



**STONER & ASSOCIATES, INC.**

**SURVEYORS - MAPPERS**

Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997

Fax (954) 585-3927

**LEGAL DESCRIPTION OF  
VACATED RIGHT-OF-WAY TIGERTAIL BLVD.  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

**LEGAL DESCRIPTION:**

THAT PORTION OF THE RIGHT-OF-WAY DESCRIBED IN OFFICIAL RECORDS BOOK 4144, PAGE 694, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 25.00 FEET OF THE WEST 100.00 FEET OF TRACT 3, TIGERTAIL GROVE RESUBDIVISION AS RECORDED IN PLAT BOOK 30, PAGE 20, OF THE SAID PUBLIC RECORDS;

SAID LANDS SITUATE AND BEING WITHIN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 2,500 SQUARE FEET, MORE OR LESS.

**NOTES:**

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE BEARINGS SHOWN HEREON ARE BASED ON N.01°41'47"W., ALONG THE EAST LINE SOUTHWEST ONE-QUARTER (S.W.1/4), SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
5. THIS SKETCH OF DESCRIPTION WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC.
6. SEE SHEET 2 OF 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PROPERTY DESCRIBED HEREON.

RECEIVED  
MAR 03 2016

**CERTIFICATE:**

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE: Feb 29, 2016

**RICHARD G. CRAWFORD Jr.**

PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC. COPYRIGHT©2016

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
2/29/16	DRL	RGC	N/A

**SEAL**  
NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

FILE COPY

SHEET 1 OF 2

SKETCH NO. 14-8058\_V-RW



**STONER & ASSOCIATES, INC.**

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and Mapping Business No. 6633

4341 S.W. 62nd AVE.  
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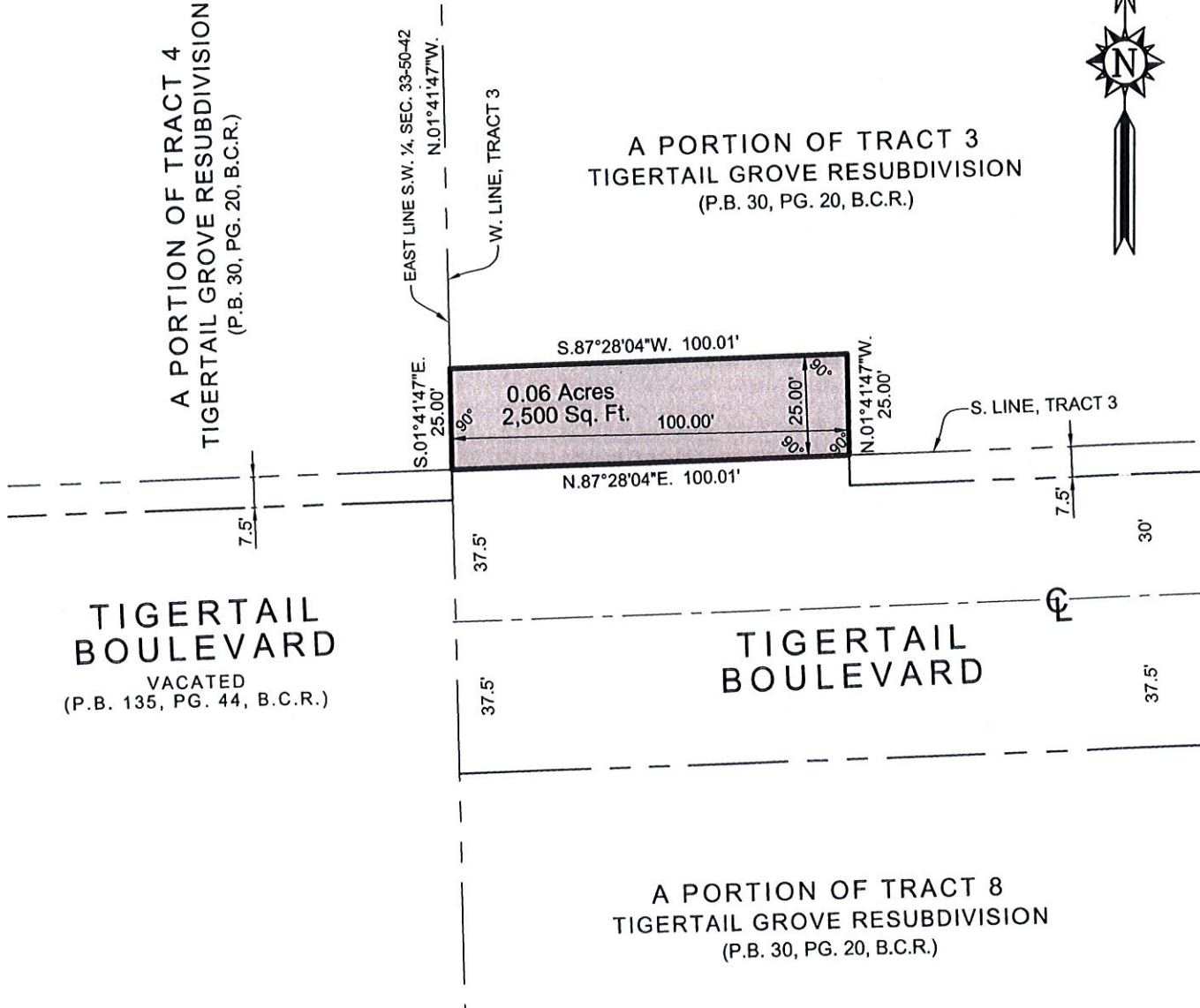
**SKETCH OF DESCRIPTION**

**VACATED RIGHT-OF-WAY TIGERTAIL BLVD.  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**



A PORTION OF TRACT 3  
TIGERTAIL GROVE RESUBDIVISION  
(P.B. 30, PG. 20, B.C.R.)

A PORTION OF TRACT 4  
TIGERTAIL GROVE RESUBDIVISION  
(P.B. 30, PG. 20, B.C.R.)



**TIGERTAIL BOULEVARD**  
VACATED  
(P.B. 135, PG. 44, B.C.R.)

**TIGERTAIL BOULEVARD**

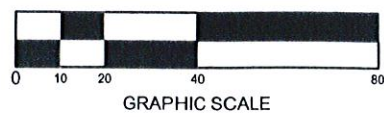
A PORTION OF TRACT 8  
TIGERTAIL GROVE RESUBDIVISION  
(P.B. 30, PG. 20, B.C.R.)

**LEGEND:**

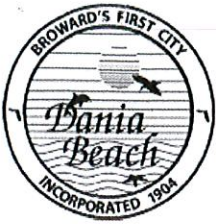
- P.B. .... PLAT BOOK
- PG. .... PAGE
- B.C.R. .... BROWARD COUNTY RECORDS
- ☉ .... CENTERLINE
- SQ. FT. .... SQUARE FEET

**NOTE:**  
SEE SHEET 1 OF 2 FOR THE LEGAL  
DESCRIPTION OF THE PROPERTY  
SHOWN GRAPHICALLY HEREON.

SCALE: 1" = 40'



SHEET 2 OF 2	SKETCH NO. 14-8058 V-R/W
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**City of Dania Beach, Florida**  
**Department of Community Development**  
**Planning and Zoning Division**  
**(954) 924-6805 X3643**  
**(954) 922-2687 Fax**

**Standard Development Application**

**RECEIVED**  
**FEB 04 2016**

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: Easement Vacation (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: \_\_\_\_\_

Petition No.: VC-19-16

**THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS.** Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: N/A

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Recorded Plat Name: Dania Office Park Subject easement: ORBK 15978-415

Folio Number(s): 504233430010 Legal Description: Please see attached

Applicant/Consultant/Legal Representative (circle one) Linda C. Strutt, AICP

Address of Applicant: 227 Goolsby Blvd. Deerfield Beach, FL 33442

Business Telephone: 954-426-4305 Home: \_\_\_\_\_ Fax: 954-725-3342

E-mail address: linda@struttconsulting.com

Name of Property Owner: Dania Live 1748, LLC

Address of Property Owner: 6060 Piedmont Row Drive South, Suite 200, Charlotte, NC 28287

Business Telephone: 704-362-6112 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

**Explanation of Request:** Vacation of utility easement dedicated to City for water and sewer  
 For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: N/A Gross Acreage: 0.29 Prop. Square Footage: N/A

Existing Use: municipal utilities Proposed Use: building, parking, landscaping

Is property owned individually, by a corporation, association, or a joint venture? \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE**

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Greenspoon Marder (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

By: [Signature]  
(Owner / Agent signature\*)  
Dania Live 1748, LLC

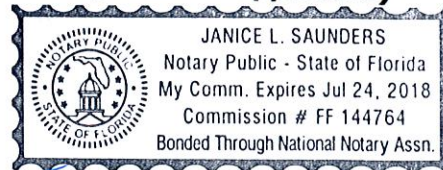
BEFORE ME THIS 17th DAY OF December, 20 15.

By:

Janice Saunders  
(Print name of person acknowledging)

\_\_\_\_\_  
(Joint owner signature if applicable)

Notary Janice Saunders  
(Signature of Notary Public - State of FL)



Personally known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Type of identification produced: D/L (SC) or Drivers License # 101182084

**\*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

**NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.**

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.**



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4341 S.W. 62nd Avenue  
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Tel. (954) 585-0997  
Fax (954) 585-3927

## LEGAL DESCRIPTION OF 15 FOOT WIDE UTILITY EASEMENT CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

### LEGAL DESCRIPTION:

A 15 FOOT STRIP OF LAND BEING A PORTION OF PARCEL "A", DANIA OFFICE PARK, AS RECORDED IN PLAT BOOK 130, PAGE 29, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL "A";

THENCE ON A PLAT BEARING OF S.01°09'03"E., ALONG THE EAST LINE OF SAID PARCEL "A" A DISTANCE OF 441.58 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID 15 FOOT EASEMENT;

THENCE S.87°46'58"W., A DISTANCE OF 1.41 FEET TO A POINT TO BE REFERRED TO LATER IN THIS DESCRIPTION AS POINT "A";

THENCE CONTINUE S.87°46'58"W., A DISTANCE OF 196.96 FEET TO A POINT TO BE REFERRED TO LATER IN THIS DESCRIPTION AS TO POINT "B";

THENCE CONTINUE S.87°46'58"W., A DISTANCE OF 243.00 FEET TO A POINT TO BE REFERRED TO LATER IN THIS DESCRIPTION AS TO POINT "C"

THENCE N.02°13'02"W., A DISTANCE OF 188.00 FEET TO A POINT TO BE REFERRED TO LATER IN THIS DESCRIPTION AS TO POINT "D";

THENCE N.87°46'58"E., A DISTANCE OF 25.30 FEET;

THENCE N.68°16'58"E., A DISTANCE OF 38.38 FEET;

THENCE N.33°16'58"E., A DISTANCE OF 47.56 FEET;

THENCE N.02°13'02"W., A DISTANCE OF 10.34 FEET TO THE POINT OF TERMINATION;

TOGETHER WITH:

COMMENCE AT SAID POINT "A";

THENCE N.02°13'02"W., A DISTANCE OF 19.25 FEET TO THE POINT OF TERMINATION;

TOGETHER WITH:

COMMENCE AT SAID POINT "B";

THENCE N.02°13'02"W., A DISTANCE OF 31.63 FEET TO THE POINT OF TERMINATION;

TOGETHER WITH:

COMMENCE AT SAID POINT "C";

THENCE S.02°13'02"E., A DISTANCE OF 197.63 FEET TO THE POINT OF TERMINATION;

TOGETHER WITH:

COMMENCE AT SAID POINT "D";

THENCE N.02°13'02"W., A DISTANCE OF 13.02 FEET;

THENCE N.47°13'02"W., A DISTANCE OF 23.07 FEET;

THENCE N.87°46'38"W., A DISTANCE OF 10.47 FEET TO THE POINT OF TERMINATION;

SAID LANDS SITUATE WITHIN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, CONTAINING 0.34 ACRES, MORE OR LESS.

RECEIVED  
MAR 03 2016  
FILE COPY

### CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE: Dec 22, 2015

BY: **RICHARD G. CRAWFORD Jr.**

PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.  
COPYRIGHT©2015

DATE OF SKETCH: 12/22/15

DRAWN BY: DRL

CHECKED BY: RGC

FIELD BOOK: N/A

SEAL  
NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

SHEET 1 OF 2

SKETCH NO. 14-8058 15 U.E.

**SKETCH OF DESCRIPTION  
15 FOOT WIDE UTILITY EASEMENT  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**



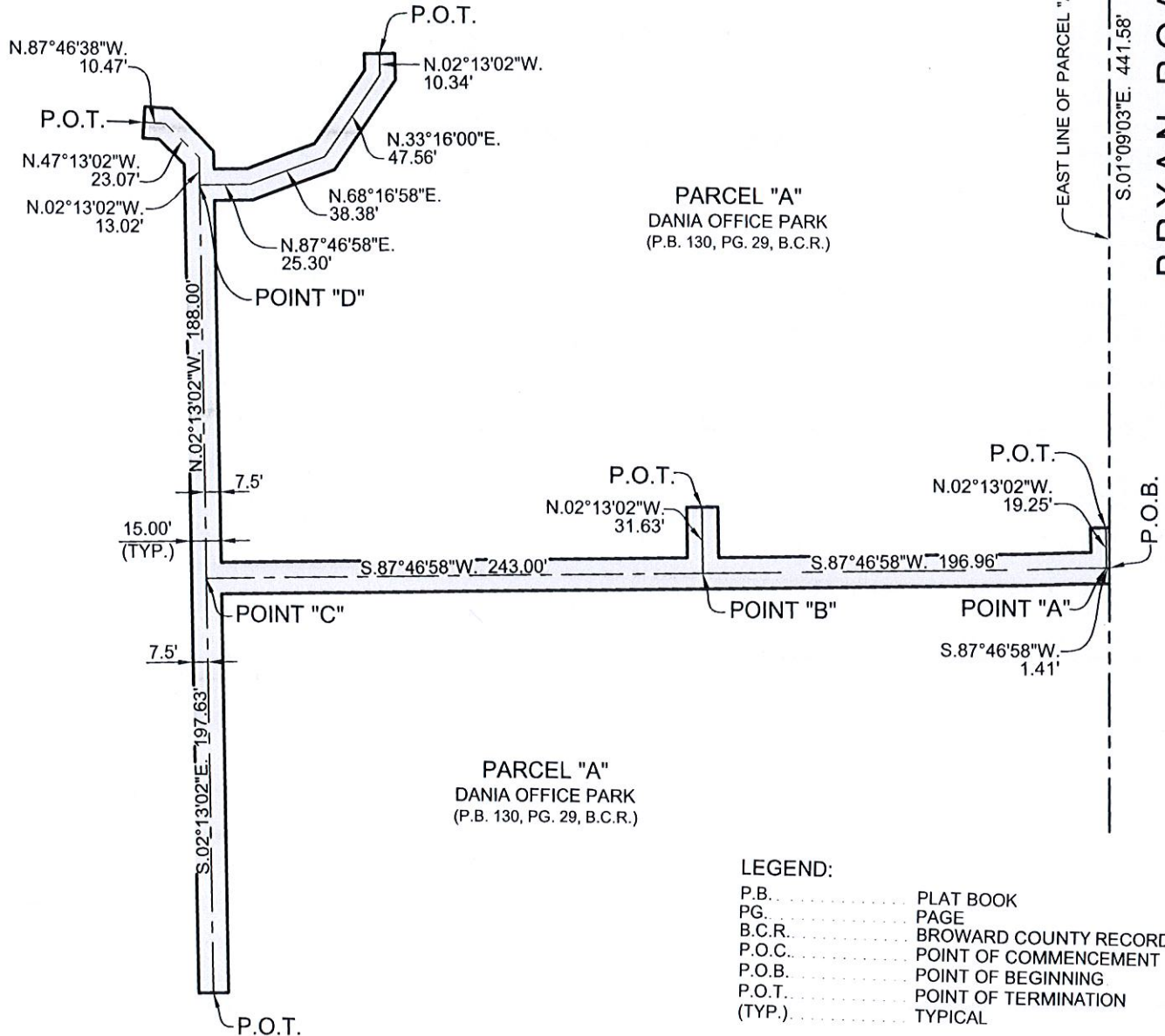
P.O.C.  
NE. CORNER  
DANIA OFFICE PARK  
(P.B. 130, PG. 29, B.C.R.)

EAST LINE OF PARCEL "A"  
S.01°09'03"E. 441.58'

**BRYAN ROAD**

PARCEL "A"  
DANIA OFFICE PARK  
(P.B. 130, PG. 29, B.C.R.)

PARCEL "A"  
DANIA OFFICE PARK  
(P.B. 130, PG. 29, B.C.R.)



- LEGEND:**
- P.B. . . . . . PLAT BOOK
  - PG. . . . . PAGE
  - B.C.R. . . . . BROWARD COUNTY RECORDS
  - P.O.C. . . . . POINT OF COMMENCEMENT
  - P.O.B. . . . . POINT OF BEGINNING
  - P.O.T. . . . . POINT OF TERMINATION
  - (TYP.) . . . . . TYPICAL

**Linda Strutt**

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 6:47 PM  
**To:** 'Maxwell-Newbold, Leonard'  
**Subject:** Dania Pointe Easement Vacations  
**Attachments:** Comcast Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

For your information, I have attached the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

*954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell*

**FILE COPY**

**RECEIVED**  
**FEB 04 2016**  
BY: \_\_\_\_\_



**linda strutt consulting, inc.**

planning strategy development services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Leonard Maxwell-Newbold  
Regional Permit Administrator  
Comcast/Southern Division (RDC)  
2601 SW 145<sup>th</sup> Avenue  
Miramar, FL 33027

Dear Mr. Maxwell-Newbold:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.
- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground



water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated.

Please address the response to me on Comcast letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Strutt".

Linda C. Strutt, AICP

Enclosures

**Linda Strutt**

---

**To:** mjchamorro@tecoenergy.com  
**Subject:** Dania Pointe Municipal Utility Easement Vacations  
**Attachments:** TECO Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

For your information, I have attached the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

*954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell*

**FILE COPY**





**linda strutt consulting, inc.**

planning survey design-build services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Max Chamorro  
TECO Peoples Gas  
5101 NW 21<sup>st</sup> Avenue #460  
Fort Lauderdale, Florida 33309

Dear Mr. Chamorro:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.
- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground

water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated.

Please address the response to me on TECO letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Strutt". The signature is written in dark ink and is positioned below the word "Sincerely,".

Linda C. Strutt, AICP

Enclosures

**Linda Strutt**

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 2:54 PM  
**To:** 'FARQUHARSON, ANDREW M'  
**Subject:** Dania Pointe Municipal Utility Easement Vacations  
**Attachments:** ATT Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf; ATT Draft Letter for City UEs Dania Pte.doc

Hello, Andrew!

I am handling the vacation of easements granted by separate instrument within the property assembled in Dania Beach on the north side of Stirling Road between Bryan Road and I-95 to be redeveloped. This property is currently being replatted as Dania Pointe.

At this time we are submitting two applications to the City of Dania Beach to vacate two utility easements dedicated to the City for water and sewer purposes. The City requires that we notify all franchise utilities of the vacation request and seek a letter of no objection.

I have attached the legal sketches and descriptions as well as the recorded instruments for these two easements. As you can see, they were dedicated to the City for specific purposes and they are currently being used for those utilities.

Any easements granted to ATT will be the subject of a direct request to ATT for release.

Please don't hesitate to contact me if you have any questions.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell

**FILE COPY**

**RECEIVED**  
FEB 04 2016



**linda strutt consulting, inc.**

planning strategy development services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Andrew Farquharson  
AT&T Florida  
Specialist-OSP Engineering  
8601 West Sunrise Boulevard  
Plantation, FL 33322

Dear Mr. Farquahar:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to ATT by separate instrument.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.

- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on ATT letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures

**Linda Strutt**

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 6:23 PM  
**To:** 'david.gill@fpl.com'  
**Subject:** Dania Pointe Proposed Municipal Utility Easement Vacations  
**Attachments:** FPL Request Letter for Dania Pte City UEs (1).pdf; FPL Draft LONO for City UEs Dania Pte.doc; ORB15978PG415.pdf; UE Legal 15978-415.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 13770-0010.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

There are several FPL easements which we will need released but they are not the subject of this request as they will not be subject to the City's vacation process. We will contact you separately for those releases.

For your convenience, I have attached a draft response letter as well as the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell

**FILE COPY**







linda strutt consulting, inc.

planning strategy design services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. David Gill  
Florida Power & Light  
4000 Davie Road Ext.  
Davie Florida 33004

Dear Mr. Gill:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to FPL by separate instrument.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.

- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on FPL letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures

88473770

EASEMENT

THIS INDENTURE made this 4th day of August 1988, between BRYAN OAKS PARTNERSHIP party of the first part and The City of Dania, a political subdivision of the State of Florida, party of the second part.

88 NOV 23 PM 2: 25

WITNESSETH

WHEREAS, the party of the first part is the owner of property situate in Broward County, Florida, and described as follows:

See attached Exhibit "A" herewith made a part of this agreement.

and,

WHEREAS, the party of the second part desires an easement for water and/or sanitary sewage lines along said property, and

WHEREAS, the party of the first part is willing to grant such easement,

NOW, THEREFORE, for and in consideration of the mutual covenants each to the other running and one dollar and other good and valuable considerations, the party of the first part does hereby grant unto the party of the second part, its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild water and/or sanitary sewerage facilities and does hereby grant a perpetual easement in, over, under, through, upon and/or across the above described lands for said purposes.

IN WITNESS WHEREOF the said Parties has caused its corporate name to be hereunto signed and its corporate seal affixed, by its proper officers thereunto duly authorized, on this 4th day of August A.D. 19 88.

88 5 9 7 8 PM 0 4 15

(CORPORATE SEAL)

Michael Dickinson  
Secretary

J. Edwin Brill  
J. Edwin Brill, President Commercial Partner  
The Babcock Company  
FOR  
BRYAN OAKS PARTNERSHIP

Witnesses:  
John H. Harmon  
Antonia L. Linn

2984m/229P/070788

FILE COPY

RECEIVED  
FEB 04 2016

1528  
R-24  
33

STATE OF FLORIDA \_\_\_\_\_ )

COUNTY OF BROWARD \_\_\_\_\_ ) SS

I HEREBY CERTIFY, That on this 4th day of August, 1988, before me personally appeared Joseph Ed Bell and Mildred D. Shington respectively President and Secretary of the Babcock Company to be known to be the persons described in and who executed the foregoing conveyance to the City of Dania and severally acknowledged the execution thereof to be their free act and deed as such officers, for the use and purpose herein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature at Coral Gables in the County of Dade and State of Florida the day and year last aforesaid.

Ante E. DeLeon  
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES SEP. 20, 1990  
BROWARD COUNTY DECEMBER 1988



BRN 5978P60416

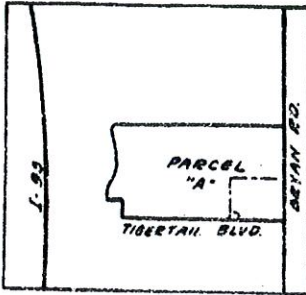
2312 WILTON DRIVE

WILLIAMS, HATFIELD AND STCNER, INC.

ENGINEERS • PLANNERS • SURVEYORS

FORT LAUDERDALE, FLORIDA

SKETCH AND DESCRIPTION

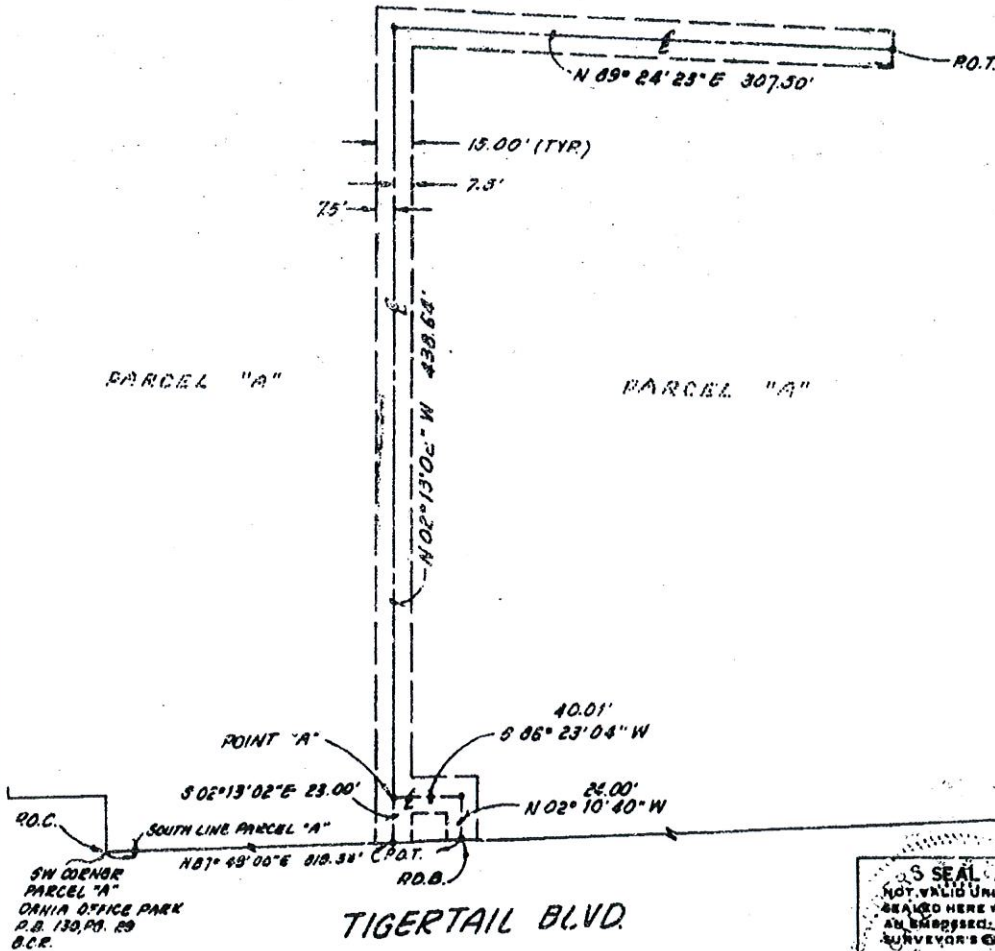


LOCATION SKETCH  
N.T.S.



SCALE  
1" = 80'

PARCEL "A"



PARCEL "A"

PARCEL "A"

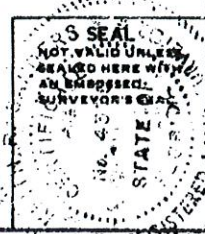
BM 597060417

TIGERTAIL BLVD.

SW CORNER  
PARCEL "A"  
ORLA OFFICE PARK  
P.B. 130, P.O. 29  
B.C.C.

MEMO: Legibility of writing  
typing or printing unsatisfactory in  
this document when microfilmed.

Sheet 1 of 2



CERTIFICATE

THIS IS TO CERTIFY THAT THE SKETCH SHOWN HEREON AND THE ATTACHED DESCRIPTION IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH UNDER RULE 11M-4 F.A.C. ADOPTED BY THE FLORIDA BOARD OF LAND SURVEYORS, SEPTEMBER 1, 1981.

REVISIONS	DATE	BY

Keith R. Sanders  
 PROFESSIONAL SURVEYOR NO. 4373  
 KEITH R. SANDERS

STATE OF FLORIDA

DATE 7/25/88	DRAWN BY L.M.G.	CHECKED BY K.E.S.	MANAGER K.E.S.
-----------------	--------------------	----------------------	-------------------

RECORD 2453-01

2312 WILTON DRIVE

**WILLIAMS, HATFIELD AND STONER, INC.**  
ENGINEERS • PLANNERS • SURVEYORS

FORT LAUDERDALE, FLORIDA

2453.01

**15 FOOT UTILITY EASEMENT  
BRYAN OAKS BUSINESS PARK**

A 15 foot wide utility easement being a portion of Parcel A, DANIA OFFICE PARK, as recorded in Plat Book 120, Page 29, of the Public Records of Broward County, Florida, the centerline of said 15 foot strip being more particularly described as follows:

COMMENCE at the Southwest corner of said Parcel "A";

THENCE on a plat bearing of N 87°49'00" E along the South line of said Parcel A, a distance of 819.33 feet to the POINT OF BEGINNING of the centerline of said 15 foot strip;

THENCE N 02°10'40" W a distance of 24.00 feet;

THENCE S 86°23'04" W a distance of 40.01 feet to a point to be referred to later in this description as Point "A";

THENCE N 02°13'02" W a distance of 436.64 feet;

THENCE N 89°24'23" E a distance of 307.50 feet to the Point of Termination.

Together with

Commence at said point "A";

THENCE S 02°13'02" E a distance of 23.00 feet to the Point of Termination.

Said land situate within the City of Dania, Broward County, Florida, containing 0.29 Acres, more or less.

DN 5938660418

12971/17D/072688

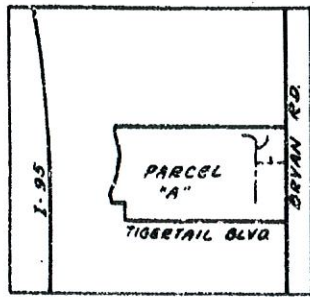
REVISIONS	DATE	BY

DATE 7/23/88	DRAWN BY	CHECKED BY K.R.S.	MANAGED BY K.R.S.
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Sheet 2 of 2

SECTION 2453-01

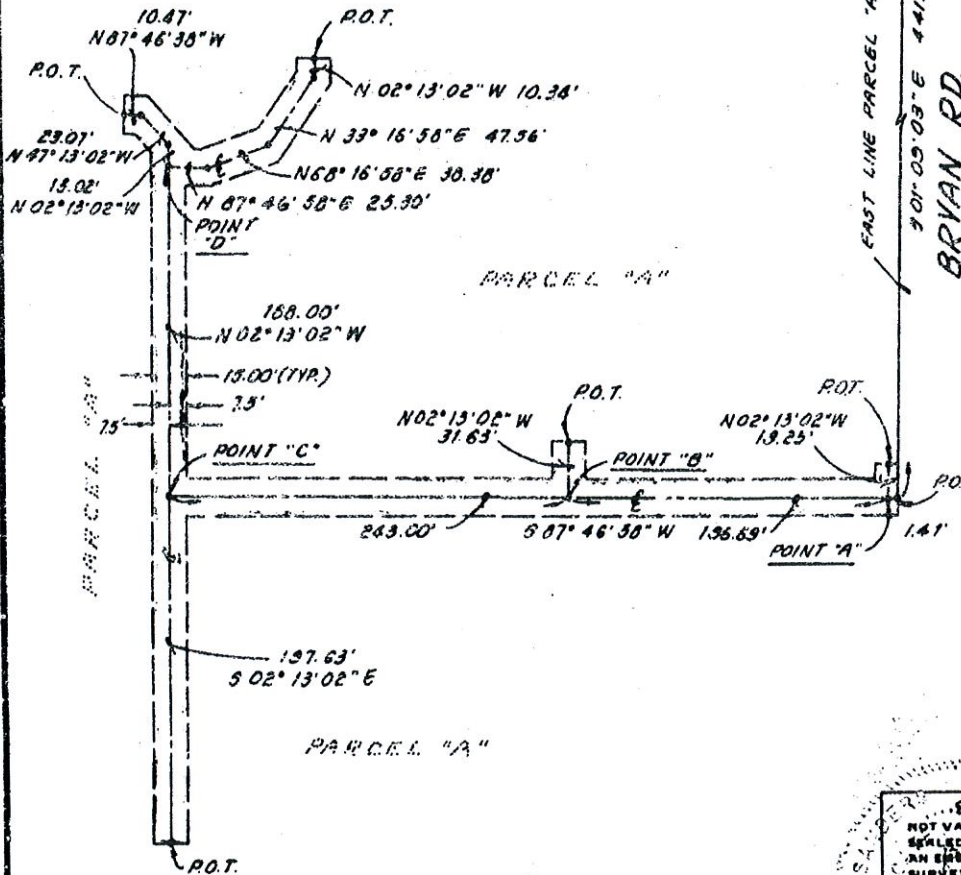
SKETCH AND DESCRIPTION



LOCATION SKETCH  
N.T.S.

SCALE 1" = 80'

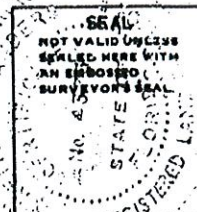
NE CORNER PARCEL "A"  
DANIA OFFICE PARK  
P.B. 130 P.G. 29  
B.C.R.



PL 578PC0419

This document was prepared using AutoCAD software.

Sheet 1 of 2



**CERTIFICATE**  
THIS IS TO CERTIFY THAT THE SKETCH SHOWN HEREON AND THE ATTACHED DESCRIPTION IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH UNDER RULE 11HH-9 F.A.C. ADOPTED BY THE FLORIDA BOARD OF LAND SURVEYORS, SEPTEMBER 1, 1981.

REVISIONS	DATE	BY	Keith R. Sanders PROFESSIONAL SURVEYOR NO. 4373 KEITH R. SANDERS	STATE OF FLORIDA
DATE	DRAWN BY	CHECKED BY	MANAGER	
7/25/00	L.M.G.	K.E.S.	K.E.S.	

2453-01

2312 WILTON DRIVE

**WILLIAMS, HATFIELD AND STONER, INC.**

ENGINEERS • PLANNERS • SURVEYORS

FORT LAUDERDALE, FLORIDA

2453.01

**15 FOOT UTILITY EASEMENT  
BRYAN OAKS BUSINESS PARK**

A 15 foot strip of land being a portion of Parcel A, DANIA OFFICE PARK, as recorded in Plat Book 130, Page 29, of the Public Records of Broward County, Florida, said centerline being more particularly described as follows:

COMMENCE at the Northeast corner of said Parcel "A";

THENCE on a plat bearing of S 01°09'03" E along the East line of said Parcel A a distance of 441.58 feet to the POINT OF BEGINNING of the centerline of said 15 easement;

THENCE S 87°46'58" W a distance of 1.41 feet to a point to be referred to later in this description as Point "A";

THENCE continue S 87°46'58" W a distance of 196.96 feet to a point to be referred to later in this description as Point B;

THENCE continue S 87°46'58" W a distance of 243.00 feet to a point to be referred to later in this description as Point "C";

THENCE N 02°13'02" W a distance of 188.00 feet to a point to be referred to later in this description as Point "D";

THENCE N 87°46'58" E a distance of 25.30 feet;

THENCE N 68°16'58" E a distance of 38.38 feet;

THENCE N 33°16'58" E a distance of 47.56 feet;

THENCE N 02°13'02" W a distance of 10.34 feet to the Point of Termination;

Together with:

COMMENCE at said Point "A";

THENCE N 02°13'02" W a distance of 19.25 feet to the Point of Termination;

Together with:

COMMENCE at said Point "B";

THENCE N 02°13'02" W a distance of 31.63 feet to the Point of Termination;

Together with:

COMMENCE at said Point "C";

THENCE S 02°13'02" E a distance of 197.63 feet to the Point of Termination;

Together with:

Commence at said Point "D";

THENCE N 02°13'02" W 13.02 feet;

THENCE N 47°13'02" W 23.07 feet;

THENCE N 87°46'38" W a distance of 10.47 feet to the Point of Termination.

Said land situate within the City of Dania, Broward County, Florida containing 0.34 Acres, more or less.

12971/17D/072688

PLAT S 978 FC 14 20

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA

L. A. HESTER  
COUNTY ADMINISTRATOR

REVISIONS	DATE	BY

7/25/08      DRAWN BY      CHECKED BY K.E.S.      MANAGER K.E.S.

Sheet 2 of 2

PLAT S 978 FC 14 20





**STONER & ASSOCIATES, INC.**

**SURVEYORS - MAPPERS**

Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997

Fax (954) 585-3927

**LEGAL DESCRIPTION OF  
15 FOOT WIDE UTILITY EASEMENT  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

**LEGAL DESCRIPTION:**

A 15 FOOT STRIP OF LAND BEING A PORTION OF PARCEL "A", DANIA OFFICE PARK, AS RECORDED IN PLAT BOOK 130, PAGE 29, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PARCEL "A";

THENCE ON A PLAT BEARING OF N.87°49'00"E., ALONG THE SOUTH LINE OF SAID PARCEL "A" A DISTANCE OF 819.33 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID 15 FOOT STRIP;

THENCE N.02°10'40"W., A DISTANCE OF 24.00 FEET;

THENCE S86°23'04"W., A DISTANCE OF 40.01 FEET TO A POINT TO BE REFERRED TO LATER IN THIS DESCRIPTION AS POINT "A";

THENCE N.02°13'02"W., A DISTANCE OF 438.64 FEET;

THENCE N89°24'23"E., A DISTANCE OF 307.50 FEET TO THE POINT OF TERMINATION.

**TOGETHER WITH:**

COMMENCE AT SAID POINT "A";

THENCE S.02°13'02"E., A DISTANCE OF 23.00 FEET TO THE POINT OF TERMINATION;

SAID LANDS SITUATE WITHIN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, CONTAINING 0.29 ACRES, MORE OR LESS.

FILE COPY

RECEIVED  
FEB 04 2016

**CERTIFICATE:**

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

DATE: Dec 22, 2015

**RICHARD G. CRAWFORD Jr.**

PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

REVISIONS	DATE	BY

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.  
COPYRIGHT©2015

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
12/22/15	DRL	RGC	N/A

**SEAL**  
NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

SHEET 1 OF 2

SKETCH NO.  
14-8058 15 U.E.-2



**STONER & ASSOCIATES, INC.**

**SURVEYORS - MAPPERS**

Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd AVE.  
Davie, Florida 33314

Tel. (954) 585-0997

Fax (954) 585-3927

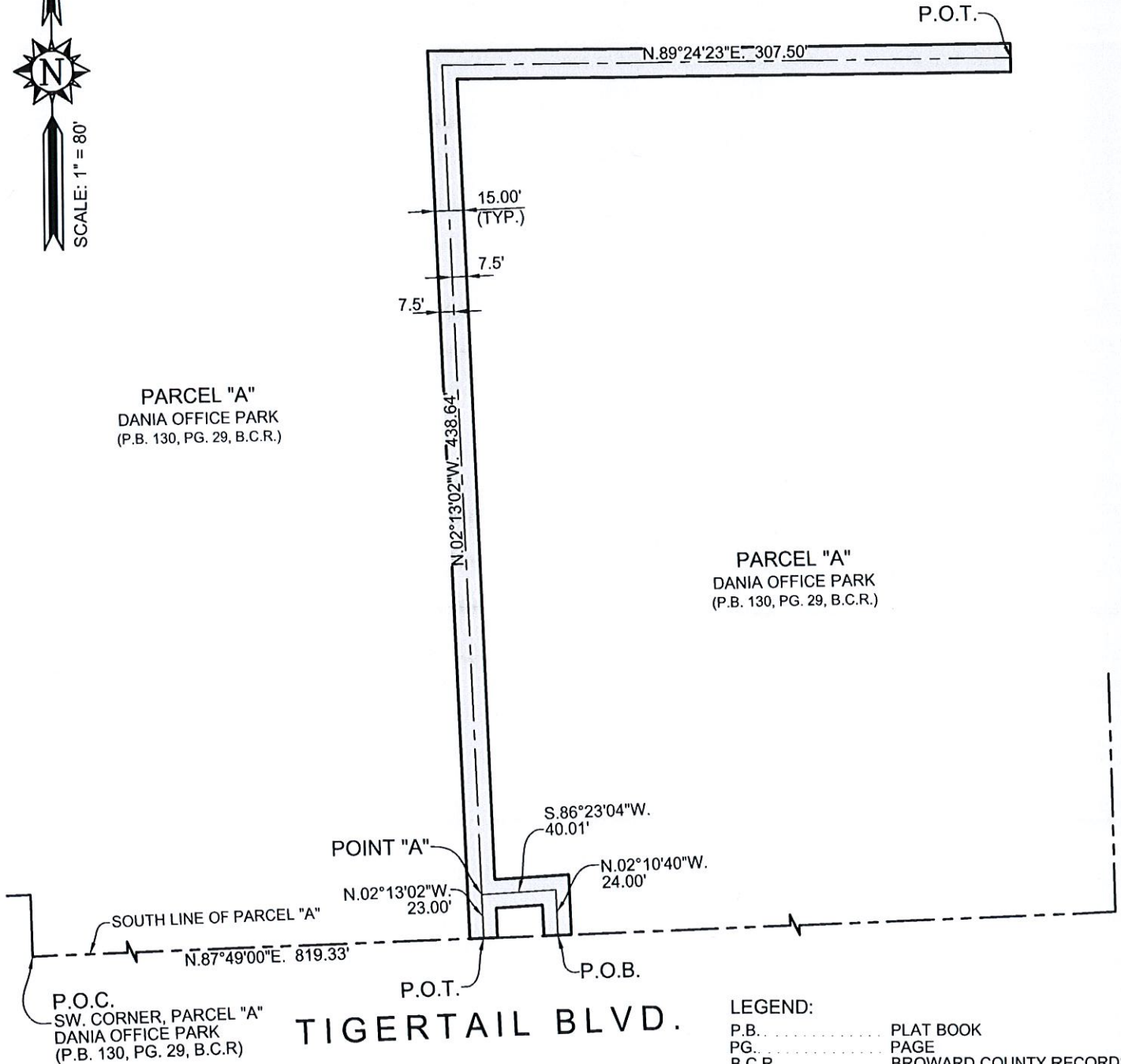
**SKETCH OF DESCRIPTION  
15 FOOT WIDE UTILITY EASEMENT  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**



SCALE: 1" = 80'

PARCEL "A"  
DANIA OFFICE PARK  
(P.B. 130, PG. 29, B.C.R.)

PARCEL "A"  
DANIA OFFICE PARK  
(P.B. 130, PG. 29, B.C.R.)



**TIGERTAIL BLVD.**

**LEGEND:**

- P.B. .... PLAT BOOK
- PG. .... PAGE
- B.C.R. .... BROWARD COUNTY RECORDS
- P.O.C. .... POINT OF COMMENCEMENT
- P.O.B. .... POINT OF BEGINNING
- P.O.T. .... POINT OF TERMINATION
- (TYP.) .... TYPICAL

## DANIA POINTE UTILITY EASEMENT VACATION APPLICATION DESCRIPTION AND JUSTIFICATION STATEMENT

The owner applicant is requesting vacation of a 15-foot wide utility easement dedicated to the City of Dania Beach recorded at OR Book 15978 Page 415 for "water and/or sanitary sewage lines." This easement is located within the Bryan Oaks Business Center plat and is currently being used for municipal utilities for the office buildings on this site.

The applicant is in the process of replatting the property as part of the Dania Pointe plat to be redeveloped as a mixed-use project. All platted easements and rights-of-way within the plat boundaries are being vacated by replat. Since this easement was granted by separate instrument rather than by plat, it cannot be vacated by the replat.

The existing buildings will be demolished and the existing utility lines will be removed to facilitate the proposed redevelopment. Easements will be granted for the utilities to serve the new project in conjunction with engineering design and permitting.

### VACATION REVIEW CRITERIA

Section 645-40(A) of the City's Code requires that an application to vacate right-of-way or the city's interest in an easement be reviewed in accordance with the following criteria. This narrative is intended to describe how this request addresses those criteria.

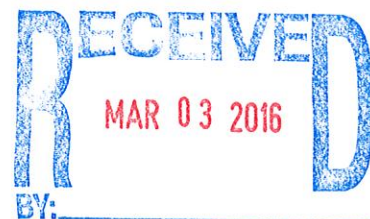
(1) ***Whether the vacation will adversely affect access to neighboring properties***

The subject easement was dedicated for the purpose of accommodating municipal water and/or sewer facilities only. It was not dedicated for public access purposes so there will be no effect on access. Moreover, the applicant is the owner of all neighboring properties.

(2) ***Whether the subject right-of-way or easement is needed for any public purpose***

The subject easement is no longer needed for any public or private purpose. The easement is located solely within property owned by the applicant, the facilities located within the easement serve only the structures on the site owned by the applicant which will be demolished in the near future to facilitate proposed redevelopment. Any easements needed to accommodate the new utilities serving the redevelopment of the site will be granted to the City.

FILE COPY



## DANIA POINTE UTILITY EASEMENT VACATION APPLICATION DESCRIPTION AND JUSTIFICATION STATEMENT

The owner applicant is requesting vacation of a 30-foot wide utility easement dedicated to the City of Dania Beach recorded at OR Book 13770 Page 0010 for water and sewer purposes. This easement is located within a portion of Tigertail Boulevard which was vacated. It is currently being used for municipal utilities.

The applicant is in the process of replatting the property as part of the Dania Pointe plat to be redeveloped as a mixed-use project. All platted easements and rights-of-way within the plat boundaries are being vacated by replat. Since this easement was granted by separate instrument rather than by plat, it cannot be vacated by the replat.

The easement and utilities conflict with the redevelopment plans. The applicant has agreed to execute a blanket agreement to afford the City access to the facilities until they have been removed or relocated into a new easement(s) in conjunction with engineering design and permitting.

### VACATION REVIEW CRITERIA

Section 645-40(A) of the City's Code requires that an application to vacate right-of-way or the city's interest in an easement be reviewed in accordance with the following criteria. This narrative is intended to describe how this request addresses those criteria.

(1) ***Whether the vacation will adversely affect access to neighboring properties***

The subject easement was dedicated for the purpose of accommodating municipal water and sewer facilities. It was not dedicated for public access purposes so there will be no effect on access. It lies within the Tigertail Boulevard corridor which will be vacated as part of the Dania Pointe replat.

(2) ***Whether the subject right-of-way or easement is needed for any public purpose***

The subject easement conflicts with the redevelopment plans for the Dania Pointe PMUD. The applicant has agreed to execute a blanket agreement to afford the City access to the facilities until they have been removed or relocated into a new easement(s) in conjunction with engineering design and permitting. Since the purposes of the recorded easement will be served by the agreement as long as the facilities remain in place, the easement is no longer needed for any public purpose.

FILE COPY



**CITY OF DANIA BEACH  
DRC COMMENTS FEBRUARY 17, 2016  
DANIA POINTE UTILITY EASEMENT VACATIONS  
#VC-19-16 AND #VC-20-16**

**Planning : Corinne Lajoie  
December 7, 2015**

**COMMENT:**

3. Per Section 655-40(A) applicant must provide written justification statement identifying how the vacation request meets the criteria identified in the City's LDC. Provide missing justification statement.

**RESPONSE:**

*The justification statement addressing 655-40(A) criteria is included with this resubmittal.*

**COMMENT:**

4. Per Section 655-40(B) applicant will have to provide proof of compliance with this section of the LDC.

**RESPONSE:**

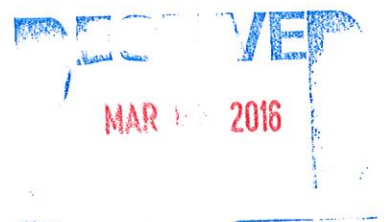
*Acknowledged.*

**COMMENT:**

6. Provide missing legal sketch and description for Bryan Oaks (015978-415).

**RESPONSE:**

*The full document by which this easement was granted was submitted with the original application but a portion of the legal description was inadvertently omitted. Five signed and sealed copies of that portion of the legal sketch and description are included with this resubmittal.*





City of Dania Beach, Florida  
 Department of Community Development  
 Planning and Zoning Division  
 (954) 924-6805 X3643  
 (954) 922-2687 Fax

**Standard Development Application**

**RECEIVED**  
 FEB 04 2016

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance

Date Rec'd: \_\_\_\_\_

Petition No.: VC-20-16

Other: Easement Vacation (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

**THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS.** Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: N/A

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Recorded Plat Name: Tigertail Grove Resubdivision (vacated portion of Tigertail Blvd. ORBK 13770-0010)

Folio Number(s): 504233030050 Legal Description: Please see attached

Applicant/Consultant/Legal Representative (circle one) Linda C. Strutt, AICP

Address of Applicant: 227 Goolsby Blvd. Deerfield Beach, FL 33442

Business Telephone: 954-426-4305 Home: \_\_\_\_\_ Fax: 954-725-3342

E-mail address: linda@struttconsulting.com

Name of Property Owner: Dania Live 1748, LLC

Address of Property Owner: 6060 Piedmont Row Drive South, Suite 200, Charlotte, NC 28287

Business Telephone: 704-362-6112 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

**Explanation of Request:** Vacation of utility easement dedicated to City for water and sewer  
 For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: N/A Gross Acreage: 0.37 Prop. Square Footage: N/A

Existing Use: municipal utilities Proposed Use: parking/landscaping/building

Is property owned individually, by a corporation, association, or a joint venture? limited liability corporation

**AUTHORIZED REPRESENTATIVE**

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Greenspoon Marder (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

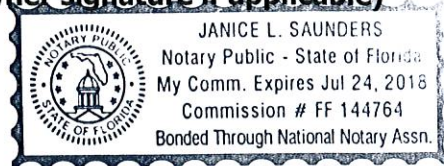
By: [Signature]  
(Owner / Agent signature\*)  
Dania Live 1748, LLC

BEFORE ME THIS 17th DAY OF December, 2015

By: Janice Saunders.  
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Janice Saunders.  
(Signature of Notary Public – State of FL)



Personally known \_\_\_\_\_ or Produced Identification Drivers License. (SC)

Type of identification produced: D/L (SC) or Drivers License # 101182084

**\*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

**NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.**

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF  
BEFORE PROCESSING OCCURS.**

86366354

UTILITY EASEMENT

ERNEST KLATT and VIOLET KLATT, his wife, as Grantors, for good and valuable consideration do hereby grant an Easement, described below, to THE CITY OF DANIA, FLORIDA, a political subdivision of the State of Florida, Grantee, having its principal place of business at 100 W. Dania Beach Blvd., Dania, Florida, as follows:

SEP 29 12 52 PM '86

1. GRANT. Grantors do hereby grant to Grantee, its successors and assigns an Easement under the property described on Exhibit "A" for the construction, operation and maintenance of underground water and sewerage lines and facilities to be installed from time to time in the Easement with the right to reconstruct, improve, enlarge, and remove such lines and facilities or any of them within the Easement.

2. GRANTEE'S RIGHTS. Grantees shall have the right of ingress and egress to and upon the Easement at all times for the purposes stated under Paragraph 1. If the construction, operation and maintenance of the water and sewerage lines and facilities in the Easement would require the removal of any asphalt over the Easement, the asphalt once removed shall be replaced to a state and condition existing prior to the commencement of the removal of such asphalt.

3. GRANTORS' RIGHTS. The grant of this Easement to Grantee shall in no way restrict the right or interest of the Grantors in the use, maintenance and quiet enjoyment of the surface of the property included in the Easement and the air rights above such property if the use thereof does not interfere with the rights granted to Grantee herein. Specifically, Grantors may use the surface of the property for parking, roadways and landscaping. Grantors shall not be assessed by Grantee any ad valorem taxes with regard to the property included within the Easement. Grantee shall be liable for personal injuries and damage to real or personal property that may result from its use of the Easement, and shall indemnify and save Grantors harmless from any cause of action or claim for personal injuries and damage arising out of the use of the Easement by Grantee not caused by the negligence of Grantors or their agents.

4. RELOCATION. Grantors reserve the right to relocate the Easement described in paragraph 1. with an equivalent Easement at Grantors' expense provided such new easement shall not impair the flow of water and sewerage in the lines across such new easement. Upon the granting of such new easement, Grantee agrees to execute at Grantors' request a termination of this Easement in recordable form to be placed in the Public Records of Broward County, Florida, terminating this Easement.

5. DURATION. This Easement shall run with the land in perpetuity and shall be binding on and shall inure to the benefits of the parties hereto, their successors or assigns.

IN WITNESS WHEREOF, the Grantor herein has hereunto caused this instrument to be executed this 2nd day of June, 1986.

Signed, sealed and delivered in the presence of:

Robert Smathers  
ERNEST KLATT

Ernest Klatt  
ERNEST KLATT

Pat Reira  
AS TO ERNEST KLATT

Violet Klatt  
VIOLET KLATT

Robert Smathers

Pat Reira  
AS TO VIOLET KLATT

GRANTORS

FILE COPY

17/1

RETURN TO: Mercedes Mallikain  
City Clerk-Auditor  
100 W. Dania Beach Blvd.  
Dania, Florida 33004

APPROVED FOR FORM AND CORRECTNESS  
By Robert C. Allen  
City Attorney  
City of Dania, Fla.

OFF 13770ps

RECEIVED  
FEB 04 2016

RECEIVED  
FEB 04 2016



STATE OF NORTH CAROLINA )

COUNTY OF Macon

1 88.  
)

I HEREBY CERTIFY that on this 26 day of June, 1986, before me personally appeared ERNEST KLATT and VIOLET KLATT, his wife, to me known to be the persons described in the foregoing instrument and they severally acknowledged executing the same in the presence of two (2) subscribing witnesses freely and voluntarily under the authority duly vested in them.

WITNESS my hand and official seal in the County and State last aforesaid this 26 day of June, 1986.

Noland Kay Brantley  
NOTARY PUBLIC



My Commission Expires: 3/1/88

(K1:UE1-UE2)

FILED 1377056

11

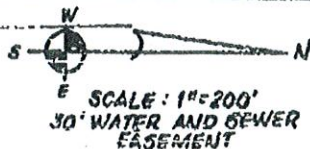
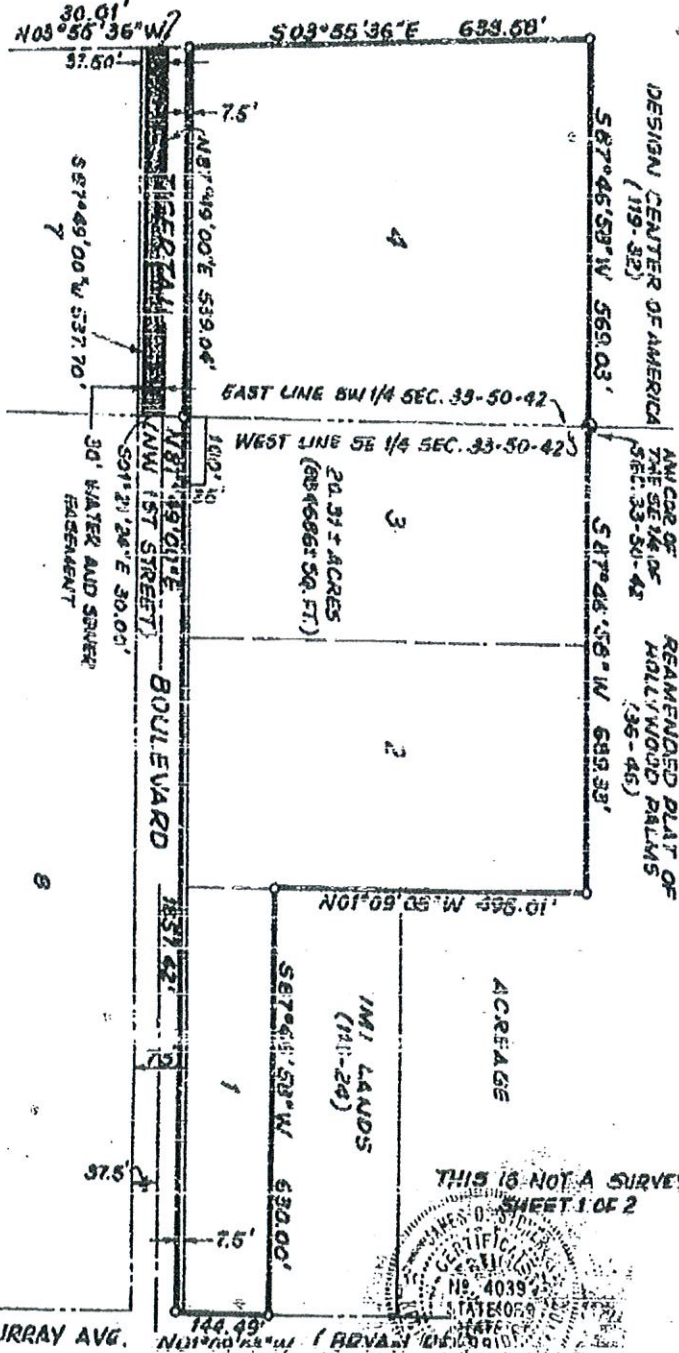


EXHIBIT A  
**STATE ROAD NO. 9**  
 (INTERSTATE I-95)



SEE 13770 PG 12

THIS IS NOT A SURVEY  
 SHEET 1 OF 2



REVISIONS	DATE	BY

22465-0

WILLIAMS, HATFIELD AND STONER, INC.

2312 WILTON DRIVE

ENGINEERS • PLANNERS • SURVEYORS

FT. LAUDERDALE, FLORIDA

2245-01

30 FOOT WATER & SEWER  
EASEMENT

A 30.00 foot Water and Sewer Easement being a portion of Tigertail Boulevard, (N.W. 1st Street) TIGERTAIL GROVE RESUBDIVISION as recorded in Plat Book 30, Page 20 of the Public Records of Broward County, Florida, said easement being more particularly described as follows:

The North 30.00 feet of the South 37.50 feet of that portion of Tigertail Boulevard (N.W. 1st Street) as shown on said "TIGERTAIL GROVE RESUBDIVISION" lying East of the East right-of-way line of State Road No. 9 (Interstate 95) as shown on said "TIGERTAIL GROVE RESUBDIVISION" and lying West of the Northerly prolongation of the East line of Lot 7 of said TIGERTAIL GROVE RESUBDIVISION.

Said land situate within Broward County, Florida, containing 0.37 Acres (16151.1 square feet, more or less).

8471/13D/030486

REC 13770pg 13

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
F. T. JOHNSON  
COUNTY ADMINISTRATOR



SHEET 2 OF 2

DATE BY

PROFESSIONAL LAND SURVEYOR - STATE OF FLORIDA

2245-01



# STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS

Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue

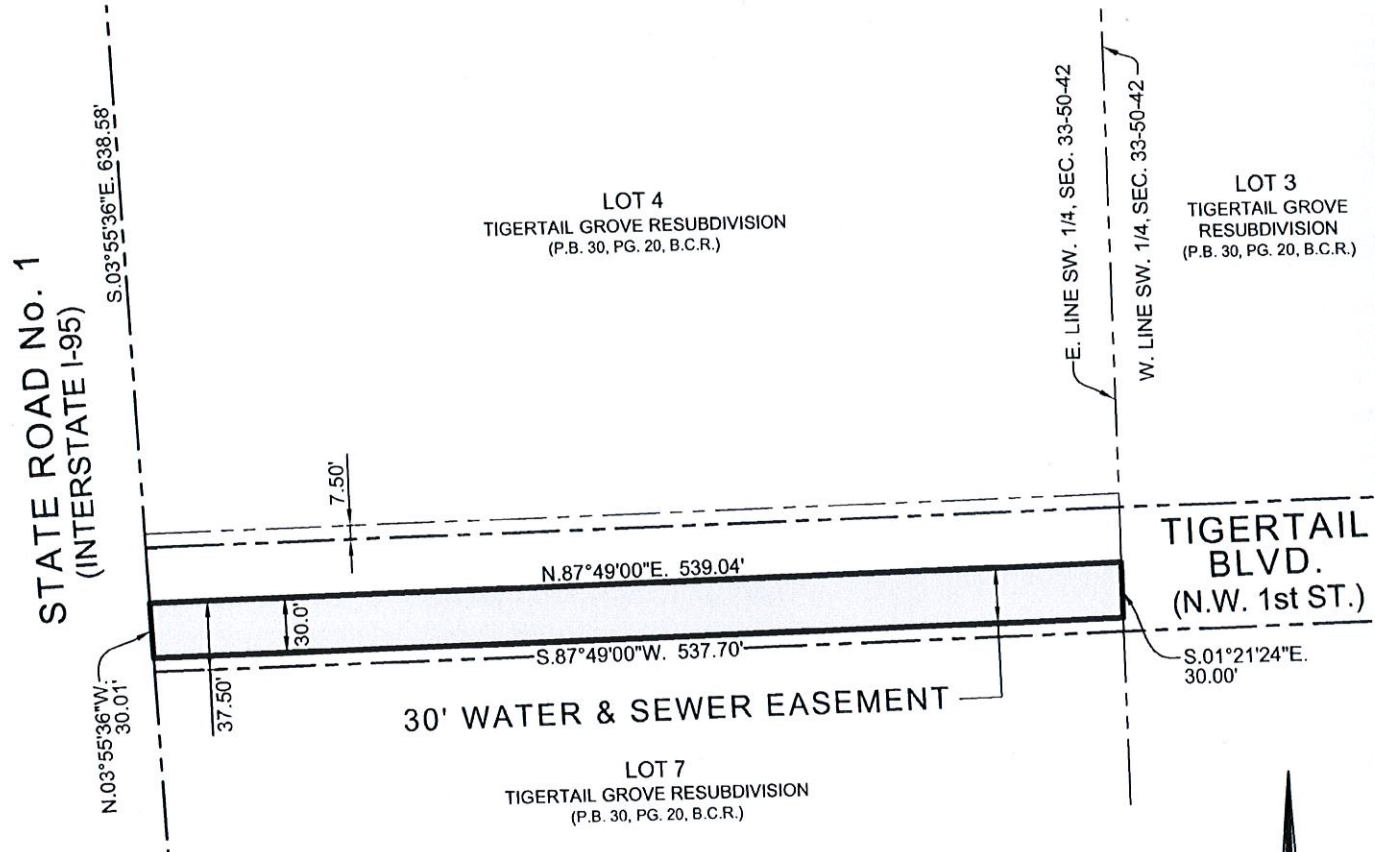
Tel. (954) 585-0997

Fax (954) 585-3927

## SKETCH AND LEGAL DESCRIPTION OF 30 FOOT WATER AND SEWER EASEMENT CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

### LEGEND:

P.B. .... PLAT BOOK  
 PG. .... PAGE  
 B.C.R. .... BROWARD COUNTY RECORDS  
 SEC. .... SECTION



### LEGAL DESCRIPTION:

A 30.00 FOOT WATER AND SEWER EASEMENT BEING A PORION OF TIGERTAIL BOULEVARD (N.W. 1st STREET) TIGERTAIL GROVE RESUBDIVISION AS RECORDED IN PLAT BOOK 30, PAGE 20 OF THE PUBLIC RECORDS BROWARD COUNTY, FLORIDA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 30.00 FEET OF THE SOUTH 37.50 FEET OF THAT PORTION OF TAIGERTAIL BOULEVARD (N.W. 1st STREET) AS SHOWN ON SAID TIGERTAIL GROVE RESUBDIVISION LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD No. 9 (INTERSTATE I-95) AS SHOWN ON SAID TIGERTAIL GROVE RESUBDIVISION AND LYING WEST OF THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 7 OF SAID TIGERTAIL GROVE RESUBDIVISION.

SAID LANDS SITUATE WITHIN, BROWARD COUNTY, FLORIDA, CONTAINING 0.37 ACRES (16,151.1 SQUARE FEET) MORE OR LESS.

**FILE COPY** FEB 04 2016



### CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE: Dec 21, 2015  
**RICHARD G. CRAWFORD Jr.**  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

**SEAL**  
 NOT VALID UNLESS  
 SEALED HERE WITH  
 AN EMBOSSED  
 SURVEYOR'S SEAL

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.  
 COPYRIGHT©2015

DATE OF SKETCH:	DRAWN BY:	CHECKED BY:	FIELD BOOK
12/21/15	DRL	RGC	N/A

SHEET 1 OF 1

SKETCH NO. 14-8058\_30' W&S

**Linda Strutt**

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 6:47 PM  
**To:** 'Maxwell-Newbold, Leonard'  
**Subject:** Dania Pointe Easement Vacations  
**Attachments:** Comcast Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

For your information, I have attached the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

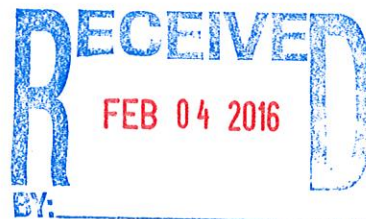
Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

*954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell*

**FILE COPY**





**linda strutt consulting, inc.**  
planning survey design services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Leonard Maxwell-Newbold  
Regional Permit Administrator  
Comcast/Southern Division (RDC)  
2601 SW 145<sup>th</sup> Avenue  
Miramar, FL 33027

Dear Mr. Maxwell-Newbold:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.
- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground

water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated.

Please address the response to me on Comcast letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Strutt".

Linda C. Strutt, AICP

Enclosures

**Linda Strutt**

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 2:54 PM  
**To:** 'FARQUHARSON, ANDREW M'  
**Subject:** Dania Pointe Municipal Utility Easement Vacations  
**Attachments:** ATT Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf; ATT Draft Letter for City UEs Dania Pte.doc

Hello, Andrew!

I am handling the vacation of easements granted by separate instrument within the property assembled in Dania Beach on the north side of Stirling Road between Bryan Road and I-95 to be redeveloped. This property is currently being replatted as Dania Pointe.

At this time we are submitting two applications to the City of Dania Beach to vacate two utility easements dedicated to the City for water and sewer purposes. The City requires that we notify all franchise utilities of the vacation request and seek a letter of no objection.

I have attached the legal sketches and descriptions as well as the recorded instruments for these two easements. As you can see, they were dedicated to the City for specific purposes and they are currently being used for those utilities.

Any easements granted to ATT will be the subject of a direct request to ATT for release.

Please don't hesitate to contact me if you have any questions.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

*954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell*

**FILE COPY**







**linda strutt consulting, inc.**  
planning strategy development services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Andrew Farquharson  
AT&T Florida  
Specialist-OSP Engineering  
8601 West Sunrise Boulevard  
Plantation, FL 33322

Dear Mr. Farquahar:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to ATT by separate instrument.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.

- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on ATT letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures

## Linda Strutt

---

**From:** Linda Strutt <linda@struttconsulting.com>  
**Sent:** Wednesday, January 13, 2016 6:23 PM  
**To:** 'david.gill@fpl.com'  
**Subject:** Dania Pointe Proposed Municipal Utility Easement Vacations  
**Attachments:** FPL Request Letter for Dania Pte City UEs (1).pdf; FPL Draft LONO for City UEs Dania Pte.doc; ORB15978PG415.pdf; UE Legal 15978-415.pdf; ORB13770PG0010 Klatt UE to City.pdf; UE Legal 13770-0010.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

There are several FPL easements which we will need released but they are not the subject of this request as they will not be subject to the City's vacation process. We will contact you separately for those releases.

For your convenience, I have attached a draft response letter as well as the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell





**linda strutt consulting, inc.**

planning    zoning    development    construction

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. David Gill  
Florida Power & Light  
4000 Davie Road Ext.  
Davie Florida 33004

Dear Mr. Gill:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to FPL by separate instrument.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.

- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on FPL letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures

**Linda Strutt**

---

**To:** mjchamorro@tecoenergy.com  
**Subject:** Dania Pointe Municipal Utility Easement Vacations  
**Attachments:** TECO Request Letter for Dania Pte City UEs.pdf; UE Legal 13770-0010.pdf;  
ORB13770PG0010 Klatt UE to City.pdf; UE Legal 15978-415.pdf; ORB15978PG415.pdf

I am handling easement vacations for the Dania Pointe project south of the airport on the north side of Stirling Road between Bryan Road and I-95 in Dania Beach. We are vacating easements granted within the proposed Dania Pointe plat by separate instrument as virtually all existing utilities are proposed to be relocated or removed with new easements granted for the replacement utilities.

The request for a letter of no objection to proposed utility easements attached is for two easements granted to the City of Dania Beach by the referenced separate instruments for water and sewer facilities. They are currently being used for such facilities which will be relocated or removed.

For your information, I have attached the subject recorded easements and the legal sketches and descriptions.

Please contact me if you have any questions regarding this request.

Thank you,

Linda

*Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442*

*954-426-4305 phone  
954-725-3342 fax  
754-264-2184 cell*

**FILE COPY** **RECEIVED**  
BY: \_\_\_\_\_  
FEB 04 2016



**linda strutt consulting, inc.**  
planning strategy development services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

January 13, 2016

Mr. Max Chamorro  
TECO Peoples Gas  
5101 NW 21<sup>st</sup> Avenue #460  
Fort Lauderdale, Florida 33309

Dear Mr. Chamorro:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description are attached. They are briefly described below.

- ORBk 15978 Pg 415 is a 15-foot wide utility easement located within the Dania Office Park Plat serving the office buildings in the Bryan Oaks Business Center. It was dedicated to the City for water and/or sanitary sewer and is currently being used for municipal utilities to be removed.
- ORBk 13770 Pg 0010 is a 30-foot wide utility easement located over a vacated portion of Tigertail Boulevard east of I-95 granted to the City for underground


water and sewer facilities. It is currently being used for this purpose. These utilities will be relocated during redevelopment.

We are requesting a letter of no objection to the vacation of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated.

Please address the response to me on TECO letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Strutt".

Linda C. Strutt, AICP

Enclosures





**Engineering – Design Department**  
2601 SW 145<sup>th</sup> Ave Miramar, FL 33027

Wednesday, March 16, 2016

Linda C. Strutt  
**Linda Strutt Construction, Inc.**  
227 Goolsby Boulevard  
Deerfield Beach, FL 33442

RE: **Dania Pointe City Utility Easement vacations VC-34 & 35-2016**  
**@ Dania Pointe City of Dania (P.B. 124, PG 48, B.C.R.)**  
**Comcast ID # - CWSI-M16-3783**

Dear Ms. Strutt:

Please be advised ...in reference to the **proposed tentative Sewer vacation...**

Comcast has no facilities within the limits of your project.

Comcast is clear and has **no objections** to vacate the existing easement based on the sketch of description dated 3/01/16. Should it become necessary, Comcast will coordinate with the developer for a separate easement if needed. Should you have any further questions, please feel free to call me.

Cordially,



**Chris Taylor**  
South Florida Utility Coordinator  
Authorized Contractor for Comcast  
954-239-8386 (Office)

[www.Cable-Wiring.com](http://www.Cable-Wiring.com)

cc: Leonard Maxwell Newbold  
cc: Ric Davidson  
cc: Chuck Huston





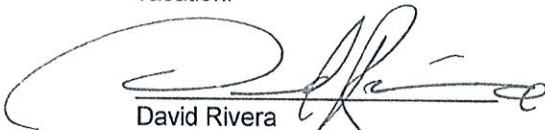
Easement & Right-of-Way Vacation Letter

3/21/2016

To: Linda C Strutt  
Linda Strutt Consulting, Inc.  
227 Goolsby Blvd  
Deerfield Beach, FL 33442

**Subject:** Dania Pointe Easement Vacation VC-34 & 35 - 2016

- (X) We have no facilities in the area to be vacated; therefore we have no objections to this vacation.



David Rivera  
Senior Engineering Technician

- ( ) We have facilities in the area to be vacated; however, we have no objections to this vacation providing the applicant will pay for the relocation or replacement of these facilities.

---

David Rivera  
Senior Engineering Technician

- ( ) We have facilities in the area to be vacated which cannot be relocated for technical reasons, however, we have no objections to the vacation providing a utility easement as shown on the attached drawing is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

---

David Rivera  
Senior Engineering Technician

- ( ) We have objection to the proposed vacation for the following reasons:  
PGS has facilities in the easement and cannot be relocated.

---

David Rivera  
Senior Engineering Technician

## **DANIA POINTE UTILITY EASEMENT VACATION APPLICATION DESCRIPTION AND JUSTIFICATION STATEMENT**

The owner applicant is requesting vacation of a portion of a sewer easement dedicated to the City of Dania Beach recorded at OR Book 47392 Page 782. The portion of the easement to be vacated is located within the Duke & Duke Subdivision plat and is currently being used for municipal sewer facilities.

When this easement was granted, all of the property affected was in the same ownership. The applicant has since acquired a portion of the property and in the process of replatting it as part of the Dania Pointe plat to be redeveloped as a mixed-use project. All platted easements and rights-of-way within the plat boundaries are being vacated by replat. Since this easement was granted by separate instrument rather than by plat, it cannot be vacated or modified by the replat.

While the utilities within the overall easement serve the existing hotel property, the portion of the sanitary sewer within the subject vacation area does not serve any development. It was established for future connection to an outparcel which was never developed. The applicant is proposing to relocate one sanitary sewer manhole located within this portion of the easement into the remaining easement on the hotel property to the south.

As the portion of the easement located within the Dania Pointe boundaries conflicts with the proposed redevelopment plan, the applicant would like to relocate the manhole and vacate the easement to clean up the title. The applicant will be working within the hotel property as part of the Dania Pointe Phase I project development and will relocate the manhole associated with that work onto the hotel property at that time. The applicant has agreed to execute a blanket agreement to afford the City access to the facilities until they have been removed or relocated. Easements will be granted for utilities to serve the new project in conjunction with engineering design and permitting.

### **VACATION REVIEW CRITERIA**

Section 645-40(A) of the City's Code requires that an application to vacate right-of-way or the city's interest in an easement be reviewed in accordance with the following criteria. This narrative is intended to describe how this request addresses those criteria.

**(1) *Whether the vacation will adversely affect access to neighboring properties***

The easement recorded at OR Book 47392 Page 782 was dedicated for the purpose of accommodating municipal sewer facilities only. The portion which is the subject of this vacation request was dedicated to accommodate future sanitary sewer service to an outparcel which was never developed. It was not dedicated for public access purposes so there will be no effect on access.

**FILE COPY**

**(2) *Whether the subject right-of-way or easement is needed for any public purpose***

The subject portion of the utility easement proposed for vacation is no longer needed for any public or private purpose as it was dedicated to accommodate sanitary sewer facilities to serve an outparcel which was never developed. This property is now part of the Dania Pointe project which will be served by a system currently under design. A temporary blanket agreement will be executed to substitute for this easement within the Dania Pointe property until any facilities located within this portion of the easement have been removed or relocated.



**STONER & ASSOCIATES, INC.**

**SURVEYORS - MAPPERS**

Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997

Fax (954) 585-3927

**LEGAL DESCRIPTION OF  
VACATION OF A 15 FOOT WIDE SANITARY SEWER EASEMENT  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

**LEGAL DESCRIPTION:**

A PORTION OF A 15 FOOT WIDE SANITARY SEWER EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 47392, PAGE 782, AND AS AMENDED BY OFFICIAL RECORDS BOOK 48236, PAGE 662, SAID EASEMENT LYING WITHIN PARCEL 'A', DUKE & DUKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 124, PAGE 48, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 1, AS SHOWN ON THE PLAT OF DOUGLAS HILL, RECORDED IN PLAT BOOK 12, PAGE 45 OF SAID PUBLIC RECORDS;

THENCE N.01°41'47"W., ALONG THE EAST LINE OF SAID BLOCK 1, AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 325.04 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 'A';

THENCE N.87°32'08"E., ALONG SAID SOUTH LINE, A DISTANCE OF 24.98 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. ¼) OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST;

THENCE N.01°41'47"W., ALONG SAID EAST LINE A DISTANCE OF 20.13 FEET;

THENCE S.88°05'35"W., A DISTANCE OF 203.93 FEET;

THENCE N.89°11'59"W., A DISTANCE OF 76.30 FEET;

THENCE N.01°40'05"W., A DISTANCE OF 403.21 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE, SAID POINT BEING ON THE MOST NORTHERLY SOUTH LINE OF THAT CERTAIN PARCEL RECORDED IN INSTRUMENT NO. 112759787 OF SAID PUBLIC RECORDS;

THENCE CONTINUE N.01°40'05"W., A DISTANCE OF 16.68 FEET TO THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE;

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINT AND FORM A CLOSED GEOMETRIC FIGURE;

SAID EASEMENT SITUATE AND BEING WITHIN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 250 SQUARE FEET, MORE OR LESS.

**NOTES:**

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE BEARINGS SHOWN HEREON ARE BASED ON N.01°41'47"W., ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (S.W.1/4), SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
5. THIS SKETCH OF DESCRIPTION WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC.
6. SEE SHEETS 2 AND 3 OF 3 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PROPERTY DESCRIBED HEREON.

RECEIVED  
FILE COPY  
MAR 03 2016

**CERTIFICATE:**

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE: Mar 02, 2016  
**RICHARD G. CRAWFORD Jr.**  
PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC.  
COPYRIGHT©2016

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
3/1/16	DRL	RGC	N/A

**SEAL**  
NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

SHEET 1 OF 3

SKETCH NO. 14-8058-V-SSE



# STONER & ASSOCIATES, INC.

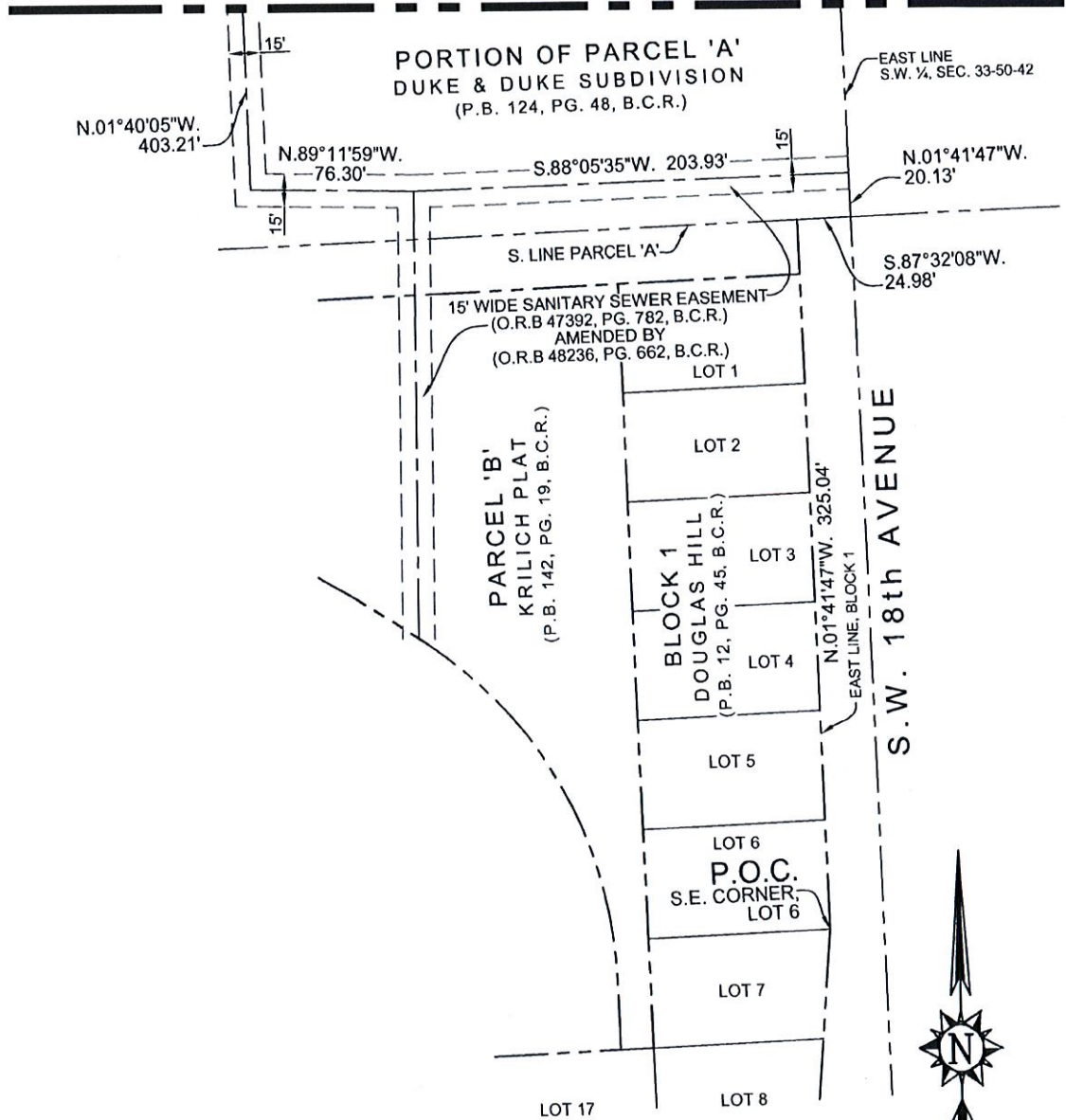
SURVEYORS - MAPPERS  
Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd AVE.  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

## SKETCH OF DESCRIPTION VACATION OF A 15 FOOT WIDE SANITARY SEWER EASEMENT CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

### MATCH LINE "A" (SEE SHEET 3 OF 3)



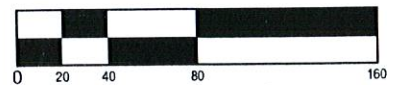
#### LEGEND:

- P.B. .... PLAT BOOK
- O.R.B. .... OFFICIAL RECORDS BOOK
- PG. .... PAGE
- B.C.R. .... BROWARD COUNTY RECORDS
- P.O.C. .... POINT OF COMMENCEMENT
- P.O.B. .... POINT OF BEGINNING
- P.O.T. .... POINT OF TERMINATION
- ☉ .... CENTERLINE
- SEC. .... SECTION

NOTE:  
SEE SHEET 1 OF 3 FOR THE LEGAL  
DESCRIPTION OF THE PROPERTY  
SHOWN GRAPHICALLY HEREON.



SCALE: 1" = 80'



GRAPHIC SCALE



**STONER & ASSOCIATES, INC.**

SURVEYORS - MAPPERS

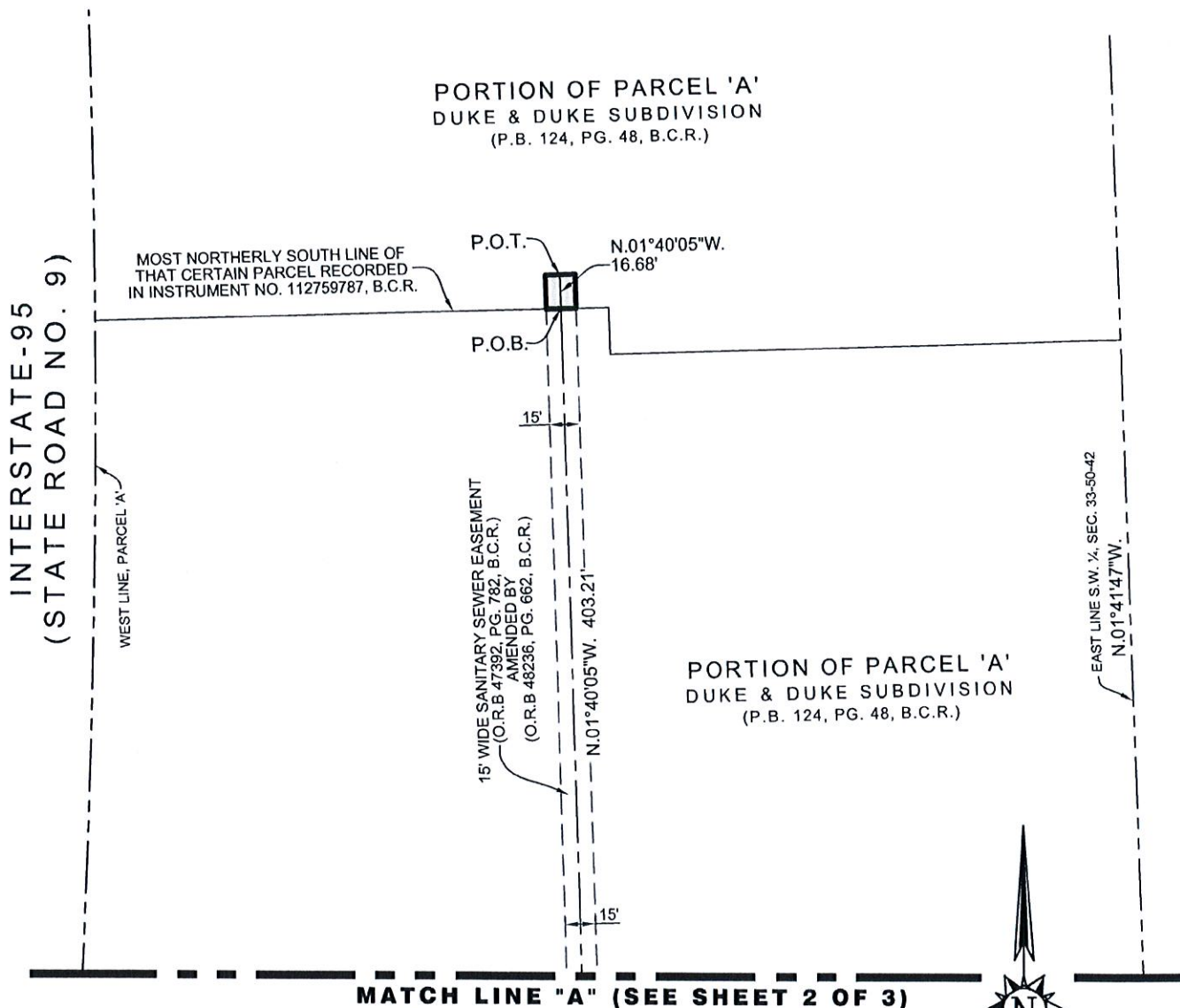
Florida Licensed Survey  
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4341 S.W. 62nd AVE.  
Davie, Florida 33314

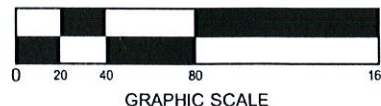
Tel. (954) 585-0997

Fax (954) 585-3927

**SKETCH OF DESCRIPTION**  
**VACATION OF A 15 FOOT WIDE SANITARY SEWER EASEMENT**  
**CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**



SCALE: 1" = 80'



**LEGEND:**

- P.B. .... PLAT BOOK
- O.R.B. .... OFFICIAL RECORDS BOOK
- PG. .... PAGE
- B.C.R. .... BROWARD COUNTY RECORDS
- P.O.C. .... POINT OF COMMENCEMENT
- P.O.B. .... POINT OF BEGINNING
- P.O.T. .... POINT OF TERMINATION
- ☉ .... CENTERLINE
- SEC. .... SECTION

**NOTE:**  
SEE SHEET 1 OF 3 FOR THE LEGAL  
DESCRIPTION OF THE PROPERTY  
SHOWN GRAPHICALLY HEREON.

This Instrument Prepared By

John L. England, P.E.  
Consul-Tech Enterprises, Inc.  
3141 Commerce Parkway  
Miramar, FL 33025  
(954) 752-9323

## SEWER EASEMENT

This **SEWER EASEMENT** (hereafter known as the "Easement") dated this 29th day of July, 2010 from **PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC**, a Florida limited liability company and **PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida limited liability company, both having an address of 340 East Main Street, Suite 300, Spartanburg, SC 29302 (hereinafter known as the "Grantor"), to the **CITY OF DANIA BEACH**, a Florida municipal corporation, having an address at 100 West Dania Beach Boulevard, Dania Beach, Florida 33004 (hereinafter known as the "Grantee").

### RECITALS:

Grantor owns fee simple title to certain real property located in Broward County, Florida, as more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof (hereafter known as the "Servient Estate"); and

Grantor has agreed to convey/grant to Grantee this Easement, subject to the terms and conditions hereinafter set forth.

NOW, for and in consideration of the premises and the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby agree as follows:

Grantor hereby conveys/grants, bargains and sells to Grantee, its successors and assigns, a perpetual Easement under, over and across a parcel of real property, the legal description and sketch of which are attached hereto as **Exhibit "C"** and incorporated by reference herein (hereinafter known as the "Easement Area" or "Easement"). Grantor has full power and authority to convey the rights and Easement conveyed herein, and will defend the title to same from and against the claims of all persons whomsoever, subject however, to Easement, covenants and restrictions of record as of the date hereof, real estate taxes and assessments not yet due and payable and zoning, building and other applicable laws, codes and regulations.

Grantee may use the Easement Area for the installation, use and maintenance of sewer mains and associated appurtenances.

Grantee's right to utilize the Easement Area shall be exclusive to the extent that Grantor shall grant no Easement or license, nor make any covenants, having the effect of permitting use of the Easement Area by anyone other than Grantee, except Grantor may grant an easement to other utilities that cross this Easement Area so long as such utility easements do not interfere with Grantee's use of the Easement Area.



**FILE COPY**



Grantor may, for its own purpose, utilize the surface area of the Easement Area except in such areas as are used by Grantee in the exercise of its rights under this Easement. The Grantee's use of the surface area of the Easement shall be further limited to the use of the surface area of the Easement for landscaped areas (no trees), parking, driveways, open space recreation areas and other uses and improvements in accordance with plans as are approved by Grantee or its utilities/public services department; but shall not include the establishment of permanent buildings or other structures (such as walls, pools, tennis courts, handball courts, etc.). The Grantor shall typically maintain the surface area of the Easement.

Grantor conveys/grants to Grantee a perpetual non-exclusive Easement upon the Servient Estate described in attached Exhibit "A" whereby the Grantee shall have the free right to enter upon and depart over and across the Servient Estate and the Easement Area to the extent necessary to fully exercise the Grantee's rights within the Easement Area, for purposes including but not limited to, inspection, maintenance, repair, and replacement or reinstallation of sewer main improvements and appurtenances, but the Grantee shall be responsible to restore the Easement Area to its original natural surface state only.

The provisions of this Easement shall be binding on the parties hereto and their respective successors and assigns as a covenant running with the land and binding upon the Servient Estate.

The Easement shall not be released or amended without consent of the Grantee as evidenced by a document signed with the same formalities as this document.

Grantee and/or Grantor shall record this document in the Public Records of Broward County, Florida.

This instrument contains the entire agreement between the parties relating to the rights granted and the obligation assumed pursuant to this instrument. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification reduced to writing, signed by the parties to be charged therewith.

IN WITNESS WHEREOF, the undersigned has hereunto set its authorized hand this 24<sup>th</sup> of ~~March~~, 2010.

July

Signed in the presence of:

**PALMETTO HOSPITALITY OF DANIA  
BEACH HP, LLC**, a Florida Limited  
Liability Company


By Its Manager:

**PALMETTO HOSPITALITY GM, LLC**,  
a South Carolina Limited Liability Company

By: D. C. Breeden, Jr.

Name: **Dan C. Breeden, Jr.**

Title: **Manager**

  
Witness Signature  
Shanna Harvey  
Witness - Printed Name

**PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida Limited Liability Company

By Its Manager:

**PALMETTO HOSPITALITY GM, LLC**, a South Carolina Limited Liability Company

By: D. C. Breeden, Jr.

Name: **Dan C. Breeden, Jr.**  
Title: **Manager**

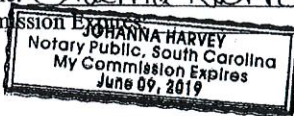
*Shanna Harvey*  
Witness Signature  
Shanna Harvey  
Witness - Printed Name

**Further Affiant Sayeth Naught:**

South Carolina  
STATE OF ~~FLORIDA~~  
Spartanburg )  
COUNTY OF ~~BROWARD~~ )

The foregoing instrument was acknowledged before me on July 29, 2010 by **DAN C. BREEDEN, JR.**, as **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC**, a South Carolina limited liability company, the **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC**, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

*Shanna Harvey*  
Notary Public, State of Florida South Carolina  
Print Name: Shanna Harvey  
My Commission Expires June 09, 2019



South Carolina  
STATE OF ~~FLORIDA~~  
Spartanburg )  
COUNTY OF ~~BROWARD~~ )

The foregoing instrument was acknowledged before me on July 29, 2010 by **DAN C. BREEDEN, JR.**, as **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC**, a South Carolina limited liability company, the **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

*Shanna Harvey*  
Notary Public, State of Florida South Carolina  
Print Name: Shanna Harvey  
My Commission Expires June 09, 2019



**LEGAL DESCRIPTION**  
(EXHIBIT 'A')

ALL THAT PORTION OF THE NORTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD #9 (I-95), SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, (A/K/A THE NORTH 664.12 FEET OF PARCEL A OF DUKE & DUKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 124, PAGE 48, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH

THE EAST 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4, EXCEPTING THE SOUTH 306 FEET THEREOF AND THE NORTH 113.0 FEET OF THE SOUTH 306.0 FEET OF THE EAST 1/2 OF THE W 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.(A/K/A A PORTION OF PARCEL "A", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH LOTS 1 THROUGH 10, WITH PORTIONS OF LOTS 11 & 12 AS DESCRIBED IN O.R. BOOK 13335 AT PAGE 90, BLOCK 2, (A/K/A A PORTION OF PARCEL A, KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) AND LOTS 1 THROUGH 6 AND 18 THROUGH 24 (A/K/A PARCEL "B", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) IN BLOCK 1 OF DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH

THAT CERTAIN RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT ABANDONED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AS RECORDED IN OFFICIAL RECORD BOOK 29499, PAGE 803 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SOUTHWEST 18TH COURT (FORMERLY FERN STREET) TOGETHER WITH A PORTION OF SOUTHWEST 1ST STREET (FORMERLY FIRST AVENUE SOUTHWEST) AS SHOWN ON DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 17, BLOCK 1 OF SAID DOUGLAS HILL, AND LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 1.

TOGETHER WITH

THE NORTH 351 FEET OF PARCEL 1 (AS HEREINAFTER DESCRIBED) AS MEASURED PERPENDICULAR TO THE NORTH LINE OF SAID PARCEL 1. PARCEL 1 IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE W 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, EAST OF THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 9, AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STIRLING ROAD, SAID LAND SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA

TOGETHER WITH A NON-EXCLUSIVE PERSONAL EASEMENT OF INGRESS AND EGRESS AND PUBLIC UTILITIES OVER THE WESTERLY 10 FEET AND SOUTHERLY 10 FEET OF THAT PORTION OF SAID PARCEL 1 LYING SOUTH OF THE NORTH 351 FEET THEREOF.

LESS FROM ALL THE ABOVE DESCRIPTIONS THOSE PORTIONS CONVEYED TO OAKRIDGE HOTEL I IN O.R. BOOK 27620, PAGE 199 AND O.R. BOOK 28331, PAGE 321, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING IN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, CONTAINING 422,281.37 SQUARE FEET (9.694 ACRES), MORE OR LESS.



**EXHIBIT "C"**  
**LEGAL DESCRIPTION**  
**UTILITY EASEMENT**  
**(SANITARY SEWER)**  
**PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM**  
**CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

Parcels of land being a portion of Parcel 'A' of the Plat of "DUKE & DUKE SUBDIVISION", according to the Plat thereof as recorded in Plat Book 124 at Page 48 and the Vacated Right-of-Way of SW 1<sup>st</sup> Street as recorded in Official Records Book 29499 at Page 803; all previous recorded documents being a part of the Public Records of Broward County, Florida and together being more particularly described as follows:

Commence at the Southeast Corner of Lot 6, Block 1 of "DOUGLAS HILL", as shown on the ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.;

Thence North 01°17'38" West along the East line of said Block 1, and its Northerly prolongation, for a distance of 336.98 feet to the **POINT OF BEGINNING**;

Thence North 88°47'50" West, for a distance of 178.76 feet to the **POINT OF BEGINNING** of the centerline of a 15.00 foot wide Sanitary Sewer Easement;

Thence continue North 88°47'50" West, for a distance of 84.17 feet;

Thence North 01°15'56" West, for a distance of 412.39 to the Point of Termination of said centerline.

Said Parcel of land lying and being in the City of Dania Beach, Broward County, Florida and containing 7560.89 Square Feet, more or less.

Prepared by:  
CONSUL-TECH SURVEYING & MAPPING, INC.  
3141 Commerce Parkway  
Miramar, Florida 33025  
Ph: (954) 438-4300  
Fax: (954) 438-1433  
July 30, 2010

**SURVEYOR'S NOTES:**

1. This Sketch To Accompany Legal Description does not represent a field Boundary Survey.
2. No field work was performed with the preparation of this Sketch To Accompany Legal Description.
3. Bearings as shown hereon are based on the East line of Block 1, Lot 6 of the Plat of "DOUGLAS HILL", according to the Plat thereof as recorded in Plat Book 12 at Page 45 of the Public Records of Broward County, Florida and as depicted in a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to this Surveyor by the client via E-Mail. Said line bears North 01°17'38" West.
4. Lands shown hereon were not abstracted for Easements, Ownership, Rights-of-Way or other matters of records that may be found in the public records of Broward County, Florida.
5. No Title Commitment, Opinion Of Title or Loan Policy was reviewed in the preparation of this Sketch To Accompany Legal Description.
6. Linework used in the preparation of this Sketch To Accompany Legal Description is based on As-Built location data that was supplied to this Surveyor via AutoCAD drawing file named "3408 Summerfield-Hyatt-Dania Beach\_OnsiteWaterMainAlignment.dwg" as prepared by Paramount Engineering Group, Inc. and delivered to Consul Tech Enterprises, Inc. via Compact Disc, (CD), dated 12/07/09.
7. The size of the Easement is based on the "SEWER PLAN" as prepared by Mr. John L. England from the firm of Consul Tech Development Services, Inc. under Project No. 06-101540.A, Sheet C-10 of C-22 with a last revision date of 10/10/08. It is the intention of this Easement to approximately center the As-Built Utility locations with the Easement. Any potential conflicts with this Easement due to changes / modifications / revisions to the field location of the Utility are not the responsibility of this firm.
8. This Sketch To Accompany Legal Description is not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
9. The Legal Description as shown hereon is based on information obtained from a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to Consul Tech Surveying & Mapping, Inc. by the client via E-Mail.
10. Underlying Plat and Recording information is based on the ALTA/ACSM Land Title Survey described in Numbers 3. and 9. above and was not verified by this Surveyor and is shown for information purposes only.

**CONSUL-TECH SURVEYING & MAPPING, INC.**



Date: 05/18/10

**Darryl J. Hauser**  
Professional Surveyor and Mapper  
Florida Registration Number LS 6277

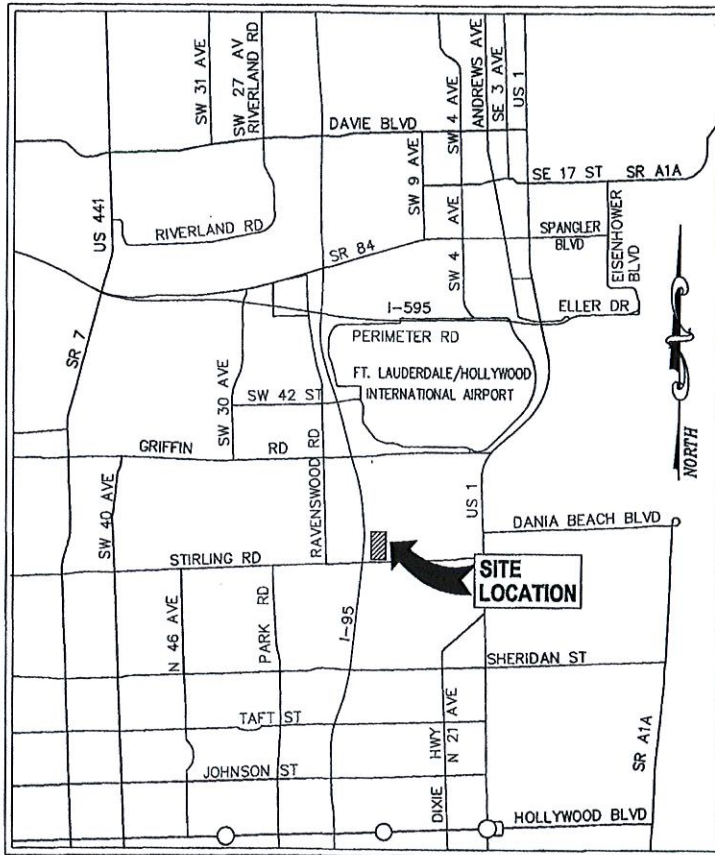
Prepared by:  
CONSUL-TECH SURVEYING & MAPPING, INC.  
3141 Commerce Parkway  
Miramar, Florida 33025  
Ph: (954) 438-4300  
Fax: (954) 438-1433  
May 18, 2010

### SKETCH OF SURVEY

SEE ATTACHED  
LEGAL DESCRIPTION

TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

### SANITARY SEWER EASEMENT



LOCATION SKETCH  
(NOT TO SCALE)

**ABBREVIATIONS:**

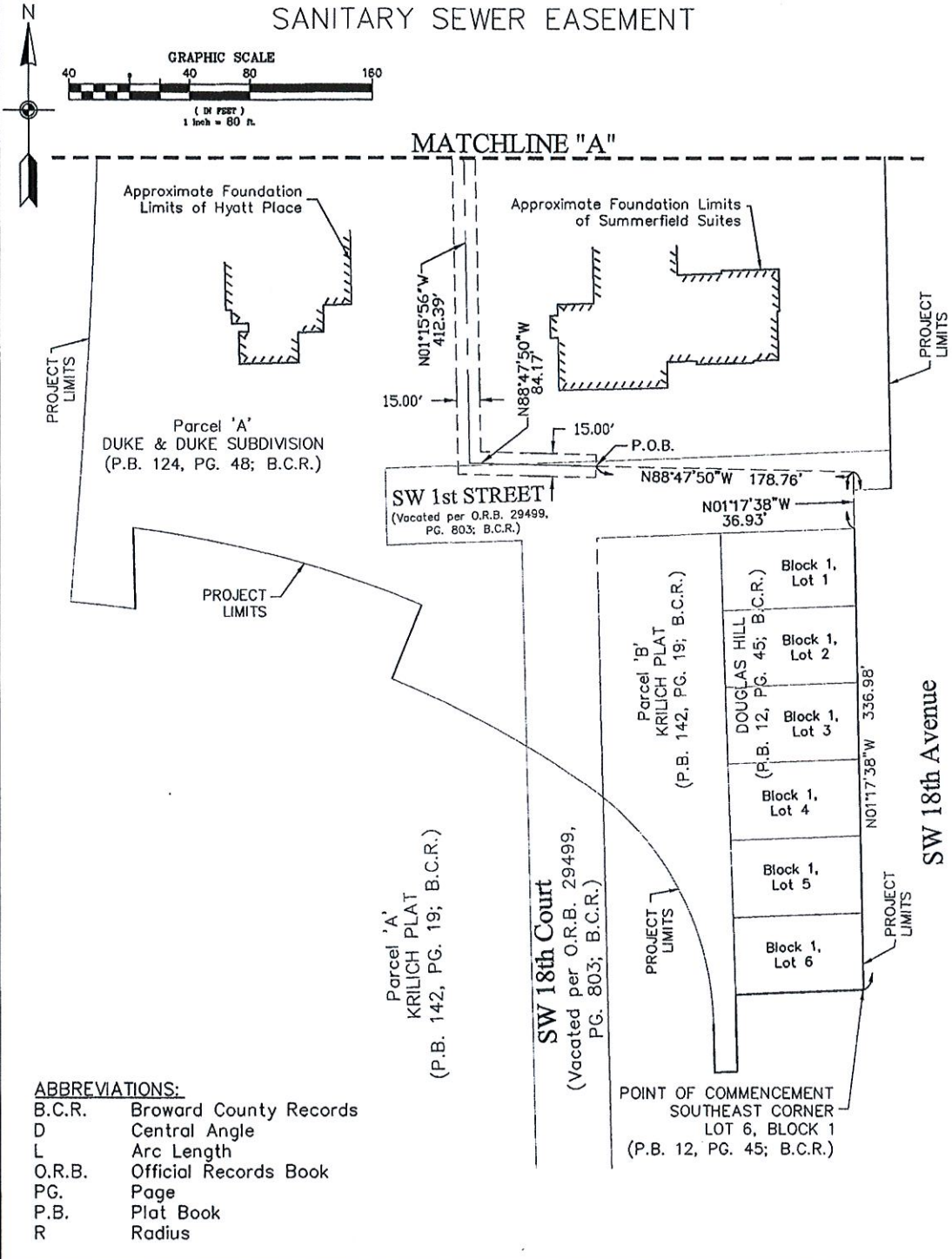
- B.C.R. Broward County Records
- D Central Angle
- L Arc Length
- O.R.B. Official Records Book
- PG. Page
- P.B. Plat Book
- R Radius

UPDATES/REVISIONS	DATE	BY	CK'D	NOTE:
				THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSUL-TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.
				NOTE: THIS INSTRUMENT IS THE PROPERTY OF CONSUL-TECH SURVEYING & MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSUL-TECH SURVEYING & MAPPING, INC.
File No.	Job No. S8-040820.A	Scale: N/A	Page: 3	
Drawn By: J.A.M.	Checked By: SR/DJH	F.B. N/A	PG. N/A	Of: 5
				NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

### SANITARY SEWER EASEMENT



**ABBREVIATIONS:**

- B.C.R. Broward County Records
- D Central Angle
- L Arc Length
- O.R.B. Official Records Book
- PG. Page
- P.B. Plat Book
- R Radius

UPDATES/REVISIONS	DATE	BY	CK'D

**NOTE:**  
THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSUL-TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

**NOTE:**  
THIS INSTRUMENT IS THE PROPERTY OF CONSUL-TECH SURVEYING & MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSUL-TECH SURVEYING & MAPPING, INC. ©

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# Surveying & Mapping, Inc.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

3141 Commerce Parkway  
Miramar, Florida 33025

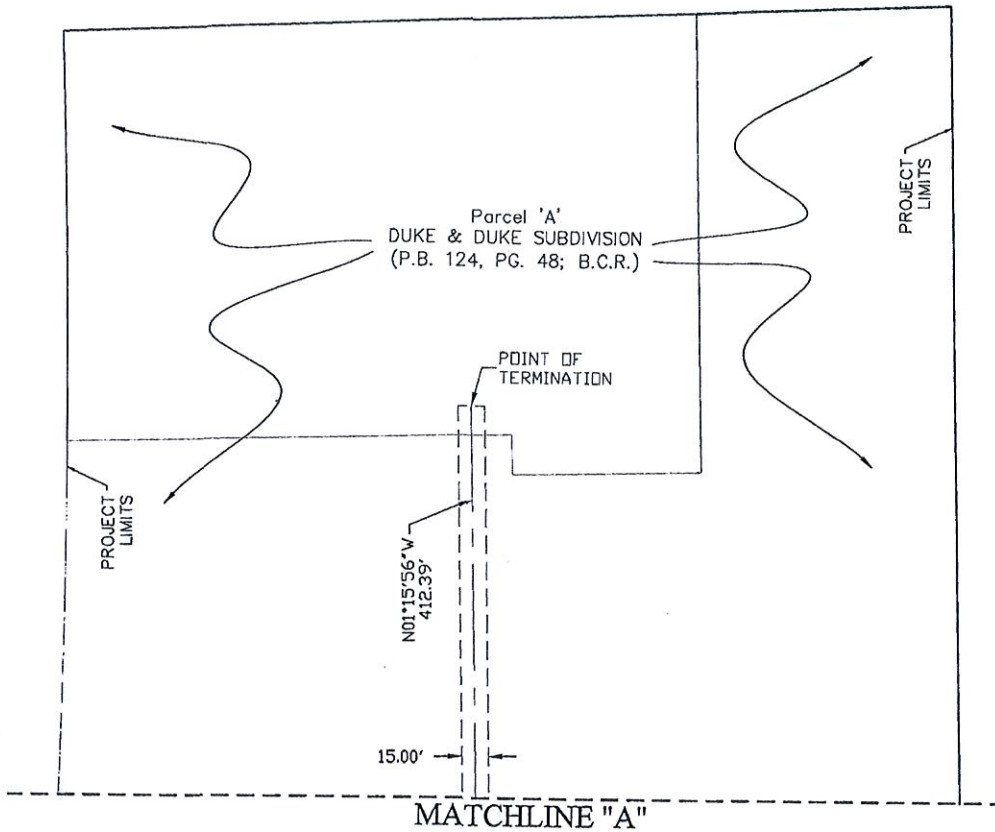
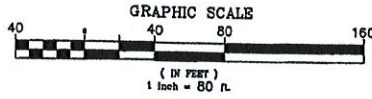
Phone (954) 438-4300 Fax (954) 438-1433

## SKETCH OF SURVEY

SEE ATTACHED  
LEGAL DESCRIPTION

TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

### SANITARY SEWER EASEMENT



**ABBREVIATIONS:**

- B.C.R. Broward County Records
- D Central Angle
- L Arc Length
- O.R.B. Official Records Book
- PG. Page
- P.B. Plat Book
- R Radius

UPDATES/REVISIONS		DATE	BY	CK'D	<small>NOTE:</small> THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSUL-TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN. <small>NOTE:</small> THIS INSTRUMENT IS THE PROPERTY OF CONSUL-TECH SURVEYING & MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSUL-TECH SURVEYING & MAPPING, INC. © NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

## **DANIA POINTE UTILITY EASEMENT VACATION APPLICATION DESCRIPTION AND JUSTIFICATION STATEMENT**

The owner applicant is requesting vacation of portions of a water easement dedicated to the City of Dania Beach recorded at OR Book 47454 Page 1372. The portions of the easement to be vacated are located within the Duke & Duke Subdivision plat and are currently being used for municipal water facilities.

When this easement was granted, all of the property affected was in the same ownership. The applicant has since acquired a portion of the property and in the process of replatting it as part of the Dania Pointe plat to be redeveloped as a mixed-use project. All platted easements and rights-of-way within the plat boundaries are being vacated by replat. Since this easement was granted by separate instrument rather than by plat, it cannot be vacated or modified by the replat.

The utilities within this easement also serve the existing hotel property. The portions located within the Dania Pointe boundaries conflict with the proposed redevelopment plan. The applicant is proposing to reroute these facilities and provide new easement(s) for the relocated/new utilities. The applicant has agreed to execute a blanket agreement to afford the City access to the facilities until they have been removed or relocated. Easements will be granted for the utilities to serve the new project in conjunction with engineering design and permitting.

### **VACATION REVIEW CRITERIA**

Section 645-40(A) of the City's Code requires that an application to vacate right-of-way or the city's interest in an easement be reviewed in accordance with the following criteria. This narrative is intended to describe how this request addresses those criteria.

**(1) *Whether the vacation will adversely affect access to neighboring properties***

The subject easement was dedicated for the purpose of accommodating municipal water facilities only. It was not dedicated for public access purposes so there will be no effect on access.

**(2) *Whether the subject right-of-way or easement is needed for any public purpose***

The subject portions of the utility easement are no longer needed for any public or private purpose as the utilities will be rerouted and new easements granted to cover the new/relocated facilities in conjunction with engineering design and permitting. A temporary blanket agreement will be executed to substitute for this easement within the Dania Pointe property until the new easements have been recorded.



# STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS  
Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

## LEGAL DESCRIPTION OF VACATION OF A 12 FOOT WIDE WATER MAIN EASEMENT CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

### LEGAL DESCRIPTION:

A PORTION OF A 12 FOOT WIDE WATER MAIN EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 47454, PAGE 1372, SAID EASEMENT LYING WITHIN PARCEL 'A', DUKE & DUKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 124, PAGE 48, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 1, AS SHOWN ON THE PLAT OF DOUGLAS HILL, RECORDED IN PLAT BOOK 12, PAGE 45 OF SAID PUBLIC RECORDS;

THENCE N.01°41'47"W. ALONG THE EAST LINE OF SAID BLOCK 1 AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 325.06 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 'A';

THENCE N.87°32'08"E. ALONG SAID SOUTH LINE, A DISTANCE OF 14.77 FEET;

THENCE N.31°47'27"E. A DISTANCE OF 2.98 FEET;

THENCE N.02°40'55"W. A DISTANCE OF 29.89 FEET;

THENCE S.87°52'08"W. A DISTANCE OF 37.39 FEET;

THENCE N.01°49'32"W. A DISTANCE OF 267.79 FEET;

THENCE N.01°06'21"W. A DISTANCE OF 35.44 FEET;

THENCE S.87°22'07"W. A DISTANCE OF 223.06 FEET;

THENCE N.00°55'23"W. A DISTANCE OF 24.79 FEET;

THENCE N.00°59'18"W. A DISTANCE OF 23.79 FEET TO REFERENCE POINT "A";

### NOTES:

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE BEARINGS SHOWN HEREON ARE BASED ON N.01°41'47"W., ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (S.W.1/4), SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
5. THIS SKETCH OF DESCRIPTION WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC.
6. SEE SHEET 2 AND 3 OF 3 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PROPERTY DESCRIBED HEREON.

### LEGAL DESCRIPTION: (CONTINUED)

THENCE N.01°24'18"W. A DISTANCE OF 45.78 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE, SAID POINT BEING ON THE MOST NORTHERLY SOUTH LINE OF THAT CERTAIN PARCEL RECORDED IN INSTRUMENT NO. 112759787 OF SAID PUBLIC RECORDS;

THENCE CONTINUE N.01°24'18"W. A DISTANCE OF 234.01 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL 'A', SAID POINT BEING THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE;

TOGETHER WITH:

COMMENCE AT THE AFOREMENTIONED REFERENCE POINT "A";

THENCE S.88°33'41"W. A DISTANCE OF 198.96 FEET;

THENCE N.08°06'59"W. A DISTANCE OF 4.45 FEET;

THENCE N.02°14'22"W. A DISTANCE OF 40.47 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE, SAID POINT BEING ON THE MOST NORTHERLY SOUTH LINE OF THAT CERTAIN PARCEL RECORDED IN INSTRUMENT NO. 112759787 OF SAID PUBLIC RECORDS;

THENCE N.02°14'22"W. A DISTANCE OF 5.50 FEET TO THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINT AND FORM A CLOSED GEOMETRIC FIGURE;

SAID EASEMENT SITUATE AND BEING WITHIN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 2,874 SQUARE FEET, MORE OR LESS.

### CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE: Mar 02, 2016

**RICHARD G. CRAWFORD Jr.**

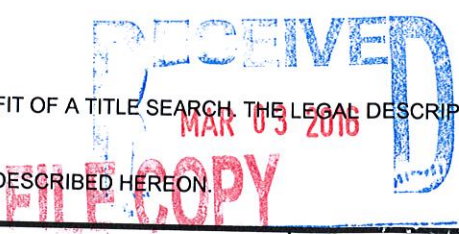
PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

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DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
3/1/16	DRL	RGC	N/A

**SEAL**  
NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

SHEET 1 OF 3



SKETCH NO. 14-8058 V-WM



**STONER & ASSOCIATES, INC.**

**SURVEYORS - MAPPERS**

Florida Licensed Survey  
and Mapping Business No. 6633

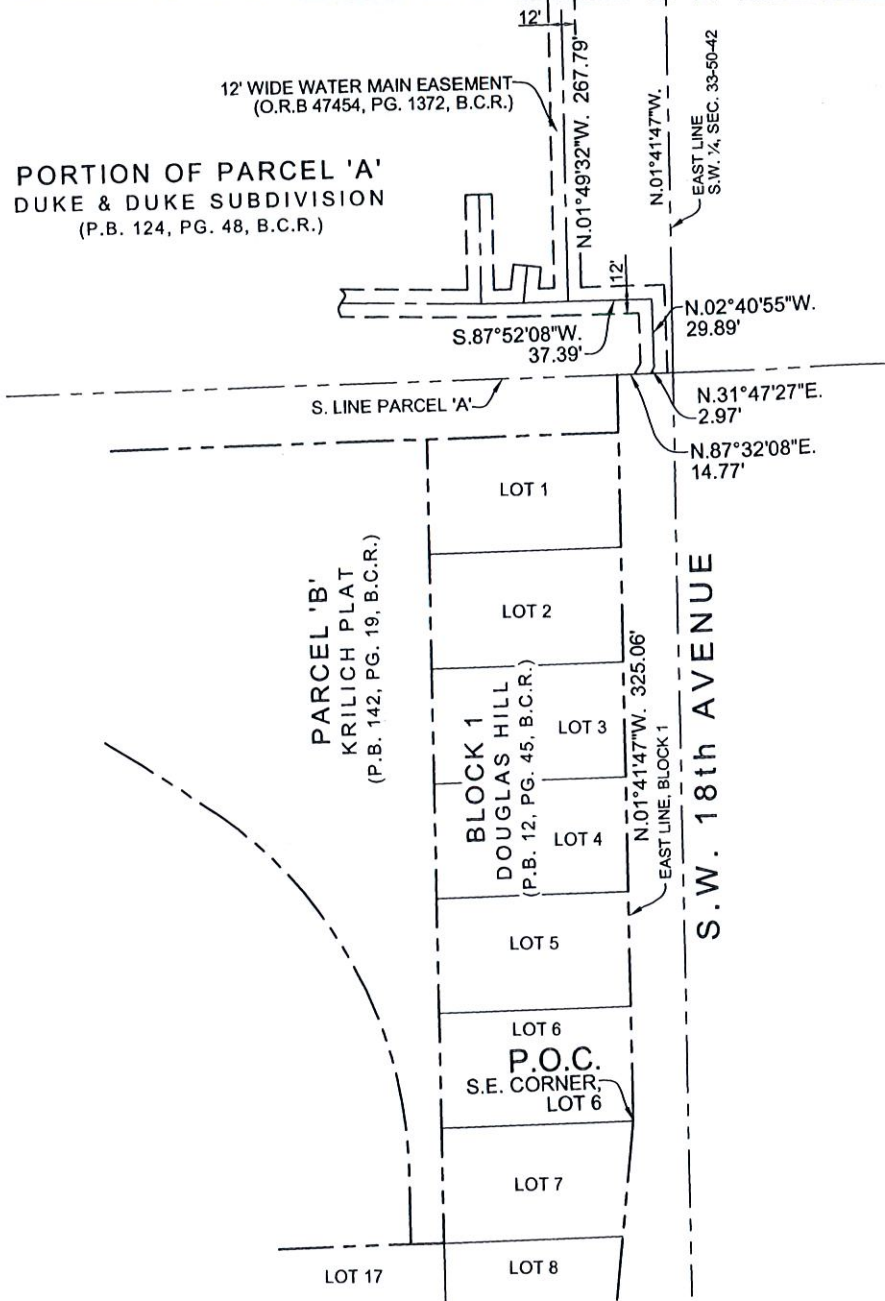
4341 S.W. 62nd AVE.  
Davie, Florida 33314

Tel. (954) 585-0997

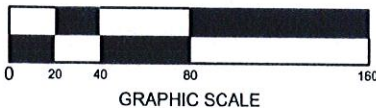
Fax (954) 585-3927

**SKETCH OF DESCRIPTION**  
**VACATION OF A 12 FOOT WIDE WATER MAIN EASEMENT**  
**CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

**MATCH LINE "A" (SEE SHEET 3 OF 3)**



SCALE: 1" = 80'



**LEGEND:**

- P.B. . . . . . PLAT BOOK
- O.R.B. . . . . . OFFICIAL RECORDS BOOK
- PG. . . . . PAGE
- B.C.R. . . . . . BROWARD COUNTY RECORDS
- P.O.C. . . . . . POINT OF COMMENCEMENT
- P.O.B. . . . . . POINT OF BEGINNING
- P.O.T. . . . . . POINT OF TERMINATION
- Ⓢ . . . . . CENTERLINE
- SEC. . . . . SECTION

**NOTE:**  
SEE SHEET 1 OF 3 FOR THE LEGAL  
DESCRIPTION OF THE PROPERTY  
SHOWN GRAPHICALLY HEREON.



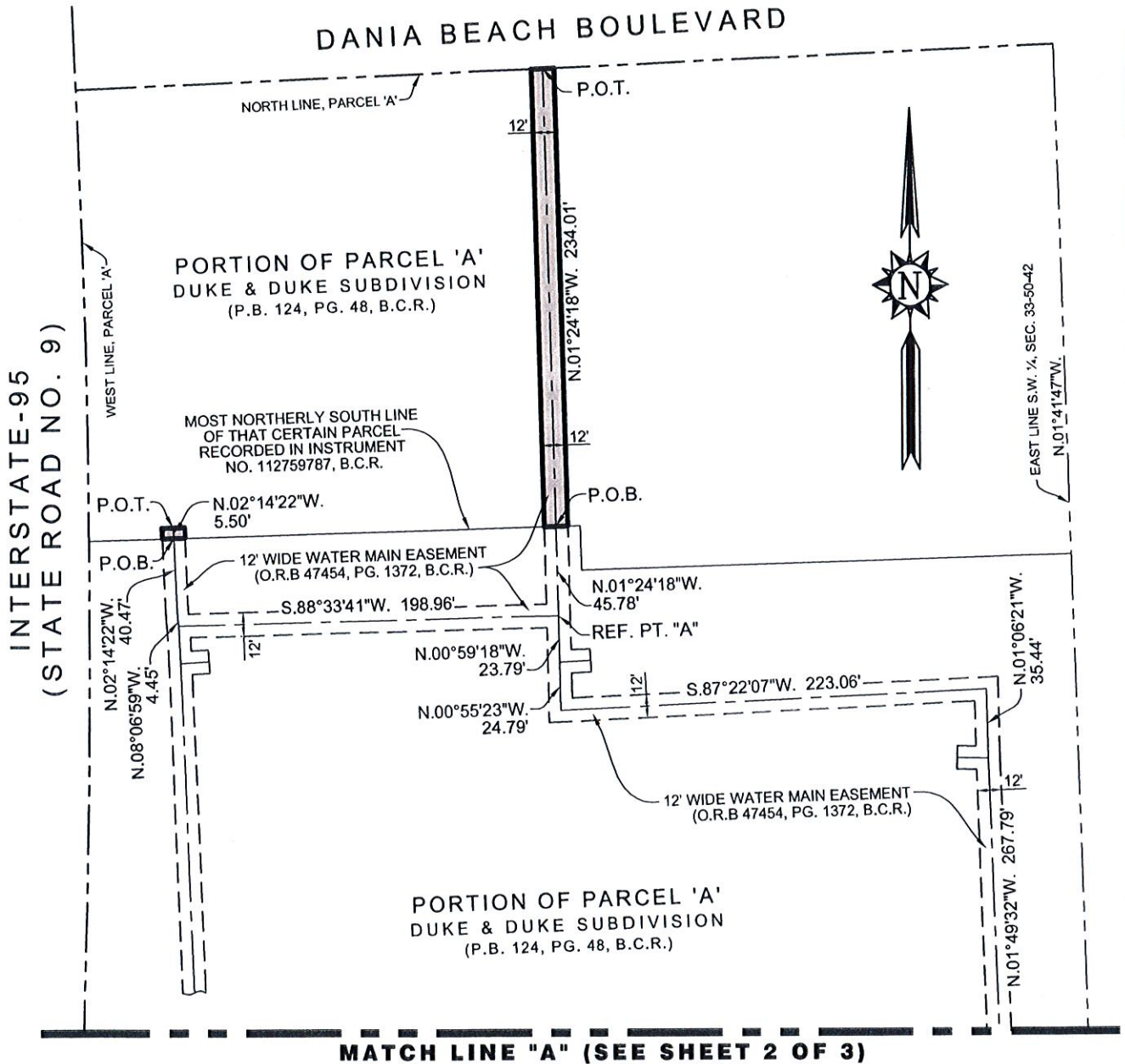
**STONER & ASSOCIATES, INC.**

SURVEYORS - MAPPERS  
Florida Licensed Survey  
and Mapping Business No. 6633

4341 S.W. 62nd AVE.  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

**SKETCH OF DESCRIPTION**  
**VACATION OF A 12 FOOT WIDE WATER MAIN EASEMENT**  
**CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

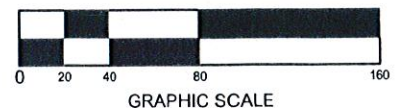


**LEGEND:**

- P.B. .... PLAT BOOK
- O.R.B. .... OFFICIAL RECORDS BOOK
- PG. .... PAGE
- B.C.R. .... BROWARD COUNTY RECORDS
- P.O.C. .... POINT OF COMMENCEMENT
- P.O.B. .... POINT OF BEGINNING
- P.O.T. .... POINT OF TERMINATION
- ☉ .... CENTERLINE
- SEC. .... SECTION

NOTE:  
SEE SHEET 1 OF 3 FOR THE LEGAL  
DESCRIPTION OF THE PROPERTY  
SHOWN GRAPHICALLY HEREON.

SCALE: 1" = 80'



SHEET 3 OF 3

SKETCH NO.  
14-8058 V-SSE

This Instrument Prepared By

John L. England, P.E.  
Consul-Tech Enterprises, Inc.  
3141 Commerce Parkway  
Miramar, FL 33025  
(954) 752-9323

Folio #s: 504233390011  
504233 A0010

**WATER EASEMENT**

This **WATER EASEMENT** (hereafter known as the "Easement") dated this 29th day of July, 2010 from **PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC**, a Florida limited liability company and **PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida limited liability company, both having an address of 340 East Main Street, Suite 300, Spartanburg, SC 29302 (hereinafter known as the "Grantor"), to the **CITY OF DANIA BEACH**, a Florida municipal corporation, having an address at 100 West Dania Beach Boulevard, Dania Beach, Florida 33004 (hereinafter known as the "Grantee").

**RECITALS:**

Grantor owns fee simple title to certain real property located in Broward County, Florida, as more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof (hereafter known as the "Servient Estate"); and

Grantor has agreed to convey/grant to Grantee this Easement, subject to the terms and conditions hereinafter set forth.

NOW, for and in consideration of the premises and the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby agree as follows:

Grantor hereby conveys/grants, bargains and sells to Grantee, its successors and assigns, a perpetual Easement under, over and across a parcel of real property, the legal description and sketch of which are attached hereto as **Exhibit "B"** and incorporated by reference herein (hereinafter known as the "Easement Area" or "Water Easement"). Grantor has full power and authority to convey the rights and Easement conveyed herein, and will defend the title to same from and against the claims of all persons whomsoever, subject however, to Easement, covenants and restrictions of record as of the date hereof, real estate taxes and assessments not yet due and payable and zoning, building and other applicable laws, codes and regulations.

Grantee may use the Easement Area for the installation, use and maintenance of water mains and associated appurtenances.

Grantee's right to utilize the Easement Area shall be exclusive to the extent that Grantor shall grant no Easement or license, nor make any covenants, having the effect of permitting use of the Easement Area by anyone other than Grantee, except Grantor may grant an easement to other utilities that cross this Easement Area so long as such utility easements do not interfere with Grantee's use of the Easement Area.

**FILE COPY**

**RECEIVED**  
**MAR 03 2016**

VC-34-16

Grantor may, for its own purpose, utilize the surface area of the Easement Area except in such areas as are used by Grantee in the exercise of its rights under this Easement. The Grantee's use of the surface area of the Easement shall be further limited to the use of the surface area of the Easement for landscaped areas (no trees), parking, driveways, open space recreation areas and other uses and improvements in accordance with plans as are approved by Grantee or its utilities/public services department; but shall not include the establishment of permanent buildings or other structures (such as walls, pools, tennis courts, handball courts, etc.). The Grantor shall typically maintain the surface area of the Easement.

Grantor conveys/grants to Grantee a perpetual non-exclusive Easement upon the Servient Estate described in attached Exhibit "A" whereby the Grantee shall have the free right to enter upon and depart over and across the Servient Estate and the Easement Area to the extent necessary to fully exercise the Grantee's rights within the Easement Area, for purposes including but not limited to, inspection, maintenance, repair, and replacement or reinstallation of water main improvements and appurtenances, but the Grantee shall be responsible to restore the Easement Area to its original natural surface state only.

The provisions of this Easement shall be binding on the parties hereto and their respective successors and assigns as a covenant running with the land and binding upon the Servient Estate.

The Easement shall not be released or amended without consent of the Grantee as evidenced by a document signed with the same formalities as this document.

Grantee and/or Grantor shall record this document in the Public Records of Broward County, Florida.

This instrument contains the entire agreement between the parties relating to the rights granted and the obligation assumed pursuant to this instrument. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification reduced to writing, signed by the parties to be charged therewith.

IN WITNESS WHEREOF, the undersigned has hereunto set its authorized hand this 24<sup>th</sup> of March, 2010.

July

Signed in the presence of:

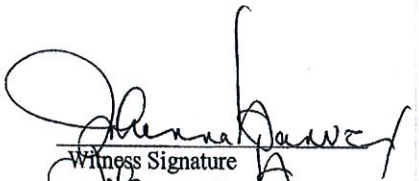
**PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC**, a Florida Limited Liability Company

By Its Manager:

**PALMETTO HOSPITALITY GM, LLC**, a South Carolina Limited Liability Company

By: D. C. Breeden, Jr.

Name: **Dan C. Breeden, Jr.**  
Title: **Manager**

  
Witness Signature  
Shanna Barker  
Witness - Printed Name

**PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida Limited Liability Company

By Its **Manager**:

**PALMETTO HOSPITALITY GM, LLC**, a South Carolina Limited Liability Company

By: *D. C. Breeden, Jr.*

Name: **Dan C. Breeden, Jr.**  
Title: **Manager**

*Johanna Harvey*  
Witness Signature  
Johanna Harvey  
Witness - Printed Name

**Further Affiant Sayeth Naught:**

~~STATE OF FLORIDA~~ South Carolina  
~~COUNTY OF BROWARD~~  Spartanburg SS

The foregoing instrument was acknowledged before me on July 29, 2010 by **DAN C. BREEDEN, JR.**, as **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC**, a South Carolina limited liability company, the **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC**, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

*Johanna Harvey*  
Notary Public, State of Florida South Carolina  
Print Name: Johanna Harvey  
My Commission Expires **JOHANNA HARVEY**  
Notary Public, South Carolina  
My Commission Expires  
June 09, 2019.

~~STATE OF FLORIDA~~ South Carolina  
~~COUNTY OF BROWARD~~  Spartanburg SS

The foregoing instrument was acknowledged before me on July 29, 2010 by **DAN C. BREEDEN, JR.**, as **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC**, a South Carolina limited liability company, the **MANAGER** of **PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC**, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

*Johanna Harvey*  
Notary Public, State of Florida South Carolina  
Print Name: Johanna Harvey  
My Commission Expires **JOHANNA HARVEY**  
Notary Public, South Carolina  
My Commission Expires  
June 09, 2019.



**LEGAL DESCRIPTION**  
(EXHIBIT 'A')

ALL THAT PORTION OF THE NORTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD #9 (I-95), SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, (A/K/A THE NORTH 664.12 FEET OF PARCEL A OF DUKE & DUKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 124, PAGE 48, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH

THE EAST 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4, EXCEPTING THE SOUTH 306 FEET THEREOF AND THE NORTH 113.0 FEET OF THE SOUTH 306.0 FEET OF THE EAST 1/2 OF THE W 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.(A/K/A A PORTION OF PARCEL "A", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH LOTS 1 THROUGH 10, WITH PORTIONS OF LOTS 11 & 12 AS DESCRIBED IN O.R. BOOK 13335 AT PAGE 90, BLOCK 2, (A/K/A A PORTION OF PARCEL A, KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) AND LOTS 1 THROUGH 6 AND 18 THROUGH 24 (A/K/A PARCEL "B", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) IN BLOCK 1 OF DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH

THAT CERTAIN RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT ABANDONED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AS RECORDED IN OFFICIAL RECORD BOOK 29499, PAGE 803 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SOUTHWEST 18TH COURT (FORMERLY FERN STREET) TOGETHER WITH A PORTION OF SOUTHWEST 1ST STREET (FORMERLY FIRST AVENUE SOUTHWEST) AS SHOWN ON DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 17, BLOCK 1 OF SAID DOUGLAS HILL, AND LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 1.

TOGETHER WITH

THE NORTH 351 FEET OF PARCEL 1 (AS HEREINAFTER DESCRIBED) AS MEASURED PERPENDICULAR TO THE NORTH LINE OF SAID PARCEL 1. PARCEL 1 IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE W 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, EAST OF THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 9, AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STIRLING ROAD, SAID LAND SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA

TOGETHER WITH A NON-EXCLUSIVE PERSONAL EASEMENT OF INGRESS AND EGRESS AND PUBLIC UTILITIES OVER THE WESTERLY 10 FEET AND SOUTHERLY 10 FEET OF THAT PORTION OF SAID PARCEL 1 LYING SOUTH OF THE NORTH 351 FEET THEREOF.

LESS FROM ALL THE ABOVE DESCRIPTIONS THOSE PORTIONS CONVEYED TO OAKRIDGE HOTEL I IN O.R. BOOK 27620, PAGE 199 AND O.R. BOOK 28331, PAGE 321, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING IN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, CONTAINING 422,281.37 SQUARE FEET (9.694 ACRES), MORE OR LESS.

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**UTILITY EASEMENT**  
**(WATER MAIN)**  
**PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM**  
**CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA**

Parcels of land being a portion of Lot 1, Block 1, of the Plat of "DOUGLAS HILL", according to the Plat thereof as recorded in Plat Book 12 at Page 45, Parcel 'A' of the Plat of "DUKE & DUKE SUBDIVISION", according to the Plat thereof as recorded in Plat Book 124 at Page 48, Parcel 'A' of the "KRILICH PLAT", according to the Plat thereof as recorded in Plat Book 142 at Page 19, and the Vacated Rights-of-Way of SW 18<sup>th</sup> Court and SW 1<sup>st</sup> Street as recorded in Official Records Book 29499 at Page 803; all previous recorded documents being a part of the Public Records of Broward County, Florida and together being more particularly described as follows:

Commence at the Southeast Corner of Lot 6, Block 1 of said "DOUGLAS HILL", as shown on the ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.;

Thence North 01°17'38" West along the East line of said Block 1, for a distance of 296.02 feet to the **POINT OF BEGINNING**;

Thence continue North 01°17'38" West along said East line of Block 1, for a distance of 17.79 feet;

Thence departing said East line of Block 1, South 32°11'36" West, for a distance of 8.40 feet;

Thence South 09°03'31" East, for a distance of 11.32 feet;

Thence North 80°56'29" East, for a distance of 3.13 feet to the said East line of Block 1 and the **POINT OF BEGINNING**.

Said Parcel of land lying and being in the City of Dania Beach, Broward County, Florida and containing 58.93 Square Feet, more or less.

TOGETHER WITH A 12.00 FOOT WIDE WATER MAIN EASEMENT WITH THE CENTERLINE BEING DESCRIBED AS FOLLOWS:

Commence at the Southeast Corner of Lot 6, Block 1 of said "DOUGLAS HILL", as shown on the ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.;

Thence North 07°17'38" West along the East line of said Block 1, for a distance of 325.06 feet;

Thence North 87°54'08" East, for a distance of 14.77 feet to the **POINT OF BEGINNING** of a 12.00 foot wide Water Main Easement;

Thence North 32°11'36" East, for a distance of 2.97 feet;

Thence North 02°16'46" West, for a distance of 29.89 feet to Point "A";

Thence South 88°16'17" West, for a distance of 37.39 feet to Point "A-1";

Thence South 88°23'13" West, for a distance of 19.76 feet to Point "B";

Thence South 88°39'09" West, for a distance of 19.00 feet to Point "C";

Thence North 89°49'55" West, for a distance of 61.93 feet;

Thence South 88°14'12" West, for a distance of 115.09 feet to Point "D";

Thence South 85°44'17" West, for a distance of 6.87 feet to Point "D-1";

Thence South 88°59'33" West, for a distance of 182.60 feet to Point "E";

Thence South 86°39'19" West, for a distance of 25.42 feet to Point "E-1";

Thence North 01°48'38" West, for a distance of 19.77 feet to Point "F";

Thence North 00°35'19" West, for a distance of 67.17 feet;

Thence North 11°19'43" East, for a distance of 35.71 feet;

Thence North 01°33'45" East for a distance of 39.41 feet;

Prepared by:  
CONSUL-TECH SURVEYING & MAPPING, INC.  
3141 Commerce Parkway  
Miramar, Florida 33025  
Ph: (954) 438-4300  
Fax: (954) 438-1433  
July 30, 2010

Thence North 01°38'10" West, for a distance of 169.08 feet to Point "G";  
Thence North 02°25'29" West for a distance of 19.17 feet to Point "H";  
Thence North 88°57'50" East, for a distance of 198.96 feet to Point "I";  
Thence South 00°35'09" East, for a distance of 23.79 feet to Point "J";  
Thence South 00°31'14" East, for a distance of 24.79 feet;  
Thence North 87°46'16" East, for a distance of 223.06 feet;  
Thence South 00°42'12" East, for a distance of 35.44 feet to Point "K";  
Thence South 01°25'23" East, for a distance of 267.79 feet to Point "A-1" and the Point of Termination of said 12.00 foot wide Water Main Easement.

TOGETHER WITH THE FOLLOWING 12.00 FOOT WIDE WATER MAIN EASEMENTS WITH THE CENTERLINES BEING DESCRIBED AS FOLLOWS:

From a Point of Beginning at aforesaid Point "A";  
Thence North 87°53'23" East, for a distance of 9.06 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "B";  
Thence North 05°38'07" East, for a distance of 16.18 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "D";  
Thence North 03°01'11" West, for a distance of 16.21 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "D-1";  
Thence South 03°11'26" West, for a distance of 86.20 feet;  
Thence South 41°57'07" East, for a distance of 58.36 feet;  
Thence South 00°26'46" East, for a distance of 32.68 feet;  
Thence South 04°07'56" East, for a distance of 34.28 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "E-1";  
Thence South 84°38'58" West, for a distance of 25.23 feet;  
Thence South 02°45'30" East, for a distance of 30.73 feet;  
Thence South 44°47'32" East, for a distance of 9.52 feet;  
Thence South 00°29'38" East, for a distance of 7.98 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "F";  
Thence North 81°24'59" East, for a distance of 15.47 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "G";  
Thence North 86°52'53" East, for a distance of 14.74 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "H";  
Thence North 07°42'50" West, for a distance of 4.45 feet;  
Thence North 01°50'13" West, for a distance of 45.97 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "I";  
Thence North 01°00'09" West, for a distance of 280.08 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "J";  
Thence North 87°38'46" East, for a distance of 16.02 feet to the Point of Termination.

From a Point of Beginning at aforesaid Point "K";  
Thence North 88°21'55" West, for a distance of 15.87 feet to the Point of Termination.

TOGETHER WITH THE FOLLOWING 10.00 FOOT WIDE AND 20.00 FOOT WIDE WATER MAIN EASEMENT THE CENTERLINES OF WHICH BEING DESCRIBED AS FOLLOWS:

From a Point of Beginning at aforesaid Point "E" for the following 20.00 foot wide portion of the Easement;

Prepared by:  
CONSUL-TECH SURVEYING & MAPPING, INC.  
3141 Commerce Parkway  
Miramar, Florida 33025  
Ph: (954) 438-4300  
Fax: (954) 438-1433  
May 18, 2010

Thence North 01°56'44" West, for a distance of 47.86 feet to the Point of Termination of said 20.00 foot wide portion of the Easement;  
Thence North 43°42'29" East, for a distance of 4.77 feet;  
Thence North 01°17'31" West, for a distance of 12.37 feet to the Point of Termination. Said last two, (2), courses being a portion of a 10.00 foot wide Easement being contiguous with said previous 20.00 foot wide portion of the Easement.

TOGETHER WITH THE FOLLOWING 20.00 FOOT WIDE WATER MAIN EASEMENT:

From a Point of Beginning at aforesaid Point "C";  
Thence North 01°18'49" West, for a distance of 47.39 feet to the Point of Termination.

Said Parcel of land lying and being in the City of Dania Beach, Broward County, Florida and containing 29,149.89 Square Feet, (0.669 Acres), more or less.

All lines of said Easement are to be either extended or trimmed to form a closed, contiguous figure and no Easement lines should extend beyond the Boundary Limits as described in said ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.

**SURVEYOR'S NOTES:**

1. This Sketch To Accompany Legal Description does not represent a field Boundary Survey.
2. No field work was performed with the preparation of this Sketch To Accompany Legal Description.
3. Bearings as shown hereon are based on the East line of Block 1, Lot 6 of the Plat of "DOUGLAS HILL", according to the Plat thereof as recorded in Plat Book 12 at Page 45 of the Public Records of Broward County, Florida and as depicted in a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to this Surveyor by the client via E-Mail. Said line bears North 01°17'38" West.
4. Lands shown hereon were not abstracted for Easements, Ownership, Rights-of-Way or other matters of records that may be found in the public records of Broward County, Florida.
5. No Title Commitment, Opinion Of Title or Loan Policy was reviewed in the preparation of this Sketch To Accompany Legal Description.
6. Linework used in the preparation of this Sketch To Accompany Legal Description is based on As-Built location data that was supplied to this Surveyor via AutoCAD drawing file named "3408 Summerfield-Hyatt-Dania Beach\_OnsiteWaterMainAlignment.dwg" as prepared by Paramount Engineering Group, Inc. and delivered to Consul Tech Enterprises, Inc. via Compact Disc, (CD), dated 12/07/09.
7. The size of the Easement is based on the "WATER PLAN" as prepared by Mr. John L. England from the firm of Consul Tech Development Services, Inc. under Project No. 06-101540.A, Sheet C-9 of C-22 with a last revision date of 10/20/08. It is the intention of this Easement to approximately center the As-Built Utility locations with the Easement. Any potential conflicts with this Easement due to changes / modifications / revisions to the field location of the Utility are not the responsibility of this firm.
8. This Sketch To Accompany Legal Description is not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
9. The Legal Description as shown hereon is based on information obtained from a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to Consul Tech Surveying & Mapping, Inc. by the client via E-Mail.
10. Underlying Plat and Recording information is based on the ALTA/ACSM Land Title Survey described in Numbers 3. and 9. above and was not verified by this Surveyor and is shown for information purposes only.

**CONSUL-TECH SURVEYING & MAPPING, INC.**



Date: 05/18/10

**Darryl J. Hauser**  
Professional Surveyor and Mapper  
Florida Registration Number LS 6277

Prepared by:  
CONSUL-TECH SURVEYING & MAPPING, INC.  
3141 Commerce Parkway  
Miramar, Florida 33025  
Ph: (954) 438-4300  
Fax: (954) 438-1433  
May 18, 2010



# Surveying & Mapping, Inc.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

3141 Commerce Parkway  
Miramar, Florida 33025

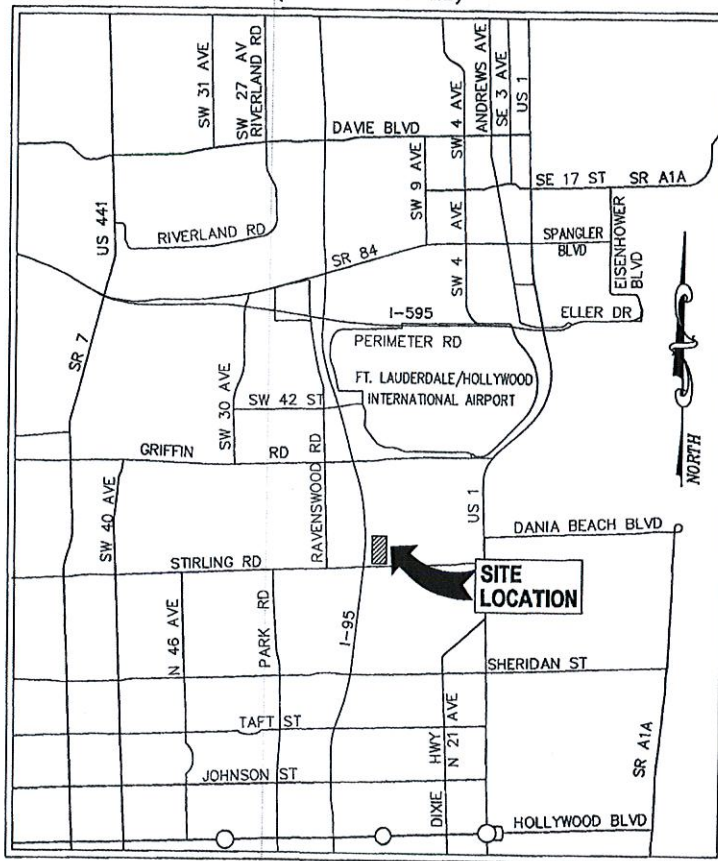
Phone (954) 438-4300 Fax (954) 438-1433

## SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

### WATER MAIN EASEMENT

### LOCATION SKETCH (NOT TO SCALE)



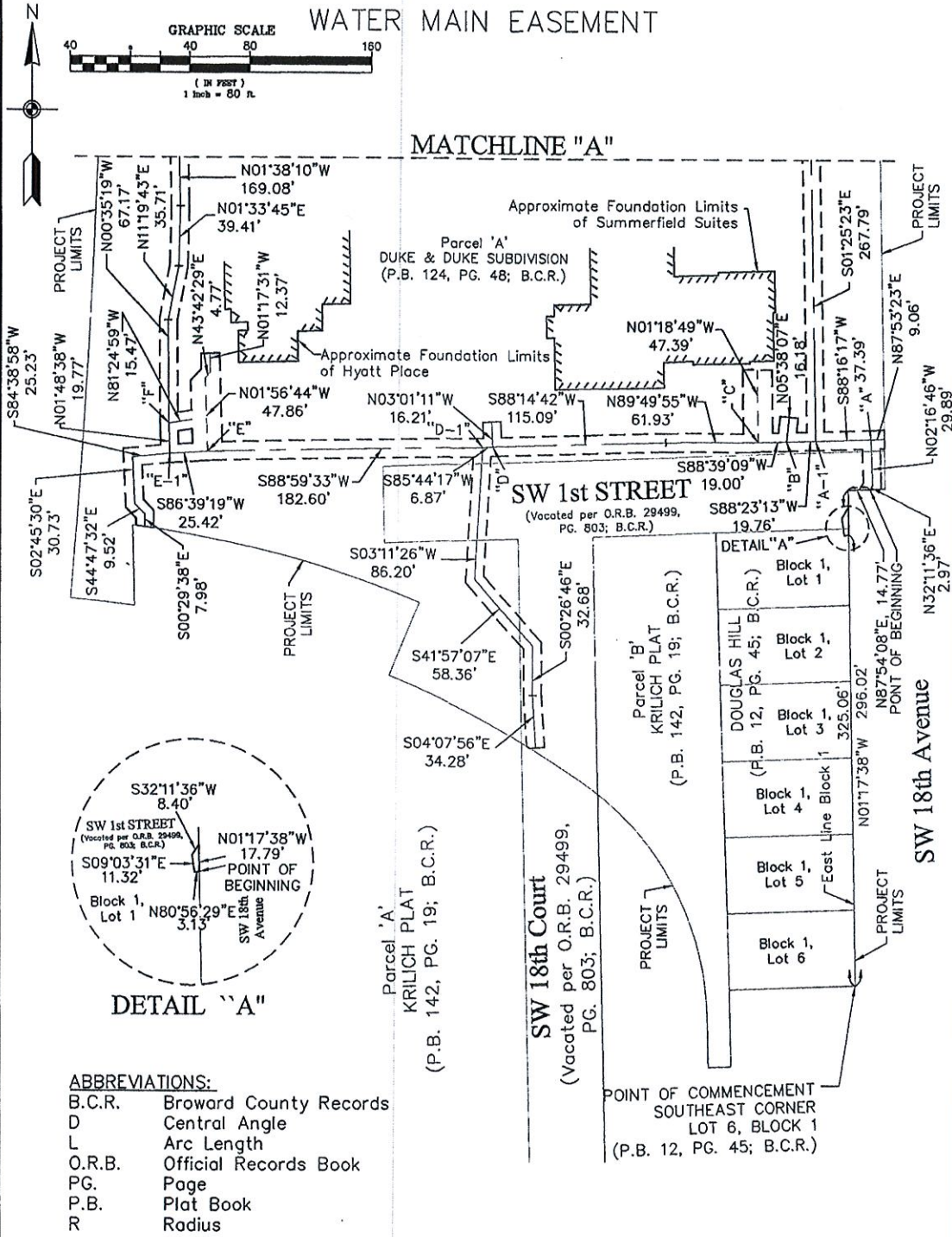
#### ABBREVIATIONS:

- B.C.R. Broward County Records
- D Central Angle
- L Arc Length
- O.R.B. Official Records Book
- PG. Page
- P.B. Plat Book
- R Radius

UPDATES/REVISIONS	DATE	BY	CK'D	NOTE:	
				THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSUL-TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN. NOTE: THIS INSTRUMENT IS THE PROPERTY OF CONSUL-TECH SURVEYING & MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSUL-TECH SURVEYING & MAPPING, INC. ©	
File No.	Job No. S8-040820A	Scale:	N/A	Page: 5	
Drawn By: J.A.M.	Checked By: FSR/DJH	F.B.	N/A	PG. N/A	Of: 7

### SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM



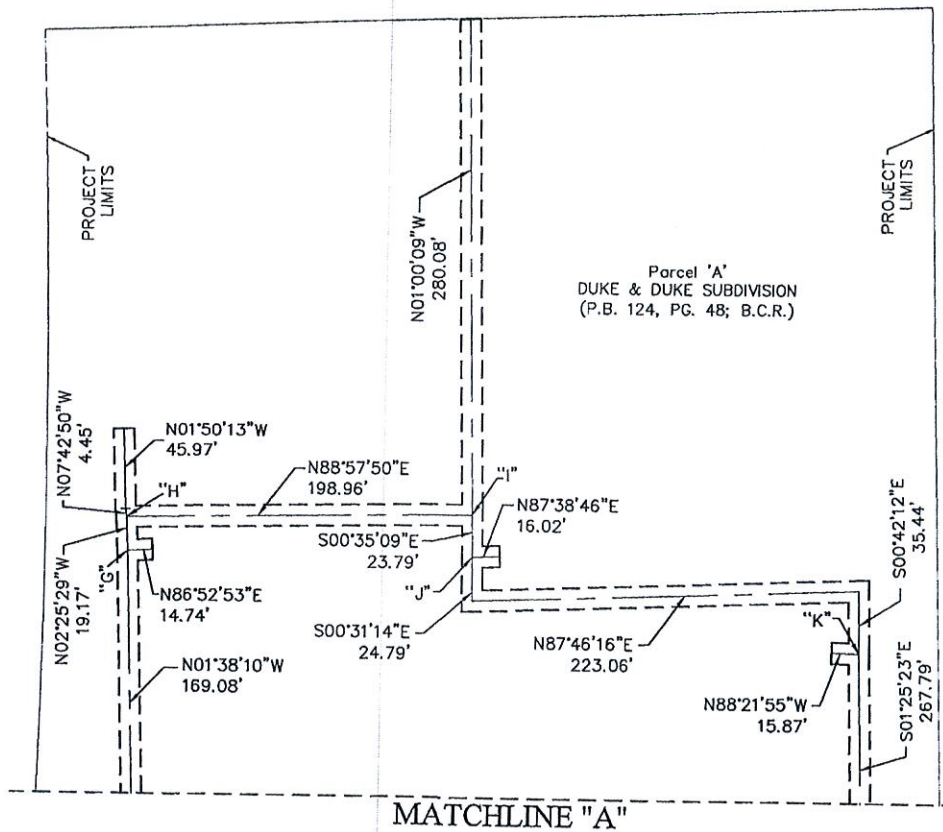
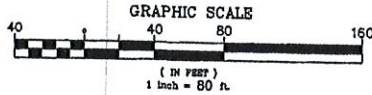
UPDATES/REVISIONS	DATE	BY	CK'D	NOTE:
				THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSUL-TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.
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File No.	Job No. SB-040820.A	Scale: 1" = 80'	Page: 6	NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
Drawn By: J.A.M.	Checked By: PSR/DJH	F.B. N/A PG. N/A	Of: 7	



### SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

### WATER MAIN EASEMENT



**ABBREVIATIONS:**

- B.C.R. Broward County Records
- D Central Angle
- L Arc Length
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- P.B. Plat Book
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UPDATES/REVISIONS	DATE	BY	CK'D	NOTE:
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Drawn By: J.A.M.	Checked By: PSR/DJH	F.B. N/A PG. N/A	Of: 7	



**linda strutt consulting, inc.**  
planning    zoning    development    services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

March 1, 2016

Mr. Leonard Maxwell-Newbold  
Regional Permit Administrator  
Comcast/Southern Division (RDC)  
2601 SW 145<sup>th</sup> Avenue  
Miramar, FL 33027

Dear Mr. Maxwell-Newbold:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of portions of easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

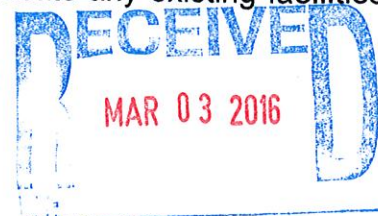
The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

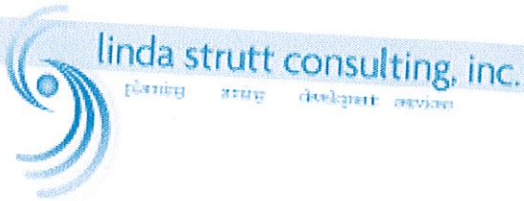
The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description for each are attached. They are briefly described below.

- ORBk 47392 Pg 782 is a 15-foot wide sewer easement located within the Duke & Duke Subdivision plat serving the hotel property. A portion of this easement extends into the Dania Pointe property and conflicts with proposed redevelopment. The applicant is proposing to vacate the portion shown on the attached legal sketch and description and remove/relocate any existing facilities within the portion to be vacated.

**FILE COPY**





227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

March 1, 2016

Mr. Leonard Maxwell-Newbold  
Regional Permit Administrator  
Comcast/Southern Division (RDC)  
2601 SW 145<sup>th</sup> Avenue  
Miramar, FL 33027

Dear Mr. Maxwell-Newbold:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of portions of easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes.

Copies of the recorded instruments as well as the legal sketch and description for each are attached. They are briefly described below.

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FILE COPY



- ORBk 47454 Pg 1372 is a water main easement within the Duke & Duke Subdivision plat serving the hotel property. Portions of this easement extend into the Dania Pointe property and conflict with proposed redevelopment. The applicant is proposing to vacate the portions shown on the attached legal sketch and description and remove/relocate any existing facilities within the portion to be vacated.

We are requesting a letter of no objection to the vacation of the legally described portions of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated.

Please address the response to me on Comcast letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures



**linda strutt consulting, inc.**  
planning    strategy    development    services

227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

March 1, 2016

Mr. David Gill  
Florida Power & Light  
4000 Davie Road Ext.  
Davie Florida 33004

Dear Mr. Gill:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of portions of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to FPL by separate instrument.

Copies of the recorded instruments as well as the legal sketch and description for each are attached. They are briefly described below.

- ORBk 47392 Pg 782 is a 15-foot wide sewer easement located within the Duke & Duke Subdivision plat serving the hotel property. A portion of this easement extends into the Dania Pointe property and conflicts with proposed redevelopment. The applicant is proposing to vacate the portion shown on the attached legal sketch and description and remove/relocate any existing facilities within the portion to be vacated.

**FILE COPY**

**RECEIVED**  
MAR 03 2016


- ORBk 47454 Pg 1372 is a water main easement within the Duke & Duke Subdivision plat serving the hotel property. Portions of this easement extend into the Dania Pointe property and conflict with proposed redevelopment. The applicant is proposing to vacate the portions shown on the attached legal sketch and description and remove/relocate any existing facilities within the portion to be vacated.

We are requesting a letter of no objection to the vacation of the legally described portions of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on FPL letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

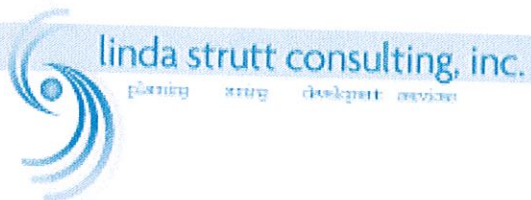
If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures



227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

March 1, 2016

Mr. Andrew Farquharson  
AT&T Florida  
Specialist-OSP Engineering  
8601 West Sunrise Boulevard  
Plantation, FL 33322

Dear Mr. Farquahar:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of portions of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

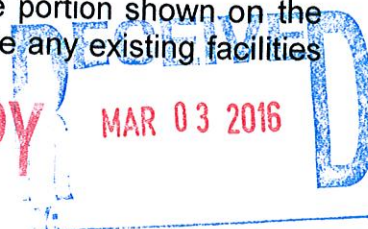
The easements which are the subject of the requested letter were dedicated specifically to the City of Dania Beach for water and sewer purposes. You will be contacted separately regarding any easements granted to ATT by separate instrument.

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**FILE COPY**

**MAR 03 2016**



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We are requesting a letter of no objection to the vacation of these legally described portions of these two easements. Please either provide one letter specifically indicating the two instruments proposed for vacation or a separate letter for each that specifically references the instrument to be vacated. I have attached a draft response letter for your convenience.

Please address the response to me on ATT letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures





**linda strutt consulting, inc.**  
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227 Goolsby Boulevard  
Deerfield Beach, Florida 33442  
Phone 954-426-4305 Fax 954-725-3342

March 1, 2016

Mr. Max Chamorro  
TECO Peoples Gas  
5101 NW 21<sup>st</sup> Avenue #460  
Fort Lauderdale, Florida 33309

Dear Mr. Chamorro:

**Proposed Vacation of Municipal Utility Easements  
Dania Pointe  
City of Dania Beach**

On behalf of the owner, Dania Live 1748, LLC, I am requesting a letter of no objection to the proposed vacation of portion of two utility easements granted by separate instrument to the City of Dania Beach for water and sewer purposes.

The applicant has assembled approximately 102 acres between I-95 and Bryan Road north of Stirling Road in the City of Dania Beach for redevelopment. All easements dedicated by separate instrument are being vacated by the appropriate procedures. The developer will be relocating existing utilities and providing easements in association with site plan approval or utility relocation.

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**MAR 03 2016**




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Please address the response to me on TECO letterhead and send an electronic copy to [linda@struttconsulting.com](mailto:linda@struttconsulting.com).

If you have any questions or concerns regarding this request or need additional information, please call me at (954) 426-4305

Sincerely,



Linda C. Strutt, AICP

Enclosures