

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, DELEGATING AUTHORITY TO THE CITY MANAGER TO REQUEST THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO CONVEY AN ASSIGNMENT OF DRAINAGE EASEMENT RIGHTS AS FDOT SURPLUS REAL PROPERTY TO THE CITY OF FORT LAUDERDALE ("CITY") TO BE UTILIZED FOR THE PUBLIC PURPOSE OF RESTORING AND MAINTAINING THE WATERWAY OF THE OSCEOLA CREEK, A TRIBUTARY TO THE SOUTH FORK OF THE NEW RIVER, SUCH REAL PROPERTY DRAINAGE EASEMENT AREA BEING IDENTIFIED IN THE SKETCH & LEGAL DESCRIPTION ATTACHED TO THIS RESOLUTION LABELED AS EXHIBIT "A"; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the FDOT acquires real properties, including easement rights appurtenant thereto, for transportation facilities for the citizens of the State of Florida; and

WHEREAS, the FDOT is permitted by law to convey real property, including assignments of easement rights appurtenant thereto that FDOT no longer needs and determines to be surplus to other public entities to further the public needs of the State of Florida; and

WHEREAS, the CITY can utilize FDOT's surplus real property drainage easement rights over the real property described on the attached Exhibit "A" for the benefit of restoring and maintaining the waterway at Osceola Creek; and

WHEREAS, it is in the best interests of the citizens of the State of Florida to gain the most benefit from real properties and drainage easement rights appurtenant thereto which were acquired with public funds; and

WHEREAS the CITY is requesting that FDOT assign to the CITY surplus real property drainage easement rights over the real property described in the attached Exhibit "A"; and

WHEREAS, the surplus real property drainage easement rights are sought for the restoration and management of the Osceola Creek, a tributary of the South Fork of New River and is proposed to be assigned to the CITY for the public purpose of providing stormwater management pursuant to the CITY's Osceola Creek Project and would serve a valid municipal purpose.

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

SECTION 1. The foregoing recitals are true and correct and incorporated into this Resolution by reference.

SECTION 2. The CITY, by and through its City Manager, is hereby authorized to request FDOT to assign drainage easement rights, without consideration, as to the surplus real property drainage easement rights over the lands described in the attached Exhibit "A" to the City pursuant to Section 337.25 (4) (b), Florida Statutes (2022).

SECTION 3. The surplus real property drainage easement rights to be assigned to the CITY by FDOT will be used for the stormwater management which will be in the best interests of the general public for the CITY and will serve a valid municipal purpose.

SECTION 4. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 5. This Resolution shall be effective upon final adoption and execution by the proper public officials.

SECTION 6. Upon adoption of this Resolution, the City Clerk shall forward an executed copy of this Resolution to Carlos Martinez, Florida Department of Transportation, 3400 W. Commercial Blvd., Fort Lauderdale, FL 33309-3421, for further handling.

ADOPTED this _____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____

RESOLUTION NO. 23-

PAGE 3

APPROVED AS TO FORM:

Pamela Beasley-Pittman _____

Warren Sturman _____

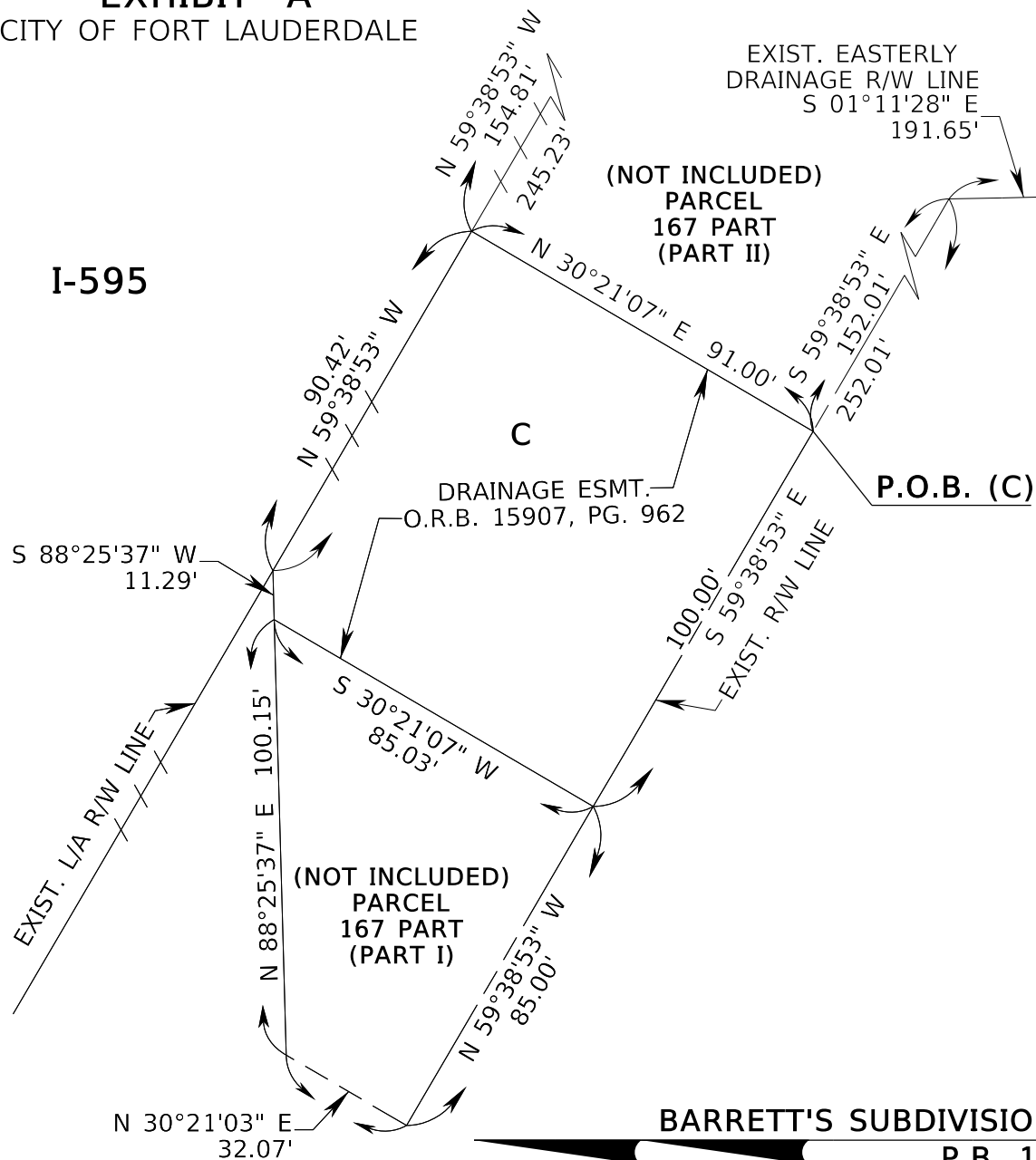
Interim City Attorney
D'Wayne Spence

EXHIBIT "A"

CITY OF FORT LAUDERDALE

SEC. 21, TWP. 50 S., RGE. 42 E.
Scale: 1" = 40'

I-595



P.O.C.
SW COR. OF NORTH 1/2
SECTION 21
N 87°52'39" E
518.91'

P.O.B. (C)

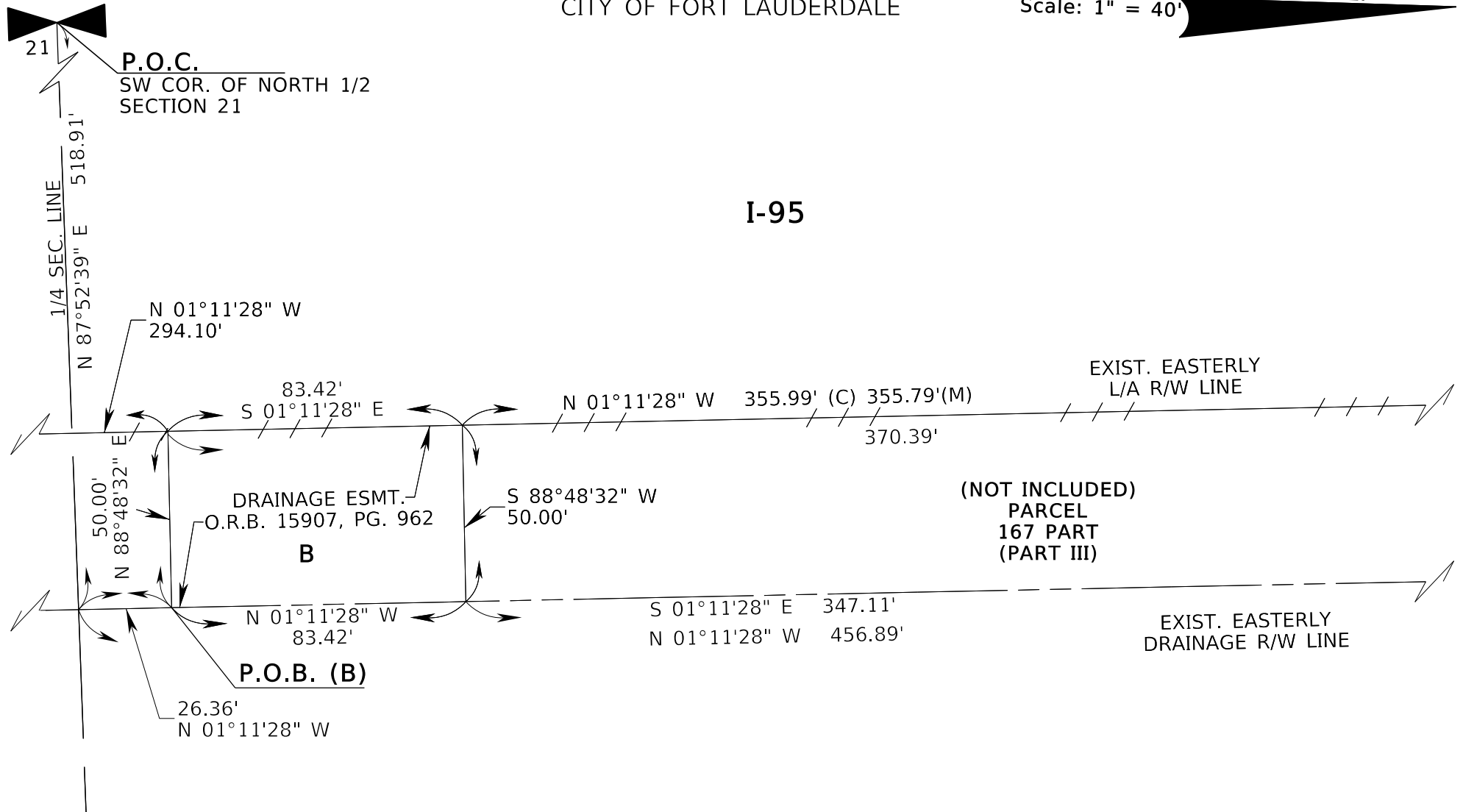
BARRETT'S SUBDIVISION OF THE WEST 1/2 OF SECTION 21
P.B. 1, PG. 46, D.C.R.

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FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH THIS IS NOT A SURVEY				STATE ROAD NO. 862 / I-595				BROWARD COUNTY	
					BY	DATE	PREPARED BY:	SCALE:	FM No. 423305-6-32-01
	REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	FDOT DISTRICT 4	1" = 40'	
	REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A	SECTION 86095-2405	GAM 23-0040T 2 OF 7

EXHIBIT "A"
CITY OF FORT LAUDERDALE

SEC. 21, TWP. 50 S., RGE. 42 E.
Scale: 1" = 40'



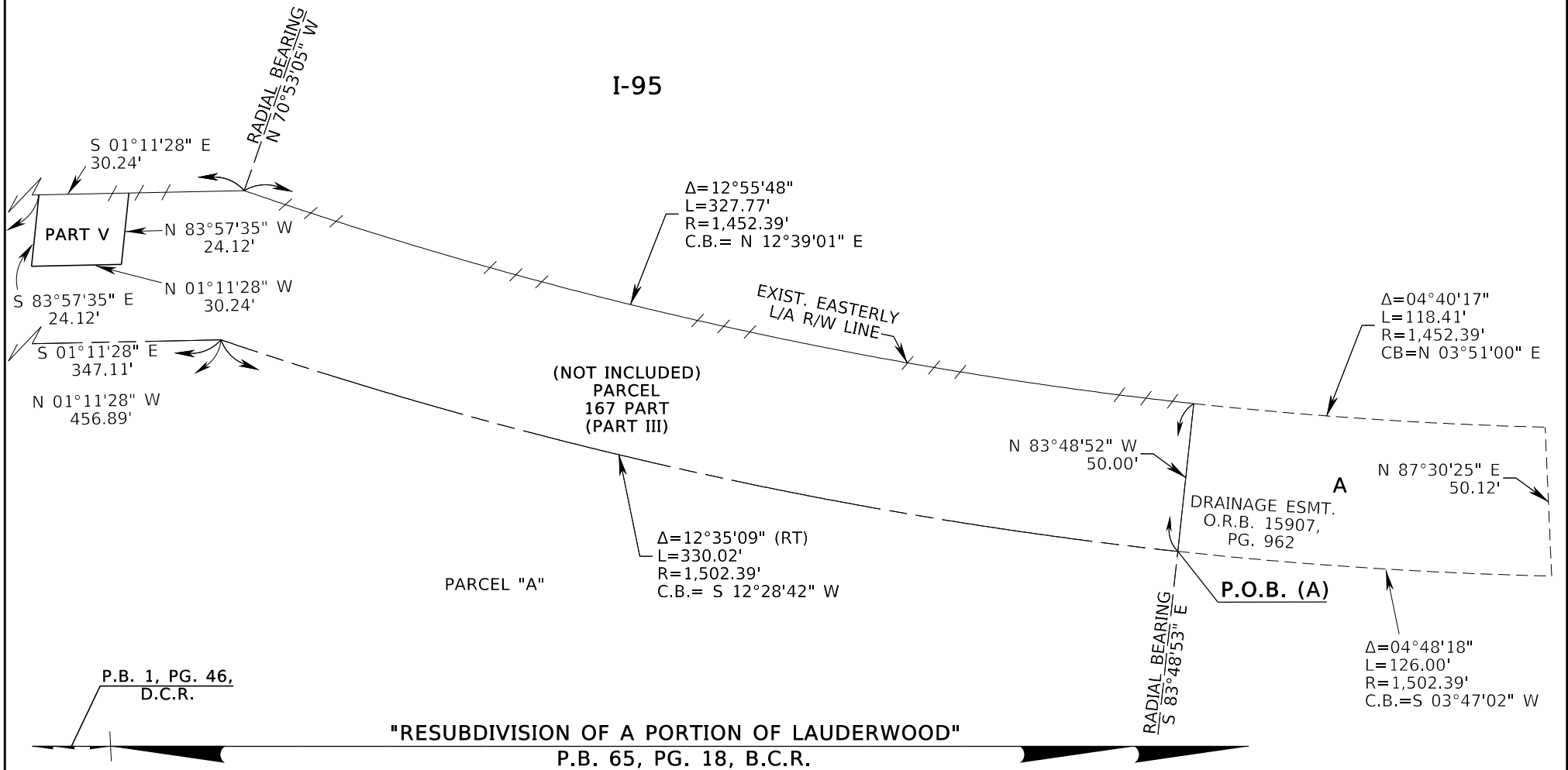
BARRETT'S SUBDIVISION OF THE WEST 1/2 OF SECTION 21
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FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH THIS IS NOT A SURVEY				STATE ROAD NO. 862 / I-595				BROWARD COUNTY	
					BY	DATE	PREPARED BY:	SCALE:	FM No. 423305-6-32-01
	REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	FDOT DISTRICT 4	1" = 40'	
	REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A	SECTION 86095-2405	GAM 23-0245

EXHIBIT "A"
CITY OF FORT LAUDERDALE

SEC. 21, TWP. 50 S., RGE. 42 E.
Scale: 1" = 50'



VAULT:/rwmapping/R4233056/RWPS801PART.DGN

FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH THIS IS NOT A SURVEY				STATE ROAD NO. 862 / I-95				BROWARD COUNTY			
					BY	DATE	PREPARED BY:	SCALE:	FM No. 423305-6-32-01		
	REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	FDOT DISTRICT 4	1" = 50'			
	REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A		SECTION 86095-2405	GAM 23-0249	Sheet 4 OF 7

EXHIBIT "A"

(A) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence North 01°11'28" West 456.89 feet along the Existing Easterly Drainage Right of Way line to the beginning of a non-tangent curve concave Northwesterly, having a chord bearing of South 12°28'42" West; Thence Northeasterly along the said curve and said Existing Easterly Drainage R/W line, having a radius of 1,502.39 feet, through a central angle of 12°35'09" and arc distance of 330.02 feet to the end of said curve and to the POINT OF BEGINNING; Thence North 83°48'52" West, 50.00 feet to the beginning of a curve concave Westerly, having a chord bearing of North 03°51'00" East; Thence Northeasterly along the said curve, having a radius of 1,452.39 feet through a central angle of 04°40'17" and arc distance of 118.41 feet to the end of said curve; Thence North 87°30'25" East, 50.12 feet to the beginning of a curve concave Westerly, having a chord bearing of South 03°47'02" West; Thence Southwesterly along the said curve, having a radius of 1502.39 feet through a central angle of 04°48'18" and arc distance of 126.00 feet to the end of said curve and to the POINT OF BEGINNING.

Containing 6,110 square feet, more or less.

TOGETHER WITH

(continued on page 3)

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			FLORIDA DEPARTMENT OF TRANSPORTATION				
			LEGAL DESCRIPTION - NOT A SURVEY				
			STATE ROAD NO. 862 / I-595				BROWARD COUNTY
				BY	DATE	PREPARED BY:	SCALE:
						FDOT DISTRICT 4	N/A
REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	FM No. 423305-6-32-01	
REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A	SECTION 86095-2405
						GAM 23-0040	5 OF 7
						Exhibit 2	

EXHIBIT "A"

(B) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence North 01°11'28" West 26.36 feet to the POINT OF BEGINNING; Thence continue North 01°11'28" West 83.42 feet; Thence South 88°48'32" West 50.00 feet; Thence South 01°11'28" East 83.42 feet; Thence North 88°48'32" East 50.00 feet to the POINT OF BEGINNING.

Containing 4,171 square feet, more or less.

(C) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence South 01°11'28" East 191.65 feet; Thence South 59°38'53" East 152.01 feet to the POINT OF BEGINNING; Thence continue South 59°38'53" East 100.00 feet; Thence South 30°21'07" West 85.03 feet; Thence South 88°25'37" West 11.29 feet; Thence North 59°38'53" West 90.42 feet; Thence North 30°21'07" East 91.00 feet to the POINT OF BEGINNING.

Containing 9,073 square feet, more or less.

(continued on page 4)

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			FLORIDA DEPARTMENT OF TRANSPORTATION								
			LEGAL DESCRIPTION - NOT A SURVEY								
			STATE ROAD NO. 862 / I-595								
			BROWARD COUNTY								
			BY			DATE		PREPARED BY:		SCALE:	
			BAIN			01/04/23		FDOT DISTRICT 4		N/A	
REVIEW PER CITY CMTS			BAIN			01/25/23		DRAWN		BAIN	
REVISION			BY			DATE		CHECKED		RODRIGUEZ	
								F.P. NO. N/A		SECTION 86095-2405	
								GAM 23-00240		SHEET 6 OF 7	
								Exhibit 2			

EXHIBIT "A"

Said combined lands lying in the City of Fort Lauderdale, Broward County, Florida and containing a total of 0.444 acres (19,354 square feet), more or less.

I hereby certify that the sketch and legal description was prepared under my direction and that said sketch and legal description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 5J-17, Florida Administrative Code, Pursuant to Section 472.027, Florida Statutes.

 1/4/2023
Jeffrey D. Smith Date

Florida Surveyor & Mapper No. 4805
Florida Department of Transportation



NOT VALID WITHOUT THE ORIGINAL SIGNATURE
AND SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER.

VAULT:/rwmapping/R4233056/RWPS801PART.DGN

FLORIDA DEPARTMENT OF TRANSPORTATION LEGAL DESCRIPTION - NOT A SURVEY

STATE ROAD NO. 862 / I-595

BROWARD COUNTY

				BY	DATE	PREPARED BY: FDOT DISTRICT 4	SCALE: N/A	FM No. 423305-6-32-01
REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	F.P. NO. N/A		SHEET 7 OF 7
REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	SECTION 86095-2405		