

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THAT 6.00 FOOT WIDE BY 150.00 FOOT LONG RETAINED UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 13946, PAGE 94, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING A PORTION OF BLOCK "A", "SUBDIVISION FOR FT. LAUDERDALE LAND & DEVELOPMENT CO. BLOCK 6", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 57 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED NORTH OF NORTHWEST 3<sup>RD</sup> STREET, SOUTH OF NORTHWEST 4<sup>TH</sup> STREET, EAST OF NORTHWEST 8<sup>TH</sup> AVENUE AND WEST OF NORTHWEST 7<sup>TH</sup> AVENUE, ALL SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), Mount Herman African Methodist Episcopal Church is applying for the vacation of 6-foot-wide by 150-foot long utility easement (Case No. UDP-EV21004) more fully described in SECTION 2 below, located at 750 Northwest 4<sup>th</sup> 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 Department of Sustainable Development 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 May 17, 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 an easement for utilities, subject to the conditions provided in SECTION 3 of this resolution:

ALL OF THAT 6.00 FOOT WIDE BY 150.00 FOOT LONG  
RETAINED UTILITY EASEMENT RECORDED IN OFFICIAL  
RECORDS BOOK 13946, PAGE 94, OF THE PUBLIC  
RECORDS OF BROWARD COUNTY, FLORIDA, BEING A  
PORTION OF BLOCK "A", "SUBDIVISION FOR FT.  
LAUDERDALE LAND & DEVELOPMENT CO. BLOCK 6",  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN  
PLAT BOOK 1, PAGE 57 OF THE PUBLIC RECORDS OF  
DADE COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of Northwest 3<sup>rd</sup> Street, south of Northwest 4<sup>th</sup>  
Street, east of Northwest 8<sup>th</sup> Avenue and west of Northwest 7<sup>th</sup>  
Avenue

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 easements will be dedicated, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.
2. 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 easements will be dedicated, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

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.

SECTION 7. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 8. That if any clause, section, or other part of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution shall not be affected thereby, but shall remain in full force and effect.

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

ATTEST:

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

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney  
ALAIN E. BOILEAU

Dean J. Trantalis \_\_\_\_\_

Heather Moraitis \_\_\_\_\_

Steven Glassman \_\_\_\_\_

Robert L. McKinzie \_\_\_\_\_

Ben Sorensen \_\_\_\_\_

M.D.O.K.



SKETCH AND LEGAL DESCRIPTION  
BY  
**PULICE LAND SURVEYORS, INC.**  
5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351  
TELEPHONE: (954) 572-1777 • E-MAIL: [surveys@pulicelandsurveyors.com](mailto:surveys@pulicelandsurveyors.com)  
CERTIFICATE OF AUTHORIZATION LB#3870



**LEGAL DESCRIPTION: VACATION OF 6' UTILITY EASEMENT**

ALL OF THAT 6.00 FOOT WIDE BY 150 FOOT LONG UTILITY EASEMENT RETAINED BY ORDINANCE NO. C-86-94 AS RECORDED IN OFFICIAL RECORDS BOOK 13946, PAGE 94, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, VACATING, ABANDONING AND CLOSING THE 10 FOOT WIDE ALLEY IN BLOCK A, "SUBDIVISION FOR FT. LAUDERDALE LAND & DEVELOPMENT CO. BLOCK 6", FT. LAUDERDALE, FLA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 57, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 18, BLOCK A, OF SAID PLAT; THENCE NORTH 90°00'00" EAST ALONG THE COMMON LINE OF THE SOUTH LINE OF LOTS 18 THRU 13, INCLUSIVE, OF SAID BLOCK A, THE NORTH LINE OF SAID UTILITY EASEMENT BEING VACATED, AND THE NORTH LINE OF THE 10 FOOT WIDE VACATED ALLEY FOR 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 00°06'00" EAST ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 13 FOR 6.00 FEET; THENCE NORTH 90°00'00" WEST ALONG THE SOUTH LINE OF SAID UTILITY EASEMENT, BEING A LINE LYING 6.00 FEET SOUTH OF AND PARALLEL TO SAID SOUTH LINE OF LOT 18 THRU 13 FOR 150.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NW 8TH AVENUE AS SHOWN ON SAID PLAT; THENCE NORTH 00°06'00" WEST ALONG SAID EAST RIGHT-OF-WAY LINE 6.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 312 SQUARE FEET, MORE OR LESS.

**NOTES:**

- 1) BEARINGS ARE ON AN ASSUMED MERIDIAN WITH THE EAST RIGHT-OF-WAY LINE OF NW 8TH AVENUE BEING N00°06'00"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) ALL RECORDED DATED SHOWN HEREON IS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA UNLESS OTHERWISE NOTED.

FILE: THOMAS ENGINEERING GROUP

SCALE: 1" = 50'

DRAWN: BB

ORDER NO.: 68291

DATE: 3/22/21

VACATION OF UTILITY EASEMENT

FORT LAUDERDALE, BROWARD COUNTY, FL

FOR: MOUNT HERMON APARTMENTS

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

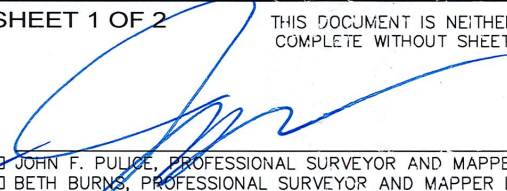
  
☒ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691  
☐ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136  
☐ VICTOR E. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274  
☐ DONNA C. WEST, PROFESSIONAL SURVEYOR AND MAPPER LS4290  
STATE OF FLORIDA

EXHIBIT "A"

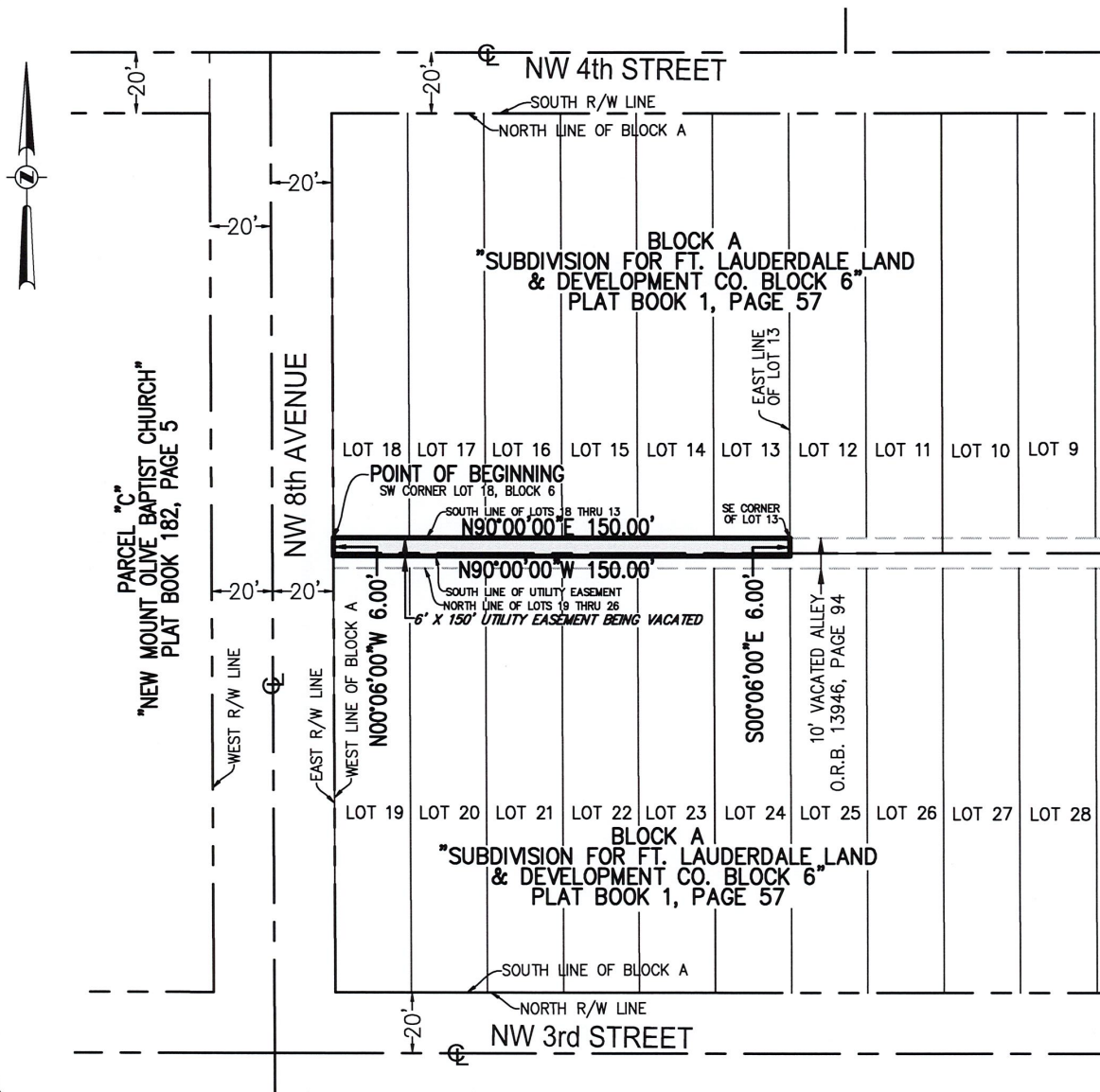
CAM # 22-0344

Exhibit 4

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SKETCH AND LEGAL DESCRIPTION  
BY  
**PULICE LAND SURVEYORS, INC.**  
5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351  
TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com  
CERTIFICATE OF AUTHORIZATION LB#3870



FILE: THOMAS ENGINEERING GROUP

SCALE: 1" = 50'

DRAWN: BB

ORDER NO.: 68291

DATE: 3/22/21

VACATION OF UTILITY EASEMENT

FORT LAUDERDALE, BROWARD COUNTY, FL

FOR: MOUNT HERMON APARTMENTS

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR  
COMPLETE WITHOUT SHEETS 1 AND 2

LEGEND:

⊕ CENTERLINE  
O.R.B. OFFICIAL RECORDS BOOK  
R/W RIGHT-OF-WAY