



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
1 N. University Drive, Box 102 · Plantation, FL 33324
T: 954-357-6666 F: 954-357-6521
Broward.org/Planning

Review and Approval of Vacation Petition Application

Review

Date: May 21, 2021

To: County Attorney's Office **Attention:** Maite Azcoitia, Office of County Attorney

From: Planning and Development Management Division

Subject: Vacation Petition No.: 2019-V-13

Petitioner(s): Holman Automotive, Inc.

Agent for Petitioner(s): Marla Neufeld, Esq., Greenspoon Marder, LLP

Type: Vacating Plats, or any Portion Thereof (**BCCO 5-205**)
 Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (**BCAC 27.68**)
 Releasing Public Easements and Private Platted Easements or Interests (**BCAC 27.69**)

Project: Easement Right-of-Way Other

Pursuant to Florida Statute Chapter 177.101 and the above sections of the Broward County Administrative Code and Code of Ordinances, the following determined that the requested vacation petition would not affect the ownership or right of convenient access of persons owning other parts of the subdivision:

Designated Review Agencies and Organizations Date: May 19, 2020

Required Documentation

Vacation Petition Application Date Accepted: November 20, 2019

File Fee (made payable to **Broward County Board of County Commissioners** and deposited)

Petitioner Notice of Intent Dates Published: August 14, 2021 and August 21, 2021

Certificate of Real Estate Taxes Paid [Revenue Collection Division] Date: N/A (ROW)

Property Location Municipality of Fort Lauderdale Municipal Service District

Certified Copy of Municipal Resolution No: C-21-11 Date(s): April 20, 2021

Sketch and Legal Description by: David Fradley, PSM #3458

Location Map (Created by County Surveyor)

Aerial Photograph and Section Map (No longer provided; advise if needed for review)

Plat, if applicable Certified Copy

Written Consent of All Abutting Owners in Plat, if applicable

Certificate or Opinion of Title by: Paramount Title Services, Inc. Date: June 8, 2021

Documentation of all reviewers responding "no objection/no comment"

Waivers of Objection by Utility Companies

Draft Resolution to Set Public Hearing

Draft Resolution of Adopted Vacation

Approval

Approved subject to the Office of the County Attorney's receipt, review, and approval of a Title Certificate dated within 45 days prior to the Public Hearing.

Reviewed and Approved as to Form by: Alexis I. Marrero Koratich Digitally signed by Alexis I. Marrero Koratich
Date: 2021.06.09 09:34:09 -04'00'

Print Name: Alexis I. Marrero Koratich Date: 6/9/2021



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

Exhibit 1
 Page 2 of 9
 Office Use Only
 Date Application Accepted:
 11/20/2019

Application Number: 2019-V-13

APPLICATION FOR VACATION AND ABANDONMENT

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

PETITIONER INFORMATION	
Petitioners (Owners):	
Petitioner 1: Holman Automotive, Inc.	Folio(s): 4942 34 06 2620 and 4942 34 07 1500
Address: 12 E. Sunrise Blvd.	Phone: C/O 954-761-2929
Address (cont'd):	Fax:
City, State Zip: FORT LAUDERDALE FL 33304	Email: c/o marla.neufeld@gmlaw.com
Important: Proof of Property Ownership required. Note: For Co-Petitioners/Owners, complete additional Petitioner/Owner Information page(s).	

AGENT INFORMATION	
Agent for Petitioners:	
Contact Person: Marla Neufeld, Esq.	Phone 1: 954-761-2929
Address: 200 E. Broward Blvd. Suite 1800	Phone 2:
Address (cont'd):	Fax:
City, State Zip: Ft. Lauderdale, FL 33301	Email: marla.neufeld@gmlaw.com
Note: Proof of Agent Authorization by Petitioners required. Included with submittal	

PROPERTY INFORMATION	
Vacation Requested: (brief description) See narrative for vacation of 40 foot right-of-way.	
Section:	Township: Range:
Approximate Street Address: Portion of NE 8th Street near Progresso Drive and NE 1st Avenue	
Location: <input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Municipal Services District
Folio Number(s): 4942 34 06 2620 and 4942 34 07 1500 (both abut the vacation area)	
Plat: Progresso	
Surveyor/Mapper: Winningham and Fradley, Inc.	
Legal Description Attached: <input checked="" type="checkbox"/> Full <input type="checkbox"/> Short	Zoning: Land Use:
Reason for Vacation (be specific): See narrative.	
First Application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, previous Application No:	

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

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

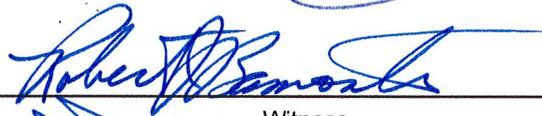
The undersigned Petitioner(s) has fully reviewed the Instructions concerning the Application for Vacation and Abandonment and understands that the Application must be complete and accurate prior to Broward County acceptance and review. The undersigned hereby petitions the Broward County Board of County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

PETITIONER/OWNER(S)

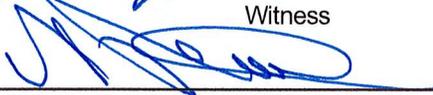
6/20/19

Date

Petitioner



Witness



Witness

Date

Petitioner

Witness

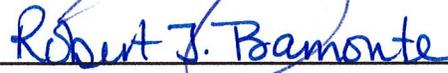
Witness

Margaret Tracz as the Assistant Secretary/Assistant
Treasurer of Holman Automotive, Inc.

(print name)

By

(signature)



(Witness print name)



(Witness print name)

(print name)

By

(signature)

(print signer's name)

PETITIONER ACKNOWLEDGMENT (By Individual)

State _____

County _____

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

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

The foregoing instrument was acknowledged before me this ____ day of _____
20____, by _____

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

NOTARY
(SEAL)

Notary Signature: _____

Print Name: _____

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

My Commission Expires: _____

Serial No., if any: _____

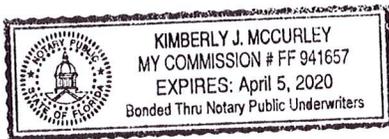
PETITIONER ACKNOWLEDGMENT (By Business or Government Entity)

State FLORIDA
County BROWARD

I hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____
Margaret Tracz (name)
as Assistant Secretary/Assistant Treasurer (title)
of HOLMAN AUTOMOTIVE, INC. (name of entity),
a FLORIDA CORPORATION (type of corporation/partnership/government),
on behalf of the business or government entity, who being first duly sworn by me this day, deposes and states that s/he is authorized on behalf of the business or government entity as Petitioner(s) in the foregoing Application for Vacation and Abandonment.

The foregoing instrument was acknowledged before me this 30 day of June
2019, by Margaret Tracz, Assistant Secretary/Assistant Treasurer
who is personally known to me or has produced _____
as identification.

NOTARY
(SEAL)



Notary Signature: [Handwritten Signature]

Print Name: Kimberly J. McCurley

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

My Commission Expires: April 5, 2020

Serial No., if any: FF 941657

AFFIDAVIT TO AUTHORIZE PETITIONER(S) AGENT

I/We, Holman Automotive, Inc.

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

1. That I/we am/are the owner(s) and record title holder(s) of the lands that are to be vacated and abandoned. my/our Folio Number(s) is/are as follows: 4942 34 06 2620 & 4942 34 07 1500
2. That I/we do hereby appoint the following Agent to act on my/our behalf in the processing of the subject Application for Vacation and Abandonment to Broward County Board of Commissioners:

Name: Greenspoon Marder, LLP
 Address: 200 E. Broward Blvd, Suite 1800
 City, State Zip: Ft. Lauderdale FL 33301
 Telephone: 954-761-2929
 Contact Person: Marla Neufeld

Margaret Tracz as the Assistant Secretary/Assistant Treasurer of Holman Automotive, Inc.

Name of Petitioner/Owner(s)

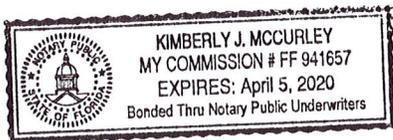
By _____
 (signature)
Margaret Tracz
 (print name)

20 day of June, 20 19

State Florida
 County Broward

The foregoing instrument was acknowledged before me this 20 day of June 2019, by Margaret Tracz, Assistant Secretary/Assistant Treasurer who is personally known to me or has produced _____ as identification.

NOTARY
(SEAL)



Notary Signature: _____
 Print Name: Kimberly J. McCurley
 Notary Public in and for the County and State last aforesaid.
 My Commission Expires: April 5, 2020
 Serial No., if any: PF 941657



Marla Neufeld, Esq.
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Phone: 954.491.1120
Fax: 954.771.9264
Direct Phone: 954.761.2929
Direct Fax: 954.333.4129
Email: marla.neufeld@gmlaw.com

Right-of-Way Vacation Narrative

The Applicant, Holman Automotive, Inc. ("Holman"), submits this application to vacate a 40 foot wide right-of-way ("Right-of-Way"), consisting of a portion of NE 8th Street in the City of Fort Lauderdale. The Right-of-Way has been fenced off on both ends since 1987, and has not been used for public purposes during that period. The Right-of-Way abuts two properties owned by the Applicant (between Folio 4942 3407 1500 and 4942 34 06 2620). The Right-of-Way is identified as right-of-way on the Broward County Property appraiser's website.

The Right-of-Way was created by the Progresso plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida.

The Right-of-Way is subject to that certain Encroachment Agreement recorded in Official Records Book 12963, Page 490 of the Public Records of Broward County, Florida entered into between the City of Fort Lauderdale and Holman (when Holman's corporate name was Fort Lauderdale Lincoln Mercury, Inc.) pursuant to which Holman was given the right to utilize the Right-of-Way for paving, landscaping, and fencing for parking lot purposes. The City does not utilize the Right-of-Way and as stated above, the Right-of-Way has been fenced off since 1987.

It is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8th Street. This sewer main provides service to the properties located on NE 2nd Avenue and east to the FEC Railroad south to Progresso Drive. It is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8th Street and place a utility easement over it. This sewer main provides service to the properties located on NE 2nd Avenue and east to the FEC Railroad south to Progresso Drive.

Drainage System:

It is the intent to leave the existing drainage system within the vacated NE 8th Street right of way and place an easement over the existing line. This drainage line serves the lands east of NE 1st Avenue and south of NE 9th Street, to and including Progresso Drive.

FPL Lines:

Overhead Florida Power and Light electric lines and poles are located on the south side of NE 8th Avenue. It is the intent to leave the existing electric lines in their present location and dedicate a utility easement over this utility.

Potable Water Lines:

Potable water lines are not located within the NE 8th Street right of way under consideration for vacation.