

RESOLUTION NO. 24-132

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THAT 20.00 FOOT DRAINAGE EASEMENT, RECORDED IN OFFICIAL INSTRUMENT NUMBER 113882967 AND BEING A PORTION OF LOTS 6 AND 7, BLOCK 1, "GALT OCEAN MILE" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGE 16, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF THE INTRACOASTAL WATERWAY, NORTH OF EAST OAKLAND PARK BOULEVARD, WEST OF NORTHEAST 32ND AVENUE AND SOUTH OF NORTHEAST 33RD STREET, ALL SAID LANDS SITUATE, LYING AND BEING 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"), Integra Real Estate, LLC, is applying for the vacation of a 20-foot wide by 136-foot long drainage easement (Case No. UDP-EV23002) more fully described in SECTION 2 below, located east of the Intracoastal Waterway, north of East Oakland Park Boulevard, west of Northeast 32nd Avenue and south of Northeast 33rd Street, 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 Development Services Department 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 July 2, 2024, a portion of those findings expressly listed as follows:

1. Letters of no objection from the utility companies are included in this submission, stating that they have no objection to the vacation of the easement on owner's property. According to the letters of no objection, there are no active utilities located within the drainage easement. Therefore, this easement is no longer needed for public purposes.
2. Applicant has provided letters of no objection from TECO, AT&T, FPL, Comcast, and the City's Public Works Department. As a condition of approval from the City's Public Works Department, a new 20-foot exclusive drainage easement shall be granted along the northern property line. Additionally, there is a portion of the building that will overhang the new drainage easement and there is a condition requiring the building maintain a minimum of 20 feet of vertical clearance as shown in the plans reviewed by Public Works.

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

ALL OF THAT 20.00 FOOT DRAINAGE EASEMENT,
RECORDED IN OFFICIAL INSTRUMENT NUMBER 113882967
AND BEING A PORTION OF LOTS 6 AND 7, BLOCK 1, "GALT
OCEAN MILE" ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 34, PAGE 16, ALL OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: East of the Intracoastal Waterway, north of East
Oakland Park Boulevard, west of Northeast 32nd
Avenue and south of Northeast 33rd Street

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

1. At applicant cost, a new stormwater drainage system shall be designed, permitted, and constructed as accepted by the City Engineer.

2. Applicant shall grant a new twenty (20) foot exclusive drainage easement over the new stormwater system. No trees, fences, other utilities, or structures shall remain or be installed over the granted easement. The proposed building overhang that overlaps the proposed drainage easement shall have a minimum of 20 feet of vertical clearance.
3. 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.
4. 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.
5. 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.


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. That the approval of the vacation of the easement shall expire in 24 months from the date of final passage of this resolution if the certificate required in Section 3, paragraph 4 of this resolution has not been recorded in the public records of Broward County, Florida.

SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this 2nd day of July, 2024.




Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:



City Attorney
THOMAS J. ANSBRO

Dean J. Trantalis	<u>Yea</u>
John C. Herbst	<u>Yea</u>
Steven Glassman	<u>Yea</u>
Pamela Beasley-Pittman	<u>Yea</u>
Warren Sturman	<u>Yea</u>



STONER

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Davie, Florida 33314

Licensed Business No. 6633

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EXHIBIT "A"

LEGAL DESCRIPTION

20-FOOT-WIDE DRAINAGE EASEMENT TO BE VACATED RECORDED IN OFFICIAL INST. No. 113882967, B.C.R.

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

LEGAL DESCRIPTION:

A 20-FOOT-WIDE DRAINAGE EASEMENT, BEING A PORTION OF LOTS 6 AND 7, BLOCK 1, GALT OCEAN MILE, ACCORDING TO THE PLAT, THEREOF AS RECORDED IN PLAT BOOK 34, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. THE CENTERLINE OF SAID DRAINAGE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 6;

THENCE N.05°20'27"E., ALONG THE EASTERLY LINE OF SAID LOT 6, A DISTANCE OF 33.27 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE;

THENCE N.82°32'08"W., A DISTANCE OF 136.23 FEET;

THENCE N.86°44'45"W., A DISTANCE OF 13.22 FEET, TO A POINT ON THE WEST LINE OF SAID LOT 7, SAID POINT BEING THE POINT OF TERMINATION OF THE HEREIN DESCRIBED EASEMENT.

THE SIDELINES OF SAID EASEMENT TO BE LENGTHEN OR SHORTEN TO MEET AT ANGLE POINTS AND TERMINATE ON THE WEST LINE OF SAID LOTS 6 AND 7.

SAID EASEMENT LYING AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 0.069 ACRES (2,989 SQUARE FEET), MORE OR LESS.

NOTES:

1. THE PROPERTY SHOWN HEREON WAS NOT SUBJECTED TO A TITLE SEARCH FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. BEARINGS SHOWN HEREON ARE BASED UPON AN ASSUMED BEARING OF N.05°20'27"E. ALONG THE EAST LINE OF LOT 6 AND 7, BLOCK 1, GALT OCEAN MILE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, AT PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
5. THIS LEGAL DESCRIPTION WAS PREPARED BY STONER & ASSOCIATES, INC. WITHOUT THE BENEFIT OF A TITLE SEARCH. THERE COULD BE MATTERS OF RECORD THAT ARE NOT SHOWN HEREON.
6. SEE SHEET 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PROPERTY DESCRIBED HEREON.

CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISIONS	DATE	BY
ADD RECORDING INFO	6/10/24	JDS
CONVERT TO LEGAL SIZE	6/10/24	JDS

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.
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DATE OF SIGNATURE: 6.10.2024

James D Stoner

JAMES D. STONER

PROFESSIONAL SURVEYOR AND MAPPER NO. 4039 - STATE OF FLORIDA

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
3/10/23	DRL	JDS	N/A

SEAL

SHEET 1 OF 2

SKETCH NO.
22-9462-DE_VAC

Exhibit "A"



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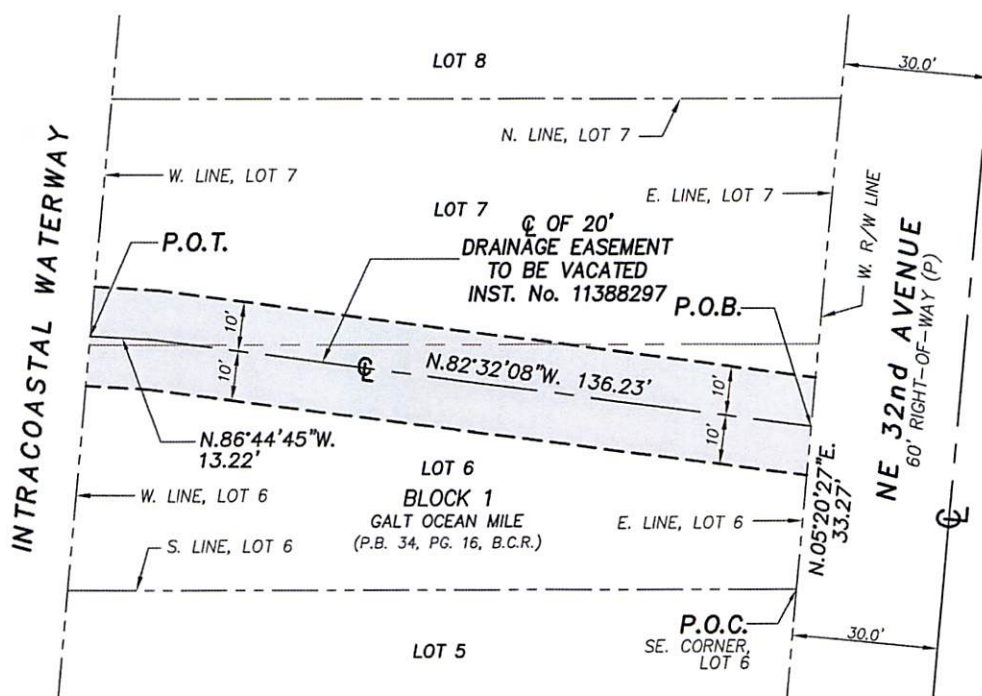
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Davie, Florida 33314

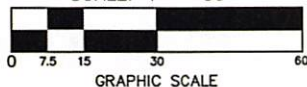
TEL (954) 585-0997
www.stonersurveyors.com

SKETCH OF DESCRIPTION
20-FOOT-WIDE DRAINAGE EASEMENT TO BE VACATED
RECORDED IN OFFICIAL INST. No. 113882967, B.C.R.

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA



SCALE: 1" = 30'



LEGEND:

B.C.R.	BROWARD COUNTY RECORDS
P.B.	PLAT BOOK
P.G.	PAGE
PLS	PROFESSIONAL LAND SURVEYOR
LB.	LICENSED BUSINESS
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
P.O.T.	POINT OF TERMINATION
R/W	RIGHT-OF-WAY
INST No.	INSTRUMENT NUMBER
C	CENTERLINE

NOTE:
SEE SHEET 1 OF 2 FOR
THE LEGAL DESCRIPTION
OF THE PROPERTY SHOWN
GRAPHICALLY HEREON.

SHEET 2 OF 2

SKETCH NO.
22-9462-DE_VAC