

5

RESOLUTION NO. 15-177

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE UTILITIES EASEMENT RETAINED ON THAT CERTAIN VACATED ALLEY VACATED PER CITY OF FORT LAUDERDALE ORDINANCE NO. C-92-22, AS RECORDED IN OFFICIAL RECORDS BOOK 19751, PAGE 442 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF SOUTHWEST 28TH STREET, EAST OF SOUTHWEST 4TH AVENUE, WEST OF SOUTHWEST 3RD AVENUE AND SOUTH OF SOUTHWEST 27TH STREET.

WHEREAS, under the provisions of Section 47-24.7 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, Broward County through its Construction Management Division, is applying for the vacation of a utility easement (PZ Case No. E15005) more fully described in Section 1, below associated with the development known as Broward Recovery Addiction Center facility ("BARC"); 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. That the below described easement is hereby vacated and shall no longer constitute an easement for utilities, subject to the conditions provided in SECTION 2 of this resolution:

ALL THAT CERTAIN VACATED ALLEY RETAINED AS A UTILITIES EASEMENT PER CITY OF FORT LAUDERDALE ORDINANCE NO. C-92-22, AS RECORDED IN OFFICIAL RECORDS BOOK 19751,

PAGE 442 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, FURTHER DESCRIBED AS THAT PORTION OF PLATTED ALLEY LYING IN BLOCK 12 "EVERGLADE LAND SALES COMPANY'S SECOND ADDITION TO LAUDERDALE, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 52, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH ALL OF THAT PORTION OF PLATTED ALLEY LYING NORTH OF TRACT "A" OF "RESUBDIVISION OF PORTION OF BLOCK 12, OF EVERGLADE LAND SALES COMPANY'S 2ND ADDITION TO LAUDERDALE, CORRECTED" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 48, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, FLORIDA.

More particularly described in Exhibit A attached.

Location: North of Southwest 28th Street, East of Southwest 4th Avenue, West of Southwest 3rd Avenue and South of Southwest 27th Street.

SECTION 2. 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. 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 the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

SECTION 3. 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 4. 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 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the 1st day of September, 2015.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI

L:\COMM 2015\Resolution\Sept 1st\15-177.doc

4341 S.W. 62nd Avenue
Davie, Florida 33314



STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS

Florida Licensed Surveying
and Mapping Business No. 6883

Tel. (854) 585-0897

Fax (854) 585-3927

**LEGAL DESCRIPTION OF:
UTILITIES EASEMENT VACATION
CITY OF FORT LAUDERDALE
BROWARD COUNTY, FLORIDA**

*Acceptable M.D.
Refer to hard copy*

A PARCEL OF LAND BEING WITHIN BLOCK 12 OF THE CORRECTED PLAT OF EVERGLADE LAND SALES COMPANY'S SECOND ADDITION TO LAUDERDALE, FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PARCEL BEING ALSO ALL THAT CERTAIN VACATED ALLEY RETAINED AS A UTILITIES EASEMENT PER CITY OF FORT LAUDERDALE ORDINANCE NO. C-92-22, AS RECORDED IN OFFICIAL RECORDS BOOK 19751, PAGE 442 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 10, OF SAID BLOCK 12;

THENCE SOUTH 01°44'39" EAST, ALONG THE EAST LINE OF LOTS 10, 11, 12 AND 13, OF SAID BLOCK 12, A DISTANCE OF 163.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13;
THE FOLLOWING TWO COURSES BEING ALONG THE NORTH LINE OF TRACT "A" OF "RESUBDIVISION OF PORTIONS OF BLOCK 12, OF EVERGLADE LAND SALES COMPANY'S 2ND ADDITION TO LAUDERDALE, CORRECTED", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 48, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE NORTH 88°29'22" EAST, A DISTANCE OF 2.80 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF SOUTH 38°43'40" WEST;
THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 104°11'44" AND A RADIUS OF 37.00 FEET, FOR AN ARC DISTANCE OF 67.29 FEET TO THE NORTHWEST CORNER OF LOT 18, OF SAID BLOCK 12 AND TO A POINT ON A NON-TANGENT LINE;
THENCE NORTH 88°29'22" EAST, ALONG THE NORTH LINE OF LOTS 18, 19, 20, 21, 22, 23, 24 AND 25 OF SAID BLOCK 12, A DISTANCE OF 400.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 25;
THENCE NORTH 01°44'38" WEST, ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 25, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, OF SAID BLOCK 12;
THENCE SOUTH 88°29'22" WEST, ALONG THE SOUTH LINE OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, OF SAID BLOCK 12, A DISTANCE OF 450.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9;
THENCE NORTH 01°44'39" WEST, ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 135.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 9;
THENCE SOUTH 88°29'22" WEST, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND SITUATE WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 9,688 SQUARE FEET (0.22 ACRES), MORE OR LESS.

NOTES:

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY STONER & ASSOCIATES, INC. STONER & ASSOCIATES, INC. DID NOT SEARCH THE PUBLIC RECORDS OF BROWARD COUNTY FOR MATTERS AFFECTING THIS PROPERTY.
2. THIS SKETCH OF DESCRIPTION IS BASED ON THE DESCRIPTION OF THAT CERTAIN VACATED ALLEY PER CITY OF FORT LAUDERDALE ORDINANCE NO. C-92-22, AS RECORDED IN OFFICIAL RECORDS BOOK 19751, PAGE 442 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH.
3. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 88°31'12" WEST, ALONG THE SOUTH LINE OF BLOCK 12, CORRECTED PLAT OF EVERGLADE LAND SALES COMPANY'S SECOND ADDITION TO LAUDERDALE, FLORIDA, RECORDED IN PLAT BOOK 1, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY. (THIS IS NOT A SURVEY). THIS SKETCH AND DESCRIPTION IS "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER".

FILE: E:\Draw\Shore Architecture\11-7540 - BRC Control SATC Site Demolition\dwg\11-7540-VAC.dwg

DATE: Jan 01, 2019 - 10:11am EST

CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

| REVISIONS | DATE | BY |
|-----------|------|----|
| | | |
| | | |
| | | |

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.
COPYRIGHT © 2015

WALTER DE LA ROCHA
PROFESSIONAL SURVEYOR AND MAPPER NO. 6081 - STATE OF FLORIDA

| | | | |
|-----------------|-----------|-------------|-------------|
| DATE OF SKETCH: | DRAWN BY: | CHECKED BY: | FIELD BOOK: |
| 08/01/15 | WDLR | JDS/LAS | N/A |



SHEET 1 OF 2

SHEET NO
11-7540-VAC



STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS

Florida Licensed Surveying
and Mapping Business No. 6683

4341 S.W. 62nd AVE.
Davie, Florida 33314

Tel. (954) 555-0897

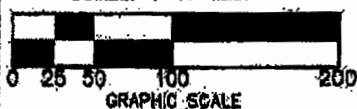
Fax (954) 555-3927

SKETCH OF DESCRIPTION OF: UTILITIES EASEMENT VACATION CITY OF FORT LAUDERDALE BROWARD COUNTY, FLORIDA

Acceptable M.D.
Refer to hard copy



SCALE: 1" = 100'



LEGEND

| | |
|----------|---|
| M.D.C.R. | MIAMI-DADE COUNTY RECORDS |
| B.C.R. | BROWARD COUNTY RECORDS |
| P.B. | PLAT BOOK |
| P.C. | PLAT |
| P.O.B. | POINT OF BEGINNING |
| R.L. | RADIAL LINE |
| L1 | LINE 1 (SEE LINE TABLE) |
| C1 | CURVE 1 (SEE CURVE TABLE) |
| L.B. | LICENSED BUSINESS |
| R/W | RIGHT OF WAY |
| (P) | INFORMATION SHOWN ON THE PLAT OF RECORD |

CURVE TABLE

| CURVE | CENTRAL ANGLE | RADIUS | ARC DISTANCE |
|-------|---------------|--------|--------------|
| C1 | 104°11'44" | 37.00' | 67.29' |

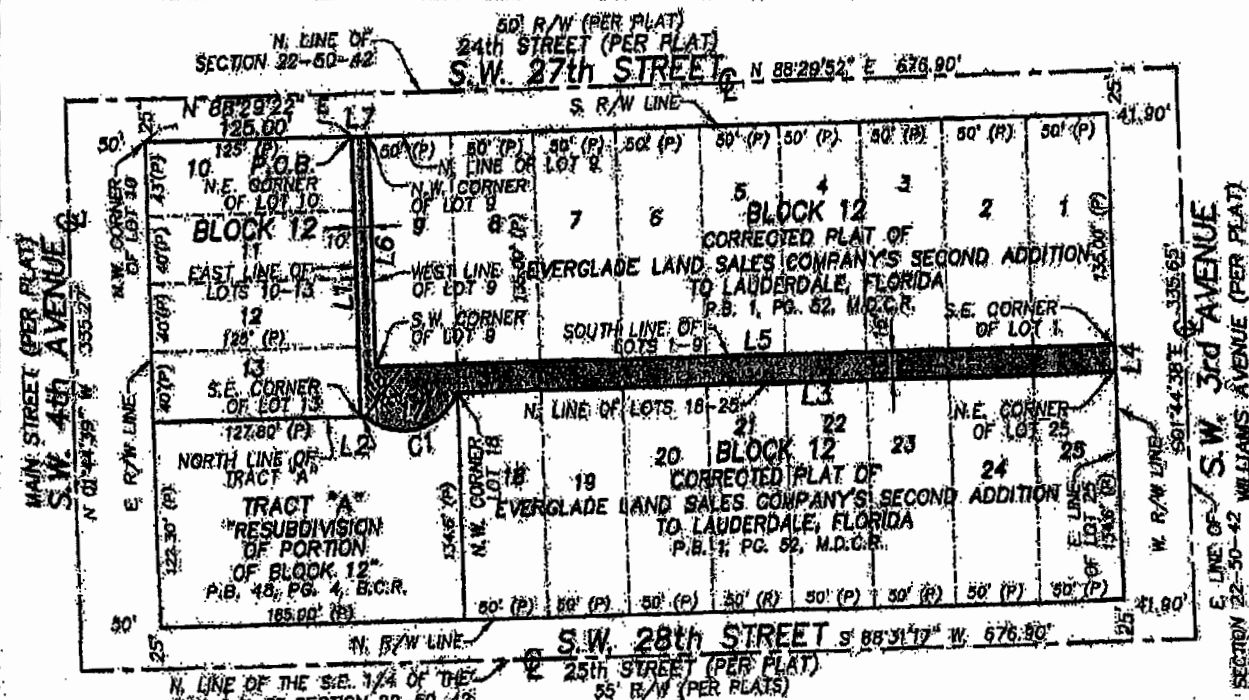
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 01°44'39" E | 163.00' |
| L2 | N 88°29'22" E | 2.80' |
| L3 | N 88°29'22" E | 400.00' |
| L4 | N 01°44'39" W | 16.00' |
| L5 | S 88°29'22" W | 450.00' |
| L6 | N 01°44'39" W | 135.00' |
| L7 | S 88°29'22" W | 10.00' |
| L8 | S 38°43'40" W | 37.00' |

LOCATION MAP

NOT TO SCALE

NOTE:
SEE SHEET 1 OF 2 FOR THE LEGAL
DESCRIPTION OF THE SKETCH
GRAPHICALLY SHOWN HEREON.



FILE: P:\Draw\Single Architect\11-7640- BARC Central SATC Site Demolition\dwg\11-7640-VAC.dwg

DATE: Jun-01, 2015 -- 10:12am EST

SHEET 2 OF 2 SKETCH NO. 11-7640-VAC