

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL THAT CERTAIN 5 FOOT WIDE STORM DRAINAGE EASEMENT IN PORTIONS OF LOTS 1 AND 16, BLOCK 21, "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 10TH TERRACE, WEST OF SOUTHEAST 12TH AVENUE AND SOUTH OF SOUTHEAST 2ND COURT, ALL SAID LANDS BEING 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"), the applicant, Four Ten Properties LLC, is applying for the vacation of a 5 foot-wide storm drainage easement as recorded in Official Record Book 9610, Page 253 of the Public Records of Broward County, Florida (Case No. UDP-EV25006), more fully described in SECTION 2 below, located at 221 Southeast 12th Avenue and 1117 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 Development Review Committee (hereinafter "DRC"), (Case No. UDP-EV25006) at its meeting of September 9, 2025, recommended approval of the vacation of easement to the City Commission; and

WHEREAS, the DRC has made the required reports and has also recommended the vacation of the easement; and

WHEREAS, the City Commission considered the application and the record and recommendations forwarded by the DRC and heard public comment on the application at a public meeting held on May 19, 2026;

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 May 19, 2026, a portion of those findings expressly listed as follows:

1. The easement is no longer needed for public purposes. The storm drainage facilities within the easement will be relocated outside of the easement area at the Applicant's expense. The public purpose currently served by the easement will be maintained without the need for the existing easement.
2. All utilities located within the easement have been or will be relocated pursuant to a relocation plan, and the owner of the utility facilities has consented to the vacation; or a portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

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

A 5-FOOT WIDE STORM DRAINAGE EASEMENT ACROSS A PORTION OF THE 10- FOOT WIDE ALLEY (VACATED BY ORDINANCE NO. 902, DATED 2/15/1938) LYING BETWEEN LOTS 1 AND 16, BLOCK 21, "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID STORM DRAINAGE EASEMENT BEING DESCRIBED IN OFFICIAL RECORDS BOOK 9610 AT PAGE 253, AS RECORDED IN SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALL SAID LANDS SITUATED, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

More particularly described in Exhibit "A" attached.

Location: North of East Las Olas Boulevard, east of Southeast 10th Terrace, west of Southeast 12th Avenue and south of Southeast 2nd Court.

SECTION 3. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

1. At the applicant's cost, a new stormwater drainage system shall be designed, permitted, and constructed to meet the relocation plan intent and the City's Public Works Department requirements.
2. The Applicant shall grant a new five (5) foot drainage easement per the relocation infrastructure plans as approved by Land Development Manager. No trees, fences, other utilities, or structures shall remain or be installed over the granted easement.
3. Any city infrastructure known or unknown and found to be within the vacated area shall be removed or relocated at the expense of the applicant as authorized by a right-of-way permit.
4. The owner must grant an easement at a different location for the relocation of utility facilities, to the satisfaction of the city Land Development Manager, if required.
5. 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.
6. The vacating resolution shall be in full force and effect on the date a certificate, executed by the Land Development Manager, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

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. That the approval of the vacation of the easement shall expire in 24 months from the date of final passage of this resolution if the certificate required in SECTION 3, paragraph 6 of this resolution has not been recorded in the public records of Broward County, Florida.

SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
SHARI L. McCARTNEY

Dean J. Trantalis	_____
John C. Herbst	_____
Steven Glassman	_____
Pamela Beasley-Pittman	_____
Ben Sorensen	_____

M D O.K.

EXHIBIT "A"

LEGAL DESCRIPTION: 5' Drainage Easement Vacation

A five (5) foot wide Storm Drainage Easement across a portion of the 10 foot alley (vacated by Ordinance No. 902, dated 2/15/1938) lying between Lots 1 and 16, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, said Storm Drainage Easement being described in Official Records Book 9610 at Page 253, as recorded in said Public Records of Broward County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of said Lot 1; thence S 01°30'33" E along the Southerly extension of the East line of said Lot 1, also being the Northerly extension of the East line of said Lot 16 and West right of way line of S.E. 12th Avenue for 5.00 feet to the Point of Beginning of the hereinafter described centerline of a five (5) foot wide Storm Drainage Easement, being two and one-half (2.5) feet on each side of and contiguous with the following described centerline; thence S 88°26'39" W for 50.00 feet to the Point of Termination.

SURVEYOR'S NOTES:

- This site lies in Section 11, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.
- All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.
- Bearings hereon are referred to an assumed value of S 01°30'33" E for the West right of way line of S.E. 12th Avenue.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2025-046.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on July 14, 2025, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

By:

Daniel C. Fortin Jr., For the Firm
Professional Surveyor and Mapper, LS6435
State of Florida.

Digitally signed by Daniel C Fortin Jr
DN: c=US, o=Unaffiliated,
dnQualifier=A01410D0000019C7228
C0D5000212C5, cn=Daniel C Fortin Jr
Date: 2026.03.09 21:44:57 -04'00'

Drawn By	MAP
Cad. No.	250467
Ref. Dwg.	2025-046
Plotted:	7/14/25 12:16a

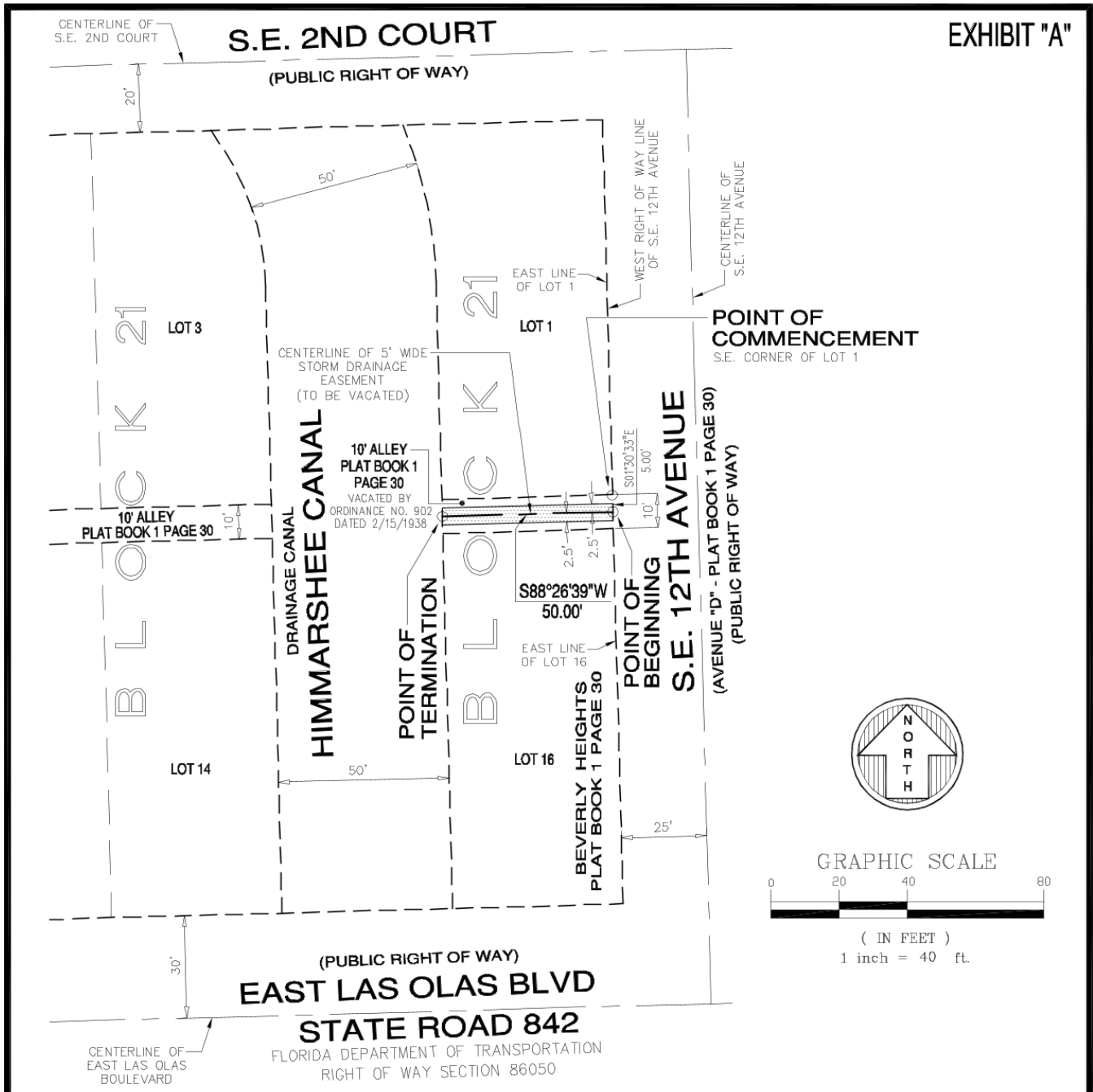
LEGAL DESCRIPTION, NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th. Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Email fls@flssurvey.com

Date	7/14/25
Scale	NOT TO SCALE
Job. No.	250467
Dwg. No.	1025-052-3
Sheet	1 of 3

M D O.K.

EXHIBIT "A"



Drawn By	MAP
Cad. No.	250467
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SKETCH OF DESCRIPTION

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180 Northeast 168th. Street / North Miami Beach, Florida. 33162
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Date	7/14/25
Scale	1"=40'
Job. No.	250467
Dwg. No.	1025-052-3
Sheet	2 of 3