

Meeting Date: October 27, 2015

Agenda Item 29

REQUESTED COMMISSION ACTION: **QUASI-JUDICIAL**

Consent Ordinance Resolution Consideration Workshop

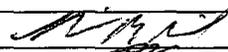
SHORT TITLE AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

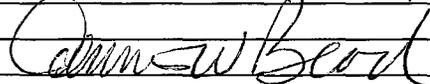
The Petitioner is requesting to abandon a 28-foot portion of the Right-of-Way located at 1400-1442 S. Powerline Road. In 1985, the subject property was dedicated by the Powerline/McNab Commercial Plat. There is an FPL easement that is being retained on the property. In 1989, the Broward County Engineering Division made a reduction to the amount of required Right of Way necessary for Powerline Road from 200 feet to 144 feet for this area. If this request is approved, the applicant intends to use the area for additional parking. This request was recommended for approval unanimously by the Planning & Zoning Board with conditions that have been met prior to placement on this agenda.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: 1400 Investments LLC
- (2) Primary staff contact: Maggie Barszewski / Robin Bird Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	8/14/2015	Approval	P&Z # 15-433 
City Attorney	9/17/2015		CAC # 2015-1644 

Planning & Zoning Board P&Z Memo # 15-060 (9/1/2015)

City Manager  

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1 st Reading <u>10/13/15</u> Approved	1st Reading _____	Results: _____	Results: _____
2 nd Reading <u>10/27/15</u>	_____	_____	_____
_____	_____	_____	_____



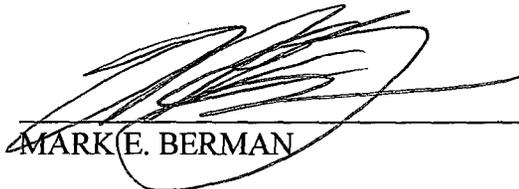
City Attorney's Communication #2015-1644
September 17, 2015

TO: Maggie Barszewski, AICP, Planner
FROM: Mark E. Berman, City Attorney
RE: Ordinance to Vacate a Portion of a Platted Right-of-Way for Powerline Road

As requested in your memorandum of September 17, 2015, Department of Development Services Memorandum #15-512, the following form of Ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.


MARK E. BERMAN

MEB/jrm
l:cor/dev-srv/2015-1644

Attachment

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; and

WHEREAS, the City Commission has received a request for the abandonment of a twenty eight foot wide portion of the right-of-way for Powerline Road lying east of Powerline Road and north of Southwest 15th Street (W. McNab Road); and

WHEREAS, the Planning and Zoning Board has made its recommendation upon said request; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer require retention of any interest by the public in that certain portion of the right-of-way as more fully described below.

SECTION 2. It is hereby further found and determined that abandonment and vacation of that certain portion of the right-of-way will not have a detrimental effect upon the surrounding property or area.

SECTION 3. That the City of Pompano Beach does hereby abandon and vacate the following described right-of-way:

See Exhibit "A" attached hereto and incorporated herein as if set forth in full.

SECTION 4. That the City Clerk is hereby instructed to record this Ordinance in the Public Records of Broward County, Florida.

SECTION 5. The City of Pompano Beach reserves for its own purposes, and for the purposes of all recognized public utility companies offering public utility services in the City to its customers including, but not limited to, Florida Power & Light Company, AT&T, TECO Peoples Gas, and Comcast Cable, the reservation of an easement forever for the construction, operation and maintenance of overhead and underground electric facilities (including wires, poles, guys, cables, conduits, buried cables, cable terminals, markers, splicing boxes and pedestals, manholes, amplifier boxes, pipes, gas transmission lines, water and sewer lines and all appurtenant devises and equipment) to be installed from time to time; with the right to construct, reconstruct, improve, add to, enlarge, change the voltage, change pressure, as well as the size of, and to remove such facilities or any of them, together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communication purposes, the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and obstructions within the easement area; the right to trim and cut and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the easement area

which might interfere with or fall upon the lines of systems of communication or power or telephone or gas transmission or distribution; and further reserves to the fullest extent, the right and power to grant, if at all, the rights herein granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property. The easement is described on Exhibit "A" attached hereto and incorporated herein by reference as if set forth in full.

SECTION 6. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2015.

PASSED SECOND READING this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
9/17/15
L:ord/2015-487

FOR: 1400 Investments, LLC

**DESCRIPTION T ACCOMPANY SKETCH
RIGHT-OF-WAY TO BE VACATED**

LEGAL DESCRIPTION:

A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY FOR POWERLINE ROAD DEDICATED BY POWERLINE/McNAB COMMERCIAL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, OF SAID POWERLINE/McNAB COMMERCIAL; THENCE NORTH 87°50'54" WEST, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 28.02 FEET; THENCE NORTH 00°14'07" EAST, ALONG A LINE 28.00 FEET WEST OF, AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT A, A DISTANCE OF 445.79 FEET; THENCE SOUTH 89°45'53" EAST, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 28.00 FEET; THENCE SOUTH 00°14'07" WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 446.72 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA. CONTAINING 12,495 SQUARE FEET OR 0.287 ACRES MORE OR LESS.

NOTES:

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO THE WEST LINE OF TRACT A, POWERLINE/McNAB COMMERCIAL, PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, WHICH BEARS NORTH 00°14'07" EAST.

THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

ALL DOCUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN RULES 5J-17.052(5), (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Craven Thompson & Associates, Inc.
LICENSED BUSINESS NUMBER #271



Thomas C. Shahan

THOMAS C. SHAHAN—FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER NO 4387
STATE OF FLORIDA

THE SKETCH OF SURVEY AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

G:\2015\15-0039 POWERLINE MCNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

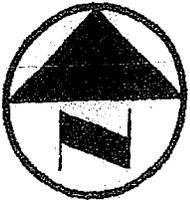
UPDATES and/or REVISIONS	DATE	BY	CK'D



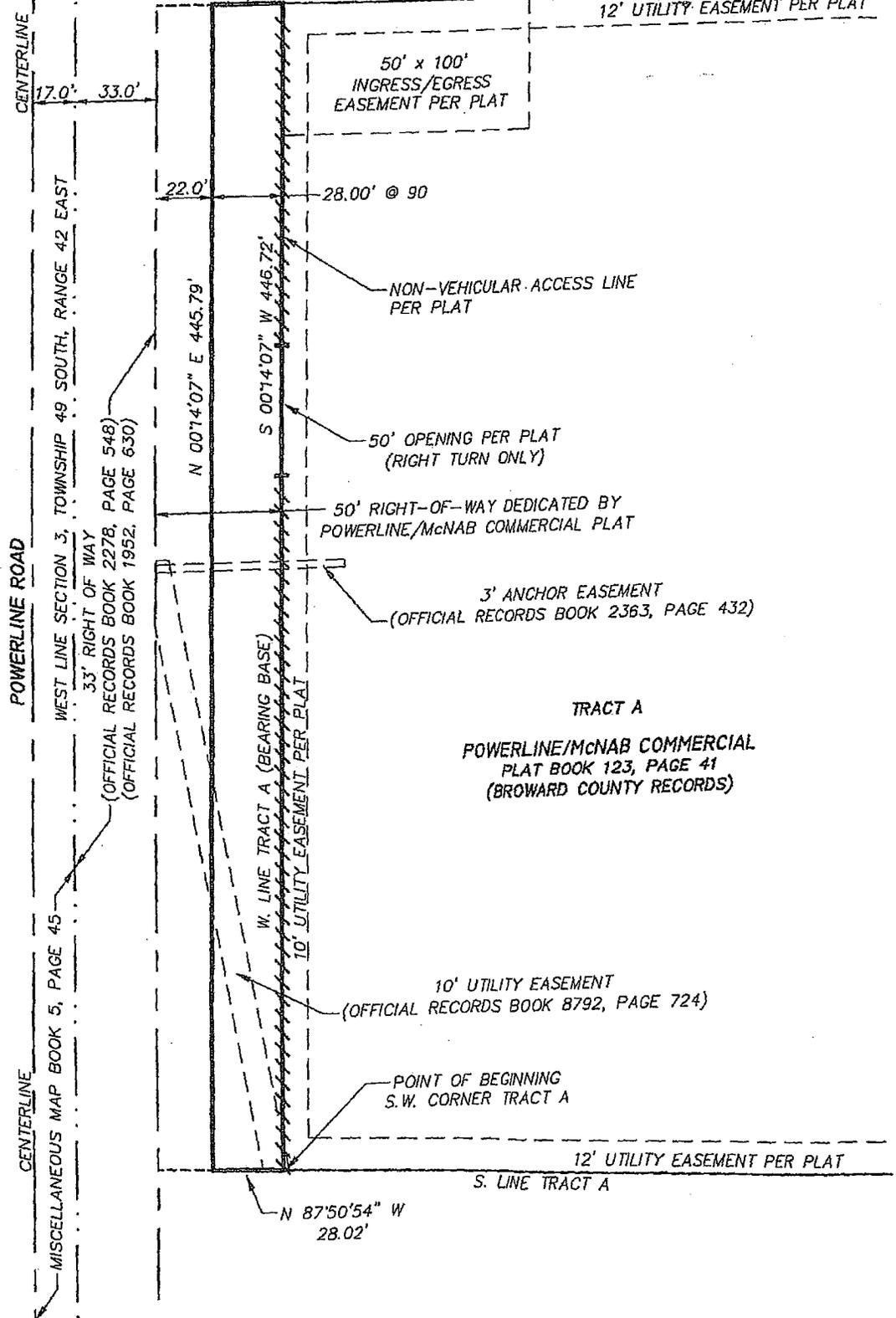
CRAVEN • THOMPSON & ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYOR'S
3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL: (954) 739-6400
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL

JOB NO.: 15-0039-001	SHEET 1 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

SKETCH TO ACCOMPANY DESCRIPTION RIGHT-OF-WAY TO BE VACATED



SCALE: 1"=60'



G:\2015\15-0039 POWERLINE MCNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYOR'S
 3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL: (954) 739-6400
 FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
 MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL
 NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

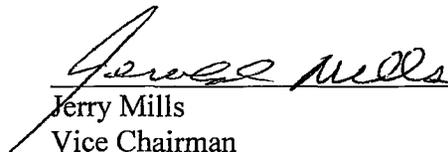
JOB NO.: 15-0039-001	SHEET 2 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #15-060**

DATE: September 1, 2015
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: RIGHT-OF-WAY ABANDONMENT
1400-1442 S POWERLINE RD
P & Z #15-18000001 1400 Investments, LLC Abandonment

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on August 26, 2015, the Board considered the request by the **1400 Investments, LLC** requesting ABANDONMENT OF THE EAST TWENTY-EIGHT (28)-FOOT PORTION OF A FIFTY (50)-FOOT RIGHT-OF-WAY on the above referenced property.

It is the unanimous recommendation of the Board that the RIGHT-OF-WAY ABANDONMENT request be approved with conditions for City Commission placement and to retain the bus stop.



Jerry Mills
Vice Chairman
Planning and Zoning Board/ Local Planning Agency



MEMORANDUM

Development Services

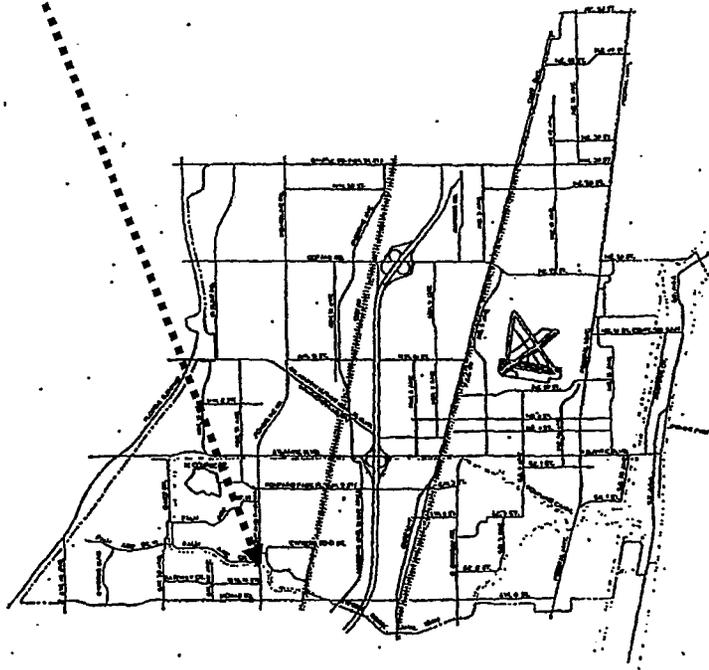
MEMORANDUM NO. 15-433

DATE: August 14, 2015
TO: Planning & Zoning Board
VIA: Robin M. Bird, Development Services Director *RB*
FROM: Maggie Barszewski, AICP, Planner *MB*
RE: Request for Abandonment of a 28-foot portion of R.O.W. on Powerline Road
dedicated on the Powerline McNab Commercial Plat located at 1400-1442 S.
Powerline Road

P & Z # 15-1800001

The Applicant is requesting the abandonment of the eastern 28-foot portion of a 50-foot platted right-of-way (R.O.W.) for Powerline Road (see Attachment I). In 1989, the Broward County Engineering Division made a reduction to the amount of required R.O.W. necessary for Powerline Road from 200 feet to 144 feet in total width for this area. The subject property was dedicated by the Powerline/McNab Commercial Plat located at 1400-1442 S. Powerline Road.

1400 -1442 S. Powerline Rd.

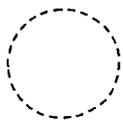


LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density	
	Residential	
E	Estate	
L	Low	
LM	Low- Medium	
M	Medium	
MH	Medium-High	
H	High	
* C	Commercial	
DPTOC	Downtown Transportation Oriented	
CR	Commercial Recreation	
I	Industrial	
T	Transportation	
U	Utilities	
CF	Community Facilities	
OR	Recreation & Open Space	
W	Water	
RAC	Regional Activity Center	
	Boundaries	
	City of Pompano Beach	
	13 Number	



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

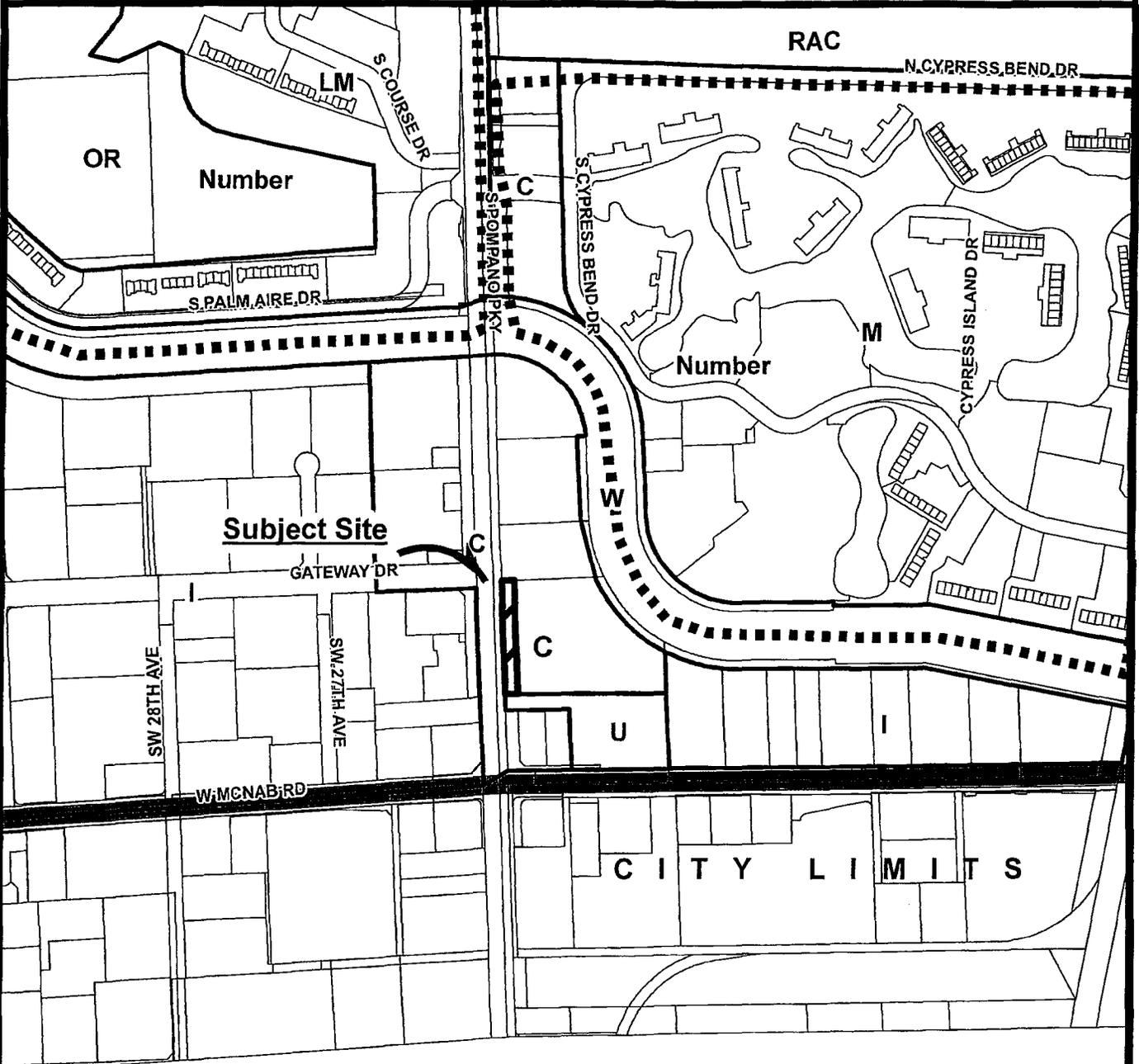
* Existing
> Proposed

FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
TO	Transportation Oriented Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
* B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
BP	Business Parking
BSC	Planned Shopping Center
PCI	Planned Commercial / Industrial Overlay
PR	Parks & Recreation
CR	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

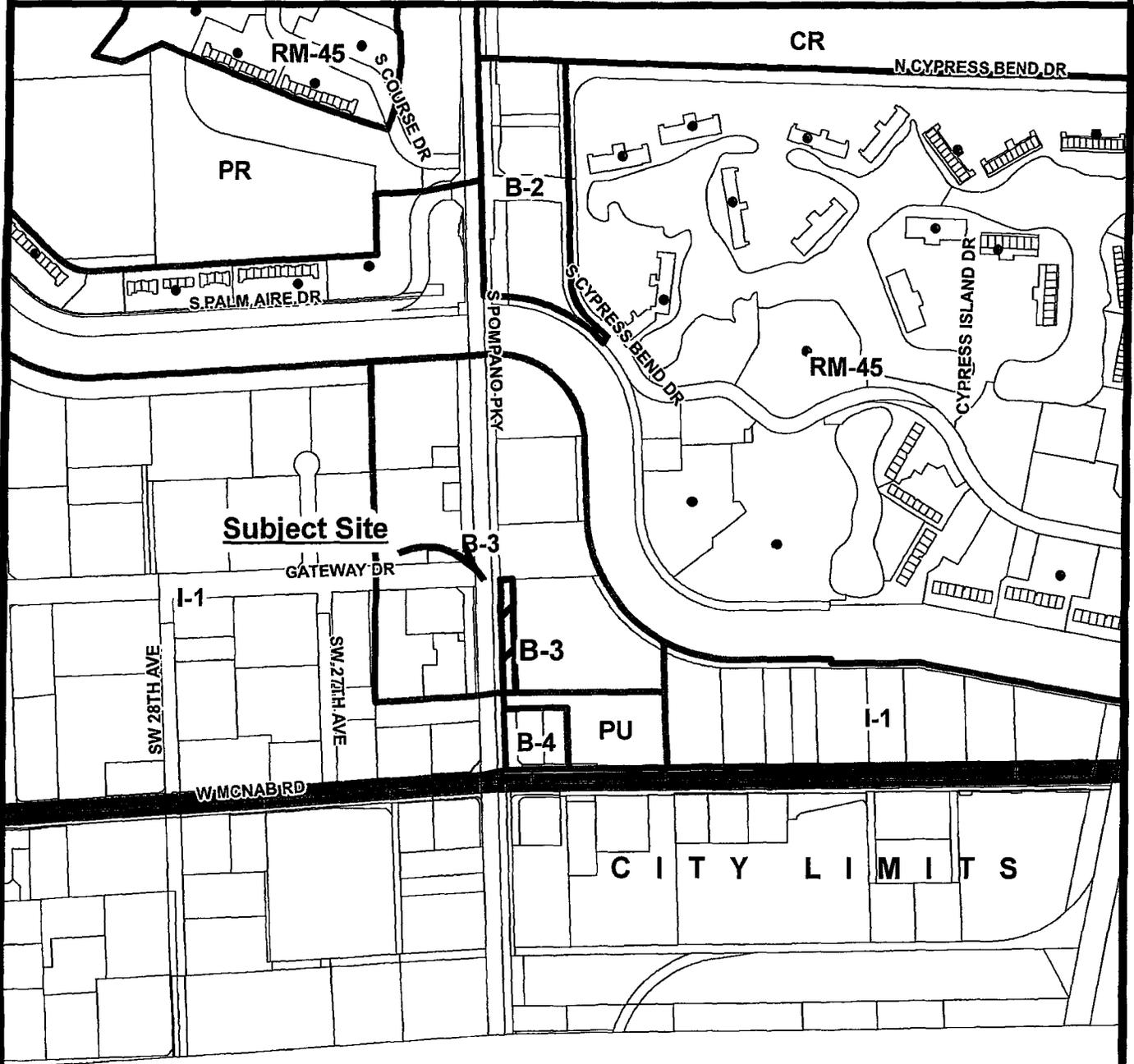


1 in = 600 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP

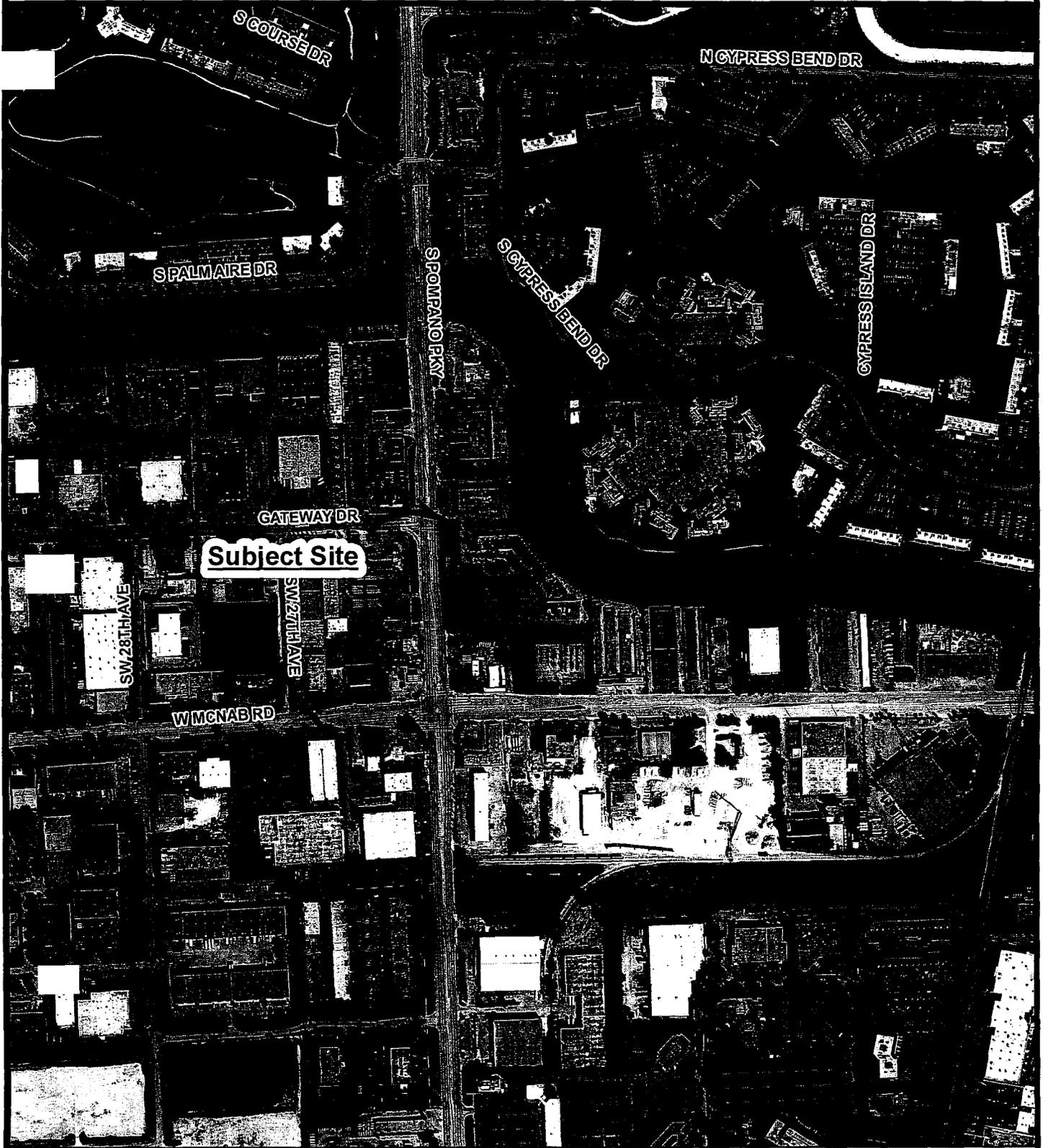


1 in = 600 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

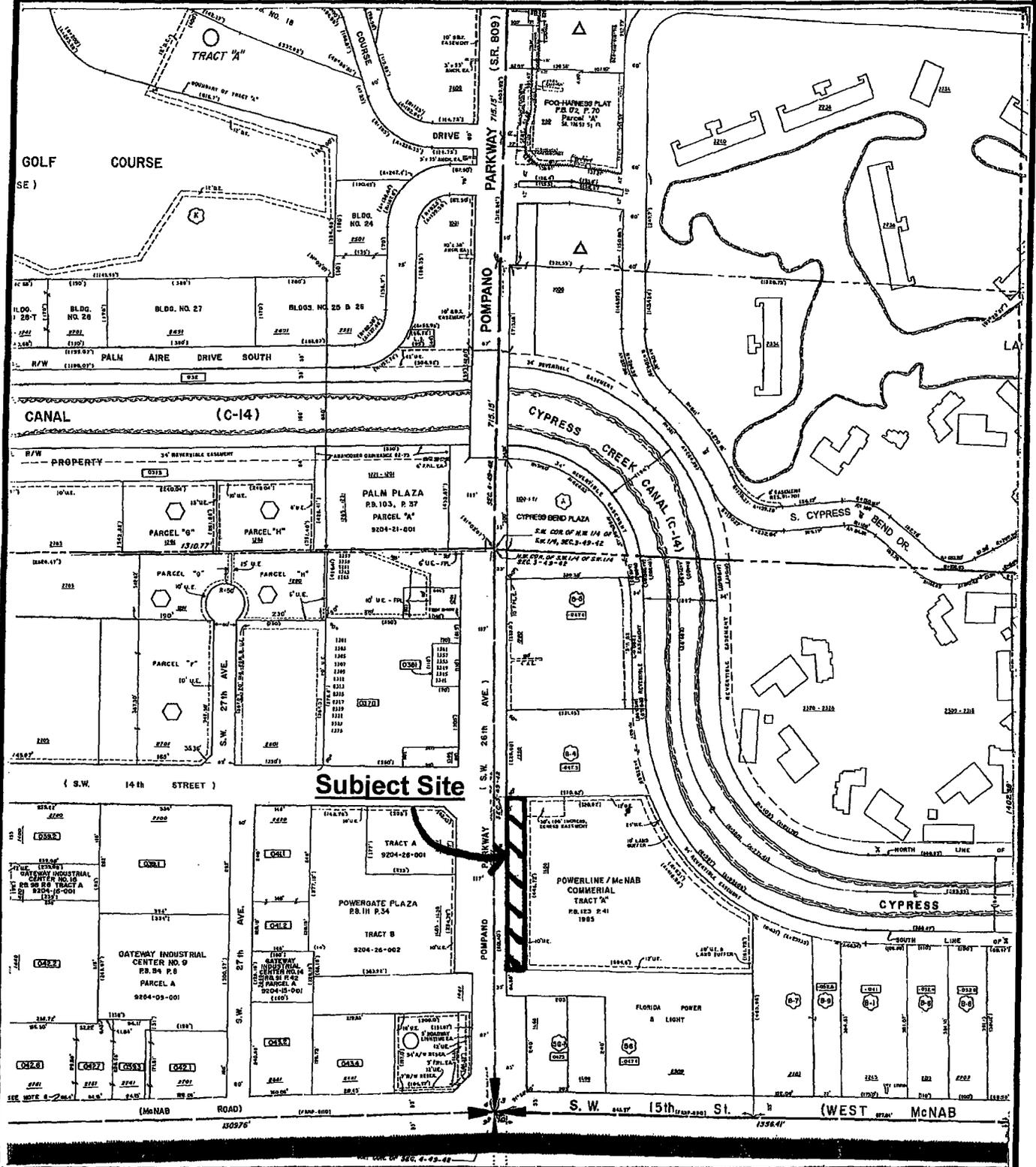


1 in = 600 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

↑
NORTH

REVIEW AND SUMMARY

DRC Dates: Note that Vacation/ Abandonment Requests do not go to DRC.

Zoning Department:	No Objection
Community Redevelopment Agency	No Objection
Code Compliance	No Objection
Fire Department:	No Objection
Engineering Department:	No Objection
Public Works Department:	No Objection
Utilities Department:	No Objection
AT&T:	Awaiting Comment
TECO Gas:	No Objection
Department of Transportation:	No Objection
FP&L:	No Objection with retention of the easement
Comcast Cable:	Awaiting Comment

ZONING DEPARTMENT RECOMMENDATION

Given the information provided to the Board, staff provides the following alternative motions for the Board's review.

Alternative Motions

I- Approve with conditions

Recommend approval to the City Commission with the following conditions:

1. The request cannot be placed on a City Commission agenda until comments are received from AT&T and Comcast; and
2. The existing Broward County bus stop shall be retained.

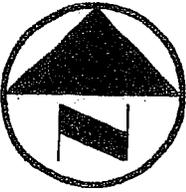
II- Table

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties

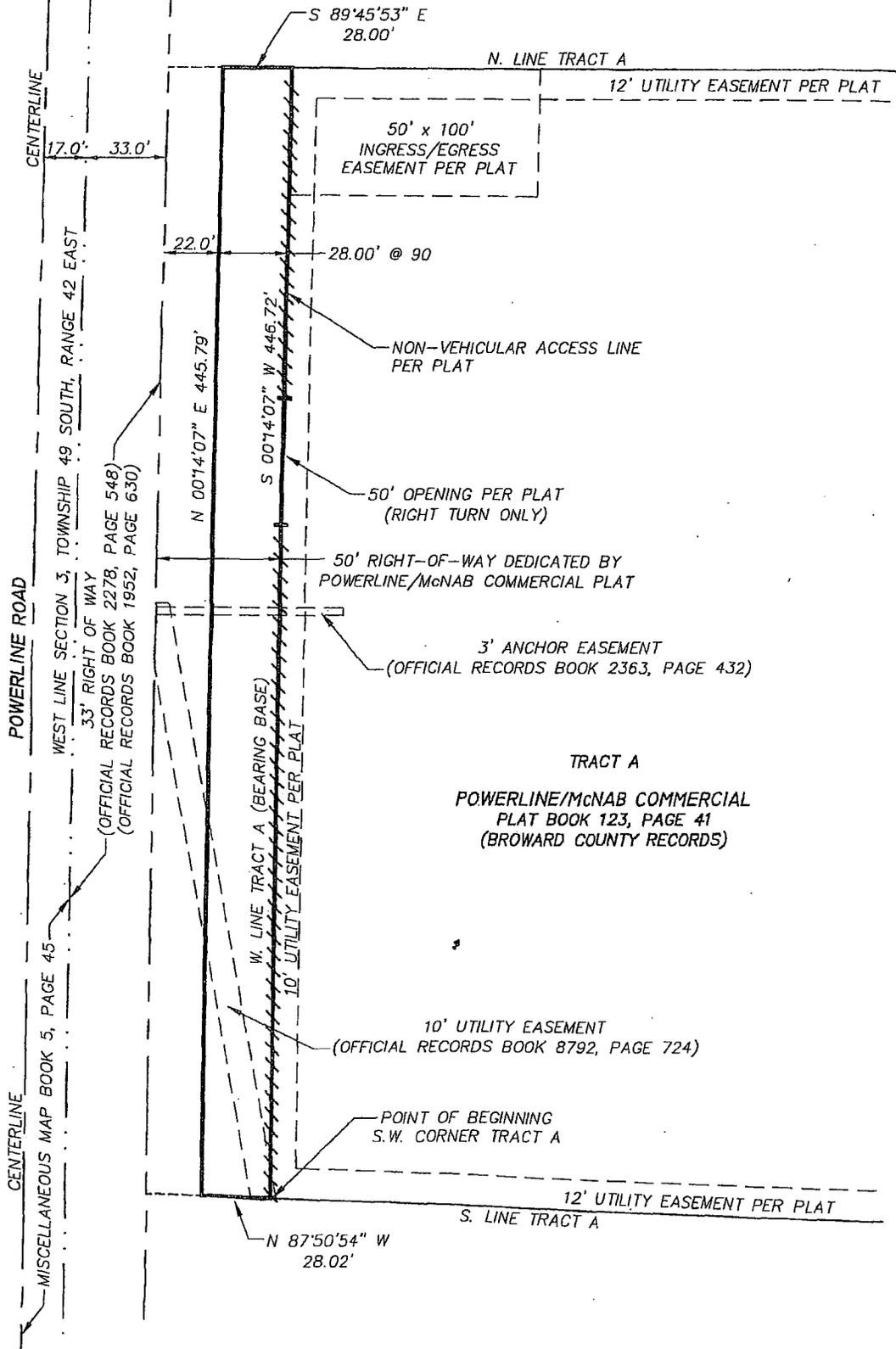
III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

SKETCH TO ACCOMPANY DESCRIPTION RIGHT-OF-WAY TO BE VACATED



SCALE: 1"=60'



G:\2015\15-0039 POWERLINE McNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

GRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYOR'S
 3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 738-6409 TEL: (954) 738-6400
 FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
 MATERIAL SHOWN HEREON IS THE PROPERTY OF GRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL
 NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

JOB NO.: 15-0039-001	SHEET 2 OF 2 SHEETS
DRAWN BY: T.S.	F.B.N/A PG.N/A
CHECKED BY: R.Y.	DATED: 06-12-15

July 9, 2015

US Certified Mail No. 7004 0750 0003 4585 8239
Return Receipt Requested

2015 JUL 17 AM 8:56

Mr. Dennis Beach, City Manager
Town of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, FL 33060

RECEIVED
CITY OF POMPAHO BEACH
2015 JUL 21 AM 9:15

**RE: PETITIONER'S INTENT to APPLY for VACATION
ROW Vacation - portion of Powerline Road
Sec 3-49-42, Powerline/McNab Commercial, PB 123-41, BCR
CT&A PROJECT NO. 15-0039-001-01**

CRAVEN THOMPSON



& ASSOCIATES INC.

Engineers
Planners
Surveyors
Landscape Architects

Dear Mr. Beach:

On behalf of 1400 Investments, LLC, Craven Thompson & Associates, Inc. anticipates submitting an Application for Vacation to Broward County Board of Commissioners to release a portion of Powerline Road north of McNab Road. Specifically, we would like to vacate a 28' wide portion of the platted road right-of-way, located at the west plat limits, that is no longer necessary for roadway purposes, per the Broward County Trafficways Plan. A copy of the sketch and legal description for this vacation is attached.

As required by Section 25.100 of the Broward County Administrative Code, Craven Thompson & Associates, Inc. is required to notify you of its intent to file an Application for Vacation and Abandonment with Broward County Board of Commissioners. This letter serves as Notice of Intent to the city of Pompano Beach. Any questions pertaining to the Application for Vacation and Abandonment should be directed to:

Broward County Government Center
Public Works and Transportation Department
Real Property Section - Vacations
115 South Andrews Avenue, Ste 326
Fort Lauderdale, FL 33301

Sincerely,
CRAVEN THOMPSON & ASSOCIATES, INC.

Catherine A. Donn
Planner

Enclosures

3563 N.W. 53rd Street
Fort Lauderdale, FL 33309-6311
(954)739-6400
Fax (954) 739-6409

**DESCRIPTION TO ACCOMPANY SKETCH
RIGHT-OF-WAY TO BE VACATED**

LEGAL DESCRIPTION:

A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY FOR POWERLINE ROAD DEDICATED BY POWERLINE/McNAB COMMERCIAL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, OF SAID POWERLINE/McNAB COMMERCIAL; THENCE NORTH 87°50'54" WEST, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 28.02 FEET; THENCE NORTH 00°14'07" EAST, ALONG A LINE 28.00 FEET WEST OF, AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT A, A DISTANCE OF 445.79 FEET; THENCE SOUTH 89°45'53" EAST, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 28.00 FEET; THENCE SOUTH 00°14'07" WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 446.72 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA. CONTAINING 12,495 SQUARE FEET OR 0.287 ACRES MORE OR LESS.

NOTES:

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO THE WEST LINE OF TRACT A, POWERLINE/McNAB COMMERCIAL, PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, WHICH BEARS NORTH 00°14'07" EAST.

THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

ALL DOCUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN RULES 5J-17.052(5), (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
LICENSED BUSINESS NUMBER #271



THOMAS C. SHAFRAN FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER NO 4387
STATE OF FLORIDA

THE SKETCH OF SURVEY AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

G:\2015\15-0039 POWERLINE MCNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon. The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.	UPDATES and/or REVISIONS	DATE	BY	CK'D



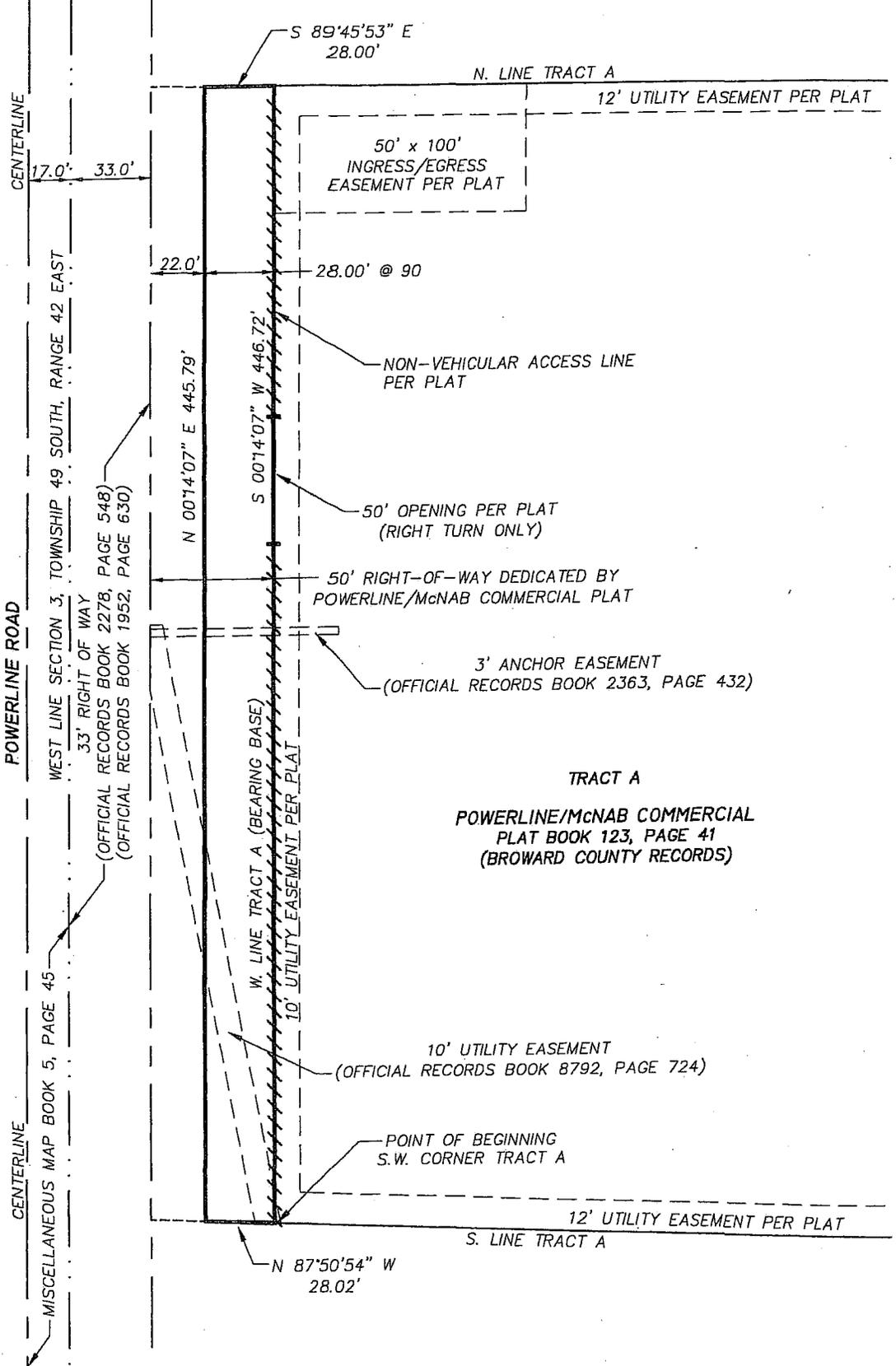
CRAVEN • THOMPSON & ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYOR'S
3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL.: (954) 739-6400
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

JOB NO.: 15-0039-001	SHEET 1 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

SKETCH TO ACCOMPANY DESCRIPTION RIGHT-OF-WAY TO BE VACATED



SCALE: 1"=60'



G:\2015\15-0039 POWERLINE MCNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYOR'S
 3663 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL: (954) 739-6400
 FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
 MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL
 NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

JOB NO.: 15-0039-001	SHEET 2 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

Cathy Donn

From: Huizenga, David <DHUIZENGA@broward.org>
Sent: Thursday, May 28, 2015 3:05 PM
To: Cathy Donn
Cc: Joe Handley; Mcguire, David
Subject: RE: ROW vacation for Powerline/McNab Commercial plat

Cathy,

I believe that the 144'-164' corridor provides for a nominal 144' width with 164' occurring only at arterial/arterial intersections. However, I think you would need to review the Trafficways Amendment application to get the details of how long the expanded area extend.

In this case though, I believe that only 144' would be required for compliance with the Trafficways Plan. So, based on the centerline location shown on the plat, the western 22 feet of the 50 foot dedication would have to remain as right-of-way. That means you could request vacation of the eastern 28 feet.

The County process for vacating right-of-way is outlined in Chapter 25, Part XVI of the Broward County Administrative Code and the process is managed by the Real Property Section of Public Works. For more information about the process, you can view this portion of the B.C. Admin. Code by clicking [here](#). Please contact Dale Wilson at 954 357 6418 to obtain a copy of the application form and information about submittal requirements.

Also, I recommend that you submit a draft copy of the legal description and sketch of the property to be vacated to the Highway Construction and Engineering Division prior to submittal at the City. The HCED Right-of-Way Section provides a courtesy review of legal descriptions for vacation requests. This will help ensure that County approval of the Vacation Request is not delayed by problems with the legal description and/or sketch. Please contract Frank Guilano at 954 577 4652 for more information.

I hope this will assist you.

-dh

David Huizenga
Engineer III, Plat Section

Broward County Highway Construction and Engineering Division
Government Center West
1 N. University Drive, Room 300B
Plantation, FL 33324

Office: 954-577-4597
Cell: 954-494-7592





From: Cathy Donn [mailto:cdonn@craventhompson.com]
Sent: Thursday, May 28, 2015 11:25 AM
To: Huizenga, David
Cc: Joe Handley
Subject: ROW vacation for Powerline/McNab Commercial plat

Dave,
Attached please find the subject plat, and an aerial of the site. Cary Goldberg has asked us prepare and process the ROW vacation, since there is 200' of ROW existing, and the Trafficways Plan shows the ROW varies from 144'-164'. Can you please let us know how much ROW we can vacate? Our client would like to vacate as much as possible, of course. We know this is a state road, but we understand there has been some discussions with the county already, so we are reaching out to you.

Thanks
Cathy

Catherine A. Donn, Planner
 CRAVEN THOMPSON & ASSOC., INC.
 3563 NW 53 ST
 FT LAUDERDALE, FL 33309-6311
954-739-6400 x 379
cdonn@craventhompson.com

 Please consider the environment before printing this email

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

DESCRIPTION TO ACCOMPANY SKETCH
RIGHT-OF-WAY TO BE VACATED

LEGAL DESCRIPTION:

A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY FOR POWERLINE ROAD DEDICATED BY POWERLINE/McNAB COMMERCIAL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, OF SAID POWERLINE/McNAB COMMERCIAL; THENCE NORTH 87°50'54" WEST, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 28.02 FEET; THENCE NORTH 00°14'07" EAST, ALONG A LINE 28.00 FEET WEST OF, AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT A, A DISTANCE OF 445.79 FEET; THENCE SOUTH 89°45'53" EAST, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 28.00 FEET; THENCE SOUTH 00°14'07" WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 446.72 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA. CONTAINING 12,495 SQUARE FEET OR 0.287 ACRES MORE OR LESS.

NOTES:

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO THE WEST LINE OF TRACT A, POWERLINE/McNAB COMMERCIAL, PLAT BOOK 123, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, WHICH BEARS NORTH 00°14'07" EAST.

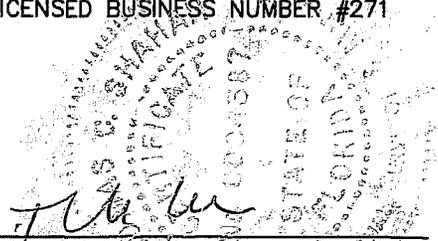
THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

ALL DOCUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN RULES 5J-17.052(5), (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
LICENSED BUSINESS NUMBER #271



THOMAS C. SHAHAN - FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER NO 4387
STATE OF FLORIDA

THE SKETCH OF SURVEY AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

G:\2015\15-0039 POWERLINE MCNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

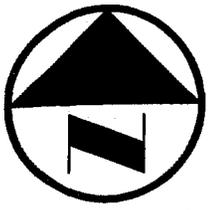
The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

UPDATES and/or REVISIONS	DATE	BY	CK'D

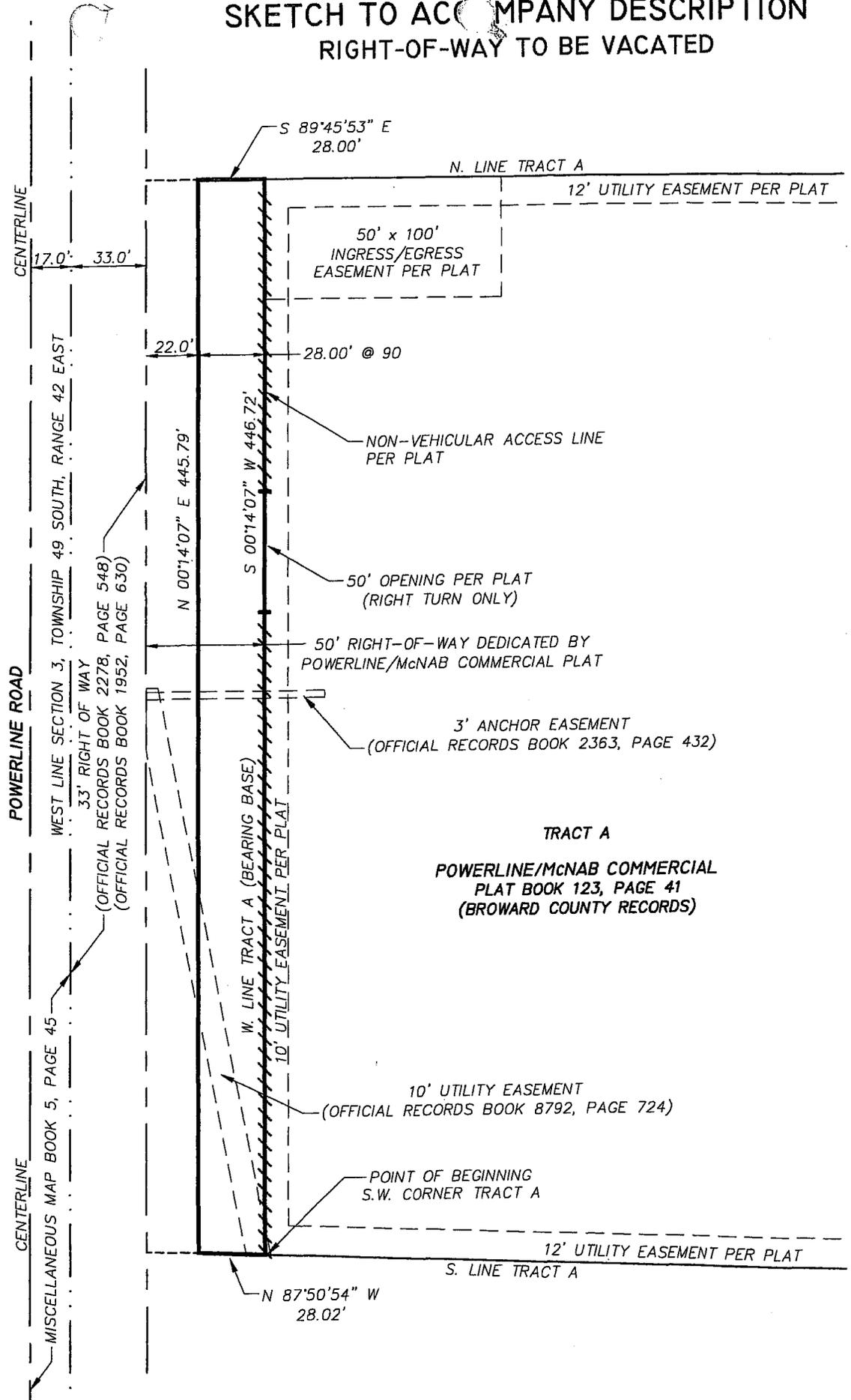
CRAVEN • THOMPSON & ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYOR'S
3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL.: (954) 739-6400
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

JOB NO.: 15-0039-001	SHEET 1 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

SKETCH TO ACCOMPANY DESCRIPTION RIGHT-OF-WAY TO BE VACATED



SCALE: 1"=60'



G:\2015\15-0039 POWERLINE McNAB COMM PLAT\DRAWINGS\SD-ROW VACATION

CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYOR'S
 3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6400 TEL: (954) 739-6400
 FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS NO. 271
 MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL
 NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2015

JOB NO.: 15-0039-001	SHEET 2 OF 2 SHEETS
DRAWN BY: T.S.	F.B. N/A PG. N/A
CHECKED BY: R.Y.	DATED: 06-12-15

OWNERS CERTIFICATE

This is to certify that I am the owner of the subject lands described in this **PETITION FOR VACATION** and that I have authorized the filing of the aforesaid petition for vacation.

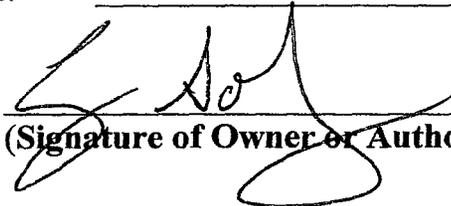
Owner's Name: 1400 INVESTMENTS LLC, c/o Cary Goldberg
(Print or Type)

Address: 6300 NE 1 AVE, SUITE 100

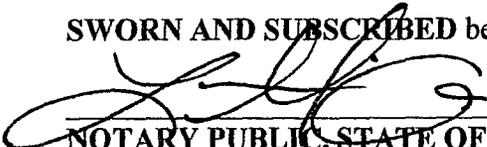
FT LAUDERDALE, FL 33334
(Zip Code)

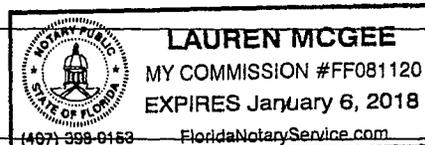
Phone: (954) 776-1005

Email address: Cary@diversifiedcos.com


(Signature of Owner or Authorized Official)

SWORN AND SUBSCRIBED before me this 10 day of June, 2015.


NOTARY PUBLIC, STATE OF FLORIDA



Lauren McGee
(Name of Notary Public: Print, stamp, or Type as Commissioned.)

Personally know to me, or
 Produced identification: _____
(Type of Identification Produced)