

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN PLATTED 30-FOOT WIDE DRAINAGE EASEMENT IN LOTS 9 AND 10, "FORT LAUDERDALE INDUSTRIAL AIRPORT – SECTION 2", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 63, PAGE 8, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE EAST 15 FEET OF LOT 10 AND THE WEST 15 FEET OF LOT 9, LOCATED WEST OF NORTHWEST 12th AVENUE, NORTH OF NORTHWEST 64th STREET, EAST OF NORTHWEST 15th AVENUE AND SOUTH OF WEST MCNAB ROAD, 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"), David Harker of First Industrial Realty Trust, Inc., is applying for the vacation of a platted 30-foot wide drainage easement (Case No. E19002) more fully described in SECTION 2 below, located at Cypress Creek Commerce Center II – Parcel C, 1201 Northwest 64th Street, 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. The City Commission finds that the application for vacation of easement meets the criteria of Section 47-24.7 of the ULDR as enunciated and memorialized in the minutes of its meeting of August 20, 2019, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 2. That the below described easement is hereby vacated and shall no longer constitute an easement for drainage, subject to the conditions provided in SECTION 3 of this resolution:

THAT CERTAIN PLATTED 30-FOOT WIDE DRAINAGE EASEMENT IN LOTS 9 AND 10, "FORT LAUDERDALE INDUSTRIAL AIRPORT – SECTION 2", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 63, PAGE 8, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE EAST 15 FEET OF LOT 10 AND THE WEST 15 FEET OF LOT 9, LOCATED WEST OF NORTHWEST 12th AVENUE, NORTH OF NORTHWEST 64th STREET, EAST OF NORTHWEST 15th AVENUE AND SOUTH OF WEST MCNAB ROAD, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

More particularly described in Exhibit "A" attached.

Location: West of Northwest 12th Avenue, north of Northwest 64th Street, east of Northwest 15th Avenue and south of West McNab Road

SECTION 3. 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 4. 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 5. 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 6. 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.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI