

ORDINANCE NO. 190-08-123

(space reserved for
recording purposes)

AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA APPROVING THE VACATION AND ABANDONMENT OF A PORTION OF N.W. 46th AVENUE, FORWARD SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE 40 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AS MORE PARTICULARLY DEPICTED IN EXHIBIT "A"; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; APPROVING THE COMPLETION AND SUBMITTAL OF THE APPLICATION FOR VACATION AND ABANDONMENT WITH BROWARD COUNTY; APPROVING THE PREPARATION OF ALL NECESSARY DOCUMENTS TO CARRY OUT THE INTENT OF THIS ORDINANCE; PROVIDING THAT THIS VACATION IS SUBJECT TO THE CITY OF LAUDERHILL RETAINING UNTO ITSELF A PERPETUAL NON-EXCLUSIVE INGRESS/EGRESS, UTILITY AND STORMWATER INFRASTRUCTURE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

WHEREAS, the City of Lauderhill is the legal owner of land generally described as a Portion of N.W. 46th Avenue, Forward Subdivision No. 1., the legal description of which is attached hereto as Exhibit "A"; and

WHEREAS, the roadway right-of-way/easement is generally located at N.W. 46th Avenue within the City of Lauderhill; and

WHEREAS, the City of Lauderhill deems this right-of-way/easement to be surplus, unnecessary and not required for public purpose; and

WHEREAS, as a condition of the vacation of this portion of N.W. 46th Avenue, the City of Lauderhill reserves until itself a perpetual non-exclusive ingress/egress, utility, and stormwater infrastructure easement; and

WHEREAS, the City's Engineering Department will prepare and process the necessary application and supporting documentation and will send written requests to any other affected utility agencies for their review of the application and written submission of any objections they may have to the requested vacation or notification of the need for any easements that they may need to retain; and

WHEREAS, the City staff have determined that the vacation is consistent with the City's Code and Comprehensive Plan objectives; and

WHEREAS, the City Commission, after review of the recommendations of city staff and consideration of this issue, has determined that the subject right-of-way/easement is not required for public use, and the proposed vacation bears a reasonable relationship to the health, safety and welfare of the citizens of the City of Lauderhill; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits referenced herein and attached hereto are hereby incorporated herein.

SECTION 2. The vacation and abandonment of the Portion of N.W. 46th Avenue, Forward Subdivision No. 1, according to the Plat thereof, as recorded in Plat Book 52, Page 40, of the Official Public Records of Broward County, Florida, as more particularly depicted in Exhibit "A", a copy of which is attached hereto and incorporated herein, is hereby approved subject to the condition stated herein.

SECTION 3. That the City of Lauderhill herein reserves unto itself a perpetual non-exclusive ingress/egress, utility, and stormwater infrastructure easement as a condition of the vacation, which will be recorded in the Official Public Records of Broward County.

SECTION 4. That the property is determined to be no longer useful or needed as a public right-of-way, and it is in the public interest that the

property be abandoned, vacated and closed as a public right-of-way, and as public property and that it is released from any and every public right, use, title and interest, and that the property shall revert to the adjoining and abutting owners who have reversionary interest, exception and subject to the easement that the City hereby retains and any other easements or record, over, under and across the property.

SECTION 4. That The City Manager, or his designees, and the City Attorney are hereby authorized to complete, submit and execute the Broward County Application for Vacation and Abandonment, and any and all other documents necessary to effectuate the intent of this Ordinance.

SECTION 5. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 6. This ordinance shall take effect immediately upon its passage.

DATED this 12 day of September, 2019.

PASSED on first reading this 26 day of August, 2019.

PASSED AND ADOPTED on second reading this 12 day of September, 2019.



PRESIDING OFFICER

ATTEST:



CITY CLERK

MOTION
SECOND

FIRST READING

SECOND READING

M. BATES
H. BERGER
R. CAMPBELL
D. GRANT
K. THURSTON

Bates
Campbell

Bates
Campbell

Yes
Yes
Yes
Yes
Yes

Yes
Yes
Yes
Yes
Yes



City of Lauderhill

City Hall
5581 W. Oakland Park
Blvd.
Lauderhill, FL, 33313
www.lauderhill-fl.gov

File Details

File Number: 19R-3353

File ID: 19R-3353	Type: Ordinance	Status: Agenda Ready
Version: 1	Reference:	In Control: City Commission Meeting
		File Created: 08/18/2019
File Name: Vacate N.W. 46th Right-of-Way		Final Action:

Title: ORDINANCE NO. 190-08-123: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA APPROVING THE VACATION AND ABANDONMENT OF A PORTION OF N.W. 46th AVENUE, FORWARD SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE 40 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AS MORE PARTICULARLY DEPICTED IN EXHIBIT "A"; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; APPROVING THE COMPLETION AND SUBMITTAL OF THE APPLICATION FOR VACATION AND ABANDONMENT WITH BROWARD COUNTY; APPROVING THE PREPARATION OF ALL NECESSARY DOCUMENTS TO CARRY OUT THE INTENT OF THIS ORDINANCE; PROVIDING THAT THIS VACATION IS SUBJECT TO THE CITY OF LAUDERHILL RETAINING UNTO ITSELF A PERPETUAL NON-EXCLUSIVE INGRESS/EGRESS, UTILITY AND STORMWATER INFRASTRUCTURE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Notes:

Sponsors:

Enactment Date:

Attachments: ORD-190-08-123-Vacate-NW 46 Ave.pdf, Ex. A - Survey-NW 46th AVE LAUDERHILL.PDF, ForwardSubdivisionNo1Plat.pdf, Vacation Petition Application.pdf, Vacation Petition Procedures.docx, Vacation Petition Submittal Checklist.doc

Enactment Number:

Contact:

Hearing Date:

* **Drafter:** apetti@laudershill-fl.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1 City Commission Meeting 08/26/2019

Text of Legislative File 19R-3353

ORDINANCE NO. 190-08-123: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA APPROVING THE VACATION AND ABANDONMENT OF A PORTION OF N.W. 46th AVENUE, FORWARD SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE 40 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AS MORE PARTICULARLY DEPICTED IN EXHIBIT "A"; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; APPROVING THE COMPLETION AND SUBMITTAL OF THE APPLICATION FOR VACATION AND ABANDONMENT WITH BROWARD COUNTY; APPROVING THE PREPARATION OF ALL NECESSARY DOCUMENTS TO CARRY OUT THE INTENT OF THIS ORDINANCE; PROVIDING THAT THIS VACATION IS SUBJECT TO THE CITY OF LAUDERHILL RETAINING UNTO ITSELF A PERPETUAL NON-EXCLUSIVE INGRESS/EGRESS, UTILITY AND STORMWATER INFRASTRUCTURE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Request Action:

Pass an Ordinance approving the vacation and abandonment of a Portion of N.W. 46th Avenue, Forward Subdivision No. 1., according to the Plat thereof, as recorded in Plat Book 52, Page 40, subject to the condition that the City of Lauderhill is reserving unto itself a perpetual non-exclusive ingress/egress, utility, and stormwater infrastructure easement.

Need:

To vacate an unnecessary portion of a road/right-of-way

Summary Explanation/ Background:

A portion of N.W. 46th Aveune is a right-of-way easement that the City of Lauderhill has determined issurplus, unnecessary and not required for public purpose. Therefore, the City is willing to vacate and abandon a portion of the road, which by viture of law will then be deeded to the abutting owners on each side of the abandoned or vacated road out to the center line, subject to the City of Lauderhill reserving until itself a perpetual non-exclusive ingress/egress, utility and stormwater infrastructure easement upon the parcel and any other easements of record, over, under and across the property.

Attachments:

1. Exhibit A - Survey
2. Plat
3. Broward County Application for Vacation and Abandonment Form
4. Broward County Procedures
5. Broward County Checklist

Cost Summary/ Fiscal Impact:

Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements

Estimated Time for Presentation:

Master Plan:

Goal 1: Clean, Green Sustainable Environment

- Increase mass transit ridership
- Reduce City energy consumption
- Reduce water consumption

Goal 2: Safe and Secure City of Lauderhill

- Crime in lower 50% in Broward
- Residents feel safe in neighborhood
- Reduce emergency fatalities

Goal 3: Open Spaces and Active Lifestyle for all ages

- Increase participation in youth sports
- Add new park land and amenities
- Increase attendance at cultural programs and classes

Goal 4: Growing Local Economy, Employment and Quality of Commercial Areas

- Increase commercial tax base
- Increase employment in Lauderhill businesses
- Decrease noxious and blighted uses in commercial areas

Goal 5: Quality Housing at all Price Ranges and Attractive Communities

- Neighborhood signs and active HOAs
- Housing & streets improved, litter reduced
- Increase proportion of single family homes and owner occupied housing

Goal 6: Efficient and Effective City Government, Customer Focused & Values Diversity

- Improves City efficiency
- Increase use of Information Technology
- Increases residents perception of Lauderhill as an excellent place to live



LEGEND	
	BENCHMARK
	CATCH BASIN
	EXISTING ELEVATION
	OVERHEAD WIRES (DIM UNLESS NOTED)
	WOOD UTILITY POLE WITH LIGHT

TREE LEGEND	
	Avocado
	Mango
	Palm
	Unknown Species
	Denotes 12" Diameter Trunk (Typical)

LAND DESCRIPTION:

A portion of NW 48th Avenue, being in, FOWARD SUBDIVISION No.1, according to the Plat thereof as recorded in Plat Book 52, Page 40, of the Public Records of Broward County, Florida, being described as follows:

BEGIN at the northeast corner of Lot 1, Block 16 of said Plat; thence N89°28'37"E, along the north line of said Plat, 50.00 feet to the northwest corner of Lot 36, Block 1 of said Plat; thence S00°31'23"E, along the west line of said Lot 36, Block 1, a distance of 75.35 feet to a point of curvature, curve being concave to the northeast having a radius of 25.00 feet and a central angle of 90°00'00"; thence southeasterly an arc distance of 38.27 feet to a point on the south line of said Lot 36, Block 1, said point also being on the north right-of-way line of NW 27th Street; thence S89°28'36"W, along said north right-of-way line, 100.00 feet to a point of cusp of a curve being concave to the northwest, having a radius of 25.00 feet and a central angle of 90°00'00"; thence northeasterly an arc distance of 39.27 feet to a point of tangency; thence N00°31'23"W along the east line of Lot 1, Block 16, a distance of 75.35 feet to the POINT OF BEGINNING.

Said land lying in Broward County, Florida and contains 5,286 square feet, more or less.

SURVEYOR'S REPORT

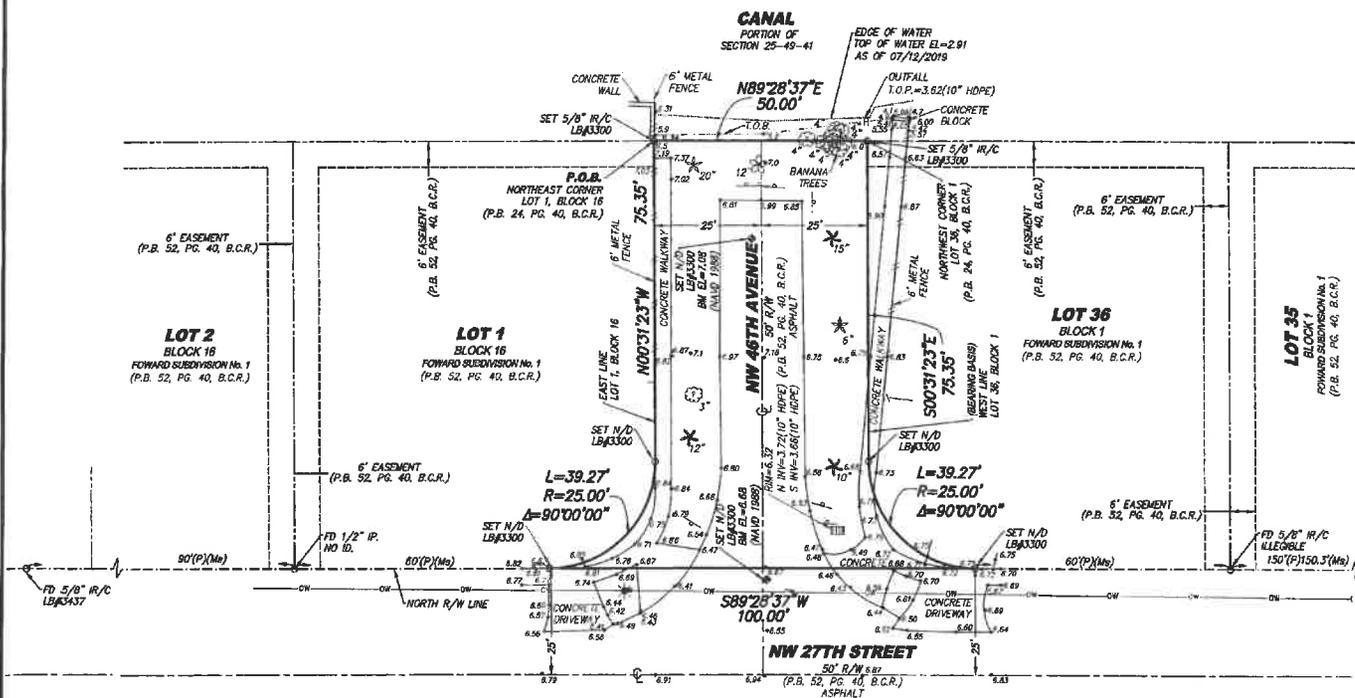
1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. No underground improvements were located.
5. Distances and angles shown hereon are in accord with the plat and/or deed of record and agree with the survey measurements, unless otherwise noted. Bearings are assumed based on the west line of Lot 36, Block 1 having a bearing of S00°30'51"E.
6. The property described hereon lies within Flood Zones X, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 12011C0362H, Community Panel Number 120044 0362 H, dated 08/18/2014.
7. Elevations shown hereon are in feet and based on the North American Vertical Datum of 1988 (NAVD 1988).
8. Benchmark Description: Broward County Engineering Division Benchmark #2909, Elevation = 8.25 (NGVD 1929, Elevation = 6.58 (NAVD 1988).
9. Symbols shown hereon and in the legend may have been enlarged for clarity. These symbols have been plotted at the center of the field location and may not represent the actual shape or size of the feature.
10. This map is intended to be displayed at a scale of 1"=20'.
11. Units of measurement are in U.S. Survey Feet and decimal parts thereof. Well identified features in this survey were field measured to a horizontal positional accuracy of 0.10'.
12. The species of trees shown hereon were identified to the best of knowledge and ability of the surveyor, without the benefit of an arborist or biologist. It is the responsibility of the end user to verify the identity of the species.
13. Abbreviation Legend: B.C.R. = Broward County Records; BM = Benchmark; C = Centerline; Δ = Central Angle; EL = Elevation; FD = Found; HDPE = High Density Polyethylene; ID = Identification; INV = Invert; IR = Iron Rod; IR/C = Iron Rod & Cap; L = Arc Length; LB = Licensed Business; (Ms) = Measured; NAVD = North American Vertical Datum; NGVD = National Geodetic Vertical Datum; N/D = Nail & Disk; (P) = Plat; P.B. = Plat Book; PG = Page; P.L.S. = Professional Land Surveyor; R = Radius; R/W = Right-of-Way; T.O.B. = Top of Bank; T.O.P. = Top of Pipe.

CERTIFICATION:

I HEREBY CERTIFY that the attached Boundary & Topographic Survey of the hereon described property is true and correct to the best of my knowledge and belief as surveyed in the field under my direction. I FURTHER CERTIFY that this Boundary & Topographic Survey meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 7/12/2019

JOHN T. DOOGAN, P.L.S.
Florida Registration No. 4409
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



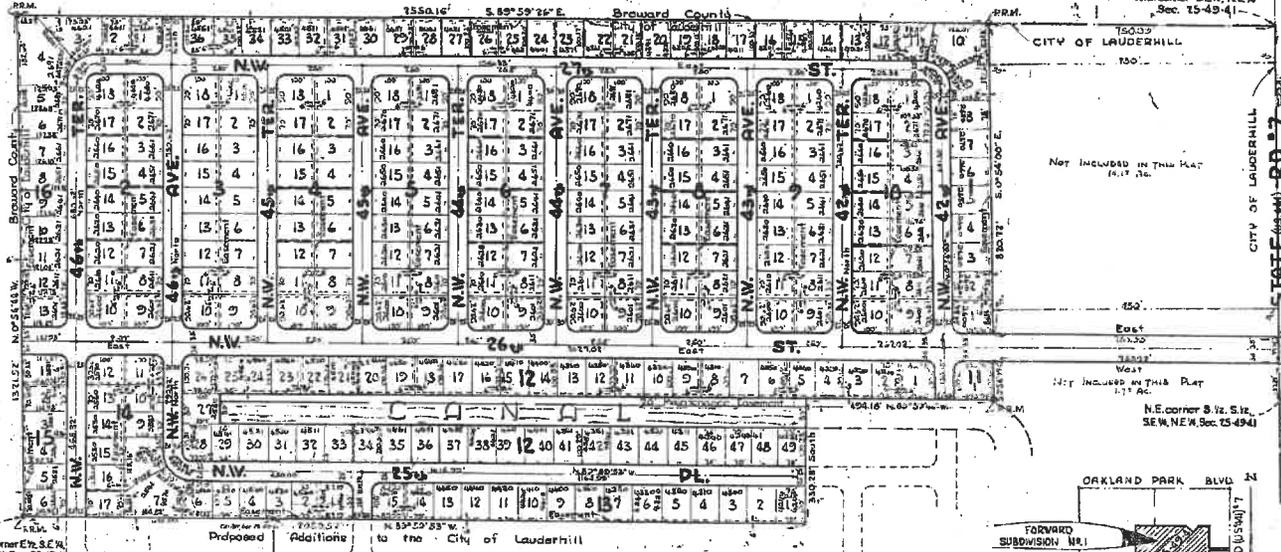
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(681) 392-2684 / www.AVIROMSURVEY.COM

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REVISIONS	DATE	F.B. / PG.	BY	CKD	REVISIONS	DATE	F.B. / PG.	BY	CKD

BOUNDARY & TOPOGRAPHIC SURVEY
PORTION OF
NW 48TH AVENUE
FOWARD SUBDIVISION No.1
(P.B. 52, PG. 40, B.C.R.)
CITY OF LAUDERHILL
BROWARD COUNTY, FLORIDA

JOB #: **10364-1**
SCALE: **1" = 20'**
DATE: **07/12/2019**
BY: **KSB**
CHECKED: **J.T.D.**
F.B. 1977 PG. 75
SHEET: **1 OF 1**



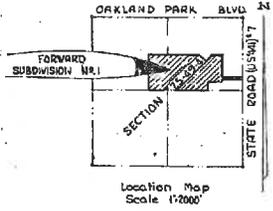
FORWARD SUBDIVISION No. 1

A SUBDIVISION IN A PARTION OF SECTION 25, TOWNSHIP 49 South, RANGE 41 East, CITY OF LAUDERHILL, BROWARD COUNTY, FLORIDA

FEBRUARY 1960 Scale in Feet SCALE 1"=50'

TOLBERT - MACFARLANE & ASSOCIATES
LAND DEVELOPMENT CONSULTANTS
FORT LAUDERDALE - FLORIDA

DESCRIPTION
A portion of Section 25, Township 49 South, Range 41 East, and more particularly described as follows: Commence at the Northeast corner of the S 1/4 of the S 1/4 of the S.E. 1/4 of said Section 25; thence run N 0°54'00" W along the East line of said Section 25, a distance of 100.21 feet to the Point of Beginning of the Tract of land herein after described; thence run due West, a distance of 750.09 feet to a point; thence run S 0°54'00" E, 750 feet West of and parallel to the East line of said Section 25, a distance of 100.16 feet to the North line of the S 1/4 of the S 1/4 of the N.E. 1/4 of said Section 25; thence run N 89°39'46" W along the North line of the S 1/4 of the S 1/4 of the N.E. 1/4 of said Section 25, a distance of 494.18 feet to a point; thence run due South, 350.23 feet to a point on the South line of the N 1/2 of said Section 25, thence run N 89°59'37" W along the South line of the N 1/2 of said Section 25, a distance of 2050.52 feet to the Southwest corner of the E 1/4 of the S.E. 1/4 of said Section 25; thence run N 0°54'00" E, 750 feet West of and parallel to the East line of said Section 25, a distance of 100.16 feet to the Northeast corner of the E 1/4 of the S.E. 1/4 of said Section 25; thence run S 89°59'37" E along the North line of the S 1/4 of the N 1/2 of said Section 25, a distance of 2350.16 feet to a point; thence run S 0°54'00" E, 750 feet West of and parallel to the East line of said Section 25, a distance of 100.16 feet to a point; thence run due East, a distance of 150.09 feet to a point on the East line of said Section 25; thence run S 0°54'00" E, a distance of 700.16 feet to the Point of Beginning, lying and being in the City of Lauderhill, Broward County, Florida.



MORTGAGEE
KNOW ALL MEN BY THESE PRESENTS: That FORWARD LAND COMPANY, INC., a Florida corporation, the owners and holders of a certain mortgage dated Dec. 1, 1959 and filed in O.R. Book 1824, at Page 256, of the Public Records of Broward County, Florida, encumbering the above described property, do hereby consent to the recording of this plat.
- WITNESS our hands and Corporate Seal this 24th day of Feb. A.D. 1960
FORWARD LAND COMPANY, INC.
Attest: *John F. Dooling* Asst. Secy. By: *Herbert Sodin* Pres.
John F. Dooling
Herbert Sodin

ACKNOWLEDGEMENT
STATE OF FLORIDA: Before me this day personally appeared Herbert Sodin and COUNTY OF BROWARD ss. John Dooling, President and Assistant Secretary, respectively of FORWARD LAND COMPANY, INC., to me well known to be the persons described in and who executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily; that they affixed thereto the Official Seal of said corporation and that it is a free act and deed of said corporation.
WITNESS my hand and Official Seal this 24th day of Feb. A.D. 1960.
My Commission expires: Feb. 14, 1962
H.M. Salkin Seal
Notary Public, STATE OF FLORIDA, at large

MORTGAGEE
KNOW ALL MEN BY THESE PRESENTS: That Robert R. Frank, individually and as trustee, the owner and holder of a certain mortgage dated March 15, 1952 and filed in O.R. Book 1392, at Page 152, of the Public Records of Broward County, Florida, encumbering the above described property, does hereby consent to the recording of this plat.
WITNESS our hands and seals this 24th day of Feb. A.D. 1960.
WITNESSES: I, *John F. Dooling* Seal, *Herbert Sodin* Seal
John F. Dooling Asst. Secy. *Herbert Sodin* Pres.
John F. Dooling
Herbert Sodin
Robert R. Frank, individually and as trustee

ACKNOWLEDGEMENT
STATE OF FLORIDA: Before me this day personally appeared Robert R. Frank, COUNTY OF BROWARD ss. individually and as trustee, to me well known to be the person described in and who executed the foregoing instrument and who acknowledged that he executed the same freely and voluntarily.
WITNESS my hand and Official Seal this 24th day of Feb. A.D. 1960.
My Commission expires: *Feb. 14, 1962* Seal
H.M. Salkin Seal
Notary Public, STATE OF FLORIDA, at large

CITY AND COUNTY APPROVALS
This Plat was approved and accepted by the City of Lauderhill Council by Resolution passed and adopted this 30th day of April, A.D. 1959
Attest: *Harold Wolk* Signed: *Harold Wolk*
Deputy Clerk Mayor
This Plat was approved and accepted by the Board of County Commissioners of Broward County, Florida, this 24th day of April, A.D. 1960.
Attest: *Frank H. Marks* Seal
Frank H. Marks
Clerk of the Circuit Court

CLERKS CERTIFICATE
This Plat was approved and filed for record this 27th day of April, A.D. 1960 in Plat Book 52, at Page 40, of the Public Records of Broward County, Florida. This Plat complies with the Laws of the State of Florida.
Attest: *Frank H. Marks* Seal
Frank H. Marks
Clerk of the Circuit Court

SURVEYORS CERTIFICATE
I HEREBY CERTIFY: That the attached plat of FORWARD SUBDIVISION No. 1 is a true and correct representation of the land as recently surveyed and plotted under my direction; also that the Permanent Reference Monuments were set in accordance with Section 7, Chapter 102, Laws of the State of Florida.
Attest: *H. Tolbert* Seal
H. Tolbert
Registered Land Surveyor #289
STATE OF FLORIDA

SURVEYORS CERTIFICATE
I HEREBY CERTIFY: That the attached plat of FORWARD SUBDIVISION No. 1 is a true and correct representation of the land as recently surveyed and plotted under my direction; also that the Permanent Reference Monuments were set in accordance with Section 7, Chapter 102, Laws of the State of Florida.
Attest: *H. Tolbert* Seal
H. Tolbert
Registered Land Surveyor #289
STATE OF FLORIDA

DEDICATION
KNOW ALL MEN BY THESE PRESENTS: That GENERAL SOUTHERN HOUSING, INC., a Florida corporation, has caused to be made the attached plat entitled "FORWARD SUBDIVISION No. 1" the same being a subdivision of the above described property. The Streets, Avenues, Roads, Courts, Places and canal as shown on the attached plat are hereby dedicated to the personal use of the public for proper purposes. The Easements as shown on the attached plat are for the installation and maintenance of Public Utilities.
The Official Zoning regulations of the City of Lauderhill, Broward County, Florida, as now in effect or as the same may hereafter from time to time be changed and amended applicable to the area within which this subdivision is located, shall be observed.
WITNESS our hands and Corporate Seal this 17th day of Feb. A.D. 1960.

GENERAL SOUTHERN HOUSING, INC.
Attest: *John L. Gardner* Seal, *Sherrwood S. Greenfield* Seal
John L. Gardner
Sherrwood S. Greenfield
Pres.
Des.
ACKNOWLEDGEMENT
STATE OF FLORIDA: Before me this day personally appeared Sherrwood S. Greenfield and John L. Gardner, President and Secretary, respectively of GENERAL SOUTHERN HOUSING, INC., to me well known to be the persons described in and who executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily; that they affixed thereto the Official Seal of said corporation, and that it is a free act and deed of said corporation.
WITNESS my hand and Official Seal this 17th day of Feb. A.D. 1960
My Commission expires: Feb. 14, 1962
H.M. Salkin Seal
Notary Public, STATE OF FLORIDA, at large

SURVEYORS NOTES:
All radii are 25 feet unless otherwise shown.
Dimensions on corner lots are to the intersection of the Block (line produced unless otherwise shown).
Easements are for the installation and maintenance of Public Utilities.
⊙ Denotes Permanent Reference Monuments.
⊙ Denotes Easements for Street Light conductors, 3 feet oneach side of lot line.
⊙ Denotes 6 feet by 18 feet Anchor Easement.
Bearings shown are based on an assumed meridian for computation purposes only.

MORTGAGEE
KNOW ALL MEN BY THESE PRESENTS: That PAMPH BEACH FEDERAL SAVINGS AND LOAN ASSOC. OF PAMPH BEACH, Miami Beach, Florida, the owners and holders of a certain mortgage dated March 11, 1959 and filed in O.R. Book 1824 at Page 256, of the Public Records of Broward County, Florida, encumbering the above described property, do hereby consent to the recording of this Plat.
- WITNESS our hands and Corporate Seal this 24th day of Feb. A.D. 1960.
Attest: *John F. Dooling* Asst. Secy. By: *Herbert Sodin* Pres.
John F. Dooling
Herbert Sodin
PAMPH BEACH FEDERAL SAVINGS AND LOAN ASSOC. OF PAMPH BEACH
Notary Public, STATE OF FLORIDA, at large

ACKNOWLEDGEMENT
STATE OF FLORIDA: Before me this day personally appeared R.L. Brown and the Florida Vice President of PAMPH BEACH FEDERAL SAVINGS AND LOAN ASSOC. OF PAMPH BEACH, Miami Beach, Florida, to me well known to be the persons described in and who executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily; that they affixed thereto the Official Seal of said corporation, and that it is a free act and deed of said corporation.
WITNESS my hand and Official Seal this 24th day of Feb. A.D. 1960.
My Commission expires: Feb. 14, 1962
H.M. Salkin Seal
Notary Public, STATE OF FLORIDA, at large

Done



Environmental Protection and Growth Management Department
 Planning and Development Management Division
 1 N. University Drive, Suite 102-A, Plantation, FL 33324
 Phone 954-357-6666 FAX 954-357-6521

Office Use Only
 Date Application Accepted:

Application Number:

APPLICATION FOR VACATION AND ABANDONMENT
 A. Vacation of Plats, or any Portion Thereof (BCAC 25.99)
 B. Abandonment of Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 25.100)
 C. Release of Public Easements and Private Platted Easements or Interests (BCAC 25.101)

PETITIONER INFORMATION

Petitioners (Owners):

Petitioner 1:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:

Important: Proof of Property Ownership required.
 Note: For Co-Petitioners/Owners, complete additional Petitioner/Owner Information page(s).

AGENT INFORMATION

Agent for Petitioners:

Contact Person:	Phone 1:
Address: 3	Phone 2:
Address (cont'd):	Fax:
City, State Zip:	Email:

Note: Proof of Agent Authorization by Petitioners required.

PROPERTY INFORMATION

Vacation Requested: (brief description)

Section: Township: Range:

Approximate Street Address:

Location: Municipality Municipal Services District

Folio Number(s):

Plat:

Surveyor/Mapper:

Legal Description Attached: Full Short Zoning: Land Use:

Reason for Vacation (be specific):

First Application? Yes No If No, previous Application No:

NOTE: Please type/print clearly. Application must be complete and accurate for acceptance.

ADDITIONAL PETITIONER INFORMATION	
Petitioner 2:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 3:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 4:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 5:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 6:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 7:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:
ADDITIONAL PETITIONER INFORMATION	
Petitioner 8:	Folio(s):
Address:	Phone:
Address (cont'd):	Fax:
City, State Zip:	Email:

The undersigned Petitioner(s) has fully reviewed the Instructions concerning the Application for Vacation and Abandonment and understands that the Application must be complete and accurate prior to Broward County acceptance and review. The undersigned hereby petitions the Broward County Board of County Commissioners to vacate and abandon the property described herein. By signing as Petitioner(s), the undersigned certifies authenticity of ownership and, when applicable, authorizes the Agent to be its representative in this Application to Vacate and Abandon process.

PETITIONER/OWNER(S)

_____	_____	_____
Date	Petitioner	(print name)
		By _____
		(signature)
_____	_____	_____
	Witness	(Witness print name)
_____	_____	_____
	Witness	(Witness print name)
_____	_____	_____
Date	Petitioner	(print name)
		By _____
		(signature)
_____	_____	_____
	Witness	(print signer's name)

PETITIONER ACKNOWLEDGMENT (By Individual)

State _____

County _____

I hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____

(name), who being first duly sworn by me this day, depose and state that s/he is the Petitioner in the foregoing Application for Vacation and Abandonment.

The foregoing instrument was acknowledged before me this ____ day of _____
20__, by _____
who is personally known to me or has produced _____
as identification.

NOTARY
(SEAL)

Notary Signature: _____

Print Name: _____

Notary Public in and for the County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

PETITIONER ACKNOWLEDGMENT (By Business or Government Entity)

State _____

County _____

I hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____

_____ (name)

as _____ (title)

of _____ (name of entity),

a _____ (type of corporation/partnership/government),

on behalf of the business or government entity, who being first duly sworn by me this day, deposes and states that s/he is authorized on behalf of the business or government entity as Petitioner(s) in the foregoing Application for Vacation and Abandonment.

The foregoing instrument was acknowledged before me this ____ day of _____

20____, by _____

who is personally known to me or has produced _____
as identification.

NOTARY
(SEAL)

Notary Signature: _____

Print Name: _____

Notary Public in and for the County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

AFFIDAVIT TO AUTHORIZE PETITIONER(S) AGENT

I/We, _____

_____, the property owner(s) of property to be vacated in the subject Application for Vacation and Abandonment, being duly sworn, depose(s) and say(s):

1. That I/we am/are the owner(s) and record title holder(s) of the lands that are to be vacated and abandoned. my/our Folio Number(s) is/are as follows: _____
2. That I/we do hereby appoint the following Agent to act on my/our behalf in the processing of the subject Application for Vacation and Abandonment to Broward County Board of Commissioners:

Name: _____
Address: _____
City, State Zip: _____
Telephone: _____
Contact Person: _____

Name of Petitioner/Owner(s)

By _____
(signature)

(print name)

___ day of _____, 20 ___

State _____

County _____

The foregoing instrument was acknowledged before me this ___ day of _____ 20___, by _____ who is personally known to me or has produced _____ as identification.

NOTARY
(SEAL)

Notary Signature: _____

Print Name: _____

Notary Public in and for the County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

**Environmental Protection and Growth Management Department
Planning and Development Management Division
VACATION PROCEDURES & GUIDELINES**

The procedure to vacate and abandon is a three-part process: (I) Petitioner/Owner completes **preliminary activities**, (II) the Petitioner/Owner compiles a **Broward County Application for Vacation and Abandonment** with all required attachments, and submits an accurate Application package to Broward County Planning and Development Management Division for review and approval; and (III) in compliance with Florida Statutes and Broward County Administrative Code, Broward County Planning and Development Management Division processes and submits the **Application to the Board of County Commissioners** for approval and recordation.

STEP I. PRELIMINARY ACTIVITIES

A. Preliminary Activities with Planning and Development Management Division Review

1. Establish a **Short Legal Description** of property to be vacated. Prior to publication or notice to municipality, request that Planning and Development Management Division review Petitioner's proposed sketch and full legal description (including metes and bounds), and approval of a short, "reader-friendly" legal description of property to be utilized by Petitioner for newspaper publication under "legal notices" or for letter of notice to the municipality. Parameters of the short, "reader-friendly" legal description are:
 - Length: approximately six (6) lines of type or less;
 - Identify the specific type of property interest to be vacated; and
 - Include section, township, range, lot and block identification; and/or
 - Include street address or other location factors (if appropriate); and
 - Include plat name, with book and page number and recordation information; or identify separate instrument, with book and page number and recordation information.
2. Participate in a **Pre-Application Conference** with Planning and Development Management Division. Establish a date and time to meet with Planning and Development Management Division to review the Petitioner's proposed property interest to be vacated and to discuss the Application requirements.

STEP II. PETITIONER COMPLETES APPLICATION FOR VACATION AND ABANDONMENT

The following list of document requirements will assist the Petitioner/Owner in completing a Broward County Application for Vacation and Abandonment ("Application"). Please refer to the Vacation Application Checklist for a summary of requirements.

Important: Only a complete and accurate Application, including all required attachments, will be accepted for review and approval by Broward County Planning and Development Management Division.

B. Submit Application with Required Documents to Real Property

1. **Application for Vacation and Abandonment**
 - Submit complete and accurate Application - 1 original, 2 copies.
 - For Petitioners, include all property owners of record and with property interest, using additional pages to identify all co-Petitioners.
 - If any of the Petitioners is a business entity (corporation, partnership or other) or government or quasi-government entity, attach an official, business and/or legal written authorization for an individual to act/sign on behalf of that entity.
 - Identify agent for Petitioner (if applicable) and include Petitioner written authorization for agent to act on the behalf of the Petitioner.
 - Each signature requires two (2) witnesses.
 - Each signature requires an Acknowledgment signed by a notary public (use the appropriate Individual or Business/Government Entity Acknowledgment based on the Petitioner status).
2. **Application Fee**
 - Attach non-refundable fee of \$1200 (all three types of Vacation)

- Payment made by money order (no cash) or personal/business/government check made payable to "Board of County Commissioners"
 - Check must be dated within 60 days of date of Application acceptance by Planning and Development Management Division.
3. Proof of Property Ownership
- Attach copies of relevant documents (e.g. Broward County Property Appraiser's Office)
4. Resolution/Ordinance of Municipality (for platted property interests)
- Attach approved, signed, and certified Municipal Resolution or Ordinance - 1 original, 1 copy.
 - When: If any portion of the lands proposed to be vacated or abandoned lie within the boundaries of municipality of Broward County, a portion of the platted land must be vacated by the governing board of that municipality prior to submitting an Application to Planning and Development Management Division for processing a vacation by resolution to the Board of County Commissioners (Broward County Administrative Code, Chapter 25.99).
 - Application to vacate submitted to Broward County must replicate the contents of and attachments to the Municipal Resolution or Ordinance.
5. Petitioner's Notice of Intent to Vacate (select one)
- a. Notice by Newspaper Publication (for property interests created by plat)
- Attach signed and certified newspaper documentation of advertisement - 1 original
 - Within sixty (60) days prior to acceptance of the Application by Planning and Development Management Division, Petitioner is required to publish a "Notice of Intent to Vacate" in a newspaper of general circulation within the County, once a week for two consecutive weeks, pursuant to Section 177.101(3), Florida Statutes, as amended. The "Notice of Intent to Vacate" shall state the intent of the Petitioner to file a Petition pursuant to this Florida Statute.
 - If the Application (petition) of the plat, or any portion thereof, is not fully processed and considered by the Board of County Commissioners at a public hearing within one (1) year from the date of publication of the Petitioner's Notice of Intent, the Application will expire and be of no further force and effect. In such an occurrence, the Petitioner will forfeit the Application Fee paid to Broward County.
- b. Notice to Municipality (for property interests created by separate instrument)
- Attach Petitioner's letter to Municipality - 1 copy (include original U.S. postal service receipt of certified mailing and original, green, signed "Return Receipt Requested"
 - If any portion of the property interest to be released is located within a municipality, the Petitioner must provide it with notice of its Application to vacate to Broward County. (Broward County Administrative Code, Chapter 25.101).
 - Letter must include description of property interest to be vacated and include a statement that any questions should be directed to Broward County Planning and Development Management Division.
 - See Attachment 2 (instructional sample)
6. Title Opinion, Title Insurance Policy, or Certificate of Title (Two: For Application and Board)
- Attach sufficient evidence of a current title search reflecting each and every person owning fee simple title to property interests sought to be vacated - 1 original, 2 copies
 - o For Application: date of title search must be within 45 days of Application acceptance.
 - o For Public Hearing with Board: date of updated title must be within 45 days of public hearing
 - See Attachment 3 (instructional information and sample language for preparer)
7. Sketch and Legal Description
- Attach a precise sketch and legal description of property interest to be vacated - 2 originals (signed, certified and sealed), 2 copies
 - Prepared by a registered land surveyor and mapper
 - Size: 8-1/2" by 11"
 - Identify exact acreage and square footage of property
8. Location Map

- Attach a location map that identifies the property to be vacated within a geographic area of Broward County, distinguishes major roadways adjacent to the property - 4 originals
9. Plat Map
- When requesting the vacation of the entire plat - attach one (1) certified copy of the Plat Map.
 - When requesting the vacation of a portion of the plat - attach one (1) copy of the Plat Map.
10. Aerial Photograph and Section Map
- Attach an aerial photograph and section map with property interest identified on each - 1 set
 - Scale: 1" = 300', depicting adjacent property
 - Purchase documents from Broward County Highway Construction and Engineering Division.
 - See Attachment 4 (instructional information)
11. Certification of Property Tax Clearance
- Attach Letter from Broward County Office of Delinquent Real Estate Tax - 1 original
 - Provides result of a search of property tax records to confirm that all real estate taxes have been paid through the current tax year and that there are no liens or encumbrances on the property.
 - See Attachment 5 (instructional information)
12. Waivers of Objection from Utilities
- Attach letters/memorandums from all utility authorized to operate within the vicinity of the property interest proposed to be vacated - 1 set
 - See Attachment 6 (instructional information)
13. Other Relevant Documentation (examples include)
- Copy of the recorded separate instrument by which a property interest was created
 - Supportive documents, letters, memoranda
- C. Post Notice Sign on Property
14. Post Notice sign(s) at pre-determined locations on property near site of vacation
- Post signs within ten (10) business days after Application has been accepted by Planning and Development Management Division. Note: Petitioner is responsible for all costs and labor associated with fabrication, installation and removal of **Notice signs within 10 business days of Public Hearing.**
 - Submit completed Affidavit and photographs of Notice sign within ten (10) business days after the Application has been accepted by Planning and Development Management Division.
 - See **Attachment 7**

CHECKLIST	
DOCUMENT REQUIREMENTS BY VACATION TYPE	
1. Application (signed and witnessed by petitioner, business authorization, agent authorization, petitioner signature acknowledged)	1 original 2 copies
2. Application Fee (non-refundable)	\$1200
3. Proof of Property Ownership (e.g. Warranty Deed and Broward County Property Appraiser data sheet)	1 original 2 copies
4. Resolution/Ordinance of Municipality (signed and certified)	1 original 1 copy
5. Petitioner's Notice of Intent to Vacate – in Newspaper of general circulation (certified) (see Attachment 1)	1 original
6. Petitioner's Notice of Intent to Vacate – Letter to Municipality - certified, return receipt requested (see Attachment 2)	1 original (If Applicable)

7. Title Opinion, Title Insurance Policy, or Certificate of Title (see Attachment 3)	* 1 original within 45 days of application * 1 update 45 days before public hearing
8. Sketch and Legal Description (signed and certified by a professional mapper)	2 originals 2 copies
9. Location Map (8.5" x 11" in color)	4 originals
10. Plat Map	For Entire Plat - 1 certified copy For Portion Plat - 1 copy
11. Aerial Photograph (black and white) and Engineering Section Map (in color) (see Attachment 4)	1 set
12. Certification of Property Tax Clearance (letter) (see Attachment 5)	1 original
13. Waivers of Objection from Utilities (addressed to Broward County) (see Attachment 6)	1 set of letters
14. Other relevant documentation	As determined

STEP III. PROCESSING OF APPLICATION BY BROWARD COUNTY [Approx. 4-6 months]

- Review for acceptance/rejection of Application to Vacate by Planning and Development Management Division
- Review of Application by 20 reviewing agencies and organizations, with Petitioner response to comments and issues and review agency(ies) review of revisions.
- Petitioner submits updated Title Opinion, Title Insurance Policy, or Certificate of Title
- Final Review of Application by County Attorney's Office
- Prepare and process Board Agenda item to set public hearing
- Board of County Commission meeting to set public hearing (meeting #1)
- Response to Board comments (if any)
- Prepare and process Board Agenda item for public hearing
- Broward County Notice of Public Hearing published
- Broward County Notice to property owners within 300-foot buffer of property interest proposed to be vacated
- Board of County Commission public hearing for Resolution to adopt vacation (meeting #2)
- Resolution to adopt vacation approved/denied (if denied, Petitioner may respond to comments)
- Broward County Notice of Public Hearing published
- Approved Resolution to Vacation recorded
- Distribution of documents

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management
Planning and Development Management Division
Instructions for Application for Vacation and Abandonment

Attachment 1: Petitioner Notice of Intent - Newspaper Advertisement

An Application for Vacation and Abandonment for Type A (vacation of plats, or any portion thereof), Type B (abandonment of streets, always, roads or other places used for travel), and Type C (release of easements and private platted easements or interests) must include certified evidence of newspaper advertisement by petitioner, if the property interest to be vacated was dedicated by a plat, as approved by the Board of County Commissioners and filed of record in Broward County.

Within sixty (60) days prior to Planning and Development Management Division acceptance of the Application for Vacation and Abandonment, the Petitioner shall cause to be published a Notice of Intent in a newspaper of general circulation in Broward County once weekly for two (2) consecutive weeks, pursuant to Section 177.101(3), Florida Statutes, as amended. Such Petitioner Notice of Intent shall state the intent of the Petitioner to file an Application/Petition pursuant to Section 171.101, Florida Statutes, as amended. If the Application/ Petition for vacation is not considered by the Board of County Commissioners at a public hearing within one (1) year from the date of first publication of the Petitioner's Notice of Intent, the Application/Petition will expire and be of no further force and effect, and the Petitioner will forfeit all fees and charges paid to the County in connection with the Application. (Broward County Administrative Code, Chapter 25.99.)

The abbreviated, "short" legal description used in the newspaper advertisement must be approved by Planning and Development Management Division prior to publication. The "short" legal description should be about six (6) lines in length, and include the type of property interest to be vacated plus location information like section/ township/range, lot/block, plat name and book/page numbers, street address or other as appropriate.

Required to be attached to the Application for Vacation and Abandonment is the original, evidentiary Affidavit which is prepared, signed and certified by the newspaper. It must include a copy of the advertisement and affirm that they did appear in its publication on specified dates.

Sample Language for Petitioner's Newspaper Advertisement

NOTICE OF INTENT

Application for Vacation and Abandonment

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN, pursuant to F.S. 177.101, that **[Name of Property Owner(s)]** intends to submit an Application for Vacation and Abandonment of **[type/ identification of property interest to be vacated]** to the Broward County Board of County Commissioners, Florida. The legal description of the land to be vacated and abandoned is more specifically described as follows, to wit:

[Insert 'short' legal description of property interest to be vacated - include type/identification, plat ID or recorded by OR book/page, Section/Township/Range, Street, City, & Acreage]

The full legal description is available for inspection at the Broward County Governmental Center, 1 N. University Drive, Suite 102A, Plantation, FL 33324, between 8:30 AM and 5:00 PM, Monday through Friday, except legal holidays.

Dated at Fort Lauderdale, Florida, this _____ day of _____, 20 _____.

Board of County Commissioners, Broward County, Florida
Planning and Development Management Division - Planning and Development
Management Division
Instructions for Application for Vacation and Abandonment

Attachment 2: Petitioner Notice of Intent - Municipality

An Application for Release or Abandonment of public and/or private property interests that lay in full or in part within the boundaries of a municipality and that were dedicated by separate instrument and not platted - e.g. for some Type B (abandonment of streets, alleyways, roads or other places used for travel) and some Type C (release of public easements and private platted easements or interests) - require Petitioner's evidence that the municipality has been provided with certified notice of its Application to Broward County.

Prior to Planning and Development Management Division acceptance of the Application for Vacation and Abandonment, the Petitioner shall send written correspondence (by U. S. certified mail with return receipt requested) to the municipality having jurisdiction over the public and/or private property interests to be released or abandoned. The notice to the municipality shall include: name/address of Petitioner, agent/address for Petitioner (if applicable), description and location of property interests requested to be released or abandoned (with copy of Sketch and Legal Description attached), and identification of separate instrument by which the property interest was created (with copy of separate instrument attached).

In addition, the written correspondence to the municipality is required to include a statement that an Application will be filed with Broward County Board of County Commissioners under Section (25.99-25.101) of the Broward County Administrative Code. Any questions should be directed to Planning and Development Management Division.

- Attachment 2 includes:
- 1) Copy of Petitioner's letter to municipality (with certified mail number)
 - 2) Original Petitioner's receipt for U. S. certified mail
 - 3) Original, municipal-signed and dated returned-receipt-requested green card

Sample Language for Petitioner's Letter - Notice of Intent to Municipality

Date

Name, Title U. S. Certified Mail No.
Department Return Receipt Requested City of
Address
City/State/Zip

RE: Petitioner's Notice of Intent to Apply for Release of Abandonment Identification of Property Interest to be Released and Abandoned

Dear _____:

Paragraph 1: (Name of Petitioner & Agent) anticipates submitting an Application to Broward County Board of County Commissioners to release and abandon (description and location of property interest requested to be released or abandoned together with a description of separate instrument by which the property interest was created). See attachments.

Paragraph 2: As required by Section 25.99-101 of the Broward County Administrative Code, (Name of Petitioner) is required to notify you of its intent to file an Application of Release and Abandonment with Broward County Board of County Commissioners. This letter serves as Notice of Intent to (name of municipality). Any questions pertaining to the Application for Release and Abandonment should be directed to:

Broward County Governmental Center
Planning and Development Management Division
1 N. University Drive, Suite 102A, Plantation, FL 33324
(954) 357-6666 Phone

- Attachments:
1. Copy of Sketch and Legal Description
 2. Copy of separate instrument creating property interest to be vacated

**Board of County Commissioners, Broward County, Florida
Planning and Development Management Division –
Instructions for Application for Vacation and Abandonment**

Attachment 3: Title Opinion, Title Insurance Policy or Certificate of Title

A petition to Broward County for a property vacation abandonment or release must include sufficient evidence of each and every person owning fee simple title to the land sought to be vacated. Title, often used interchangeably with the term ownership, indicates the accumulation of all rights in the property vacation by its owner(s) and others.

The Application for Vacation and Abandonment must include evidence of a current title search of the public records to verify the property's ownership and liens. In the case of a petition to abandon or to close a street, alleyway, road or place used for travel considered to be a County or public right-of-way, that public records search shall include all abutting property owners as co-petitioners.

The evidentiary document may be an Opinion of Title, Owner's Policy of Title Insurance, or Opinion from a Title Company. NOTE: The evidentiary document submitted as initial attachment to the Application for Vacation and Abandonment must be dated no more than (45) days from the date of Application acceptance by Broward County Planning and Development Management Division. A second, updated document must be submitted later in the vacation application process and dated no more than (45) days prior to the date of the scheduled public hearing before the Broward County Board of County Commissioners.

Language to be Used by Preparer of Evidentiary Document

1. When an OPINION OF TITLE is used:

"With the understanding that this Opinion of Title is furnished to the Broward County Board of County Commissioners as an inducement for the [vacation of plat or portion, vacation of road right-of-way, or vacation of an easement] located on the real property hereafter described, it is hereby certified that I have examined the public records covering the period from the beginning to the ____ day of _____, _____ AM/PM inclusive, of the following described property; and I recognize that the County is relying on this opinion with regard to the [vacation of plat or portion of, vacation of road right-of-way, or vacation of an easement]"

2. When an OWNER 'S POLICY OF TITLE INSURANCE is used:

I reviewed the owner's policy of title insurance issued by and _____ the update prepared by _____ dated and dated _____ through _____ and such other additional information as may be necessary to deliver this opinion to the Broward County Board of County Commissioners as an inducement for the [vacation of plat or portion of, vacation of road right-of-way, or vacation of an easement].

3. When an OPINION FROM TITLE COMPANY is used:

"Pursuant to Florida Statutes 177.04(2), _____ Title Company, a title insurance company duly licensed in the state of Florida, does hereby certify to Broward County that we have examined the title to the property described on the Plat, which property is set forth on Exhibit _____, attached hereto, that we find the title to the property is vested in _____, and that the only mortgage of record not satisfied or release of record or otherwise terminated by law is in favor of _____, as recorded in OR Book _____, Page _____, of the Public Records of Broward County, Florida.*

NOTE: The opinion letter must be signed by someone with authority to bind the title company.

In addition to the foregoing, the Broward County Office of County Attorney will not accept an opinion which "qualification language," in other words, an opinion that states they are basing the opinion solely on a title company's documentation and they have not done any independent investigation of their own. Also, this office will not accept an opinion of title that limits their liability, i.e., to \$1,000.00 in the event of an error or omissions.

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department - Planning and
Development Management Division
Instructions for Application for Vacation and Abandonment

Attachment 4: Aerial Photograph and Section Map

Applications to Broward County for Property Vacations must include a copy of a large Aerial Photographs (showing the area of your vacation property) and a Section Map (a hand-drawn layout of the area of your vacation property with sections, lots, blocks, and roadways), both clearly identifying the land targeted for vacation in the Application. These items are available from Broward County Highway Construction & Engineering Division. NOTE: Petitioner is wholly responsible for their acquisition.

WHERE TO OBTAIN

Broward County Board of County Commissioners
Public Works Department
Highway Construction & Engineering Division
One North University Drive, Suite B300
Plantation, FL 33324
[NW corner of Broward Boulevard & University Drive]

CONTACT

Administration
954-577-4555 phone
954-357-5843 fax

WHAT IS NEEDED TO OBTAIN AN AERIAL PHOTOGRAPH & SECTION MAP

- ⑥ \$5.00 Application Fee (Cash or Check Only)
Check payable to Broward Highway Construction & Engineering Division
- ⑥ Information to identify and locate property to be vacated
 - ⑥ Property address
 - ⑥ Municipality (or Unincorporated Broward County)
 - ⑥ Two major road intersections property falls between
 - ⑥ Cross streets adjacent to property to be vacated
 - ⑥ Section, Township and Range (if available)
- ⑥ Process to obtain a copy of Aerial Photograph and Section Map
 - ⑥ Pre-Pickup - submit information to Highway Construction & Engineering Division:
 - (1) by Fax (954-357-5843) - Attention: Print Room
 - (2) by email to Luis Gaslonde at lgaslonde@broward.org
 - ⑥ Walk-in (submit information in person) and Pick-up
Highway Construction & Engineering Division
One North University Drive, Suite 300B, Reception Desk
- ⑥ Clearly identify property to be vacated on both Aerial Photograph and Section Map

**Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department - Planning and
Development Management Division
Instructions for Application for Vacation and Abandonment**

Attachment 5: Certificate of Property Tax Clearance

Applications to Broward County for Property Vacations must include a search of records to confirm that all real estate taxes have been paid through the current tax year. This is conducted by Broward County's Finance and Administrative Services Department. NOTE: Petitioner is responsible for this entire process (application and pick-up of Certificate).

WHERE TO APPLY FOR A CERTIFICATE

Broward County Board of County Commissioners
Finance and Administrative Services Department
Records, Taxes and Treasury Division
Delinquent Real Estate Tax Section
115 South Andrews Avenue, Room A100
Fort Lauderdale, FL 33301 [First floor of the Annex]

CONTACT PERSON

954-357-3453 phone
Beverly Johnson

WHAT IS NEEDED TO APPLY FOR A CERTIFICATE

- ⑥ \$2.00 Application Fee (Cash Only)
- ⑥ Plat Map - A record of the recorded subdivision of land in which the requested vacation can be found together with abutting properties (all clearly marked). A copy of your Plat Map can be obtained online through a "Search and Copy" in Broward County Records Division via www.broward.org.
- OR
- ⑥ Subdivision Land Survey - A record of the non-platted subdivision of land in which the requested vacation can be found together with abutting properties (all clearly marked) and identified by Subdivision, Lot and Block numbers.
- ⑥ Folio Number(s) - County tax identification of the land affected by the abutting the requested vacation that identifies Section, Township, Range, Subdivision, and Parcel Numbers. A copy of your folio number(s) records can be obtained online through the Broward County Property Appraiser's Office via www.bcpa.net.

NOTE: Process should be completed in one (1) week or less.

**Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department - Planning and
Development Management Division
Instructions for Application for Vacation and Abandonment**

Attachment 6: Waiver by Utilities and Governmental Entities

Application for Vacation and Abandonment must include written approval from every Broward County-operated public utility company and each governmental/quasi-governmental entity having facilities in, on, over or under the property subject to the Application, or the right to place facilities in, on, over or under the property subject to the Application. Reference: Broward County Administrative Code Chapter 25.99-25.101.

Utility Service Providers and Governmental/Quasi-Governmental Entities (non-exclusive list)

[Unincorporated]

Florida Power & Light Company

- a. FPL Pompano Service Center (north County)
330 SW 12th Avenue
Pompano Beach, FL 33069 (954-956-2014)
- b. FPL Wingate Service Center (mid County)
3020 NW 19th Street, (954-978-7012)
Ft. Lauderdale, FL 33311
- c. FPL Gulfstream Service Center (south County)
4000 Davie Road, (954-442-6398)
Davie, FL

AT&T - Engineering Dept.

8601 West Sunrise Boulevard, (954-476-2734)
Plantation, FL 33322

Teco Peoples Gas - Engineering Dept.

5101 NW 21st Avenue, #460, (954-453-0817)
Ft. Lauderdale, FL 33309

Comcast - Engineering Dept.

2601 SW 145th Avenue, (954-534-7380)
Miramar, FL 33027

South Florida Water Management District

8211 West Broward Boulevard, Suite 530
AmTrust Building
Plantation, FL 33324-2745 (954-713-3200)

Broward County Water & Wastewater Div.

2555 West Copans Road, (954-831-3250)
Pompano Beach, FL 33069

Broward County Environmental Protection

Governmental Center West
One University Drive, 3rd Floor, (954-519-1200)
Plantation, FL 33324

Municipality in which vacation property is located:

Public Works Dept. - Engineering

Advanced Cable Communications

(Coral Springs & Weston)
12409 NW 35th Street, Coral Springs, FL
(954-752-7244)

Sample Language for Petitioner's Letter requesting a "Letter of No Objection"

Date _____

To: Contact Person and Title From: Petitioner(s) Name

Utility Company/Government Name Contact Person

Department/Division Address/City/State/Zip

Address/City/State/Zip Phone/Contact Information

RE: Petitioner/Owner Intent to Vacate _____ (see attached Sketch and Legal Description) Found in Section, Township, Range and Municipality of _____ or Unincorporated Broward County Plat Name (if applicable) and Street Address of the subject property.

The undersigned intends to submit an Application for Vacation and Abandonment to Broward County Board of County Commissioners for the referenced property located within the boundaries of referenced municipality/unincorporated Broward.

Please complete the following, and return the signed and dated form to the Petitioner/Contact person reference above:

1. _____ We have no objection to the vacation.

2. _____ We have no objection to the vacation if the following is satisfied:

3. _____ We have no objection as follows: _____

Attachments: Sketch & Legal Description Completed by: _____ Date: _____

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department - Planning and
Development Management Division
Instructions for Application for Vacation and Abandonment

Attachment 7: Petitioner's Posting of Notice Sign on Property

Application to Broward County for Property Vacations must include a Petitioner Affidavit of Sign Posting with a photograph of the posted sign(s), indicating that the property has been properly posted as required by Broward County Administrative Code, Chapter 25.99-25.101. The Petitioner Affidavit of Petitioner Notice of Vacation by Posting Sign.

Sign Posting (see below) and photograph must be submitted to Broward County Planning and Development Management Division no later than ten (10) calendar days after the Application has been accepted.

If the Petitioner fails to submit the Affidavit, processing of the Application shall end and any required action on the part of the County shall cease until such Affidavit is received by Broward County Planning and Development Management Division.

The Petitioner shall post the property which is the subject of the vacation within ten (10) calendar days of the acceptance of the Application by Broward County Planning and Development Management Division. The sign(s) shall be installed at a site that is close to and along each street frontage of the subject vacation property, said site having been approved by Planning and Development Management Division at the Petitioner's pre-application meeting. The sign(s) shall remain on the property until the Application/Petition is heard at the Public Hearing by the Broward County Board of County Commissioners, is withdrawn by the Petitioner, or expires. The Petitioner(s) and its Agent(s) are wholly and entirely responsible for the acquisition, placement, maintenance, liability **and removal of all sign(s)**.

SIGN CONSTRUCTION	<u>SAMPLE SIGN LANGUAGE</u>
<ul style="list-style-type: none"> ⌚ All aluminum material ⌚ 30 inches by 30 inches in size ⌚ Bolted to 12-foot in length steel post that is placed in a hole 2-1/2 feet deep ⌚ Bottom of sign is 7 feet above ground ⌚ Yellow Field/Background ⌚ Black Lettering (Aerial Caps) NOTICE = 4 inches high OTHER = 2 inches high 	<p>NOTICE</p> <p>PETITION NO.: _____ (1)</p> <p>TO: _____ (2)</p> <p>ON: _____ (3)</p> <p style="text-align: center;">HAS BEEN SUBMITTED</p> <p>BY: _____ (4)</p> <p style="text-align: center;">TO BROWARD COUNTY ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT PLANNING AND DEVELOPMENT MANAGEMENT DIVISION 954-357-6666</p>

Sign Key: (1) Application Number
 (2) Vacate Plat (BCAC 25.99)
 (3) Plat Name or Property ID
 Abandon R/W (BCAC 25.100)
 (4) Petitioner/Owner
 Release Easement (BCAC 25.101)

**Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department - Planning and
Development Management Division
Instructions for Application for Vacation and Abandonment**

Attachment 7: Petitioner's Posting of Notice Sign on Property (Continued)

**AFFIDAVIT
PETITIONER NOTICE OF VACATION BY POSTING SIGN**

I (owner/agent) _____ hereby state the following:

1. I posted public notice sign(s) on the property which is the subject of a Vacation and Abandonment Petition Application Number _____, filed with the Broward County Planning and Development Management Division ("Section"), phone number 954-357-6666, regarding the vacation of

[identification of plat, road right-of-way, easement]

2. The sign(s) was posted within ten (10) calendar days of the acceptance of the application by the Section.
3. The sign(s) was posted at the following location(s): _____
_____.
4. If the sign(s) falls down, or becomes dislodged from the ground, I hereby state that the sign(s) shall be restored to its original location as soon as I become aware of such event(s).
5. If the sign(s) becomes lost or becomes illegible, I hereby state that I shall replace the sign(s) with a new sign(s) in the location(s) stated in Paragraph 3 above as soon as I become aware of such event.
6. **Affiant shall remove sign(s) at recordation and final distribution of Resolution to Vacate.**

Signature: (owner/agent)

_____ day of _____, 20____

STATE OF _____ }
COUNTY OF _____ }

The foregoing instrument was acknowledged before me this _____ day of _____, who is personally known to me or has produced _____ as identification.

By: _____
Print Name: _____
Title: _____
Serial No.: _____

VACATION PRE-APPLICATION CHECKLIST

Date: _____ Petitioner: _____

Agent: _____

Vacation: _____

CHECKLIST: DOCUMENT REQUIREMENTS BY VACATION TYPE

	<i>Documents Required</i>	<i>A. Plat</i>	<i>B. Street</i>	<i>C. Easement</i>	<i>Comments</i>
1.	Application (signed and witnessed by petitioner, business authorization, agent authorization, petitioner signature acknowledged)	1 original 2 copies	1 original 2 copies	1 original 2 copies	
2.	Application Fee (non-refundable)	\$1200	\$1200	\$1200	
3.	Proof of Property Ownership (Deed) (e.g. folio-Broward County Property Appraiser)	2 copies	2 copies	2 copies	
4.	Resolution/Ordinance of Municipality (signed and certified)	1 original 1 copy	1 original 1 copy (if Platted)	1 original 1 copy (if Platted)	
5a.	Petitioner's Notice of Intent to Vacate - in Newspaper of general circulation (certified) within 60 days prior to submittal (see Attachment 1)	1 original	1 original (if Platted)	1 original (if Platted)	
5b.	Petitioner's Notice of Intent to Vacate - Letter to Municipality - certified, return receipt requested (see Attachment 2)	NA	1 original (if separate instrument)	1 original (if separate instrument)	

6.	Title Opinion, Title Insurance Policy, or Certificate of Title (see Attachment 3)	* 1 original within 45 days of application * 1 update 45 days before public hearing	* 1 original within 45 days of application * 1 update 45 days before public hearing	* 1 original within 45 days of application * 1 update 45 days before public hearing	
7.	Sketch and Legal Description (signed and certified by a professional mapper)	2 originals 2 copies	2 originals 2 copies	2 originals 2 copies	
8.	Location Map	2 originals	2 originals	2 originals	
9.	Plat Map	For Entire Plat -1. copy For Portion Plat -1 copy	For Portion Plat -1 copy	For Portion Plat -1 copy	
10.	Aerial Photograph and Section Map (see Attachment 4)	1 set	1 set	1 set	
11.	Certification of Property Tax Clearance (letter) (see Attachment 5)	1 original	1 original	1 original	
12.	Waivers of Objection from Utilities (see Attachment 6)	1 set of letters	1 set of letters	1 set of letters	
13.	Other relevant documentation	As determined	As determined	As determined	
Note: To be submitted by Petitioner within 10 business days of Application acceptance by Broward County					
14.	Affidavit of Posting Signs for Notice of Vacation (signed and acknowledged) together with photographs of posted sign(s)	1 original	1 original	1 original	

Additional Comments: