

RESOLUTION NO. 18-204

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THE RETAINED STORM DRAINAGE, UTILITY, AND RELATED PURPOSES EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 15210, PAGE 564, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE SOUTH PORTION OF THE VACATED SOUTHWEST 14TH STREET RIGHT-OF-WAY (PLATTED AS PONJOLA STREET), ADJOINING TO LOT 1, BLOCK 24, "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTHWEST 1ST AVENUE, NORTH OF SOUTHWEST 15TH STREET, EAST OF FLORIDA EAST COAST RAILWAY AND SOUTH OF SOUTHWEST 13TH STREET, 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"), Bear Traxx, LLC, submitted an application for the vacation of a 1,796 square-foot storm drainage, utility, and related purposes easement (Case No. E18013) more fully described in Section 1 below, located at 1401 S.W. 1st 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 is no longer needed for public purpose.

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 RETAINED STORM DRAINAGE, UTILITY, AND RELATED PURPOSES EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 15210, PAGE 564, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE SOUTH PORTION OF THE VACATED SOUTHWEST 14TH STREET RIGHT-OF-WAY (PLATTED AS PONJOLA STREET), ADJOINING TO LOT 1, BLOCK 24, "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Southwest 1st Avenue, north of Southwest 15th Street, east of Florida East Coast Railway and south of Southwest 13th Street.

SECTION 2. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

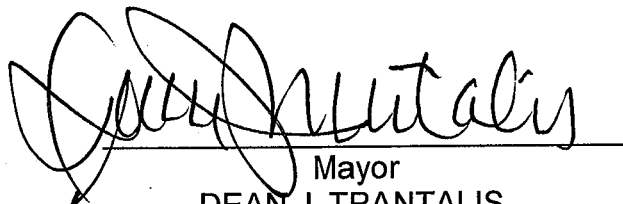
1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.
2. Any other utility infrastructure known or unknown 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 25th day of September, 2018.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI



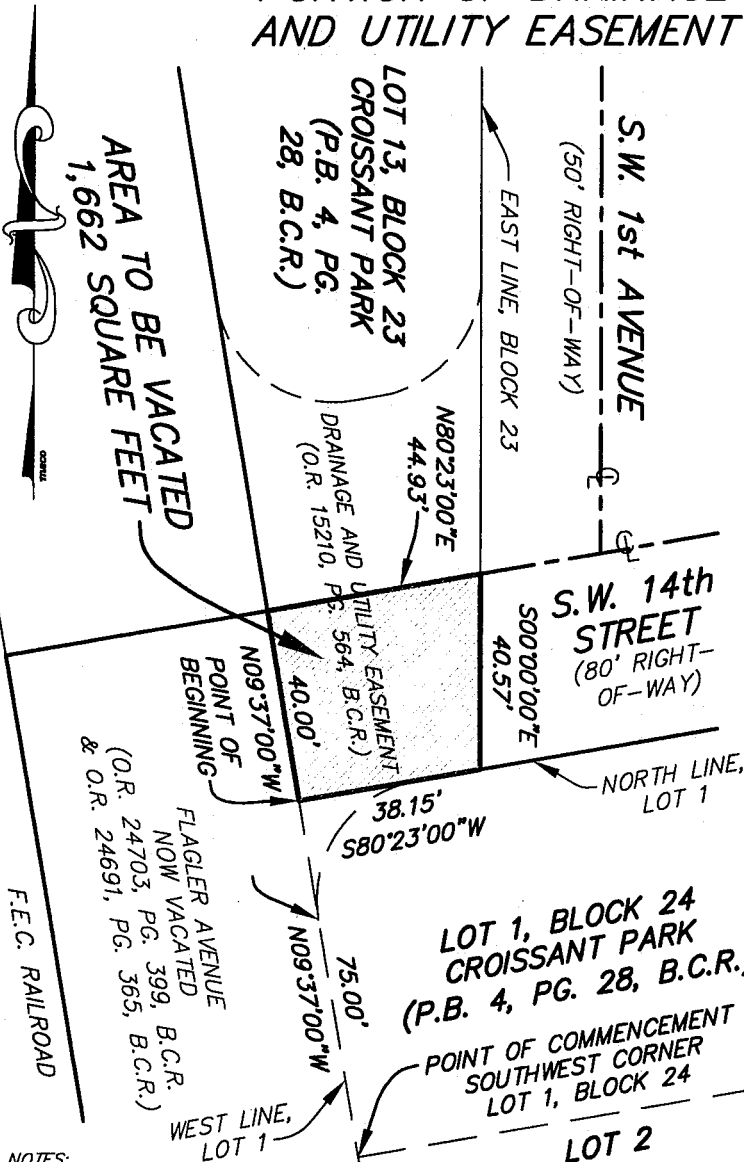
McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA
33309 PHONE (954) 763-7611 * FAX (954) 763-7615

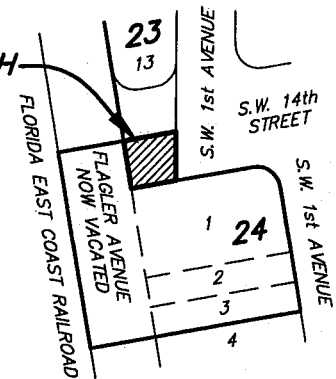
EXHIBIT "A"

SCALE 1" = 40'

**SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
PORTION OF DRAINAGE
AND UTILITY EASEMENT**



**THIS
SKETCH**



**SITE LAYOUT
NOT TO SCALE**

LEGAL DESCRIPTION:

A portion of S.W. 14th Street right-of-way, now vacated in Official Records Book 15210, Page 564, Broward County Records, North of and adjacent to Lot 1, Block 24, CROISSANT PARK, according to the plat thereof, as recorded in Plat Book 4, Page 28, of the public records of Broward County, Florida, more fully described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 09°37'00" West, on the West line of said Lot 1, a distance of 75.00 feet to the Point of Beginning; thence continuing North 09°37'00" West, on the Northerly extension of said West line of Lot 1, a distance of 40.00 feet; thence North 80°23'00" East, on the former centerline of said N.W. 14th Street, a distance of 44.93 feet; thence South 00°00'00" East, on the Southerly extension of the East line of Block 23 of said CROISSANT PARK, a distance of 40.57 feet; thence South 80°23'00" West, on the North line of said Lot 1 and Westerly extension thereof, a distance of 38.15 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 1,662 square feet or 0.0381 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 2nd day of August, 2018.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
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 line of Lot 1, as North 09°37'00" West.
- 6) It is the intent of this description to describe all of the Drainage, and Utility Easement in O.R. 15210, Page 564, B.C.R., lying South of the centerline extended West of S.W. 14th Street.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-3419

CHECKED BY: _____

REF. DWG.: 18-2-

C: \JMMjr\2018\V3419 (EASE)

Exhibit "A"