

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THE PLATTED 10-FOOT UTILITY EASEMENT LYING WITHIN LOTS 8 AND 9, BLOCK 13, "SUNRISE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 9 FEET OF SAID LOTS, LOCATED WEST OF INTRACOASTAL DRIVE, EAST AND NORTH OF MIDDLE RIVER DRIVE AND SOUTH OF NORTHEAST 9<sup>TH</sup> COURT, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), John C. Daly is applying for the vacation of a platted 10-foot utility easement (Case No. E18015) more fully described in Section 1 below, located at 512 Middle River Drive, 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:

THAT PORTION OF THE PLATTED 10-FOOT UTILITY EASEMENT LYING WITHIN LOTS 8 AND 9, BLOCK 13, "SUNRISE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE NORTH 9 FEET OF SAID LOTS, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

More particularly described in Exhibit "A" attached.

Location: West of Intracoastal Drive, east and north of Middle River Drive and south of Northeast 9<sup>th</sup> Court

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 \_\_\_\_\_, 2019.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI



**McLAUGHLIN ENGINEERING COMPANY**  
**LB#285**

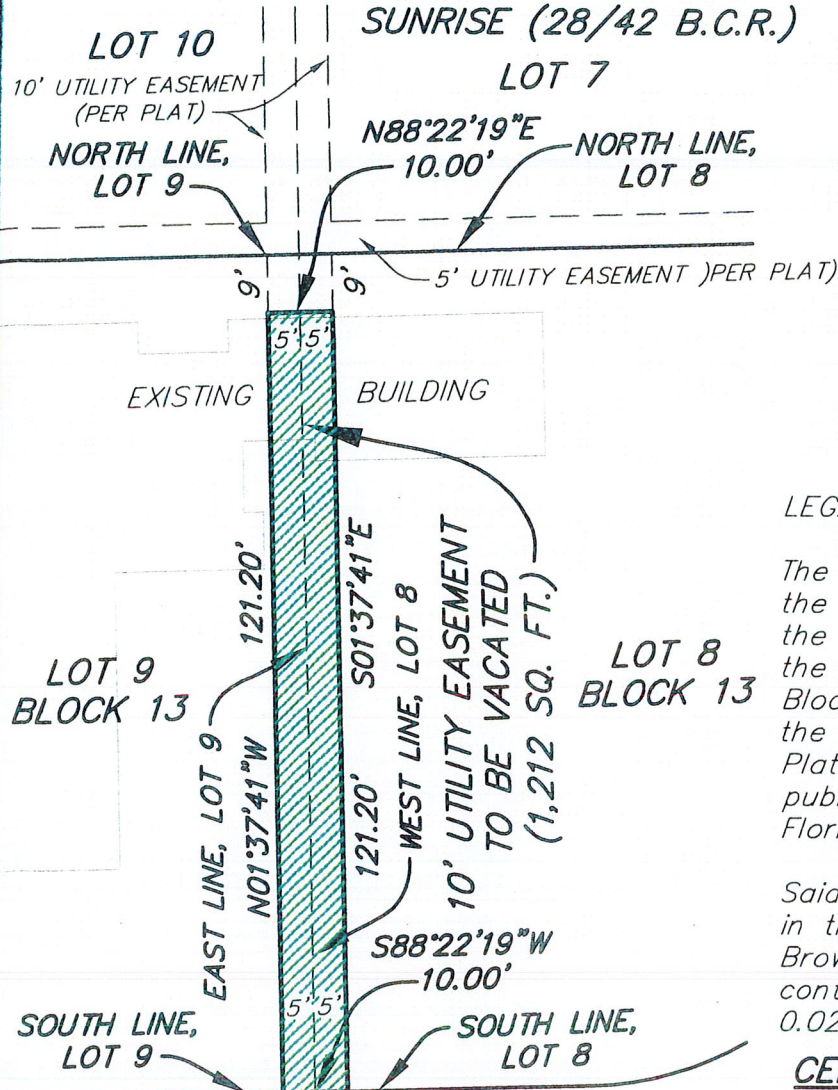
ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309  
PHONE (954) 763-7611 \* FAX (954) 763-7615

m. D. O.K.

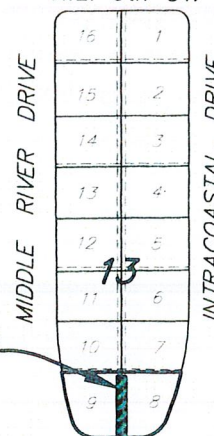
SCALE 1" = 30'

**SKETCH AND DESCRIPTION**  
**TO ACCOMPANY VACATION PETITION**

**5' UTILITY EASEMENTS, IN LOTS 8 & 9, BLOCK 13,**  
**SUNRISE (28/42 B.C.R.)**



N.E. 6th CT.



THIS  
SKETCH

**SITE LAYOUT**  
**NOT TO SCALE**

**LEGAL DESCRIPTION:**

The West 5.00 feet of Lot 8, Less the North 9.00 feet thereof AND the East 5.00 feet of Lot 9, Less the North 9.00 feet thereof, All in Block 13, SUNRISE, according to the plat thereof, as recorded in Plat Book 28, Page 42, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 1,212 square feet or 0.0278 acres more or less.

**CERTIFICATION**

Certified Correct. Dated at Fort Lauderdale, Florida this 19th 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 refer to record plat (28/42) and assume the West line of Lot 8, as South 01°37'41"East.

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr

JOB ORDER NO. V-3173

CHECKED BY: \_\_\_\_\_

REF. DWG.: 02-1-082

C: \JMMjr/2018/V3173 (EASE)

**Exhibit "A"**