

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO FLORIDA STATUTE SECTION 255.22 (2021) AUTHORIZING RECONVEYANCE BY QUIT CLAIM DEED TO SIXTH STREET CORPORATION, A FLORIDA CORPORATION, OF (1) A TEN (10) FOOT SIDEWALK RIGHT-OF-WAY EASEMENT AND (2) A FIVE (5) FOOT SIDEWALK RIGHT-OF-WAY EASEMENT PREVIOUSLY CONVEYED TO THE CITY OF FORT LAUDERDALE; AUTHORIZING EXECUTION AND DELIVERY OF THE QUIT CLAIM DEED OF RECONVEYANCE; REPEAL ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE

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WHEREAS, on April 21, 1997, SIXTH STREET CORPORATION, a Florida corporation (hereinafter ("Sixth Street")), executed and delivered to the City of Fort Lauderdale, without consideration, a Sidewalk Right-of-Way Easement Deed, said deed being recorded April 25, 1997, at Official Records Book 26334, Page 0098 of the Public Records of Broward County, Florida, said deed conveying a ten (10) foot sidewalk right-of-way easement; and

WHEREAS, on April 21, 1997, Sixth Street, executed and delivered to the City of Fort Lauderdale, without consideration, a Right-Of-Way Easement Deed, said deed being recorded April 25, 1997, at Official Records Book 26334, Page 0085 of the Public Records of Broward County, Florida, said deed conveying a five (5) foot sidewalk right-of-way easement; and

WHEREAS, Sixth Street has requested reconveyance of the above referenced (1) ten (10) foot sidewalk right-of-way easement and (2) the (5) foot sidewalk right-of-way easement pursuant to the terms of Florida Statute Section 255.22 (2021) on the basis that for a period of sixty (60) months after the conveyance the City of Fort Lauderdale failed to use such real property for the purpose for which it was conveyed and further failed to identify the property in a comprehensive plan or other public facilities plan and the City failed to construct, improve or maintain such property for a period of sixty (60) months after the conveyance to the City; and

WHEREAS, City staff has investigated the basis set forth in Florida Statute Section 255.22 (2021) and has determined that the City has failed to take the actions referenced in the statute for the requisite period of time;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, finds and

determines that the City did not take the requisite actions required by Florida Statute Section 255.22 (2021) within the prescribed period of time and therefore authorizes execution and delivery of a Quit Claim Deed conveying to Sixth Street, a Florida corporation (1) the ten (10) foot sidewalk right-of-way easement, and (2) the five (5) foot sidewalk right-of-way easement previously conveyed to the City of Fort Lauderdale as set forth above. A copy of said Quit Claim Deed is attached hereto as Exhibit "1."

SECTION 2. That any and all Resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 3. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by City officials.

SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI

PREPARED BY AND RETURN TO:

Robert B. Dunckel, Esq.  
City Attorney's Office  
City of Fort Lauderdale  
100 North Andrews Avenue  
Fort Lauderdale, Florida 33301

Folio No. 5042 10 12 0450

Space Reserved for Recording Information

**QUIT CLAIM DEED**

THIS INDENTURE, made this 18th day of January, 2022, by and between:

CITY OF FORT LAUDERDALE, a municipal corporation existing under the laws of the State of Florida, whose Post Office address is 100 North Andrews Avenue, Fort Lauderdale, Florida 33301, hereinafter referred to as "GRANTOR",

and

SIXTH STREET CORPORATION, a Florida corporation, whose address is 116 NW 11 Avenue, Fort Lauderdale, Florida 33311, hereinafter "GRANTEE".

**RECITALS:**

WHEREAS, on April 21, 1997, Sixth Street Corporation, a Florida corporation, GRANTEE herein, without receipt of valuable consideration, executed and delivered to the City of Fort Lauderdale, GRANTOR herein, a ten (10) foot Right-Of-Way Dedication (containing. Approximately 1,340 square feet) granting unto GRANTOR herein, right-of-way rights over the real property described therein, such Right-Of-Way Dedication Deed being recorded April 25, 1997 at Official Records Book 26334, Page 0098 of the Public Records of Broward County,

Florida (hereinafter, 10-foot dedication”); and

WHEREAS, on April 21, 1997, Sixth Street Corporation, a Florida corporation, GRANTEE herein, without receipt of valuable consideration, executed and delivered to the City of Fort Lauderdale, GRANTOR herein, a five (5) Foot Right-Of-Way Easement Deed, (containing approximately 576 square feet) granting unto GRANTOR herein right-of-way easement rights over real property described therein, such Right-of-Way Easement Deed being recorded April 25, 1997 at Official Records Book 26334, Page 0085 of the Public Records of Broward County, Florida (hereinafter, “5-foot dedication”); and

WHEREAS, the conveyances of the 10-foot dedication and 5-foot dedication to the GRANTOR were for specific purposes; and

WHEREAS, the GRANTOR herein failed to use both the 10-foot dedication and 5-foot dedication for the specific purposes for which they were conveyed for a period of sixty (60) consecutive months after the conveyances to the GRANTOR herein, nor did the GRANTOR herein identify the proposed use of both the 10-foot dedication and 5-foot dedication in a comprehensive plan or other public facilities plan within such sixty (60) consecutive month period; and

WHEREAS, GRANTEE herein has made a written demand upon GRANTOR herein for reconveyance of the 10-foot dedication and the 5-foot dedication described above; and

WHEREAS, GRANTEE herein owns the land adjoining real property within the above described 10-foot dedication and 5-foot dedication; and

WHEREAS, under the circumstances recited above Florida Statute § 255.22 authorizes execution and delivery by Quit Claim Deed of conveyance made in the 5-foot dedication and 10-foot dedication described above; and

WHEREAS, in consideration of the foregoing, the City Commission by adoption of this Resolution, at its Regular Meeting of January 18, 2022, authorized execution and delivery of this Quit Claim Deed by GRANTOR to GRANTEE;

NOW THEREFORE, in consideration of the foregoing:

WITNESSETH that said GRANTOR, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration. receipt whereof is hereby acknowledged, does hereby remise, release, quit claim and convey to the said GRANTEE, its successors and assigns forever, any right, title or interest in and to the 10-foot dedication and 5-foot dedication described above and the easement rights and property described herein, such real property located, situate and being in Broward County, Florida and described as follows:

**See Sketch and Legal Description attached hereto as Exhibit “1”.**

IN WITNESS WHEREOF, GRANTOR has hereunto set its hand and seal the day and year first above written.

WITNESSES:

CITY OF FORT LAUDERDALE, a  
municipal corporation of Florida

\_\_\_\_\_

\_\_\_\_\_  
Dean J. Trantalis, Mayor

\_\_\_\_\_  
[Witness-print or type name]

\_\_\_\_\_

\_\_\_\_\_  
Christopher J. Lagerbloom, ICMA-CM,  
City Manager

\_\_\_\_\_  
[Witness-print or type name]

(CORPORATE SEAL)

ATTEST:

\_\_\_\_\_  
Jeffrey A. Modarelli, City Clerk

Approved as to form:

\_\_\_\_\_  
Alain E. Boileau, City Attorney

STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online, this \_\_\_\_\_, 2022, by DEAN J. TRANTALIS, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did not take an oath.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped.

My Commission Expires:

Commission Number: \_\_\_\_\_

STATE OF FLORIDA:

COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online, this \_\_\_\_\_, 2022, by CHRISTOPHER J. LAGERBLOOM, ICMA-CM, City Manager of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did not take an oath.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped.

My Commission Expires:

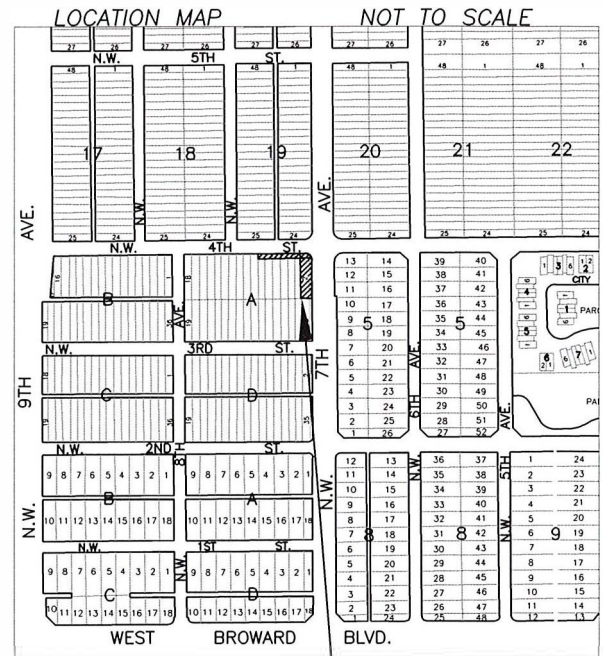
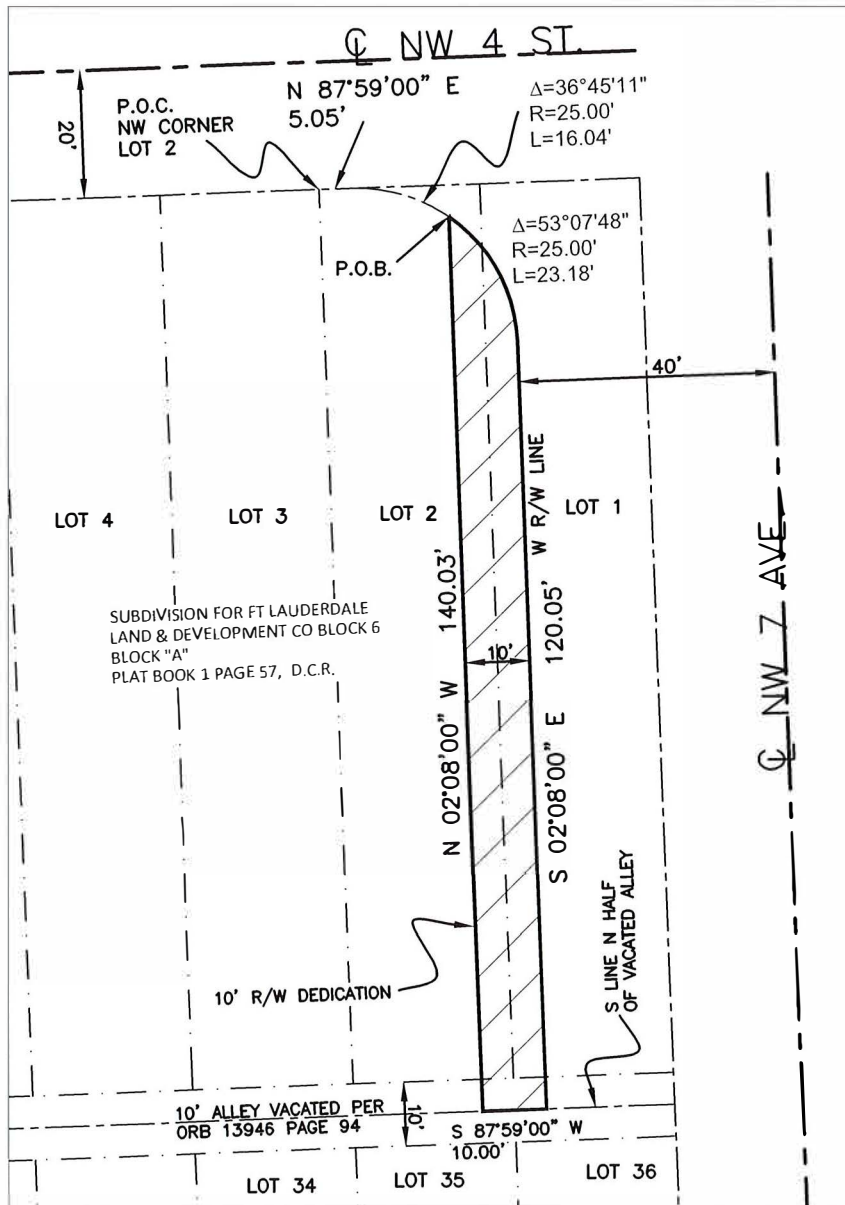
Commission Number: \_\_\_\_\_

# SKETCH AND DESCRIPTION

Exhibit "1"

THIS IS NOT A SURVEY

Page 1 of 2



0 30 60  
SCALE FEET

## LEGEND:

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
R/W = RIGHT OF WAY  
D.C.R. = DADE COUNTY RECORDS  
ORB = OFFICIAL RECORDS BOOK  
Δ = CENTRAL ANGLE  
L = ARC LENGTH  
R = RADIUS  
C = CENTERLINE

## DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE N 87° 59' 00" E ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 5.05 FEET TO A POINT OF CURVATURE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET THRU A CENTRAL ANGLE OF 36° 45' 11" FOR AN ARC DISTANCE OF 16.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHEASTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET THRU A CENTRAL ANGLE OF 53° 07' 48" FOR AN ARC DISTANCE OF 23.18 FEET TO A POINT; THENCE S 02° 08' 00" E ALONG THE NOW EXISTING WEST RIGHT OF WAY LINE OF NORTHWEST 7 AVENUE, A DISTANCE OF 120.05 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID VACATED 10.00 FOOT ALLEY; THENCE S 87° 59' 00" W ALONG SAID SOUTH LINE OF THE NORTH HALF, A DISTANCE OF 10.00 FEET; THENCE N 02° 08' 00" W ALONG A LINE THAT IS 10.00 FEET WEST OF AND PARALLEL TO THE WEST RIGHT OF WAY LINE OF SAID NORTHWEST 7 AVENUE, A DISTANCE OF 140.03 FEET TO THE POINT OF BEGINNING.

ALL SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 1,340 SQUARE FEET MORE OR LESS.

## NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) BEARINGS ARE BASED ON THE WEST R/W LINE OF NW 7 AVENUE, BEING S 02° 08' 00" E.

I HEREBY CERTIFY THAT THE HEREIN SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF PREPARED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027.

DATED: DECEMBER 13th, 2021

MICHAEL W. DONALDSON  
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490  
STATE OF FLORIDA

Page 6 of 6

SHEET 1 OF 1

CITY OF FORT LAUDERDALE

EXHIBIT 1

NW 7 AVENUE  
R/W DEDICATION

BY: S.P.

ENGINEERING

DATE: 12/13/21

CHK'D M.D.

DIVISION

SCALE: 1"=30'

Exhibit 5

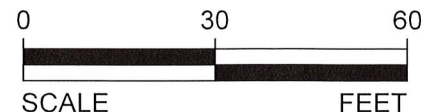
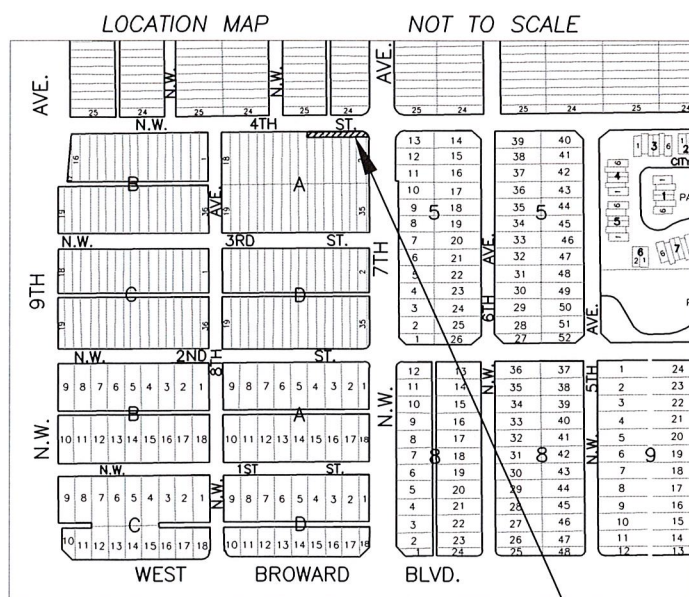
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# SKETCH AND DESCRIPTION

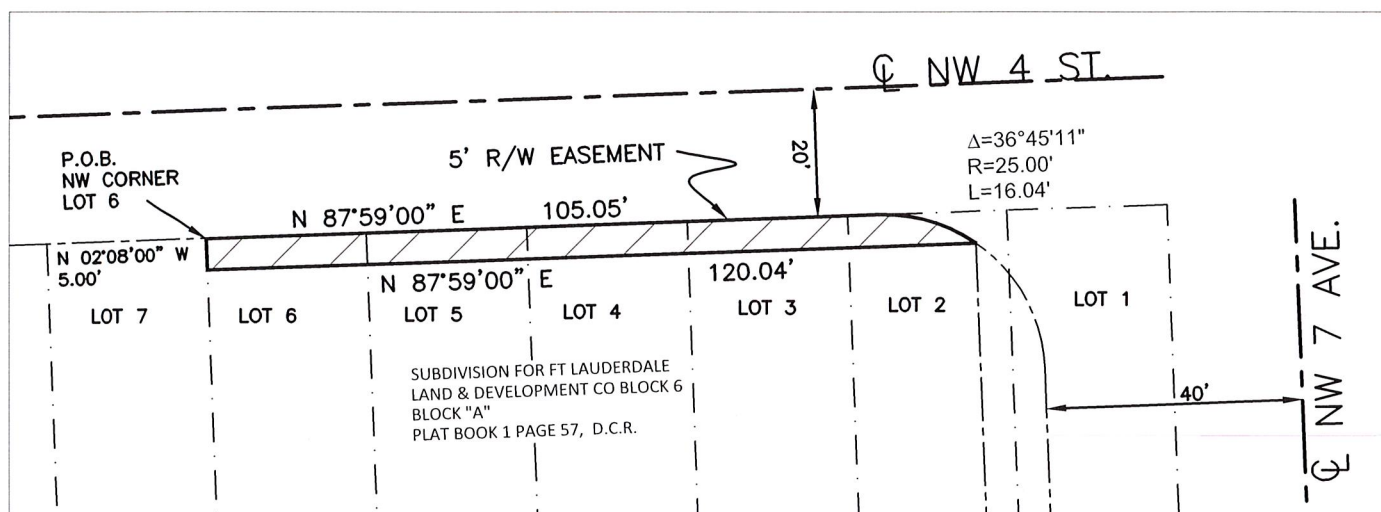
Exhibit "1" Page 2 of 2

THIS IS NOT A SURVEY



## LEGEND:

P.O.B. = POINT OF BEGINNING  
R/W = RIGHT OF WAY  
D.C.R. = DADE COUNTY RECORDS  
Δ = CENTRAL ANGLE  
L = ARC LENGTH  
R = RADIUS  
CL = CENTERLINE



## DESCRIPTION:

A PORTION OF LOTS 2, 3, 4, 5 AND 6, BLOCK "A", "SUBDIVISION FOR FT LAUDERDALE LAND & DEVELOPMENT CO BLOCK 6" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 57 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE N 87° 59' 00" E ALONG THE NORTH LINE OF SAID BLOCK "A" FOR A DISTANCE OF 105.05 FEET TO A POINT OF CURVATURE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET THRU A CENTRAL ANGLE OF 36° 45' 11" FOR AN ARC DISTANCE OF 16.04 FEET TO A POINT; THENCE S 87° 59' 00" W ALONG A LINE THAT IS 5.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID BLOCK "A", A DISTANCE OF 120.04 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6; THENCE N 02° 08' 00" W ALONG SAID WEST LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

ALL SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 571 SQUARE FEET MORE OR LESS.

## NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) BEARINGS ARE BASED ON THE NORTH LINE OF BLOCK "A", BEING N 87° 59' 00" E.

I HEREBY CERTIFY THAT THE HEREIN SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, PREPARED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027.

DATED: DECEMBER 13th, 2021

MICHAEL W. DONALDSON  
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490  
STATE OF FLORIDA

*Michael W. Donaldson* 12/13/21

SHEET 1 OF 1

CITY OF FORT LAUDERDALE

EXHIBIT 1

NW 4 STREET  
R/W EASEMENT

BY: S.P.	ENGINEERING	DATE: 12/13/21
CHK'D M.D.	DIVISION	SCALE: 1"=30'

CAM 22-0027