

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN 20-FOOT PEDESTRIAN EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 50138 AT PAGES 932 THROUGH 935, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WITHIN PARCEL "A", "BMW SUNRISE PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 181, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF NORTHEAST 10TH AVENUE, NORTH OF THE EASTERLY EXTENSION OF NORTHEAST 9TH STREET, EAST OF NORTHEAST 7TH AVENUE AND SOUTH OF EAST SUNRISE BOULEVARD, ALL 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"), Holman Automotive, Inc., is applying for the vacation of a certain 20-foot pedestrian easement (Case No. E17006) more fully described in Section 1 below, associated with the project known as Holman Bentley Aston Martin's new showroom and maintenance facility, located at 900 East Sunrise Boulevard, Fort Lauderdale, Florida; and

WHEREAS, pursuant to the provisions of 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 pedestrian access, subject to the conditions provided in SECTION 2 of this resolution:

THAT CERTAIN 20-FOOT PEDESTRIAN EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 50138 AT PAGES 932 THROUGH 935, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WITHIN PARCEL "A", "BMW SUNRISE PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 181, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Northeast 10th Avenue, north of the easterly extension of Northeast 9th Street, east of Northeast 7th Avenue, and south of East Sunrise Boulevard.

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 ____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

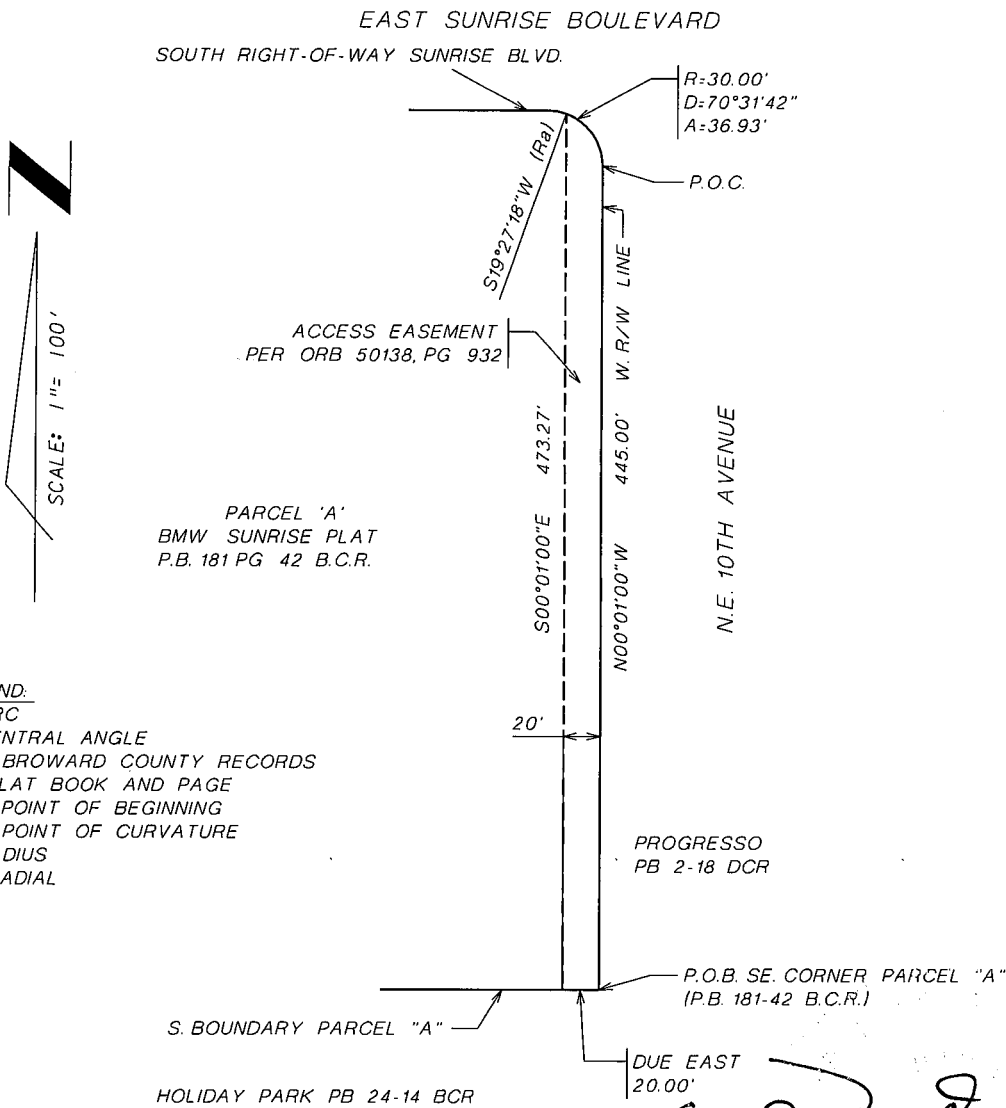
Mr. D. O.K.

DESCRIPTION OF PEDESTRIAN ACCESS EASEMENT TO BE VACATED

A STRIP OF LAND RECORDED IN OFFICIAL RECORD BOOK 50138 AT PAGE 932 - 935 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA SAID STRIP OF LAND ALSO LYING WITHIN PARCEL A OF THE BMW SUNRISE PLAT AS RECORDED IN PLAT BOOK 181 AT PAGE 42 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF PARCEL A OF SAID BMW SUNRISE PLAT RUN NORTH 00°01'00" WEST (BASIS OF BEARINGS A PLAT BEARING) FOR A DISTANCE OF 445.00 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 10 AVENUE TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 70°32'42" A DISTANCE OF 36.93 FEET TO A POINT WITH A RADIAL BEARING OF NORTH 19°27'18" EAST FROM THE CENTER OF THE LAST DESCRIBED CURVE; THENCE RUN SOUTH 00°01'00" EAST FOR A DISTANCE OF 473.27 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL A; THENCE RUN EAST FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY FLORIDA.



- LEGEND:**
 A= ARC
 D= CENTRAL ANGLE
 BCR= BROWARD COUNTY RECORDS
 PB= PLAT BOOK AND PAGE
 POB= POINT OF BEGINNING
 POC= POINT OF CURVATURE
 R= RADIUS
 Ra= RADIAL

BY: *Carly D. Winningham*
 CARLY D. WINNINGHAM
 LICENSED SURVEYOR AND MAPPER NO. 2961
 STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

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| CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA | | DESCRIPTION OF PEDESTRIAN ACCESS EASEMENT TO BE VACATED TRACT A BMW SUNRISE PLAT | | | |
| WINNINGHAM & FRADLEY, INC. ENGINEERS • PLANNERS • SURVEYORS 111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX: 954-771-0208 www.winfrad.com | EB-0002995 | DRAWN: | DATE: 10-31-17 | PROJECT NUMBER | SHEET |
| | LB-0002995 | CHECKED: CDW | DATE: | W17010 | 1 OF 1 |