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Broward County Commission
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RESOLUTION NO. 17-279

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE PLATTED 8-FOOT UTILITY EASEMENT LYING WITHIN PARCEL "X", "PACIFIC LUMBER NO. 1", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 70, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTH ANDREWS AVENUE, NORTH OF SOUTHWEST 32 STREET (NOW VACATED), EAST OF FLORIDA EAST COAST RAILROAD AND SOUTH OF SOUTHWEST 30 STREET (NOW VACATED), ALL SAID LANDS BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") Florida East Coast Railway, LLC, is applying for the vacation of a platted 8-foot utility easement (PZ Case No. E17004) more fully described in Section 1, below associated with a property known as "Gproulx Warehouse", located at 3125 South Andrews Avenue; 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:

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

Location: West of South Andrews Avenue, north of S.W. 32nd Street, east of Florida East Coast Railroad and south of S.W. 30th Street.

City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301

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 Work 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. All other applicable state or federal permits must be obtained before commencement of the development.

ADOPTED this the 5th day of December, 2017.

Mayor
JOHN P. "JACK" SEILER

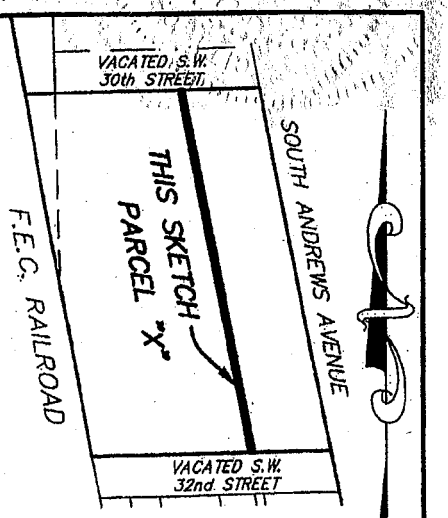
ATTEST:

City Clerk
JEFFREY A. MODARELLI

M.D. O.K.

McLAUGHLIN ENGINEERING COMPANY
LB#285
ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
8' UTILITY EASEMENT
G. PROULX WARERHOUSE SITE
SHEET 1 OF 2 SHEETS



SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

The West 8.00 feet of the East 138.00 feet of Parcel "X", PACIFIC LUMBER NO. 1, according to the plat thereof, as recorded in Plat Book 70, Page 26, of the public records of Broward county, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 4,990 square feet or 0.1146 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 2nd day of May, 2017.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida.

NOTES:

1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
2) Legal description prepared by McLaughlin Engineering Co.
3) This drawing is not valid unless sealed with an embossed surveyors seal.
4) THIS IS NOT A BOUNDARY SURVEY.
5) Bearings shown assume the East line of Parcel "X", as South 11°09'54" East.

FIELD BOOK NO. _____

JOB ORDER NO. V-2275

REF. DWG.: 17-3-016

DRAWN BY: JMMjr

CHECKED BY: _____

C:\JMMjr/2017/V2275 (LEASE)

Exhibit A

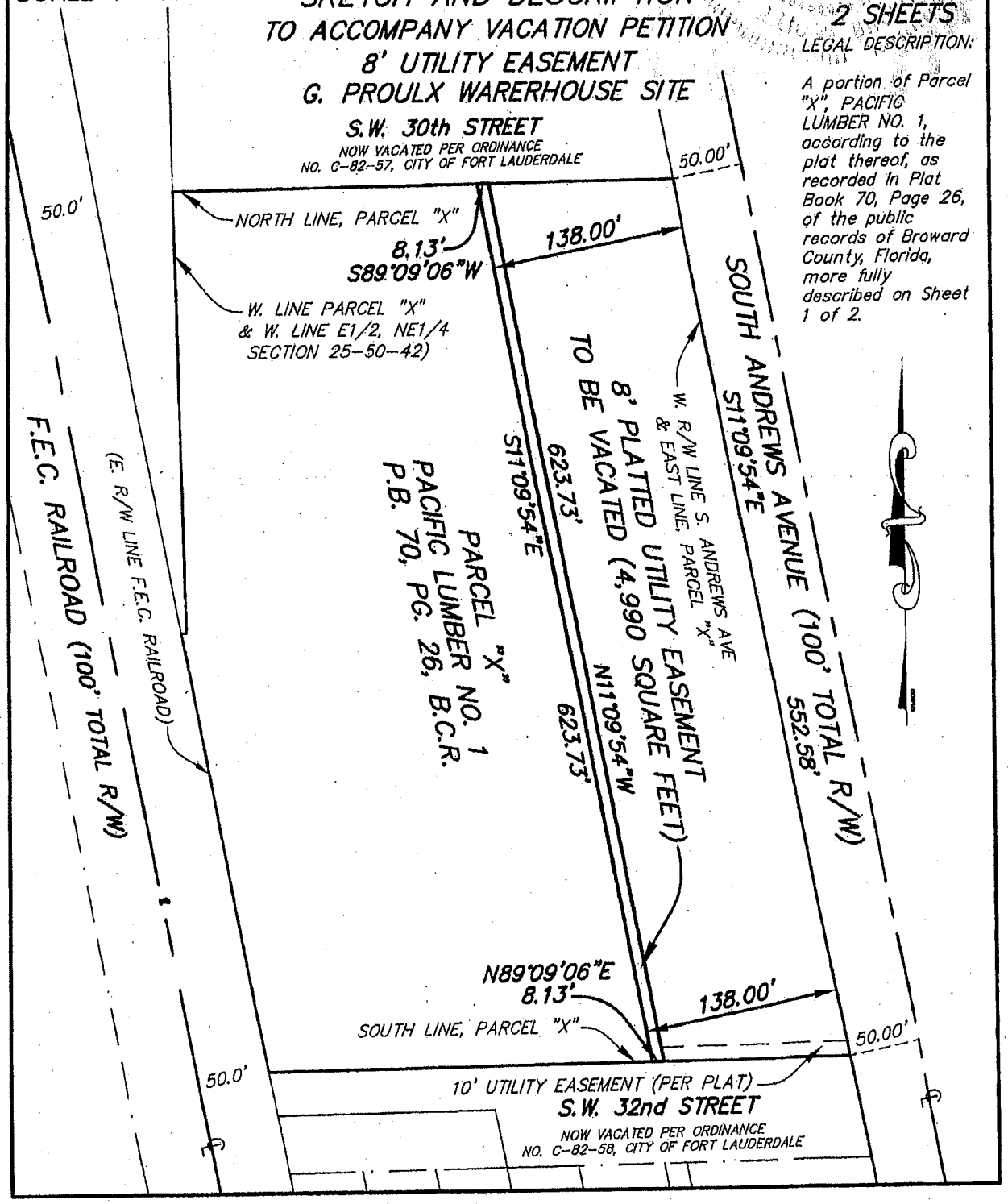
McLAUGHLIN ENGINEERING COMPANY
LB#285
ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

M.D.O.K.

SCALE 1"=100'

SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
8' UTILITY EASEMENT
G. PROULX WAREHOUSE SITE

SHEET 2 OF 2 SHEETS



LEGAL DESCRIPTION:

A portion of Parcel "X", PACIFIC LUMBER NO. 1, according to the plat thereof, as recorded in Plat Book 70, Page 26, of the public records of Broward County, Florida, more fully described on Sheet 1 of 2.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-2275

CHECKED BY: _____

REF. DWG.: 17-3-016

C:\JMMjr/2017/V2275 (LEASE)