

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING THE EASEMENT RIGHTS TO THE BELOW-DESCRIBED LANDS AS A PUBLIC RIGHT-OF-WAY, SIDEWALK AND PUBLIC UTILITY EASEMENT AREA TO BE IDENTIFIED AS "N.W. 14TH TERRACE" ON THE OFFICIAL MAP OF FORT LAUDERDALE, FLORIDA; SAID DEDICATION SHALL BE SUBJECT TO CERTAIN TERMS AND CONDITIONS HEREINAFTER SET FORTH; ACCEPTING SUCH DEDICATION; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Housing Authority of the City of Fort Lauderdale ("HACFL") has applied for a development permit from the City of Fort Lauderdale to construct 48 multi-family affordable housing units on a parcel of land located at 1436 N.W. 6th Street (Sistrunk Boulevard); and

WHEREAS, the Development Review Committee is reviewing this project as the "Sistrunk Gardens" project under case number 54-R-12 and the project property is located south of Sistrunk Boulevard, immediately adjacent to the West side of City-owned property known as Provident Park; and

WHEREAS, in keeping with corridor design initiatives promoting pedestrian travel, the Northwest Progresso Flagler Heights Community Redevelopment Agency ("NWCRA") staff has requested that the proposed ingress/egress plan for Sistrunk Gardens eliminate all driveway cuts from their property on Sistrunk Boulevard; and

WHEREAS, Provident Park is owned in fee simple by the City of Fort Lauderdale and managed by the City's Parks and Recreation Department; and

WHEREAS, the Parks & Recreation Department has offered to partner with HACFL to utilize an existing 24 foot wide asphalt road located on the Western portion of Provident Park; and

WHEREAS, such roadway is aligned in a North/South direction and extends approximately 250 feet South of Sistrunk Boulevard and said roadway serves park visitors and a multi-family residential complex located immediately South of Provident Park; and

WHEREAS, to utilize this roadway for a broader public purpose, City staff is recommending that the City Commission dedicate the easement rights to this roadway as a public right-of-way, sidewalk and utility easement area to be named "N.W. 14th Terrace" on the Official Map of the City of Fort Lauderdale, Florida;

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

SECTION 1. That the City Commission of the City of Fort Lauderdale hereby dedicates the easement rights to the below described lands to be used as a public right-of-way, sidewalk and utility easement area, subject to the terms and conditions hereinafter set forth. The lands over which the public right-of-way, sidewalk and utility easement area and easement rights are being dedicated are described in the Sketch and Description attached hereto as **Exhibit "A"** and made a part hereof.

SECTION 2. That the public right-of-way, sidewalk and utility easement area publicly dedicated herein shall be known as and identified on the Official Map of the City of Fort Lauderdale, Florida as "N.W. 14th Terrace".

SECTION 3. That the dedication herein is subject to the following conditions precedent to be performed by the Housing Authority of the City of Fort Lauderdale:

- (a) resurface the existing roadway within the proposed public right-of-way; and
- (b) install a public sidewalk on the West side of the road, said sidewalk to be ADA compliant; and
- (c) install decorative landscaping and irrigation systems on the West side of the roadway; and
- (d) install pedestrian lights on the West side of the roadway; and
- (e) pay for service installation and monthly utility billings for lighting and irrigation on the West side of the roadway; and
- (f) install a swale on the West side of the roadway to collect surface water runoff from the street and sidewalks; and
- (g) provide all plans, specifications, permit applications and bonds required to construct improvements to engineering standards; and
- (h) provide a Maintenance Declaration to maintain the improvements on the West side of the roadway.

SECTION 4. That upon completion of the foregoing conditions precedent to the satisfaction of the City Engineer, the City Engineer shall execute a Certificate of Completion and notify HACFL, who shall be responsible for recording certified copies of the Resolution and Certificate of Completion in the Public Records of Broward County, Florida. HACFL shall provide the City Clerk and Public Works Director with copies of the recorded documents. Upon recordation, the City of Fort Lauderdale Public Works Department shall assume responsibility for maintaining the asphalt roadway and swale on the East side of the right-of-way.

SECTION 5. That the City Commission hereby accepts the foregoing dedication upon recordation of the documents referenced in Section 4 of this Resolution.

SECTION 6. That this dedication shall be effective upon recordation of the documents referenced in Section 4 hereof.

SECTION 7. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

ADOPTED this the _____, 2012.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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M.D. O.K.

SKETCH AND LEGAL DESCRIPTION
 BY
PULICE LAND SURVEYORS, INC.
 5361 NOB HILL ROAD
 SUNRISE, FLORIDA 33351
 TELEPHONE: (954) 572-1777 FAX: (954) 572-1778
 E-MAIL: surveys@puliceandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

LEGAL DESCRIPTION:
 A PORTION OF LOTS 4, 5, 7, 8 AND 9, BLOCK 2, "FIRST ADDITION TO TUSKEGEE PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 65, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACT "B", "TUSKEGEE NOVA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE NORTH 01°11'49" EAST ALONG THE WEST LINE OF SAID TRACT "B" AND THE WEST LINE OF SAID LOTS 9, 8, 7 AND 4 FOR 247.75 FEET TO THE NORTHEAST CORNER OF TRACT "A" OF SAID "TUSKEGEE NOVA PLAT", BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SISTRUNK BOULEVARD (NW 6th STREET); THENCE SOUTH 88°37'33" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT "A" 70.00 FEET; THENCE SOUTH 46°17'08" WEST 28.24 FEET TO THE INTERSECTION WITH A LINE LYING 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 2 AND SAID TRACT "B"; THENCE SOUTH 01°11'49" WEST ON SAID PARALLEL LINE 125.00 FEET; THENCE SOUTH 01°53'25" EAST 92.85 FEET; THENCE SOUTH 45°17'25" EAST 14.53 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "B"; THENCE NORTH 88°41'24" WEST ALONG SAID SOUTH LINE 65.54 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 12,920 SQUARE FEET (0.2966 ACRES), MORE OR LESS.

FILE: CARLISLE DEVELOPMENT GROUP
 SCALE: N/A
 ORDER NO: 55356A
 DATE: 10/30/12
 RIGHT-OF-WAY DEDICATION
 FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
 FOR: SISTRUNK GARDENS

SHEET 1 OF 2 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

[Signature]

JOHN E. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136

