

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE PLATTED 10-FOOT UTILITY EASEMENT LYING WITHIN PARCEL 'B', "FEDERAL HIGHWAY AND 2ND STREET CBD PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 153, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF FEDERAL HIGHWAY (US1), NORTH OF NORTHEAST 1ST STREET, EAST OF NORTHEAST 3RD AVENUE AND SOUTH OF NORTHEAST 2ND STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, PROVIDING FOR CONFLICTS, AND PROVIDING FOR SEVERABILITY.

WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), 195 Federal LLC is applying for the vacation of a 10-foot utility easement (Case No. E18001) more fully described in SECTION 1 below, located at 201 East Las Olas Boulevard, 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:

THE PLATTED 10-FOOT UTILITY EASEMENT LYING WITHIN PARCEL 'B', "FEDERAL HIGHWAY AND 2ND STREET CBD PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN

PLAT BOOK 153, PAGE 49, OF THE PUBLIC RECORDS OF
BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Federal Highway (US1), north of N.E. 1st Street,
east of N.E. 3rd Avenue and south of N.E. 2nd 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 easements will be dedicated, 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 easements will be dedicated, 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.

SECTION 6. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 7. That if any clause, section, or other part of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution shall not be affected thereby, but shall remain in full force and effect.

ADOPTED this the ____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

m.D. o.k.

SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

THAT 10.00 FOOT UTILITY EASEMENT LYING WITHIN THE NORTH 10.00 FEET OF PARCEL "B", "FEDERAL HIGHWAY AND 2ND STREET CBD PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 153, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 1,250 SQUARE FEET MORE OR LESS.

NOTES:

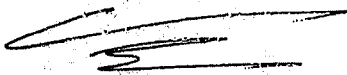

- 1) Bearings shown hereon are based on the North line of Parcel "B" with an assumed bearing of North 90°00'00" West.
- 2) This Sketch and Description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 3) The undersigned and David & Gerchar, Inc., make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights-of-way and/or easements of record.
- 4) This Sketch and Description consists of two (2) sheets and is not complete without all sheets.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	FB/PG

VACATED
U.E.

 THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 9821 DAVID & GERCHAR, INC. LB#6935	SCALE:	N/A	JOB NO:	16-044 V-UE	 DAVID & GERCHAR, SURVEYORS AND MAPPERS 12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com
	FB/PG:	N/A	CAD. FILE:	F:\dwgs\16-jobs\16-044\Sketch and Descriptions	
	DRAWN BY:	RRM	DATE:	11/14/17	
	CKD. BY:	TD	PROJ. FILE:	16-044	

CAM#18-0984

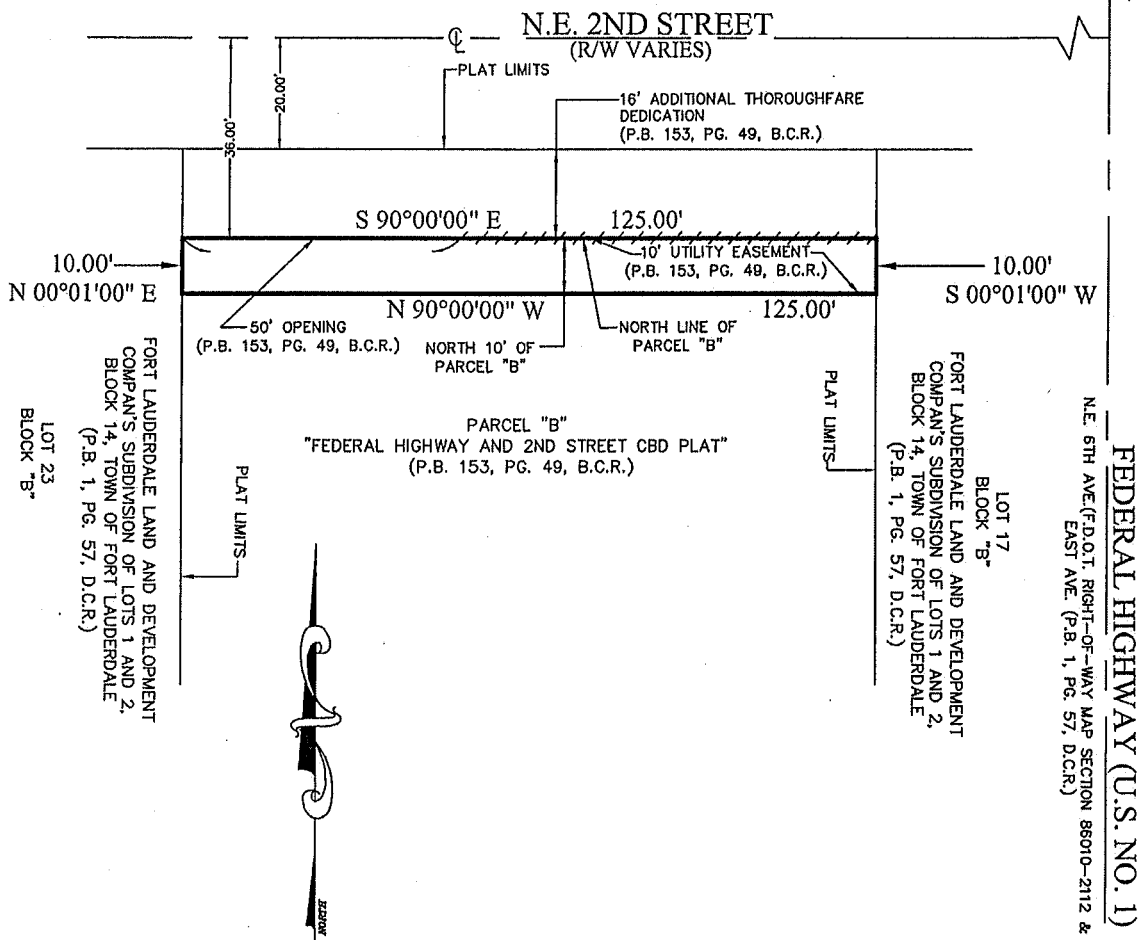
Exhibit 3

Page 1 of 2

Exhibit "A"

M.O. O.K.

SKETCH AND DESCRIPTION



LEGEND:

B. C. R.	BROWARD COUNTY RECORDS
D. C. R.	DADE COUNTY RECORDS
P. D. C. S.	POINT OF COMMENCEMENT
P. D. B.	POINT OF BEGINNING
P. B.	PLAT BOOK
PG.	PAGE
CL	CENTERLINE
R/W	RIGHT-OF-WAY

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD	FB/PG

**VACATED
U.E.**

SCALE: 1" = 30'	JOB NO: 16-044 V-UE
FB/PG: N/A	CAD. FILE: F:\dwgs\16-jobs\16-044\Sketch and Descriptions
DRAWN BY: RRM	DATE: 11/14/17
CKD. BY: TD	PROJ. FILE: 16-044

**DAVID &
GERCHAR, INC.**
SURVEYORS AND MAPPERS
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