

September 15, 2014

City of Fort Lauderdale  
Sustainable Development Department  
Urban Design & Planning Division  
700 NW 19 Ave  
Fort Lauderdale, FL 33311

Attn: Yvonne Redding, Planner II

- RE: Item A. Clarify and then Finalize Vacation of a 10' ROW West of NW 7<sup>th</sup> Avenue, 300 Block.  
(Case 14-P-05, Ordinance C-06-06, ROW Dedication Deed Recorded at O.R. 30899/976) OK
- Item B. Vacate All or Portion of Adjacent 10' ROW along NW 7<sup>th</sup> Avenue, 300 Block.  
(ROW Dedication Deed Recorded at O.R. 26334/98)
- Item C. Clarify Continued Need for ROW Easement along South Side NW 4<sup>th</sup> Street, near NW 7<sup>th</sup> Avenue  
(ROW Easement Deed Recorded at O.R. 26334/85)

Dear Ms. Redding:

We ask for the City's consideration and assistance in reconveying all or portions of our conveyed interests in three right-of-way deeds- one deed for an easement along a portion of NW 4<sup>th</sup> Street west of NW 7<sup>th</sup> Avenue and two deeds for expanding the west side ROW of NW 7<sup>th</sup> Avenue, south of NW 4<sup>th</sup> Street.

Items B & C

In the late 90's two projects affecting NW 7<sup>th</sup> Avenue and NW 4<sup>th</sup> Street were ongoing- the 7th-9th connector and an inter-connection project (using NW 4<sup>th</sup> Street) associated with FDOT. The Sixth Street Corporation agreed to dedicate 10 feet to the City along the west side of NW 7<sup>th</sup> Avenue and 5 feet along NW 4<sup>th</sup> Street at the intersection of NW 7<sup>th</sup> Avenue, all for ROW. Also, we agreed to a 5' ROW easement deed, from the 5 feet of NW 4<sup>th</sup> Street dedicated land, westward 105 Feet. Both deeds were recorded April 25, 1997. Copies of both deeds are attached.

Item A

In 1998/99, we submitted a site plan for City's review, for construction on that parcel at the SW corner of NW 7<sup>th</sup> Avenue and NW 4<sup>th</sup> Street. City staff, reviewing the plan, determined that an additional 10' of ROW along the west side of NW 7<sup>th</sup> Avenue was needed for projects. That 2<sup>nd</sup> dedication deed was recorded in September 2000. Copy is attached.

Subsequent City review, in early 2000's, found that both the 7<sup>th</sup>-9<sup>th</sup> Connector Project and the Inter-Connection Project would not occur, as originally planned, and thus certain dedicated lands would not be needed. In year 2005, we asked for return of the ROW lands dedicated in year 2000.

Item A: Analysis

> Request to vacate was considered by the PROW Committee at their June 16, 2005 meeting, Item 4.

Selected summary from the meeting minutes:

- > Land no longer needed was affirmed.
- > Vacating would "kill" the plan for a 50' NW 4<sup>th</sup> Street corridor w/o the N 5' of the deeded land.
- > Members agreed to recommend the return of the requested N/S 10' ROW but keep the vacation north edge 25' south of the NW 4<sup>th</sup> Street centerline, to preserve the 50' corridor plan.
- > Staff said that the survey should be redrafted to reflect the 25' distance discussed.

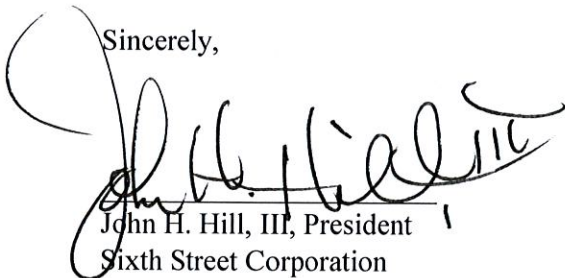
- > Request to vacate was then discussed by the PZB at their January 19, 2006 meeting.
  - Selected summary from the meeting minutes:
  - > Our request to vacate was assigned Case # 14-P-05.
  - > 10 feet of 7<sup>th</sup> Avenue ROW lands no longer needed was affirmed.
  - > No discussion was noted in the Board's minutes concerning any need to retain or control
    - (A.) the 5 foot easement along 105 feet of the north edge of our property  
(S side of NW 4th Street) or
    - (B.) the 5 foot dedication, east of the easement, eastward to the NW 7<sup>th</sup> avenue intersection.
  - > No Board request to resurvey was brought forth.
  - > Motion to return the land was passed.
  - > No other exceptions were noted.
  
- > Request to vacate was then formalized through ORDINANCE NO. C-06-06.
  - > 2nd reading of the ordinance occurred at the CC meeting on April 4, 2006.
  - > CAR # was 06-0483.
  - > Agenda item was (O-02).
  - > No reference was found in CC the meeting minutes concerning the north 5 feet of the vacation.
  - > Ordinance was recorded in the public records on April 14, 2006. Page 3 was a sketch of the vacated ROW. The sketch was the same original one used in the year 2000 right-of-way dedication deed.

Summary

1. Is the City planning to widen NW 4th Street west of NW 7th Avenue? If not, we request that the City's interest contained in the Easement Deed, per Item C above, be returned to us.
  
2. We request that the appropriate City staff sign and record necessary document(s) to return to us the vacated land, per Item A above, and further identified in ORDINANCE NO. C-06-06.
  
3. We request that City staff review the Right-Of-Way Dedication Deed recorded in April 1997, per Item B above, to determine if any of that dedicated land, west and southwest of the current City sidewalks, is no longer needed for a public purpose, such as the 7th/9th Connector Project or the Inter-Connection Project. If there is no such need, we ask that the ROW portion of dedicated lands inside the sidewalks be vacated and reconveyed to us.

Thank you in advance.

Sincerely,



John H. Hill, III, President  
Sixth Street Corporation  
116 NW 11<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311  
(954) 881-0333

Attached Documents Listed on Page 3: