

INSTR # 115212257
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Broward County Commission
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CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.
WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 17th day of July, 2018
Wendy L. Hays City Clerk

RESOLUTION NO. 18-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A RETAINED UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 24048, PAGE 918 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THAT PORTION OF THE PLATTED 14-FOOT ALLEY IN BLOCK 46, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID BLOCK 46 AND ON THE SOUTH BY A LINE 3 FEET NORTH OF THE SOUTH LINE OF LOT 5 AND THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 16, 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 14-foot by 250-foot retained utility easement (PZ Case No. E18007) 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 utilities, subject to the conditions provided in **SECTION 2** of this resolution:

A PORTION OF THE PLATTED 14 FOOT ALLEY IN BLOCK 46, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID BLOCK 46 AND ON THE SOUTH BY A LINE 3 FEET NORTH OF THE SOUTH LINE OF LOT 5 AND THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 16

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:

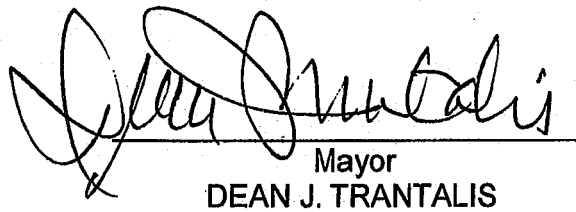
1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.
2. Any other utility infrastructure known or unknown 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



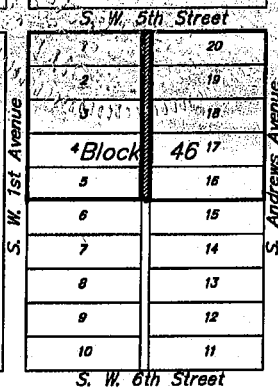
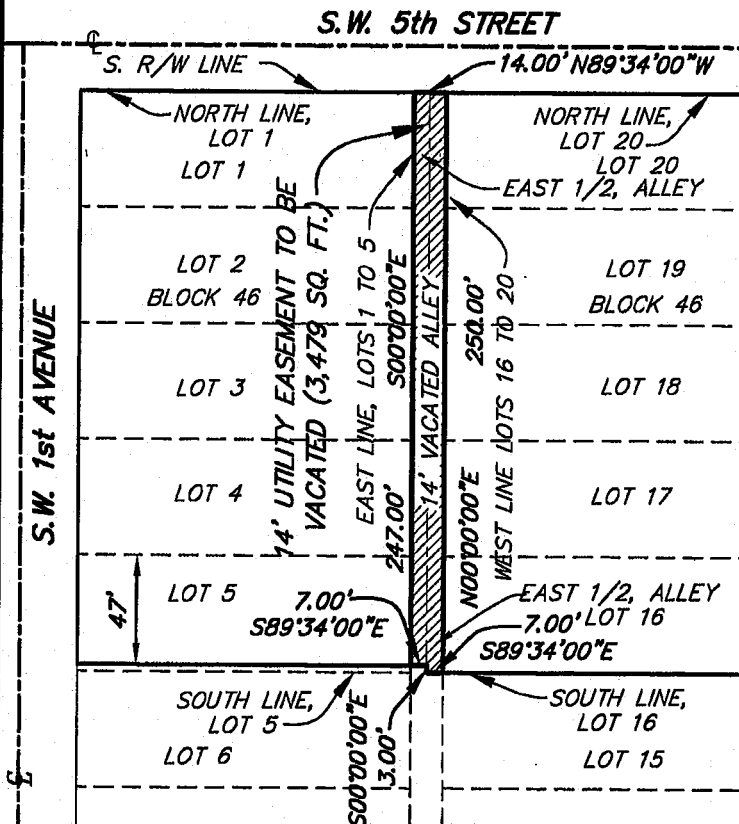
McLAUGHLIN ENGINEERING COMPANY
LB#285

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.

SCALE 1" = 80'

**SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
A PORTION OF VACATED ALLEY IN BLOCK 46,
TOWN OF FORT LAUDERDALE
(PLAT BOOK "B", PAGE 40, D.C.R.)**



**BLOCK PLAN
NOT TO SCALE**

LEGAL DESCRIPTION:

The West one-half (W 1/2) of that certain 14.00 foot Vacated Alley lying East of and adjacent to Lots 1, 2, 3, 4 and the North 47.00 feet of Lot 5; AND the East one-half (E 1/2) of that certain 14.00 foot Vacated Alley lying West of and adjacent to Lots 16, 17, 18, 19 and 20, all in 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.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing, 3,479 square feet or 0.0799 acres, more or less.

CERTIFICATION

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

McLAUGHLIN ENGINEERING COMPANY

J. M. McLaughlin Jr.
JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
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 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 14 foot Alley Vacated by O.R. 2404B, PG. 91B, B.C.R. and retained as a Utility Easement and as a Utility Easement in O.R. 24050, PG. 803, B.C.R.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-3135

CHECKED BY: JST

REF. DWG.: T-86

C: \JMMjr\2018\V3135 (EASE)

FILE

Exhibit A

Southside River
Riverarc Square 17-1351.00