

RESOLUTION NO. 26-98

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 10<sup>TH</sup> TERRACE, WEST OF SOUTHEAST 12<sup>TH</sup> AVENUE AND SOUTH OF SOUTHEAST 2<sup>ND</sup> 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 12<sup>th</sup> 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 10<sup>th</sup> Terrace, west of Southeast 12<sup>th</sup> Avenue and south of Southeast 2<sup>nd</sup> 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.

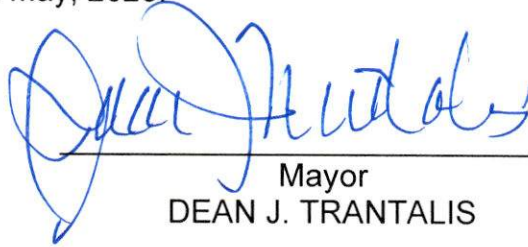
SECTION 5. That the approval of the vacation of the easement shall expire in 24 months from the date of final passage of this resolution if the certificate required in SECTION 3, paragraph 6 of this resolution has not been recorded in the public records of Broward County, Florida.

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 19<sup>th</sup> day of May, 2026.




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Mayor  
DEAN J. TRANTALIS

ATTEST:




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City Clerk  
DAVID R. SOLOMAN

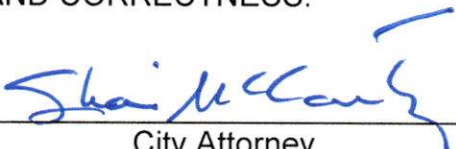
Dean J. Trantalis      Yea

John C. Herbst      Yea

APPROVED AS TO FORM  
AND CORRECTNESS:

Steven Glassman      Yea

Pamela Beasley-Pittman      Yea




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City Attorney  
SHARI L. McCARTNEY

Ben Sorensen      Yea