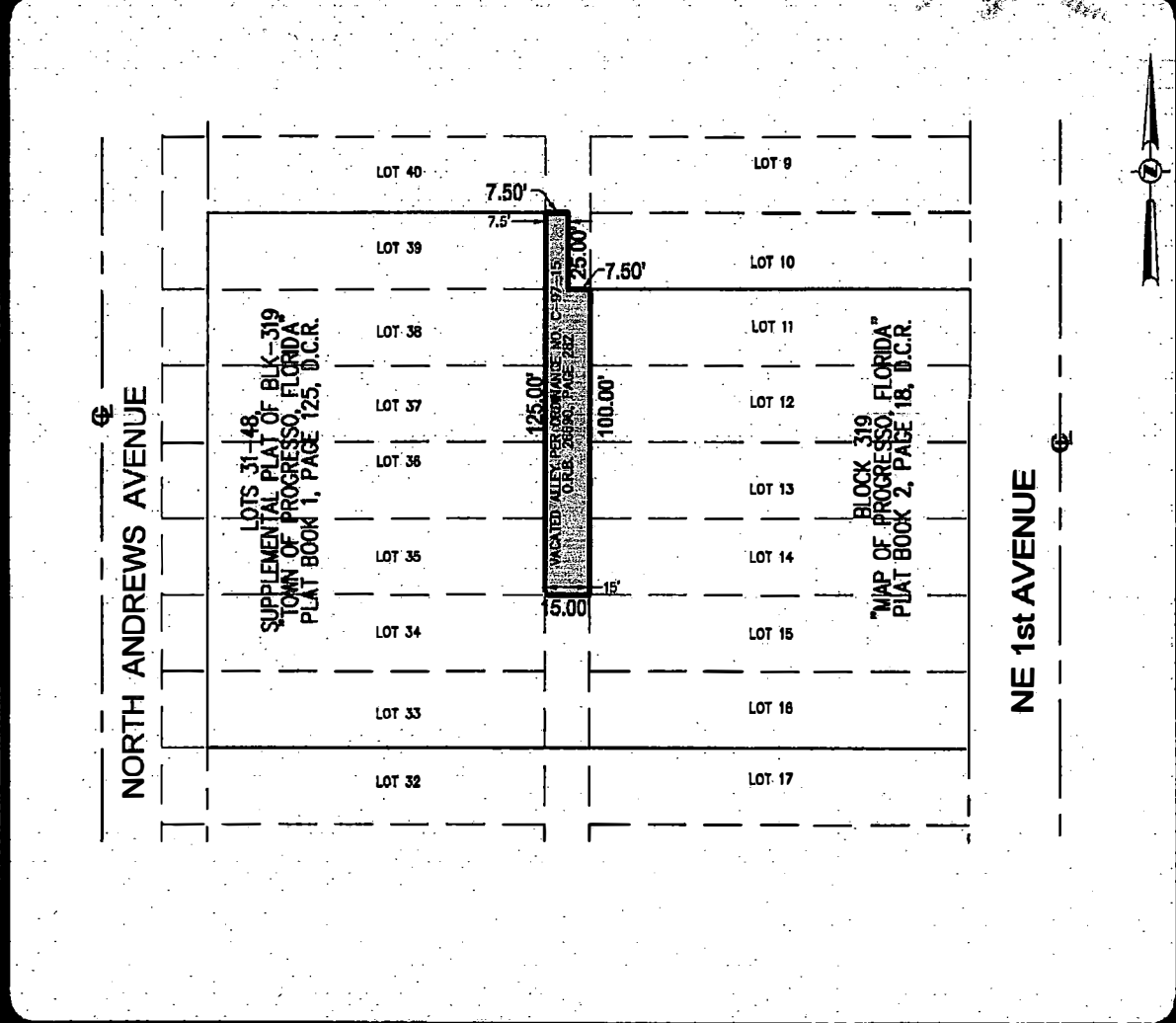
THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 3, INCLUSIVE

*Beth Burns*

- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
  - BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
  - VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
- STATE OF FLORIDA

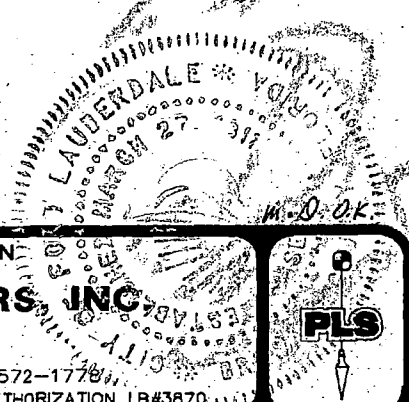


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 BY  
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 5381 NOB HILL ROAD  
 SUNRISE, FLORIDA 33351  
 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778  
 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



**FILE: HTG VILLAGE VIEW, LLC**  
**SCALE: 1"=50' | DRAWN: L.S.**  
**ORDER NO.: 65378A**  
**DATE: 11/6/18; REV 7/10/19**  
**EASEMENT VACATION**  
**FT LAUDERDALE, BROWARD COUNTY, FLORIDA**  
**FOR: VILLAGE VIEW**

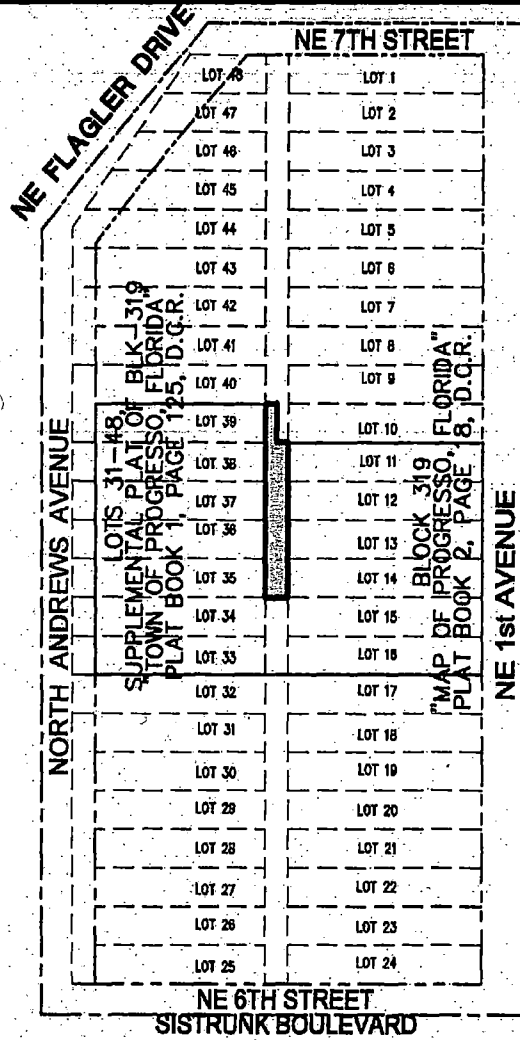
**SHEET 3 OF 3**      THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 3, INCLUSIVE  
  
**LEGEND:**  
 ☉      CENTERLINE  
 O.R.B.      OFFICIAL RECORDS BOOK  
 D.C.R.      DADE COUNTY RECORDS



SKETCH AND LEGAL DESCRIPTION  
BY  
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LOCATION SKETCH  
NOT TO SCALE

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SHEET 2 OF 3

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