

RESOLUTION NO. 24-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THAT CERTAIN 15.00 FOOT DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4092, PAGE 165, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT LYING IN TRACT "A", "RESUBDIVISION OF A PORTION OF CORAL RIDGE GALT ADDITION NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF NORTH FEDERAL HIGHWAY (SR5), NORTH OF EAST OAKLAND PARK BOULEVARD, WEST OF NORTHEAST 26TH AVENUE AND SOUTH OF NORTHWEST 35TH DRIVE, 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"), Stanley R. Gumberg, Trustee of the Coral Ridge Shopping Center Trust, is applying for the vacation of a 15-foot wide by 243-foot long drainage easement (Case No. UDP-EV24002) more fully described in SECTION 2 below, located east of North Federal Highway (SR5), north of East Oakland Park Boulevard, west of Northeast 26th Avenue and south of Northwest 35th Drive, 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 October 1, 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.

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 CERTAIN 15.00 FOOT DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4092, PAGE 165, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT LYING IN TRACT "A", "RESUBDIVISION OF A PORTION OF CORAL RIDGE GALT ADDITION NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: East of North Federal Highway (SR5), north of East Oakland Park Boulevard, west of Northeast 26th Avenue and south of Northwest 35th Drive

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

1. 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.
2. 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.

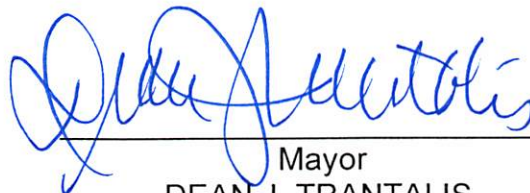
SECTION 4. That a copy of this Resolution shall be recorded in the Public Records of Broward County within 30 days from the date of final passage.

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 3 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 1st day of October, 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 Yea

John C. Herbst Yea

Steven Glassman Yea

Pamela Beasley-Pittman Yea

Warren Sturman Yea

SKETCH OF DESCRIPTION OF VACATION OF DRAINAGE EASEMENT

SECTION 24, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
BROWARD COUNTY, FLORIDA

M.D.O.K.

DESCRIPTION (ORB 4092, PG 165)

A 15 FOOT WIDE EASEMENT IN TRACT A OF "RESUBDIVISION OF A PORTION OF CORAL RIDGE GALT ADDITION NO. 2," AS RECORDED IN PLAT BOOK 36, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, THE CENTER LINE OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH AND WESTERLY BOUNDARIES OF SAID TRACT A; THENCE GO NORTHWESTERLY ALONG SAID WESTERLY BOUNDARY, 800 FEET; THENCE NORTHEASTERLY, 90° TO THE RIGHT, 49 FEET TO THE POINT OF BEGINNING OF SAID CENTER LINE; THENCE NORTHWESTERLY, 241 FEET, MORE OR LESS, TO A POINT ON THE RADIAL RETURN AT THE NORTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING 96 FEET FROM, AS MEASURED RADIALY, THE CENTER LINE OF THE ORIGINAL 66 FOOT RIGHT OF WAY OF FEDERAL HIGHWAY.

THIS SKETCH IS NOT A SURVEY.

SHEET 1 OF 2

JOB #58025
CF# BR36-15 SOD Easement
DATE: 4/15/2024
SCALE: 1" = 50'
DRAWN BY: ANT


PREPARED FOR:

BEARING STRUCTURE IS ASSUMED AND BASED ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF N FEDERAL HIGHWAY, BEING: --.

REVISIONS:
6/21/24 UPDATE HEADING ANT

THIS SKETCH MEETS THE "STANDARDS OF PRACTICE" AS REQUIRED BY CHAPTER 5J-17 FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

9/12/24


RONALD K. SMITH, PSM 5797
"NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER." OR THE DIGITAL SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RONALD K. SMITH, PSM 5797.



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LEGEND			
CL	- CENTERLINE	PG	- PAGE
Δ	- CENTRAL ANGLE	POB	- POINT OF BEGINNING
DB	- DEED BOOK	POC	- POINT OF COMMENCEMENT
DE	- DRAINAGE EASEMENT	PRC	- POINT OF REVERSE CURVATURE
DOC #	- DOCUMENT #	PT	- POINT OF TANGENCY
ESMT	- EASEMENT	R/W	- RIGHT OF WAY
L	- ARC LENGTH	R	- RADIUS
ORB	- OFFICIAL RECORDS BOOK	TYP	- TYPICAL
P&M	- PLAT & MEASURED	UE	- UTILITY EASEMENT
PB	- PLAT BOOK		
PC	- POINT OF CURVATURE		
PCC	- POINT OF COMPOUND CURVATURE		

