

RESOLUTION NO. 18-123

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE INGRESS AND EGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 24050, PAGE 803 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALSO BEING A PORTION OF LOT 5, BLOCK 46, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTH ANDREWS AVENUE, NORTH OF SOUTHWEST 6TH STREET, EAST OF SOUTHWEST 1ST AVENUE AND SOUTH OF SOUTHWEST 5TH STREET, ALL SAID LANDS BEING 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"), OCITA Properties, is applying for the vacation of a 24-foot by 159-foot access easement (Case No. E18008) more fully described in Section 1 below, associated with the development known as Riverparc Square, located at 501 South Andrews Avenue, Fort Lauderdale, Florida; 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 ingress and egress, subject to the conditions provided in SECTION 2 of this resolution:

A PORTION OF LOT 5, BLOCK 46, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of South Andrews Avenue, north of Southwest 6th Street, east of Southwest 1st Avenue and south of Southwest 5th Street.

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 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.

SECTION 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the 19th day of June, 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.D.O.K.

SKETCH AND DESCRIPTION TO ACCOMPANY VACATION PETITION INGRESS/EGRESS EASEMENT IN BLOCK 46, TOWN OF FORT LAUDERDALE (PLAT BOOK "B", PAGE 40, D.C.R.) SHEET 1 OF 2 SHEETS

LEGAL DESCRIPTION:

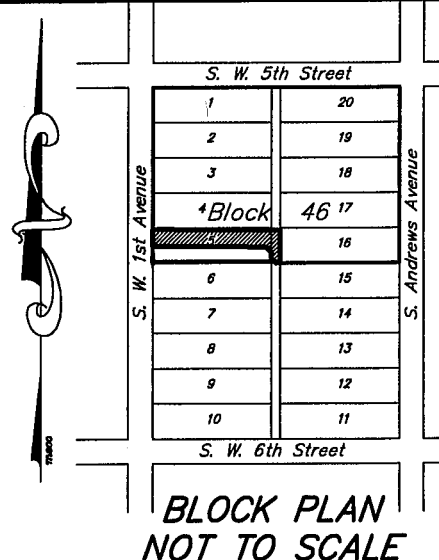
Lot 5 and a portion of that certain 14.00 foot Vacated Alley lying East of and adjacent to said Lot 5; Block 46, TOWN OF FORT LAUDERDALE, according to the plat thereof as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida, more full described as follows:

Commencing at the Southwest corner of said Lot 5; thence North 00°00'00" East, on the West line of said Lot 5, a distance of 23.00 feet to the Point of Beginning; thence continuing North 00°00'00" East, on said West line, a distance of 24.00 feet; thence South 89°34'00" East, a distance of 158.97 feet to the West line of Lot 16 of said Block 46; thence South 00°00'00" East, on said West line, being the East line of said 14.00 foot Vacated Alley, a distance of 47.00 feet; thence North 89°34'00" West, on the Westerly extension of the South line of said Lot 16, a distance of 7.00 feet; thence North 00°00'00" East, a distance of 3.00 feet; thence North 89°34'00" West, on the Easterly extension of the South line of the North 47.00 feet, of said Lot 5, a distance of 7.00 feet; thence North 00°00'00" East, on the East line of said Lot 5, a distance of 12.00 feet; thence North 44°47'00" West, a distance of 11.36 feet; thence North 89°34'00" West, a distance of 136.98 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing, 4,148 square feet or 0.0952 acres, more or less.

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 right-of-way line of South Andrews Avenue, as South 00°00'00" East.
- 6) It is the intent of this description to described all that certain Ingress/Egress Easement in O.R. 24050, PG. 803, B.C.R.



CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 14th day of March, 2018.

Revised Legal Description per City Surveyors request, this 9th day of May, 2018

McLAUGHLIN ENGINEERING COMPANY

[Signature]
JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-3135

CHECKED BY: JST

REF. DWG.: T-86

C: \JMMjr/2018/V3135 (EASE)

Exhibit A



McLAUGHLIN ENGINEERING COMPANY

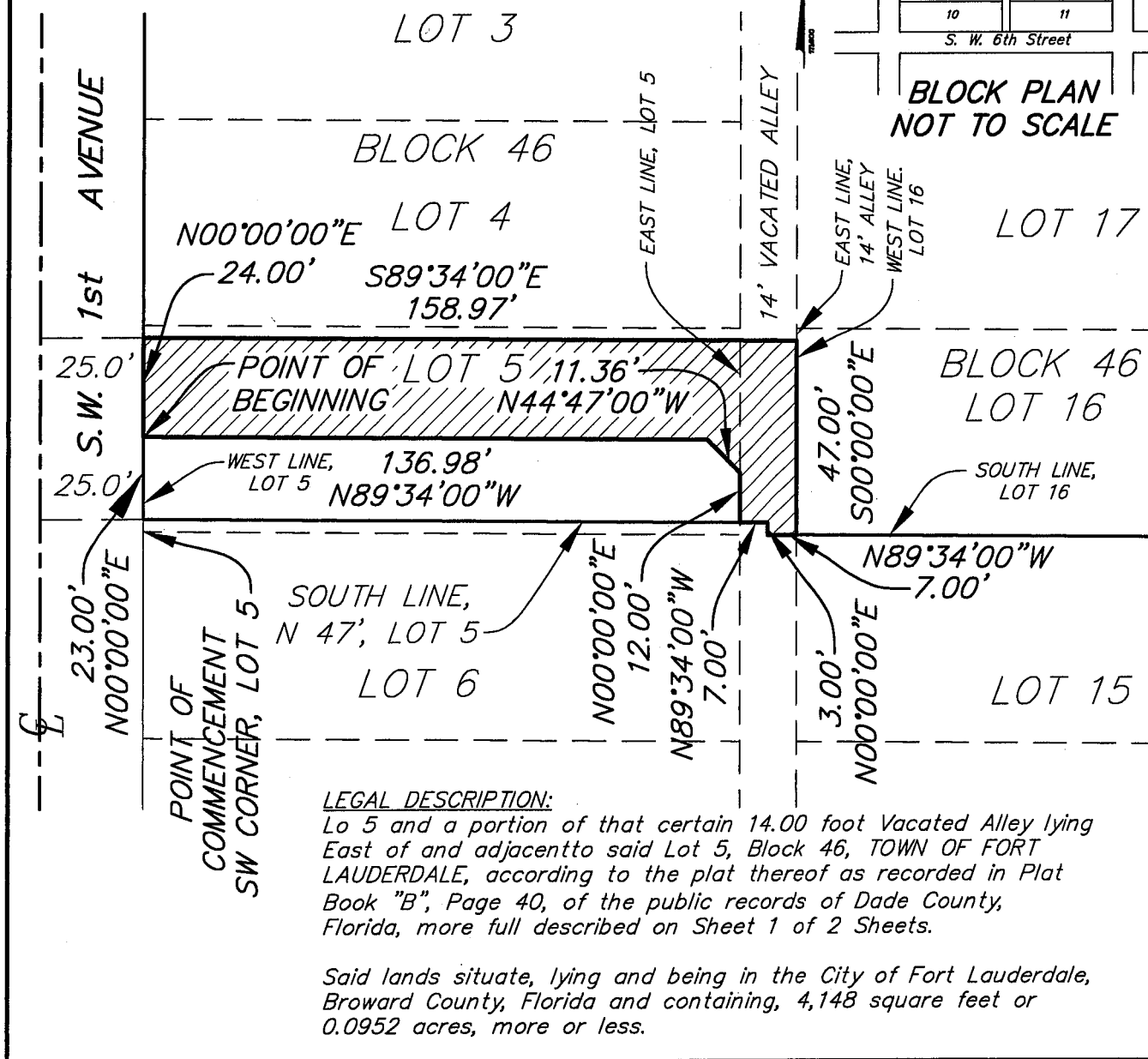
LB#285

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SCALE 1" = 40'

SKETCH AND DESCRIPTION TO ACCOMPANY VACATION PETITION INGRESS/EGRESS EASEMENT IN BLOCK 46, TOWN OF FORT LAUDERDALE (PLAT BOOK "B", PAGE 40, D.C.R.) SHEET 2 OF 2 SHEETS



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-3135

CHECKED BY: JST

REF. DWG.: T-86

C: \JMMjr\2018\V3135 (EASE)