

ORDINANCE NO. C-15-41

AN ORDINANCE VACATING A PORTION OF THE PLATTED 15 FOOT ALLEY BOUNDED ON THE EAST BY LOTS 5 THROUGH 12, BOUNDED ON THE WEST BY LOTS 13 THROUGH 20 AND BOUNDED ON THE NORTH BY A LINE BETWEEN THE NORTHWEST CORNER OF SAID LOT 5 AND THE NORTHEAST CORNER OF SAID LOT 20 AND BOUNDED ON THE SOUTH BY A LINE BETWEEN THE SOUTHWEST CORNER OF SAID LOT 12 AND THE SOUTHEAST CORNER OF SAID LOT 13, BLOCK 30, "AMENDED PLAT OF BLOCKS 1 THRU 8 AND 25 THRU 33 OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, FLORIDA. LOCATED NORTH OF NORTHEAST 4TH STREET, EAST OF NORTHEAST 3RD AVENUE, WEST OF NORTHEAST 4TH AVENUE AND SOUTH OF NORTHEAST 5TH STREET.

WHEREAS, the applicant, Putnam Realty Ltd, applied for the vacation of certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of September 16th, 2015 (PZ Case No. V15003), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of a portion of the below-described right-of-way subject to conditions; and

WHEREAS, the City Clerk notified the public of public hearings to be held on Tuesday, November 3, 2015, and Tuesday, November 17, 2015, at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the Unified Land Development Regulations;

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

SECTION 1. That the below-described right-of-way is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

See Exhibit "A" attached hereto and made a part hereof

Location: North of Northeast 4th Street, East of Northeast 3rd Avenue, West of Northeast 4th Avenue and South of Northeast 5th Street.

Subject to the conditions listed on Exhibit "B".

SECTION 2. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect upon the recordation in the public records of Broward County, Florida, of a certificate executed by the City Engineer evidencing that all conditions listed on Exhibit "B", attached hereto, have been met.

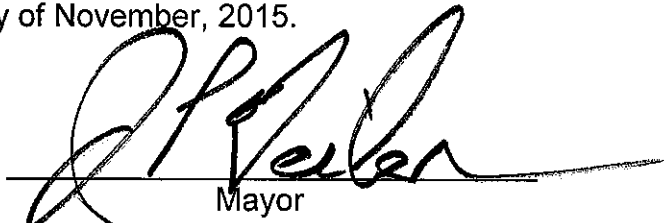
PASSED FIRST READING this the 3rd day of November, 2015.

PASSED SECOND READING this the 17th day of November, 2015.

ATTEST:



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



\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

SKETCH & DESCRIPTION FOR:  
**15' ALLEY ABANDONMENT**

LYING WITHIN BLOCK 30 OF AMENDED PLAT OF BLOCKS 1 thru 8 and 25 thru 33 OF NORTH LAUDERDALE  
(PLAT BOOK 1 PAGE 182, M.D.C.R.)  
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

Exhibit A, Page 1 of 2

**LAND DESCRIPTION:**

That portion of the 15 foot Alley, lying contiguous to Lots 5 through 12 and Lots 13 through 20, all of Block 30, AMENDED PLAT OF BLOCKS 1 thru 8 and 25 thru 33 OF NORTH LAUDERDALE, according to the Plat thereof, as recorded in Plat Book 1, Page 182, of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida; bounded on the north by a line connecting the northeast corner of Lot 20 with the northwest corner of Lot 5, on the east by the west line of said Lots 5 through 12, on the south by a line connecting the southwest corner of Lot 12 with the southeast corner of Lot 13 and on the west by the east line of said Lots 13 through 20.

Said lands situate and being in the City of Fort Lauderdale, Broward County, Florida and containing 6,001 square feet, 0.138 acres, more or less.

**SURVEYOR'S NOTES:**

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the east line Lots 13-20, Block 30, AMENDED PLAT OF BLOCKS 1 thru 8 and 25 thru 33 OF NORTH LAUDERDALE, having a bearing of N02°08'28"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; L.B. = Licensed Business; M.D.C.R. = Dade County Records; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; R/W = Right-of-Way.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 8/5/15

*Michael D. Aviom*

MICHAEL D. AVIOM, P.L.S.  
Florida Registration No. 3268  
AVIOM & ASSOCIATES, INC.  
L.B. No. 3300

**REVISIONS**

REVISED PER CITY COMMENTS 08/05/2015 M.M.K.



**AVIOM & ASSOCIATES, INC.  
SURVEYING & MAPPING**

50 S.W. 2nd AVENUE, SUITE 102  
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JOB #: **9895a**

SCALE: **1" = 60'**

DATE: **06/03/2015**

BY: **M.M.K.**

CHECKED: **M.D.A.**

F.B. **N/A** PG. **N/A**

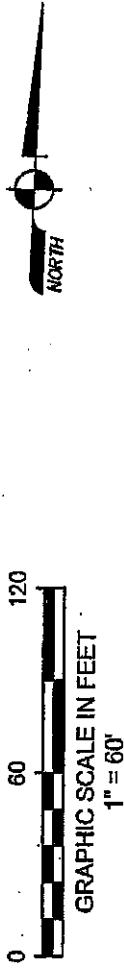
SHEET: **1 OF 2**

SKETCH & DESCRIPTION FOR:  
**15' ALLEY ABANDONMENT**

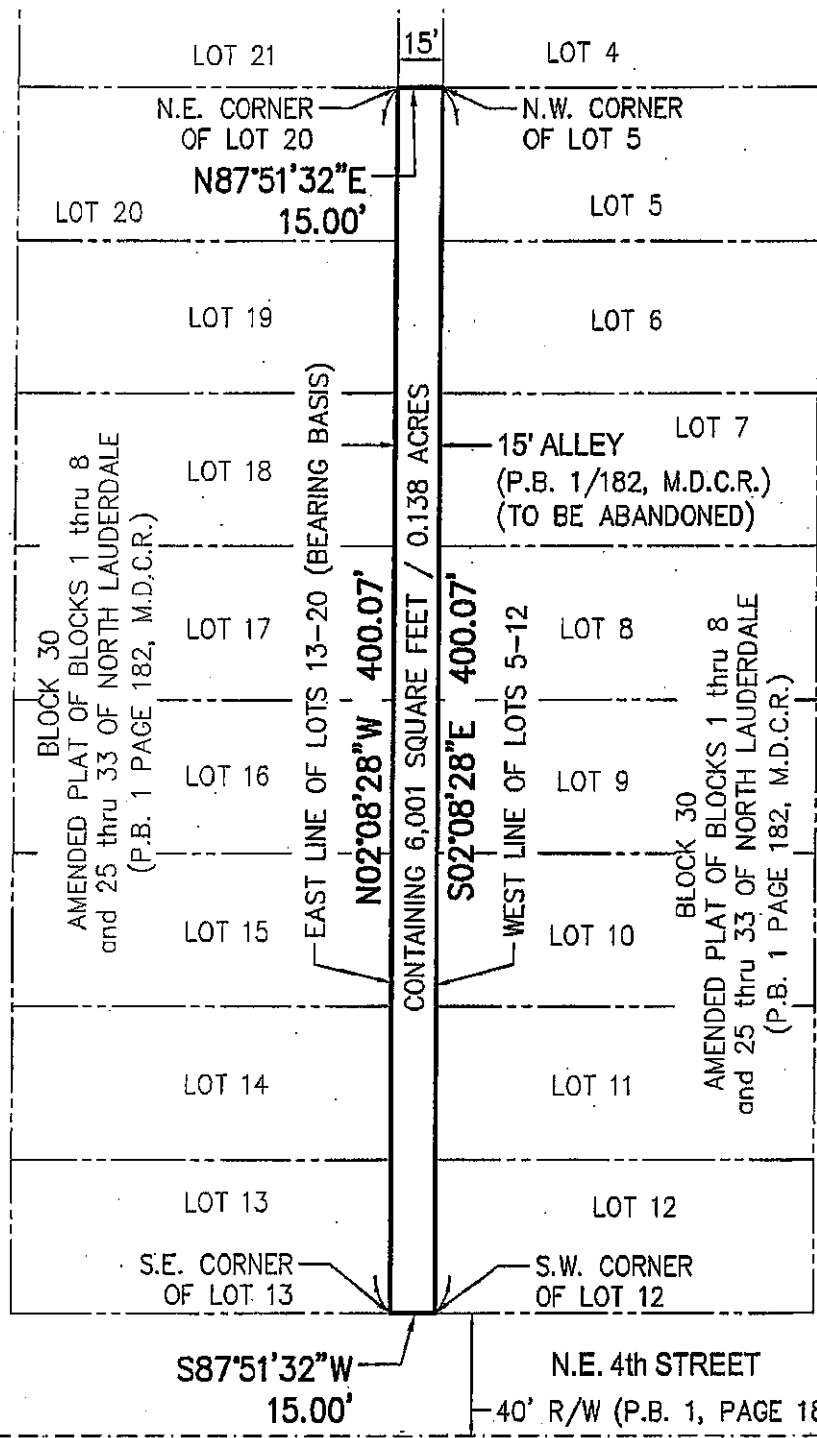
LYING WITHIN BLOCK 30 OF AMENDED PLAT OF BLOCKS 1 thru 8 and 25 thru 33 OF NORTH LAUDERDALE  
(PLAT BOOK 1 PAGE 182, M.D.C.R.)  
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

Exhibit A, Page 2 of 2

m. 10.  
O.K.



N.E. 3rd AVENUE



N.E. 4th AVENUE

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JOB #:	9895a
SCALE:	1" = 60'
DATE:	06/03/2015
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A
PG.	N/A
SHEET:	2 OF 2

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL  
CASE NO. V15003**

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;
3. 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. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.
4. Applicant shall record the vehicular and pedestrian easements, including the ingress-egress easement through the project site from the terminus of the proposed vacation to NE 4th Avenue as agreed to by the City, prior to the issuance of the engineering certificate.