

ORDINANCE NO. C-17-38

AN ORDINANCE VACATING A PORTION OF THE PLATTED 10-FOOT ALLEY LYING WITHIN BLOCK "D", "EDGEWATER ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 123, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTHEAST 8TH AVENUE, NORTH OF SOUTHEAST 2ND STREET, EAST OF SOUTH FEDERAL HIGHWAY (U.S. 1) AND SOUTH OF SOUTHEAST 1ST STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, The Las Olas Company, Inc., applied for the vacation of a certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of August 16, 2017 (PZ Case No. V16011), 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, October 3, 2017, and Tuesday, October 17, 2017, 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 City of Fort Lauderdale, Florida 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 and shall no longer constitute a public right-of-way:

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

Location: West of Southeast 8th Avenue, north of Southeast 2nd Street, east of South Federal Highway (U.S. 1) and south of Southeast 1st Street.

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 That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.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. 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 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. A copy of the recorded certificate must be provided to the City.

PASSED FIRST READING this the 3rd day of October, 2017.

PASSED SECOND READING this the _____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

**SKETCH & DESCRIPTION
10' ALLEY VACATION
LAS OLAS WALK - NORTH**

LEGAL DESCRIPTION - 10' ALLEY VACATION

A parcel of land being a portion of the 10 foot Alley of Block D, of EDGEWATER ADDITION, to the Town of Fort Lauderdale, a Subdivision, according to the Plat thereof, as recorded in Plat Book 1, Page 123, of the Public Records of Dade County, Florida, said parcel being more particularly described as follows.

BEGIN at the Southwest corner of Lot 11 of said Block D, said point being on the North line of said Alley;

THENCE on an assumed bearing of N 88°27'47" E along the said North line a distance of 110.00 feet to a line being 10.00 feet East of and parallel with the Southerly projection of the East line of Lot 12 of said Block "D";

THENCE S 01°29'49" E a distance of 10.00 feet to the South line of said Alley;

THENCE S 88°27'47" W along the said South line a distance of 110.00 feet to the Northwest corner of Lot 6 of said Block D;

THENCE N 01°29'49" W along the Northerly projection of the West line of said Lot 6 a distance of 10.00 feet to the POINT OF BEGINNING;

Said land situate, lying and being in Broward County, Florida, containing 1,100 sq. ft. more or less.

SEAL

NOT VALID WITHOUT THE
SIGNATURE AND THE
ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED
SURVEYOR AND MAPPER
STEVEN M. WATTS
PSM #4588

SHEET 1 OF 2

REVISED LENGTH OF ALLEY 6/11/2017

CERTIFICATE

I, Steven M. Watts, do hereby state that this Sketch and Description was done under my direct supervision and is accurate and correct to the best of my knowledge and belief. I further state that this Sketch and Description was completed in accordance with the Standards of Practice requirements for Surveying and Mapping as stated in Rule 5J-17 of the Florida Administrative Code, pursuant to Florida Statutes Ch. 472.027.



AWN DESIGN & CONSULTING GROUP, INC.

SURVEYORS - MAPPERS - DESIGNERS

227 GOOLSBY BOULEVARD

DEERFIELD BEACH, FLORIDA 33442

LB 7260 PHONE: (954) 481-8682

PROFESSIONAL SURVEYOR AND MAPPER #LS 4588, STATE OF FLORIDA
STEVEN M. WATTS AWN DESIGN & CONSULTING GROUP, INC.

DATE OF SKETCH

11/30/16

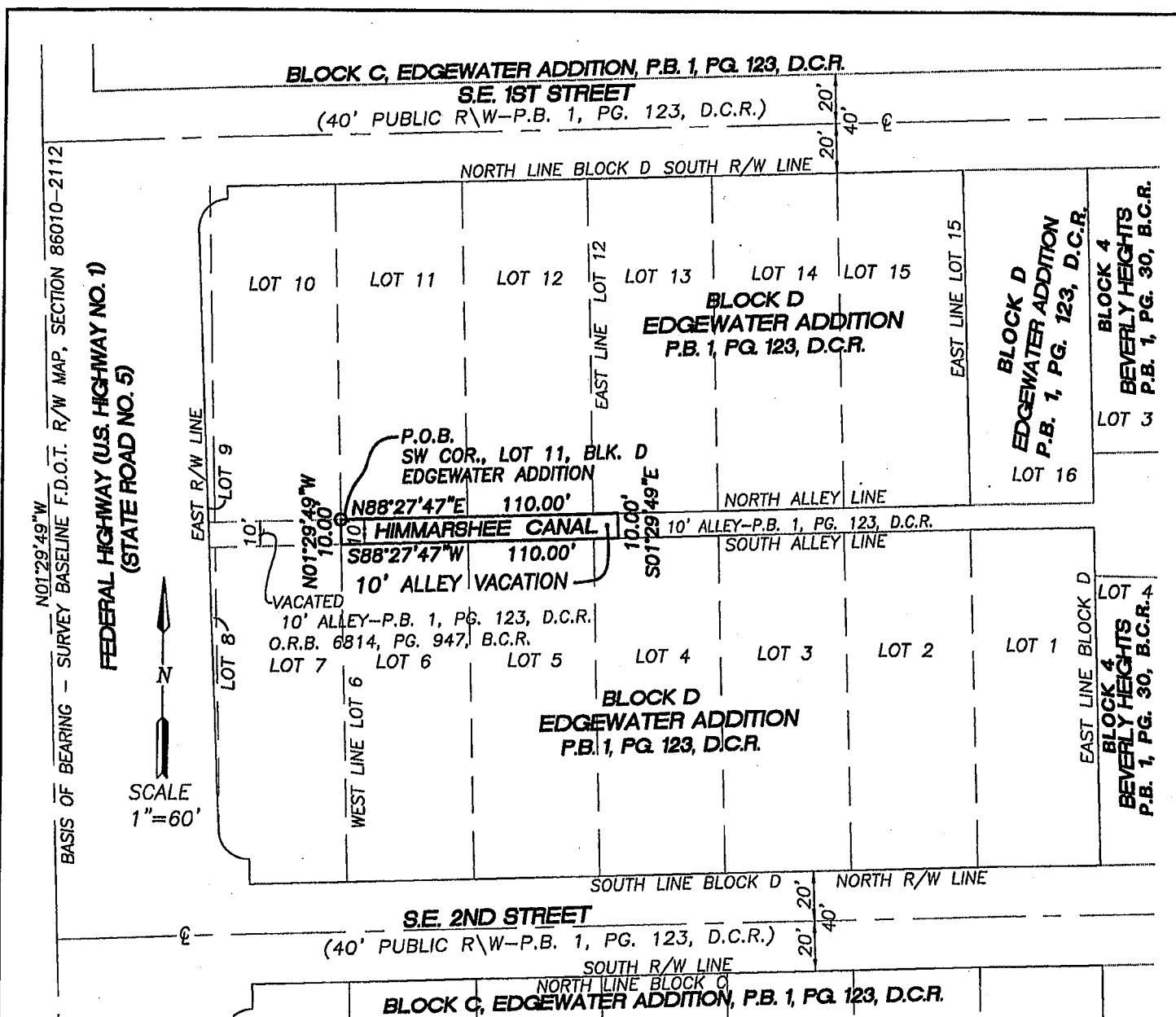
DRAWN BY

SMW

CHECKED BY

SMW

DRAWING NAME
ZON EASEMENTS

**ABBREVIATIONS**

B.C.R. = Broward County Records
 C = Centerline
 R/W = Right-of-Way
 P.O.C. = Point of Commencement
 P.O.B. = Point of Beginning
 COR. = Corner
 BLK. = Block
 D.C.R. = Dade County Records
 P.B. = Plat Book
 PG. = Page
 F.D.O.T. = Florida Department of Transportation

NOTES

1. AWN Design & Consulting Group, Inc. State of Florida Certificate of Authorization number is LB7260
2. Bearings shown hereon are assumed bearings and referenced to the Survey Baseline for Federal Highway (F.D.O.T. R/W MAP Section 86010-2112), said line having a bearing of N01°29'49"W.
3. The purpose of this Sketch and Description is for a Vacation of a 10' Alley dedicated in P.B. 1, Pg. 123, D.C.R.

SHEET 2 OF 2
 REVISED LENGTH OF ALLEY 6/11/2017



AWN DESIGN & CONSULTING GROUP, INC.
 SURVEYORS - MAPPERS - DESIGNERS
 227 GOOLSBY BOULEVARD
 DEERFIELD BEACH, FLORIDA 33442
 LB 7260 PHONE: (954) 481-8682

**SKETCH & DESCRIPTION
 10' ALLEY VACATION
 LAS OLAS WALK - NORTH**

DATE OF SKETCH 11/30/16	DRAWN BY SMW	CHECKED BY SMW	DRAWING NAME ZON EASEMENTS
----------------------------	-----------------	-------------------	-------------------------------

EXHIBIT "B"

**CONDITIONS OF APPROVAL
CASE NO. V16011**

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; and
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; and
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 listed in the ordinance have been met. A copy of the recorded certificate must be provided to the City.