

RESOLUTION NO. 18-93

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE 6-FOOT DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 651, PAGE 214 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALSO BEING A PORTION OF LOT 54, "NURMI ISLES, ISLAND NO. 4", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 24, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF FIESTA WAY (NORTHEAST 20TH AVENUE), NORTH OF LAS OLAS BOULEVARD, EAST OF ISLE OF VENICE DRIVE (NORTHEAST 19TH AVENUE) AND SOUTH OF SUNRISE KEY BOULEVARD, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under the provisions of Section 47-24.7 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, Aqualuna Las Olas Condominium Association, Inc., is applying for the vacation of a 6-foot drainage easement (PZ Case No. E18002) more fully described in Section 1, below associated with the development of the same name; 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 drainage:

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

Location: West of Fiesta Way (Northeast 20th Avenue), north of Las Olas Boulevard, east of Isle of Venice Drive (Northeast 19th Avenue) and south of Sunrise Key Boulevard

SECTION 2. That a copy of this Resolution shall be recorded in the Public Records of Broward County, at the applicant's expense, within 30 days from the date of final passage.

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

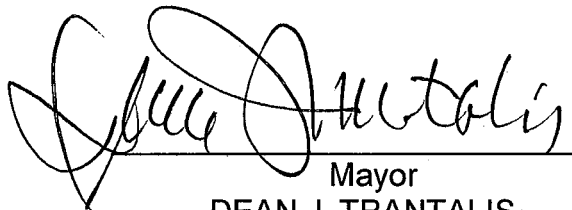
SECTION 5. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity or other provisions of this Resolution.

SECTION 7. That this Resolution shall not take until the date that a certificate executed by the City Engineer is recorded in the public records of Broward County evidencing that all conditions of the vacation set forth below have been satisfied:

- (a) 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.
- (b) 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.

ADOPTED this the 1st day of May, 2018.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI



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.L. O.C.

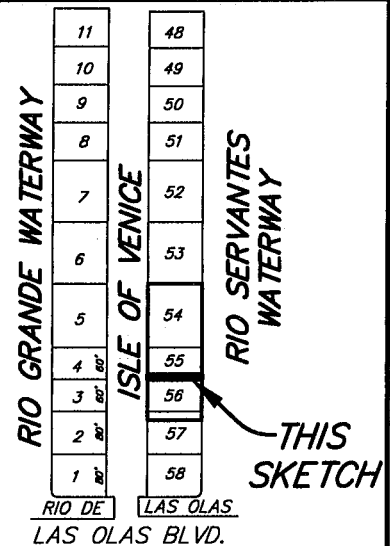
SCALE 1" = 30'

**SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
6' DRAINAGE EASEMENT
(O.R. 487, PG. 118, B.C.R.)
AQUALUNA**

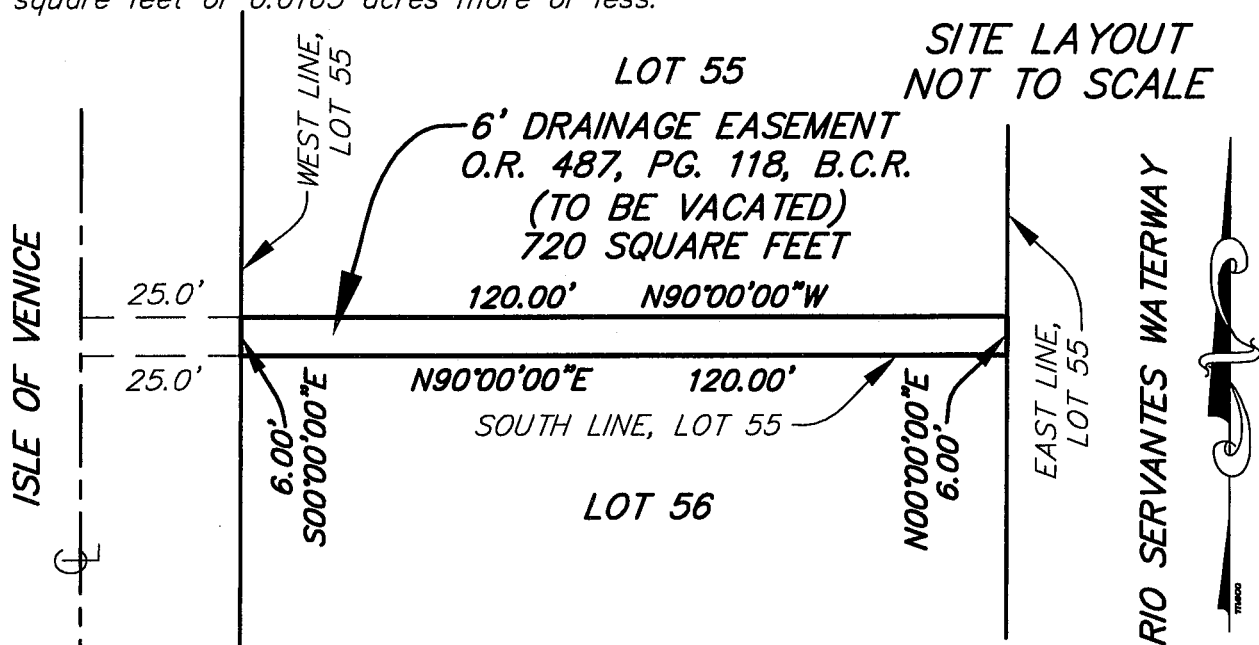
LEGAL DESCRIPTION:

The South 6.00 feet of Lot 55, NURMI ISLES, ISLAND NO. 4, according to the plat thereof, as recorded in Plat Book 24, Page 43, 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 720 square feet or 0.0165 acres more or less.



**SITE LAYOUT
NOT TO SCALE**



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 West line of Lots 53 to 57, as South 00°00'00" East.
- 6) It is the intent of this Sketch and Description to include all lands described in O.R. 487, Page 118, B.C.R.

CERTIFICATION

Certified Correct. Dated at
Fort Lauderdale, Florida this
15th day of December, 2017.

McLAUGHLIN ENGINEERING COMPANY

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

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-2924

CHECKED BY: _____

REF. DWG.: 13-3-070

C: \JMMjr\2017\V2924 (EASE)

Exhibit "A"