

RESOLUTION NO. 14-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 15-FOOT UTILITY EASEMENT OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, RECORDED IN OFFICIAL RECORDS BOOK 45325, PAGE 693, BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF SOUTHWEST 2<sup>ND</sup> COURT, EAST OF SOUTHWEST 27<sup>TH</sup> AVENUE, WEST OF SOUTHWEST 24<sup>TH</sup> AVENUE AND NORTH OF SOUTHWEST 3<sup>RD</sup> STREET, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, Gatlin Development is applying for the vacation of a utility easement (PZ Case No. 3-M-13) more fully described in Section 1, below associated with the development known as Riverbend Marketplace; 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:

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

Location: South of S.W. 2<sup>nd</sup> Court, east of S.W. 27<sup>th</sup>  
Avenue, west of S.W. 24<sup>th</sup> Avenue and north  
of S.W. 3<sup>rd</sup> Street

SECTION 2. A temporary utility easement shall be retained until such time as an engineering certificate is recorded evidencing that conditions shows on Exhibit "B" have been satisfied.


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. All other applicable state or federal permits must be obtained before commencement of the development.

ADOPTED this the 4th day of February, 2014.

  
\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

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M.S.  
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**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:**

**PARCEL B (O.R.B. 45325, PAGE 693)**

A PORTION OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK B OF "AMENDED PLAT OF WOODLAND PARK," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 01°12'08" WEST, ALONG THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 8 AND IN PART ALONG THE WEST LINE OF LOT 9, BLOCK A OF SAID PLAT OF "AMENDED PLAT OF WOODLAND PARK," 255.74 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO BEING THE SOUTHEAST CORNER OF THE FIRST PARCEL DESCRIBED IN A DEED TO RIVERBEND SOUTH, LLC AND RECORDED IN OFFICIAL RECORDS BOOK 36954, PAGE 1293 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 87°47'32" WEST, ALONG THE SOUTH LINE OF SAID FIRST PARCEL OF RIVERBEND SOUTH, LLC, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°12'08" WEST, ALONG A LINE PARALLEL WITH AND 15.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLES, OF THE EAST LINE SAID FIRST PARCEL OF RIVERBEND SOUTH, LLC, 316.67 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SOUTHWEST 2ND COURT; THENCE NORTH 87°47'32" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, 15.00 FEET TO A POINT; THENCE SOUTH 01°12'08" EAST, ALONG THE EAST LINE OF SAID FIRST PARCEL OF RIVERBEND SOUTH, LLC, 316.67 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 4,760 SQUARE FEET (0.10905 ACRE) OF LAND, MORE OR LESS.

**SURVEYOR'S NOTES:**

1. THE BEARINGS SHOWN HEREON ARE BASED UPON AN ASSUMED MERIDIAN, WITH A REFERENCE BEARING OF NORTH 01°12'08" WEST ALONG THE WEST LINE OF LOT 9, BLOCK A OF "AMENDED PLAT OF WOODLAND PARK," PLAT BOOK 29, PAGE 18, BROWARD COUNTY RECORDS.

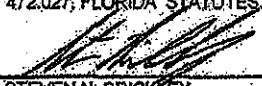
2. THE DESCRIPTION FOR PARCEL B, IN O.R.B. 45325, PG. 693, CONTAINS THE FOLLOW TWO SCRIVNER'S ERRORS:  
\*THE FIRST DIRECTIONAL CALL AFTER THE POINT OF COMMENCEMENT READS NORTH 01°12'08" EAST BUT SHOULD INSTEAD READ NORTH 01°12'08" WEST.  
\*THE FIRST DIRECTIONAL CALL AFTER THE POINT OF BEGINNING READS NORTH 87°47'32" WEST BUT SHOULD INSTEAD READ SOUTH 87°47'32" WEST.

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**

**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.

  
STEVEN N. BRICKEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE No. LS-6641

12/10/13  
DATE OF SIGNATURE

CREECH ENGINEERS, INC.  
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 6705

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

**CREECH**  
**ENGINEERS, INC.**  
CIVILIZATION ENGINEERS

7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 2139  
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED, CERTIFICATE NO. LB-2008705

**PARCEL B**  
**O.R.B. 45325, PAGE 693**

**BROWARD COUNTY**

**FLORIDA**

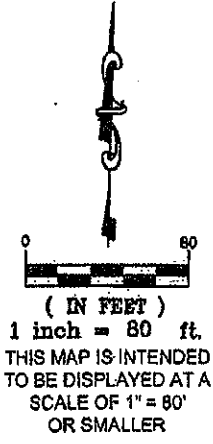
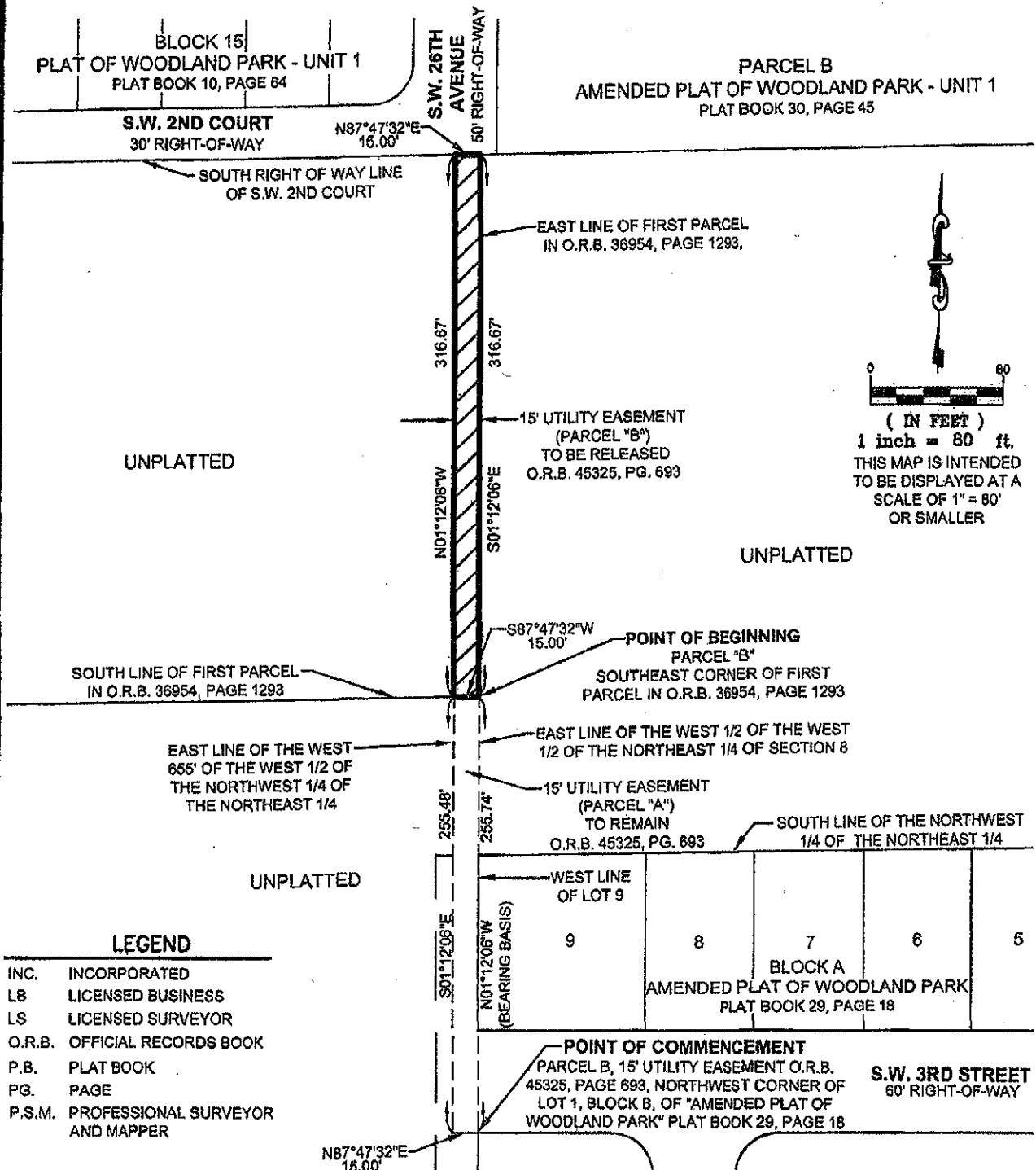
PROJECT NO. 12018-00

DATE: JULY 01, 2013

CADD FILE: 12018\_SKT & DESC\_UTILITY\_RELEASE\_SCALE: N/A | SHEET 1 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

M.D.  
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UNPLATTED

UNPLATTED

UNPLATTED

LEGEND

- 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

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

THIS IS NOT A SURVEY

**CREECH ENGINEERS, INC.**  
CIVILIZATION ENGINEERS  
7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

**PARCEL B**  
**O.R.B. 45325, PAGE 693**

**BROWARD COUNTY FLORIDA**  
PROJECT NO. 12018.00 DATE: JULY, 01, 2013  
CADD FILE: 12018\_SKT. & DESC UTILITY RELEASE SCALE: 1" = 80' SHEET 2 OF 2

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

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL  
CASE NO. 3-M-13**

1. Utilities in the temporary utility easement area are relocated or abandoned at applicant's expense, pursuant to a relocation plan approved by the City's engineering department and that any easements required pursuant to the said relocation plan be conveyed by instruments approved by the City Attorney.
2. 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 relocate facilities shall be required to be inspected and accepted by the City's Public Works Department.
3. 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.