

ORDINANCE NO. C-16-

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE PLATTED 20 FOOT WIDE ALLEY ADJACENT TO LOTS 11 AND 4, BLOCK 2, "GALT OCEAN MILE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF NORTHEAST 32ND AVENUE, SOUTH OF NORTHEAST 32ND STREET, WEST OF NORTHEAST 33RD AVENUE NORTH AND NORTH OF EAST OAKLAND PARK BOULEVARD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, PDKN P-4, LLC, 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 March 16, 2016 (PZ Case No. 7P13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described alley subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, May 3, 2016 and Tuesday May 17, 2016 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 alley is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way:

See Exhibit attached hereto
and made a part hereof

Location: East of N.E. 32nd Avenue, South of N.E. 32nd Street,
West of N.E. 33rd Avenue North and North of East
Oakland Park Boulevard.

SECTION 2. That an access and utility easement is reserved and retained over the right-of-way area that is to be vacated by this ordinance and described in SECTION 1.

SECTION 3. 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 4. 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 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 8. That this 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.

PASSED FIRST READING this the _____ day of _____, 2016.

PASSED SECOND READING this the _____ day of _____, 2016.

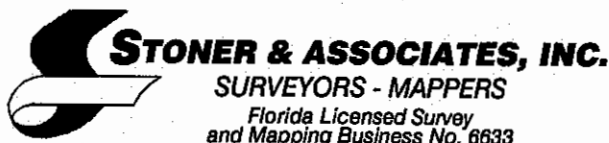
Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

\\cty-cityatto\docs\Ordinance Vacatiing 20 Ft Alley, Block 2, Galt Ocean Mile - PZ Case 7P13 - Applicant PDKN P-4 LLC\ORD\Ordinance.docx

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



M. D.
O.K.
Tel. (954) 585-0997
Fax (954) 585-3927

**LEGAL DESCRIPTION OF VACATION OF
A PORTION OF 20 FOOT WIDE ALLEY,
TO BE RETAINED AS AN ACCESS AND UTILITY EASEMENT
LYING WITHIN BLOCK 2, "GALT OCEAN MILE"
PLAT BOOK 34, PAGE 16, B.C.R.
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
SECTION 19, TOWNSHIP 46 SOUTH, RANGE 43 EAST**

LEGAL DESCRIPTION:

A PORTION OF THE 20 FOOT WIDE ALLEY IN BLOCK 2, "GALT OCEAN MILE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF LOT 4 AND SOUTH OF LOT 11, ALL OF SAID BLOCK 2, BOUNDED ON THE EAST BY A LINE BETWEEN THE SOUTHEAST CORNER OF SAID LOT 11 AND THE NORTHEAST CORNER OF SAID LOT 4, AND BOUNDED ON THE WEST BY A LINE BETWEEN THE SOUTHWEST CORNER OF SAID LOT 11 AND THE NORTHWEST CORNER OF SAID LOT 4.

SAID PORTION OF THE 20 FOOT WIDE ALLEY CAN ALSO BE DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 11, BLOCK 2, GALT OCEAN MILE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE SOUTH, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF LOT 4, OF SAID BLOCK 2;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT AND THE SOUTH RIGHT OF WAY LINE OF SAID 20 FOOT WIDE ALLEY, A DISTANCE OF 35.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4;

THENCE NORTH, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11;

THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 11 AND THE NORTH RIGHT OF WAY LINE OF SAID 20 FOOT WIDE ALLEY, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 875 SQUARE FEET, MORE OR LESS.

NOTES:

1. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY STONER & ASSOCIATES, INC.
2. THE BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED ON EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF OAKLAND PARK BOULEVARD.
3. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
4. THIS SKETCH WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC. REFER TO THE "GALT OCEAN MILE" PLAT, RECORDED IN PLAT BOOK 34, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA FOR INFORMATION ON ACCESS EASEMENTS, EASEMENTS AND NON-VEHICULAR ACCESS LINES.
5. SEE SHEET 2 OF 2 FOR THE GRAPHIC DEPICTION OF THE ABOVE LEGAL DESCRIPTION.

CERTIFICATE:

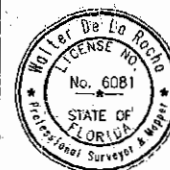
THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE, ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISIONS	DATE	BY
1	MINOR REVISION TO SKETCH	02/18/16 WDLR
2	EDIT HEADER PER CITY	04/13/16 WDLR

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 © 2016

WALTER DE LA ROCHA *Walter De La Rocha*
PROFESSIONAL SURVEYOR AND MAPPER NO. 6081 - STATE OF FLORIDA

DATE OF SKETCH:	DRAWN BY:	CHECKED BY:	FIELD BOOK
02/04/16	WDLR	RGC	N/A



SHEET 1 OF 2

CAM #16-0473
Exhibit 5
Page 4 of 5

FILE: F:\Draw\LM DEVELOPMENT\12-7857-LM DEVELOPMENT-Bokampers\12-7857-VAC-Alley.dwg
DATE: Apr 13, 2016 - 8:02am EST

SKETCH NO.
12-7857-VAC-ALLEY

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



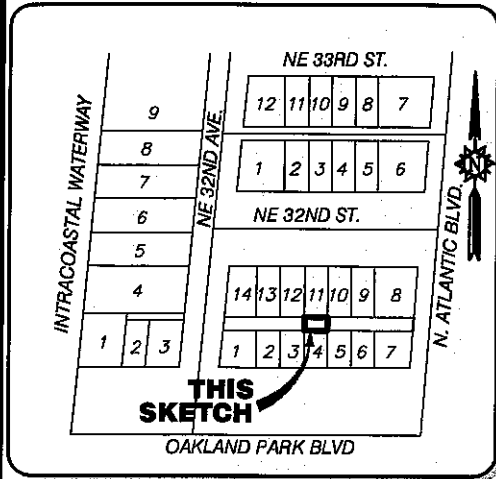
STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS
Florida Licensed Survey
and Mapping Business No. 6633

M. J. O.K.
Tel. (954) 585-0997
Fax (954) 585-3927

**SKETCH OF VACATION OF A PORTION OF 20 FOOT WIDE ALLEY,
TO BE RETAINED AS AN ACCESS AND UTILITY EASEMENT
LYING WITHIN BLOCK 2, "GALT OCEAN MILE"
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CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
SECTION 19, TOWNSHIP 46 SOUTH, RANGE 43 EAST



**THIS
SKETCH**

OAKLAND PARK BLVD

LOCATION MAP

NOT TO SCALE

LEGEND:

P.B. PLAT BOOK
PG. PAGE
B.C.R. BROWARD COUNTY RECORDS
P.O.B. POINT OF BEGINNING
(P) PER PLAT OF RECORD

NOTE:

SEE SHEET 1 OF 2 FOR THE LEGAL
DESCRIPTION OF THE PROPERTY
GRAPHICALLY SHOWN HEREON.



SCALE: 1" = 40'

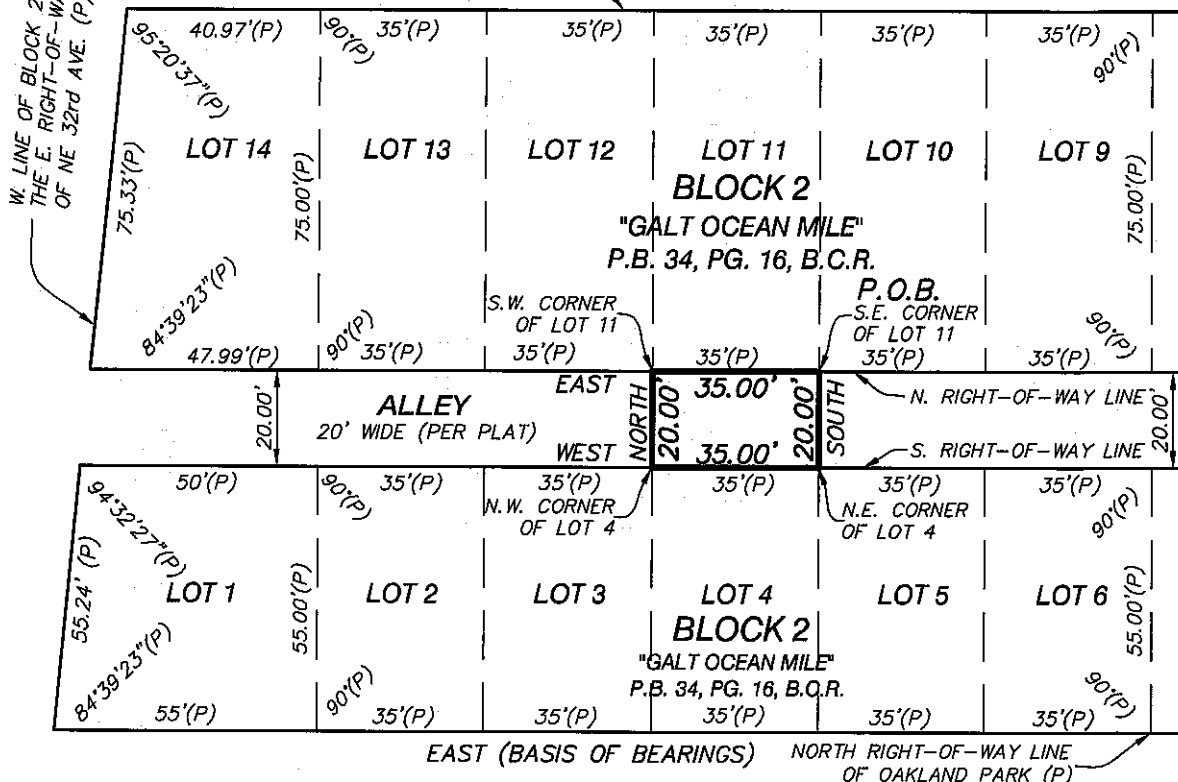


GRAPHIC SCALE

NE 32ND STREET

110' RIGHT-OF-WAY (PER PLAT)

N. LINE OF BLOCK 2 AND S. RIGHT-OF-WAY
LINE OF NE 32nd STREET (P)



OAKLAND PARK BOULEVARD