

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF A 14.00 FOOT UTILITY EASEMENT RETAINED BY ORDINANCE NO. C-89-94 RECORDED IN OFFICIAL RECORDS BOOK 17411, PAGE 610, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS A PORTION OF A 14.00 FOOT ALLEY ADJACENT TO LOTS 1 THROUGH 7 AND LOTS 18 THROUGH 24, BLOCK 17 "TOWN OF FORT LAUDERDALE" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED NORTH OF SOUTHWEST 2ND STREET, SOUTH OF WEST BROWARD BOULEVARD, EAST OF SOUTHWEST 4TH AVENUE AND WEST OF SOUTHWEST 3RD AVENUE, 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"), FTL/AD, LTD., is applying for the vacation of a portion of a utility easement (Case No. UDP-EV21010) retained by Ordinance No. C-89-94 recorded in Official Records Book 17411, Page 610 of the Public Records of Broward County, Florida, more fully described in SECTION 2 below, located north of Southwest 2nd Street, south of West Broward Boulevard, east of Southwest 4th Avenue and west of Southwest 3rd 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 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 September 6, 2022, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

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

A PORTION OF A 14.00 FOOT UTILITY EASEMENT RETAINED BY ORDINANCE NO. C-89-94 RECORDED IN OFFICIAL RECORDS BOOK 17411, PAGE 610, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS A PORTION OF A 14.00 FOOT ALLEY ADJACENT TO LOTS 1 THROUGH 7 AND LOTS 18 THROUGH 24, BLOCK 17 "TOWN OF FORT LAUDERDALE" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of Southwest 2nd Street, south of West Broward Boulevard, east of Southwest 4th Avenue and west of Southwest 3rd Avenue

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

1. Any utilities unknown found to be within the easement shall be relocated pursuant to a relocation plan at the expense of the applicant, and an easement in a different location shall be provided by the owner to the satisfaction of the city. The relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
2. The vacating resolution 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. 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.

ADOPTED this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis _____

Heather Moraitis _____

Steven Glassman _____

APPROVED AS TO FORM:

Robert L. McKinzie _____

Ben Sorensen _____

City Attorney
ALAIN E. BOILEAU

M.P.O.K.

EXHIBIT "A"

LEGAL DESCRIPTION: Vacation of the retained 14 foot Utility Easement described in Section 2, Official Records Book 17411, Page 610.

A portion of a 14 foot Alley, lying adjacent to Lots 1, 2, 3, 4, 5, 6, 7, 18, 19, 20, 21, 22, 23 and 24, in Block 17, TOWN OF FORT LAUDERDALE, according to the Plat thereof, as recorded in Plat Book B at Page 40 of the Public Records of Dade County, Florida, said 14 foot Alley vacated by Ordinance No. C-89-94 as recorded in Official Records Book 17411 at Page 610 of the Public Records of Broward County, Florida and being more particularly described as follows:

Begin at the Southwest corner of said Lot 18; thence N 00°07'12" W along the West line of said Lots 18, 19, 20, 21, 22, 23 and 24, also being the East line of said 14 foot Alley for 331.54 feet to a point on a circular curve concave to the Southwest and whose radius point bears S 02°13'37" W; thence Northwesterly along a 4643.54 foot radius curve leading to the left through a central angle of 00°10'22" for an arc distance of 14.00 feet to a point on a non-tangent line; thence S 00°07'12" E along the East line of said Lots 1, 2, 3, 4, 5, 6 and 7, also being the West line of said 14 foot Alley for 332.06 feet to the Southeast corner of said Lot 7; thence S 89°59'02" E along the Easterly extension of the South line of said Lot 7, also being the Westerly extension of the South line of said Lot 18 for 14.00 feet to the Point of Beginning.

SURVEYOR'S NOTES:

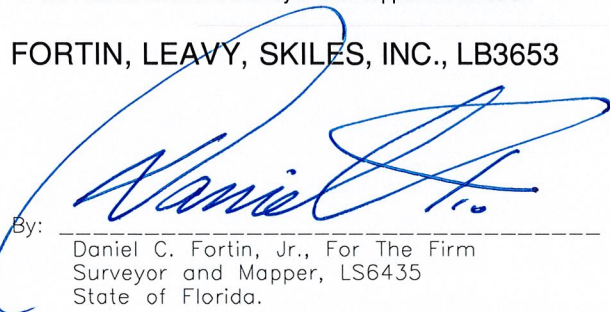
- This site lies in Section 10, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.
- Bearings hereon are referred to an assumed value of N 00°07'12" W for the East right of way line of S.W. 4th Avenue.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2021-080-1.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on June 17, 2022, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

By: 

 Daniel C. Fortin, Jr., For The Firm
 Surveyor and Mapper, LS6435
 State of Florida.

Drawn By	MAP
Cad. No.	210969
Ref. Dwg.	2021-080-1
Plotted:	6/17/22 12:39a

LEGAL DESCRIPTION, NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th. Street / North Miami Beach, Florida. 33162
 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

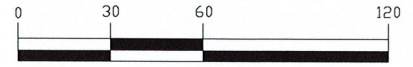
Date	6/17/22
Scale	NOT TO SCALE
Job. No.	210969
Dwg. No.	1021-068
Sheet	1 of 3

m.o.o.k.

EXHIBIT "A"

WEST BROWARD BOULEVARD

GRAPHIC SCALE

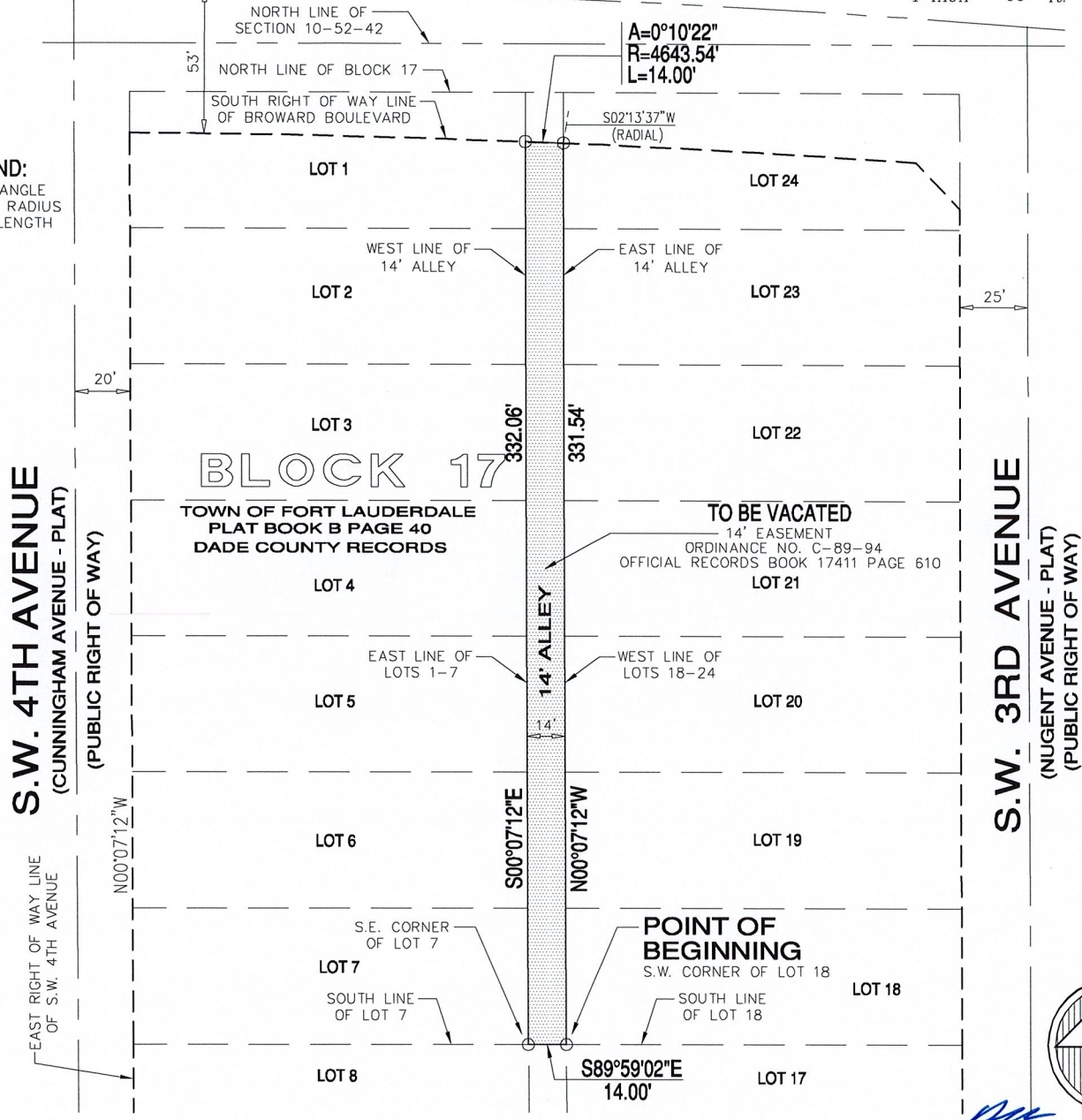


(IN FEET)
1 inch = 60 ft.

CENTERLINE OF CONSTRUCTION
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
SECTION 86006-2501
REV. DATE 2/24/92

(STATE ROAD #842)
(NORTH FORTH STREET - PLAT)
(PUBLIC RIGHT OF WAY)

LEGEND:
A=CURVE ANGLE
R=CUREVE RADIUS
L=CURVE LENGTH



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SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	6/17/22
Scale	1"=60'
Job. No.	210969
Dwg. No.	1021-068
Sheet	2 of 3

M.D. O.K.

EXHIBIT "A"



Handwritten signature

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Ref. Dwg.	2021-080-1
Plotted:	6/17/22 12:39a

LOCATION SKETCH

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 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
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 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	6/17/22
Scale	NOT TO SCALE
Job. No.	210969
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Sheet	3 of 3