

ORDINANCE NO. 0-2018-13

(VA-18-03)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, VACATING A PORTION OF THE PLATTED ALLEY LYING WITHIN BLOCK 58 OF THE PLAT OF "HOLLYWOOD", PLAT BOOK 1, PAGE 21; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

WHEREAS, the Applicant, MG3 Hollywood LLC, has submitted application VA-18-03 for review and approval to vacate a portion of the 14' wide service alley within Block 58 of the Plat of "HOLLYWOOD", as recorded in the Public Records of Broward County, Florida; and

WHEREAS, continuity with the remaining eastern limits of the existing alley was provided by an easement pursuant to an alley Easement Agreement recorded in the Public Records of Broward County in Plat Book 46652 at Page 297 of the Public Records of Broward County, Florida; and

WHEREAS, connectivity from the easement to Van Buren Street will be provided through an alley easement document and construction provisions prior to the vacation becoming effective; and

WHEREAS, the City's Engineering Division has processed the appropriate alley vacation application, and as a part of this process, the Engineering Division sent written requests to other affected utility agencies for their review of the application and submission of their written responses, including any objections they may have to the requested vacation; and

WHEREAS, the written request from the Engineering Division clearly states that if the agency does not respond within the period specified in the request, the City will assume that the agency has no objections to the requested vacation; and

WHEREAS, all affected agencies and utility providers have reviewed the request and have no objection to the requested vacation; and

WHEREAS, utility relocations and Unity of Title requirements shall be satisfied prior to the vacation becoming effective; and

WHEREAS, following analysis of the application, staff has 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 staff and consideration of this issue, has determined that the subject right-of-way 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; and

WHEREAS, the City Commission has further determined that the proposed vacation would be in the best interest of the citizens of Hollywood, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That the portion of the platted alley lying within Block 58 of the Plat of "HOLLYWOOD", in Plat Book 1 at Page 21, as more specifically described in the attached Exhibit "A", is vacated.

Section 3: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 5: That this Ordinance shall be in full force and effect immediately upon the date of recordation of a certificate of the City Engineer stating that the following requirements have been satisfied:

i) That the City has received written notice from the Florida Power and Light Company, ATT, Comcast, Teco and Hollywood's Department of Public Utilities confirming satisfactory relocation of their respective utility facilities located in the subject alley right-of-way, and thus, no objection to the alley vacation;

ii) That the City has satisfactorily accepted relocation of the existing street lighting and irrigation service and control panel equipment existing within the alley right-of-way;

iii) That the City has received, accepted and recorded an alley right-of-way easement document and been provided with documentation that the construction of an appropriate connection between the remaining alley section and Van Buren Street to the South has been completed; and

ORDINANCE VACATING AN ALLEY LYING WITHIN BLOCK 58 OF THE PLAT OF
"HOLLYWOOD"

iv) That the City has received an appropriate Unity of Title for Lots 1 through 9, Lots 16-19 and Lot 24, providing for unified development of the consolidated parcels.

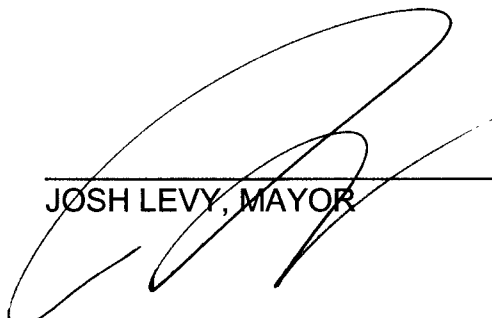
v) That the City has received, accepted, and recorded an alley right of way easement document requiring that the alley shall remain open through the portion of the construction of Phase II that is constructed over Lot 9. Thereafter, the alley may be closed.

Section 6: That the above requirements shall be satisfied no later than 24 months from the date of adoption of this Ordinance. If these requirements are not satisfactorily completed and the Certificate recorded within the prescribed 24 month time period, this Ordinance shall be null and void.

Advertised September 17, 2018.


PASSED on first reading this 20 day of September, 2018.

PASSED AND ADOPTED on second reading this 3 day of October, 2018.



JOSH LEVY, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
Of the City of Hollywood, Florida, only.



DOUGLAS R. GONZALES, CITY ATTORNEY 

EXHIBIT 'A'

COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
 DAVIE, FLORIDA 33314
 CERTIFICATE OF AUTHORIZATION : LB # 6448
 PHONE (954) 680-9885 FAX (954) 680-0213

PROJECT NUMBER : 5418-05

CLIENT :

WSG DEVELOPMENT COMPANY

LAND DESCRIPTION AND SKETCH

LEGEND:

CKD	CHECKED BY
CONC	CONCRETE
DWN	DRAWN BY
FB/PG	FIELD BOOK AND PAGE
SIR	SET 5/8" IRON ROD & CAP #6448
SNC	SET NAIL AND CAP #6448
FIR	FOUND IRON ROD
FIP	FOUND IRON PIPE
FNC	FOUND NAIL AND CAP
FND	FOUND NAIL & DISC
P.B.	PLAT BOOK
B.C.R.	BROWARD COUNTY RECORDS
-X-	CHAIN LINK/ WOOD FENCE
CBS	CONCRETE BLOCK STRUCTURE
A/C	AIR CONDITIONER
9 45	ELEVATION

LAND DESCRIPTION:

THAT PORTION OF A 14' ALLEY LYING SOUTH OF AND ADJACENT WITH THE SOUTH LINE OF LOT 24, AND NORTH OF AND ADJACENT WITH THE NORTH LINE OF LOTS 1 THROUGH 7, INCLUSIVE, LESS THE WEST 15' THEREOF, ALL IN BLOCK 58 OF "HOLLYWOOD", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF HOLLYWOOD, BROWARD COUNTY, FLORIDA; CONTAINING 3710 SQUARE FEET, MORE OR LESS.

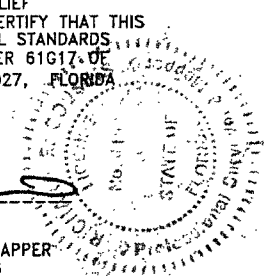
NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. DATA SHOWN HEREON DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. BEARINGS SHOWN HEREON ARE ASSUMED. THE SOUTH LINE OF BLOCK 58 BEARS N90°00'00" E.

I HEREBY CERTIFY THAT THE ATTACHED "LAND DESCRIPTION AND SKETCH" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION IN JULY, 2007. I FURTHER CERTIFY THAT THIS "LAND DESCRIPTION AND SKETCH" MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 61G17, OF THE FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: _____

Richard E. Cousins
 RICHARD E. COUSINS
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NO. 4188



REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	07/18/07	-----	AV	REC

LAND DESCRIPTION
 & SKETCH
 FOR PROPOSED
 14' ALLEY
 VACATION

PROPERTY :
HOLLYWOOD BREAD

SCALE: N/A

SHEET 1 OF 2

WSG DEVELOPMENT COMPANY

PARCEL 100
FLORIDA DEPARTMENT OF
TRANSPORTATION
SECTION 86010-2544

"HOLLYWOOD"
(P.B. 1, PG. 21, B.C.R.)
LOT 24
BLOCK 68

SOUTH FEDERAL HIGHWAY
(U.S. # 1)

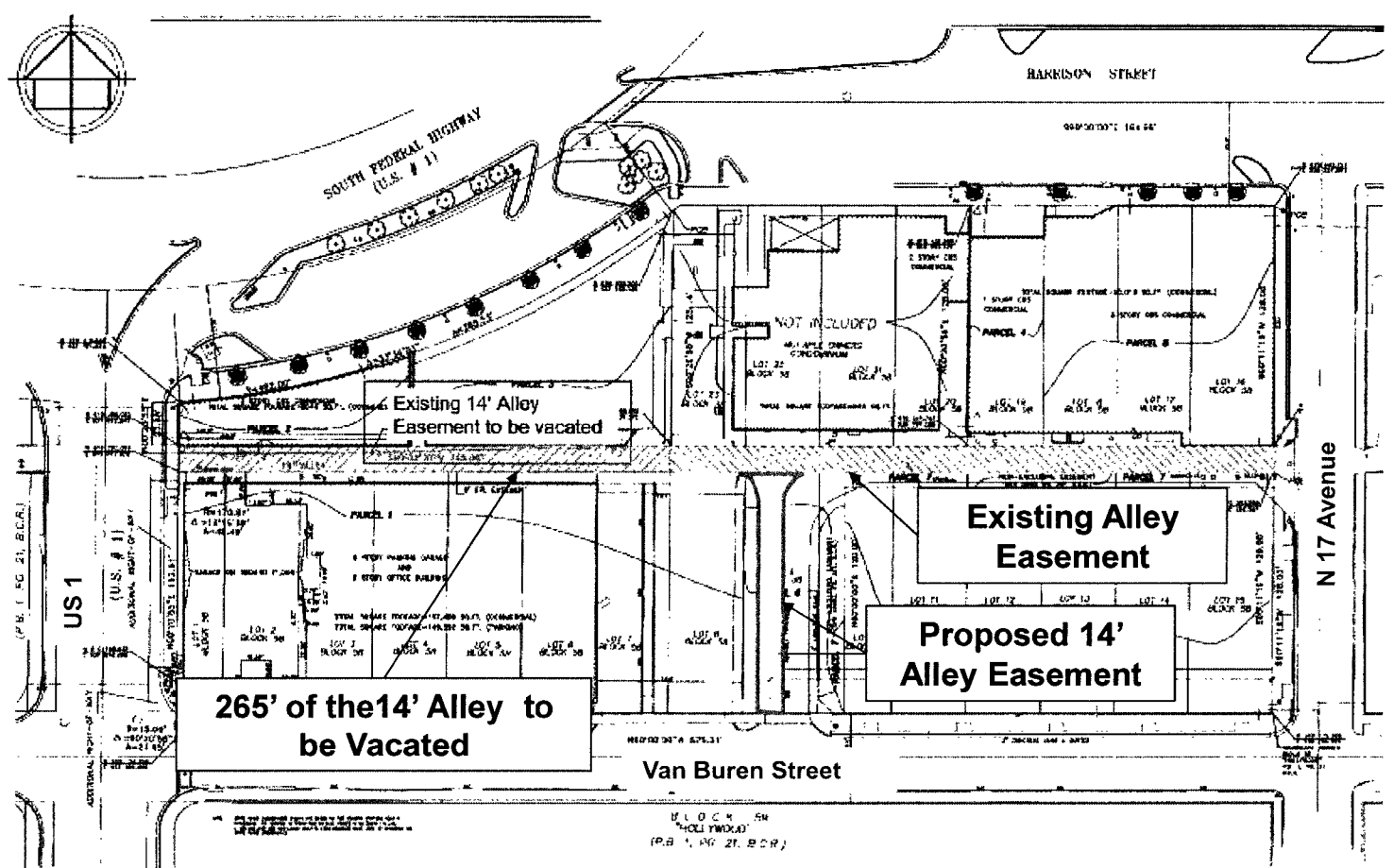


GRAPHIC SCALE IN FEET

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	07/18/07	-----	AV	REC

SHEET 2 OF 2

LOCATION MAP



COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
DAYIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 5418-05

CLIENT :

WSG DEVELOPMENT COMPANY

LAND DESCRIPTION AND SKETCH

LAND DESCRIPTION:

A PORTION OF LOTS 8 AND 9, BLOCK 58 OF "HOLLYWOOD", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID BLOCK 58;

THENCE NORTH 90°00'00" WEST ALONG THE SOUTH LINE OF SAID BLOCK 58, A DISTANCE OF 263.42 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 90°00'00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 14.00 FEET;

THENCE NORTH 00°20'55" EAST, A DISTANCE OF 112.91 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°20'55" AND AN ARC DISTANCE OF 23.65 FEET;

THENCE SOUTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID LOTS 8 AND 9, A DISTANCE OF 44.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 89°39'05" AND AN ARC DISTANCE OF 23.47 FEET;

THENCE SOUTH 00°20'55" WEST, A DISTANCE OF 113.09 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF HOLLYWOOD, BROWARD COUNTY, FLORIDA; CONTAINING 1,889 SQUARE FEET, MORE OR LESS.

NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. DATA SHOWN HEREON DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. BEARINGS SHOWN HEREON ARE ASSUMED. THE SOUTH LINE OF BLOCK 58 BEARS N90°00'00" E.

I HEREBY CERTIFY THAT THE ATTACHED "LAND DESCRIPTION AND SKETCH" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION IN JULY, 2018. I FURTHER CERTIFY THAT THIS "LAND DESCRIPTION AND SKETCH" MEETS THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES SUBORDINATE TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: _____

RICHARD E. COUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 12345

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	07/10/18	----	AV	REC

LAND DESCRIPTION
& SKETCH
FOR PROPOSED
14' ALLEY
DEDICATION

PROPERTY :
HOLLYWOOD BREAD

SCALE: N/A

SHEET 1 OF 2

COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

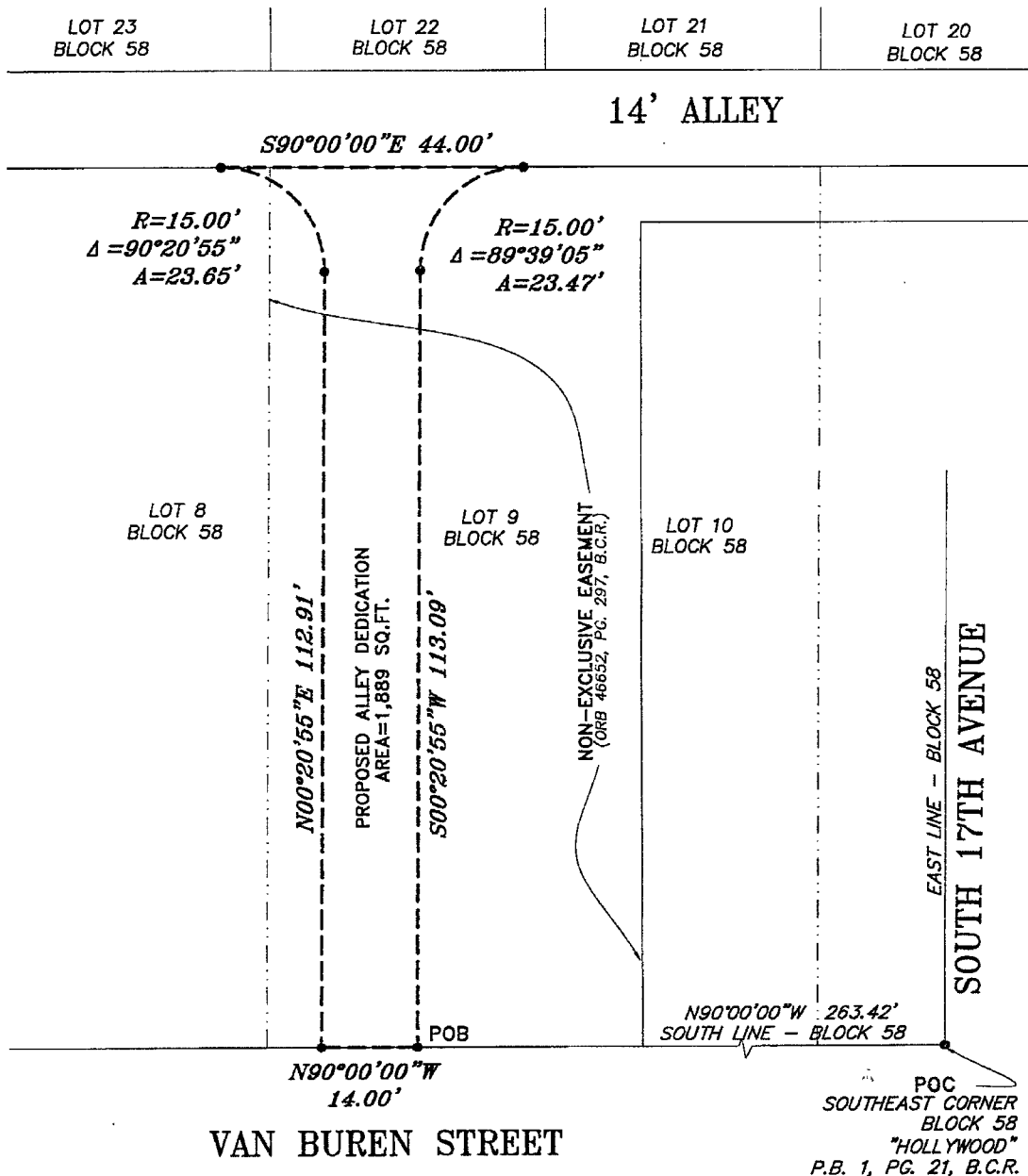
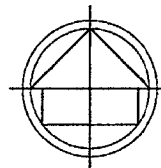
PROJECT NUMBER : 5418-05

CLIENT :
WSG DEVELOPMENT COMPANY

LEGEND:

CKD CHECKED BY
DWN DRAWN BY
FB/PG FIELD BOOK AND PAGE
P.B. PLAT BOOK
B.C.R. BROWARD COUNTY RECORDS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

LAND DESCRIPTION AND SKETCH



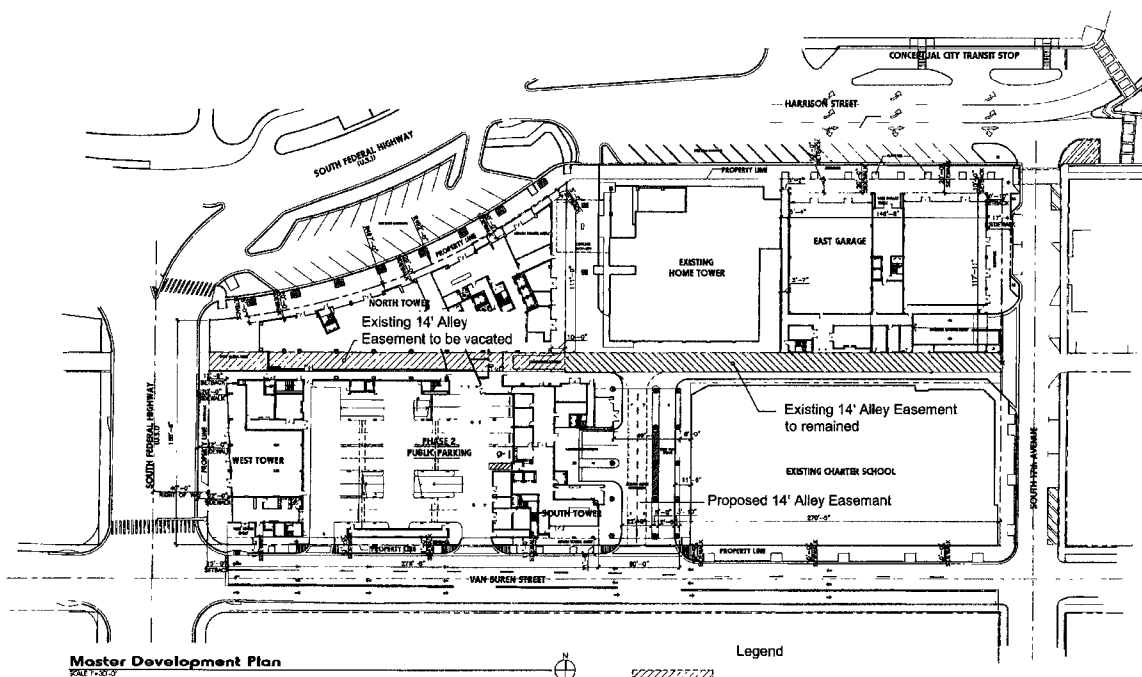
REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	07/10/18	-----	AV	REC

LAND DESCRIPTION
& SKETCH
FOR PROPOSED
14' ALLEY
DEDICATION

PROPERTY :
HOLLYWOOD BREAD




SCALE: 1" = 20'

SHEET 2 OF 2



Master Development Plan
SCALE 1"=30'-0"

Legend

-  Existing 14' Alley Easement to be vacated
-  Existing 14' Alley Easement to be remained
-  Proposed 14' Alley Easement



Parc Place
Phase 1, 2 & 3
Hollywood, Florida

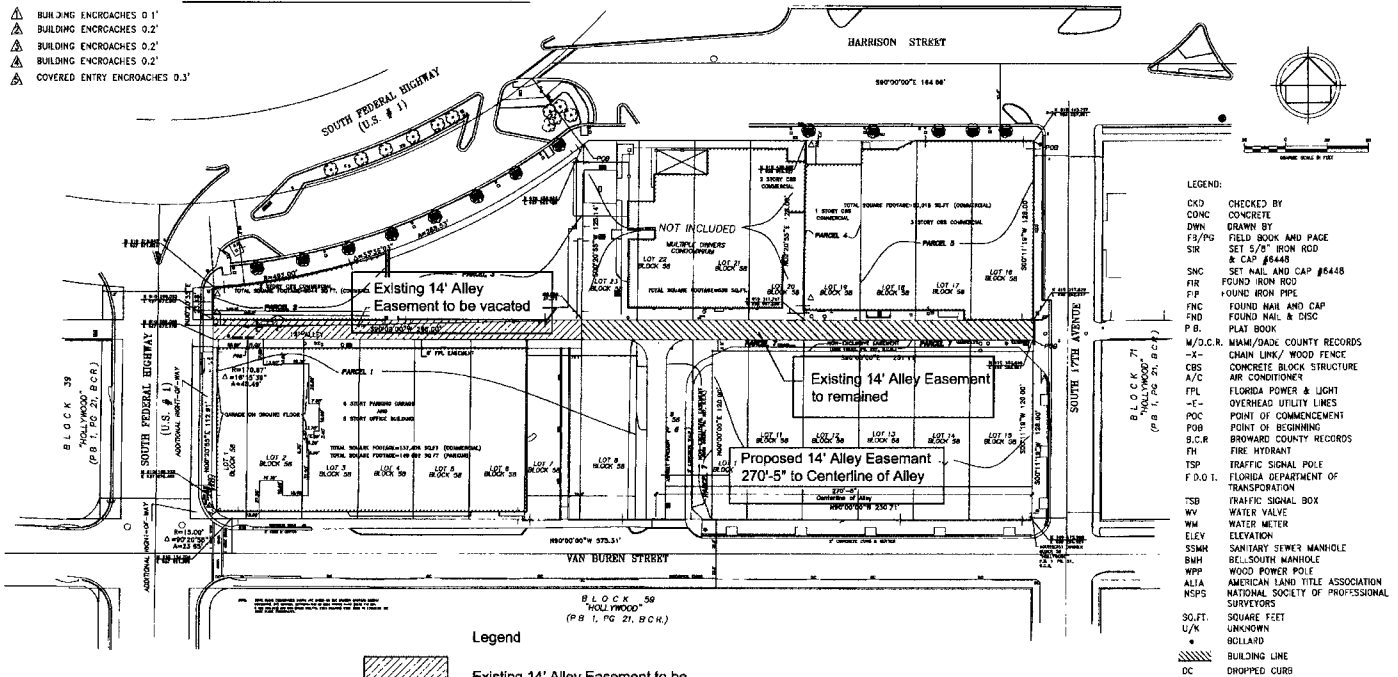
MASTER DEVELOPMENT PLAN IN BLACK & WHITE

Project Number: 825187
As Shown
06/18/2018
Final TAC
A0.02d

ENCROACHMENTS

- ▲ BUILDING ENCROACHES 0.1'
 ▲ BUILDING ENCROACHES 0.2'
 ▲ BUILDING ENCROACHES 0.2'
 ▲ BUILDING ENCROACHES 0.2'
 ▲ COVERED ENTRY ENCROACHES 0.3'

ALTA/NSPS LAND TITLE SURVEY



FLOOD ZONE INFORMATION	
COMMUNITY NUMBER	125113
FEMA NUMBER	9999 II
ZONE	22 (X)
BASE FLOOD ELEVATION	N/A
EFFECTIVE DATE	08/18/14

Legend

- Existing 14' Alley Easement to be vacated
 Existing 14' Alley Easement to be remained
 Proposed 14' Alley Easement

NET AREA

PARCEL A AREA	=	75,500	SQ. FT.	/	1.7332 ACRES
PARCEL B AREA	=	21,098	SQ. FT.	/	0.4843 ACRES
PARCEL C AREA	=	15,693	SQ. FT.	/	0.3606 ACRES
LESS OUT	=	27,709	SQ. FT.	/	0.6361 ACRES
TOTAL NET AREA	=	84,582	SQ. FT.	/	1.9419 ACRES
TOTAL GROSS AREA	=	141,083	SQ. FT.	/	3.2388 ACRES

COUSINS SURVEYORS & ASSOCIATES, INC.

8921 SW 47TH AVENUE, SUITE 1011
 DAVIS, FLORIDA 33514
 CERTIFICATE OF AUTHORIZATION: LB # 6448
 PHONE (941) 699-7768 FAX (941) 699-7769

CLIENT:

MD3 HOLLYWOOD LLC

PARC PLACE TOWERS

PORTION OF BLOCK 58
 HOLLYWOOD, FLORIDA

REVISIONS

DATE	BY	APP'D	CHK'D
11/11/14	MD3	MD3	MD3
11/11/14	MD3	MD3	MD3
11/11/14	MD3	MD3	MD3

REVISIONS

DATE	BY	APP'D	CHK'D
11/11/14	MD3	MD3	MD3
11/11/14	MD3	MD3	MD3
11/11/14	MD3	MD3	MD3

PROJECT NUMBER	5418-05
SCALE	1" = 30'
SHEET	2