

RESOLUTION NO. 19-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE PUBLIC INGRESS AND EGRESS EASEMENT CITY OF FORT LAUDERDALE NUMBER 1712, AS RECORDED IN OFFICIAL RECORDS BOOK 17840, PAGES 355 THROUGH 357, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A PORTION OF LOT 17 AND A PORTION OF THAT CERTAIN VACATED 10-FOOT ALLEY ADJACENT TO SAID LOT WITHIN BLOCK 4, "HOLMBERG & MCKEE'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 112, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF NORTHEAST 7<sup>TH</sup> AVENUE, NORTH OF NORTHEAST 5<sup>TH</sup> STREET, EAST OF SOUTH FEDERAL HIGHWAY (US1) AND SOUTH OF NORTHEAST 6<sup>TH</sup> STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND PROVIDING FOR CONFLICTS.

WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), Gaddis Properties LLC is applying for the vacation of a platted 15-foot by 110-foot public ingress/egress access easement (Case No. E18012) more fully described in Section 1 below, located at 514-524 North Federal Highway, 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:

ALL OF THE PUBLIC INGRESS AND EGRESS EASEMENT CITY OF FORT LAUDERDALE NUMBER 1712, AS RECORDED IN OFFICIAL RECORDS BOOK 17840, PAGES 355 THROUGH 357, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A PORTION OF LOT 17 AND A PORTION OF THAT CERTAIN VACATED 10-FOOT ALLEY ADJACENT TO SAID LOT WITHIN BLOCK 4, "HOLMBERG & McKEE'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 112, OF THE PUBLIC RECORDS OF DADE COUNTY.

More particularly described in Exhibit "A" attached.

Location: West of Northeast 7<sup>th</sup> Avenue, north of Northeast 5<sup>th</sup> Street, east of South Federal Highway (US1) and south of Northeast 6<sup>th</sup> 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 dedicated at another location, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department; and
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 dedicated at another location, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

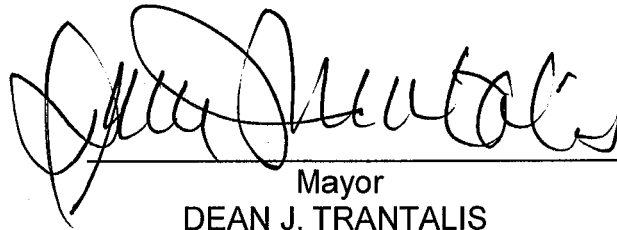
SECTION 3. That a copy of this Resolution shall be recorded in the Public Records of Broward County within 30 days from the date of final passage.

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. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED this the 8th day of January, 2019.



Mayor  
DEAN J. TRANTALIS

ATTEST:



---

City Clerk  
JEFFREY A. MODARELLI

# SKETCH AND DESCRIPTION

M.D. O.K.

## DESCRIPTION:

EASEMENT #1712, A PUBLIC INGRESS AND EGRESS EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 17840, PAGES 355 THROUGH 357, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOT 17 AND A PORTION OF THAT CERTAIN 10.00 FOOT ALLEY LYING WEST OF AND ADJACENT THERETO, BLOCK 4, HOLMBERG & MCKEE'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 112, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 00°01'00" WEST, ON THE EAST LINE OF SAID LOT 17, A DISTANCE OF 24.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°59'00" WEST, A DISTANCE OF 110.00 FEET, TO A POINT OF CURVE; THENCE WESTERLY AND NORTHERLY ON A CURVE TO THE RIGHT, WITH A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET, TO THE NORTHWEST CORNER OF SAID LOT 17; THENCE NORTH 89°40'00" WEST, ON THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 17, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°01'00" WEST, ON THE WEST LINE OF SAID 10 FOOT ALLEY, A DISTANCE OF 19.42 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY AND EASTERLY ON A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 61°03'42" EAST, WITH A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 61°02'42", AN ARC DISTANCE OF 42.62 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 89°59'00" EAST, A DISTANCE OF 110.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 17; THENCE NORTH 00°01'00" EAST, ON SAID EAST LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 2,351 SQUARE FEET MORE OR LESS.

## NOTES:

- 1) Bearings shown hereon are based on the East line of Lot 17, Block 4 with an assumed bearing of South 00°01'00" West.
- 2) This Sketch and Description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 3) All easements and rights-of-way of record, recorded and visible affecting the hereon described property are shown per the Ownership and Encumbrance Report, Order No. 5347934, prepared by Commonwealth Land Title Insurance Company dated through June 12, 2015, per the Ownership and Encumbrance Report, File No. 5454257, prepared by Commonwealth Land Title Insurance Company dated through October 11, 2015 at 6:00 am, and the Plat of HOLMBERG & MCKEE'S SUBDIVISION, as recorded in Plat Book 1, Page 112, of the Public Records of Dade County, Florida.
- 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

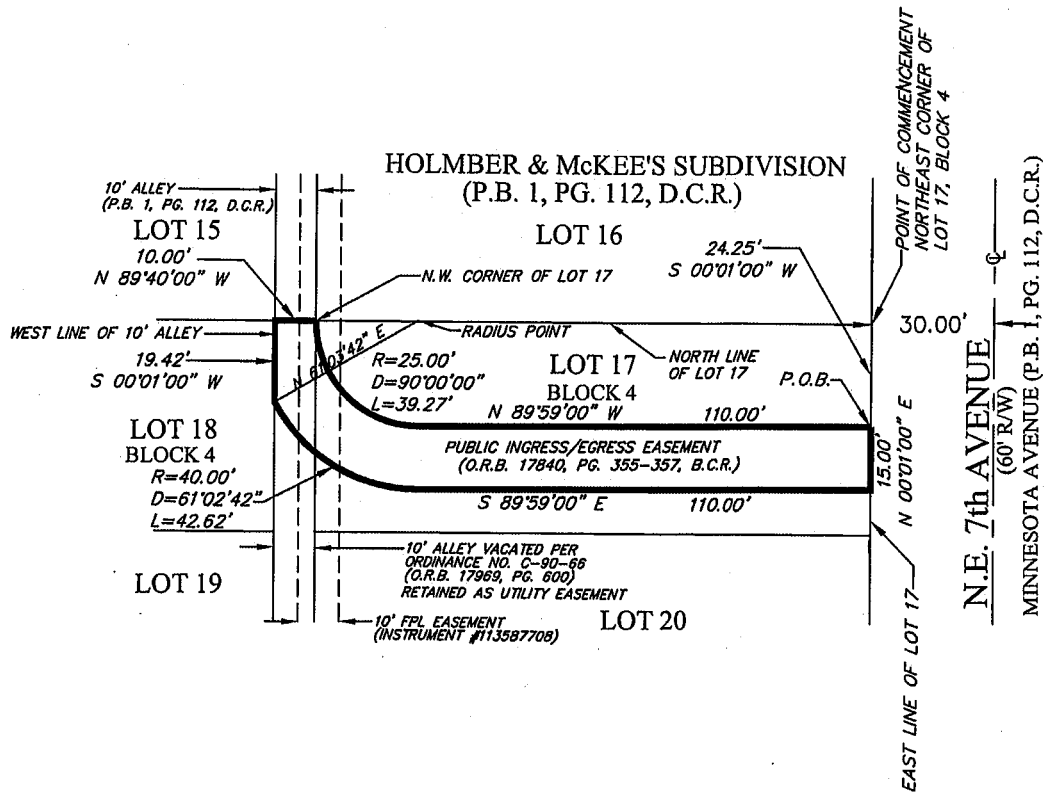
REVISIONS	DATE	BY	CKD	FB/PG	<h2 style="margin: 0;">PUBLIC INGRESS/EGRESS EASEMENT TO BE VACATED</h2>
REMOVE "MIAMI" PER CITY COMMENT	8/24/18	RM	TD		

<p>THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5821 DAVID &amp; GERCHAR, INC. LB#6935</p>	<p>SCALE: N/A</p> <p>FB/PG: N/A</p> <p>DRAWN BY: RRM</p> <p>CKD. BY: TD</p>	<p>JOB NO: 08-071-PI&amp;E</p> <p>CAD. FILE: F:\dwgs\08-jobs\08-071\500 FEDERAL SKETCH &amp; DES</p> <p>DATE: 3/15/18</p> <p>PROJ. FILE: honda navd88</p>	<h2 style="margin: 0;">DAVID &amp; GERCHAR,</h2> <p style="margin: 0;">SURVEYORS AND MAPPERS</p> <p style="margin: 0;">12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com</p>
--	---	---	---

# SKETCH AND DESCRIPTION

M. D. O.K.



## LEGEND:

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

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD	FB/PG

**PUBLIC  
INGRESS/EGRESS  
EASEMENT  
TO BE VACATED**

SCALE:

1" = 40'

FB/PG:

N/A

DRAWN BY:

RM

CKD. BY:

TD

JOB NO:

08-071-PI&E

CAD. FILE: F:\dwgs\  
08-jobs\08-071\500  
FEDERAL SKETCH & DES

DATE:

3/15/18

PROJ. FILE:

honda navd88

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

12750 N.W. 40th Street, Bay 1  
Coral Springs, Florida 33065  
(954) 340-4025 • email: ted@davidandgerchar.com