

Meeting Date: January 24, 2012

Agenda Item 9
Memorandum No. 11-430

REQUESTED COMMISSION ACTION: QUASI-JUDICIAL

Consent Ordinance Resolution Consideration Workshop

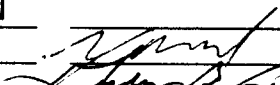
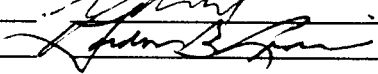
SHORT TITLE AN ORDINANCE ABANDONING THAT CERTAIN FOURTEEN FOOT ALLEYWAY
LYING NORTH OF AND PARALLEL TO EAST ATLANTIC BOULEVARD AND BETWEEN
NE 3RD AVENUE AND NE 4TH AVENUE.

Summary of Purpose and Why:

The Petitioner at 301 East Atlantic Boulevard is requesting abandonment of the 14 foot alley located between lots 1-5 and 6-10 of Block #8 of the Campbell and Saxon Addition Plat. This abandonment was previously submitted in 2008 and it was withdrawn over objections that the alley served a public purpose. To address the objections, the owners have stipulated they will execute an access easement and record a Unity of Title. A utility easement for the alley will be retained per the Ordinance for Abandonment. The additional documents have been provided as evidence that all of the conditions for approval established as part of the Planning and Zoning Board recommendation will be addressed by the Applicant.

TABLED FROM 11/22/2011 CITY COMMISSION MEETING AND 12/13/11 & 1/10/12
QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

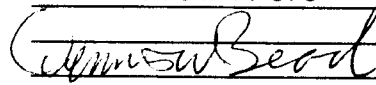
- (1) Origin of request for this action: Keith and Associates, Inc. (as Agent for abutting owners)
- (2) Primary staff contact: Jean E. Dolan / Robin M. Bird Ext. 5554
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
<u>Dev. Services</u>	<u>09/16/2011</u>	<u>Approval</u>	
<u>City Attorney</u>	<u>10/03/2011</u>	<u>Prepared Ordinance</u>	

Advisory Board

P&Z Memo # 11-370

City Manager



ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
<u>1st Reading</u> <u>11/08/11</u> <u>APPROVED</u>	<u>1st Reading</u> _____	<u>Results:</u> _____	<u>Results:</u> _____
<u>2nd Reading</u> <u>1/24/12</u>	_____	_____	_____
_____	_____	_____	_____




City Attorney's Communication #2012-02

October 3, 2011

TO: Jean E. Dolan, AICP, Principal Planner

FROM: Jill R. Mesojedec, FRP, Paralegal

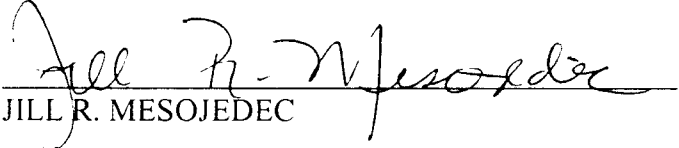
VIA: Gordon B. Linn, City Attorney 

RE: Ordinance to Vacate a 14 Foot Wide Alley Between NE 3rd Avenue and NE 4th Avenue

As requested in your memorandum of September 29, 2011, Department of Development Services Memorandum No. 11-395, the following form of ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN FOURTEEN FOOT ALLEYWAY LYING NORTH OF AND PARALLEL TO EAST ATLANTIC BLVD. (S.R. 814) AND BETWEEN NE 3RD AVENUE AND NE 4TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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


JILL R. MESOJEDEC

/jrm
l:cor/zoning/2012-02

Attachment

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN FOURTEEN FOOT ALLEYWAY LYING NORTH OF AND PARALLEL TO EAST ATLANTIC BLVD. (S.R. 814) AND BETWEEN NE 3RD AVENUE AND NE 4TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, fifteen (15) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

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

WHEREAS, the City Commission has received a request for the abandonment of the remaining portion of that certain fourteen foot alley lying north of and parallel to East Atlantic Blvd. and between NE 3rd Avenue and NE 4th Avenue; and

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

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

SECTION 1. It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer require retention by the public in that certain alley as more fully described below.

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

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

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

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

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

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

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

SECTION 7. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2011.

PASSED SECOND READING this _____ day of _____, 2011.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

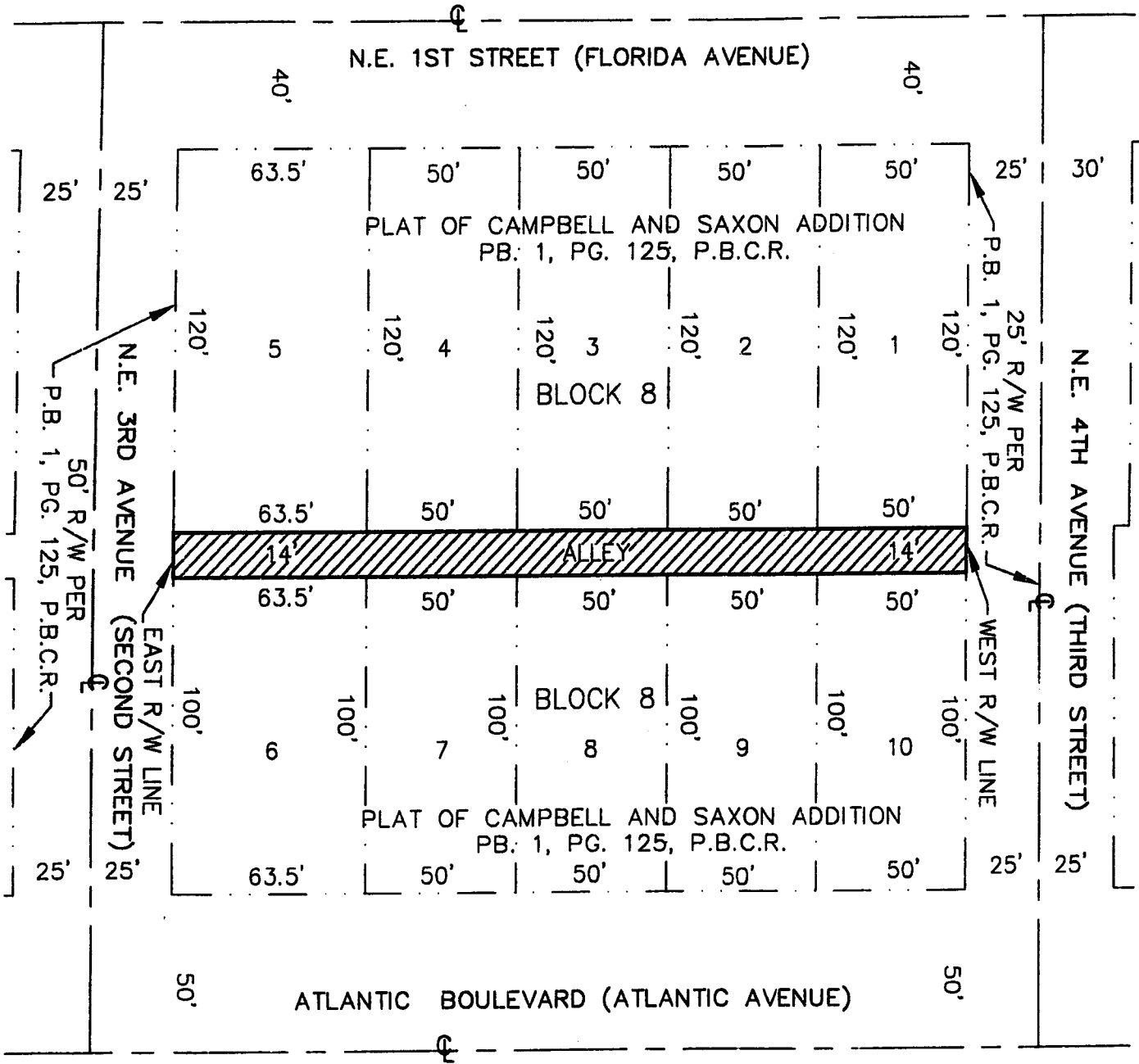
GBL/jrm
10/3/11
L:ord/2012-01

LEGEND

LB. LICENSED BUSINESS
 P.B.C.R. PALM BEACH COUNTY RECORDS
 P.B. PLAT BOOK
 PG. PAGE
 R/W RIGHT OF WAY
 C CENTERLINE

EXHIBIT "A"

SCALE 1"=50'



SKETCH AND DESCRIPTION

A PORTION OF BLOCK 8, PLAT OF CAMPBELL AND SAXON ADDITION, P.B. 1, PG. 125, P.B.C.R. CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

KEITH & ASSOCIATES INC.
 consulting engineers
 301 EAST ATLANTIC BOULEVARD
 POMPANO BEACH, FLORIDA 33060-6643
 (954) 788-3400 FAX (954) 788-3500
 EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2
 DRAWING NO. 07046.MO

DATE 09/04/09
 SCALE 1"=50'
 FIELD BK. N/A
 DWNG. BY S.M.
 CHK. BY M.M.M.

DATE	REVISIONS

REVISIONS outstanding 07046.MO Brandon A. King


PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

MEMORANDUM #11-42

DATE: October 1, 2011
TO: City Commission
FROM: Planning and Zoning Board/Local Planning Agency
SUBJECT: ABANDONMENT REQUEST - Campbell and Saxon Addition

At the meeting of the Planning and Zoning Board/Local Planning Agency held on September 28, 2011, the Board considered the request by **MIKE VONDER MEULEN** on behalf of **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH** to abandon that certain 14 foot alleyway lying between Lots 1 through 10 of Block 8, Campbell and Saxon Addition, according to the plat thereof as recorded in Plat Book 1, Page 125, of the public records of Broward County, Florida.

It is the unanimous recommendation of the Board that the alleyway be abandoned as requested subject to the condition that a utility easement, as well as an access easement, be provided in the ordinance to abandon the alley and said easements must be recorded by the petitioners. After abandonment, the petitioners shall record a Unity of Title for each property that will take a portion of the abandoned alley.



JIM BEESON
Chairman
Planning and Zoning Board/Local Planning Agency

lrh

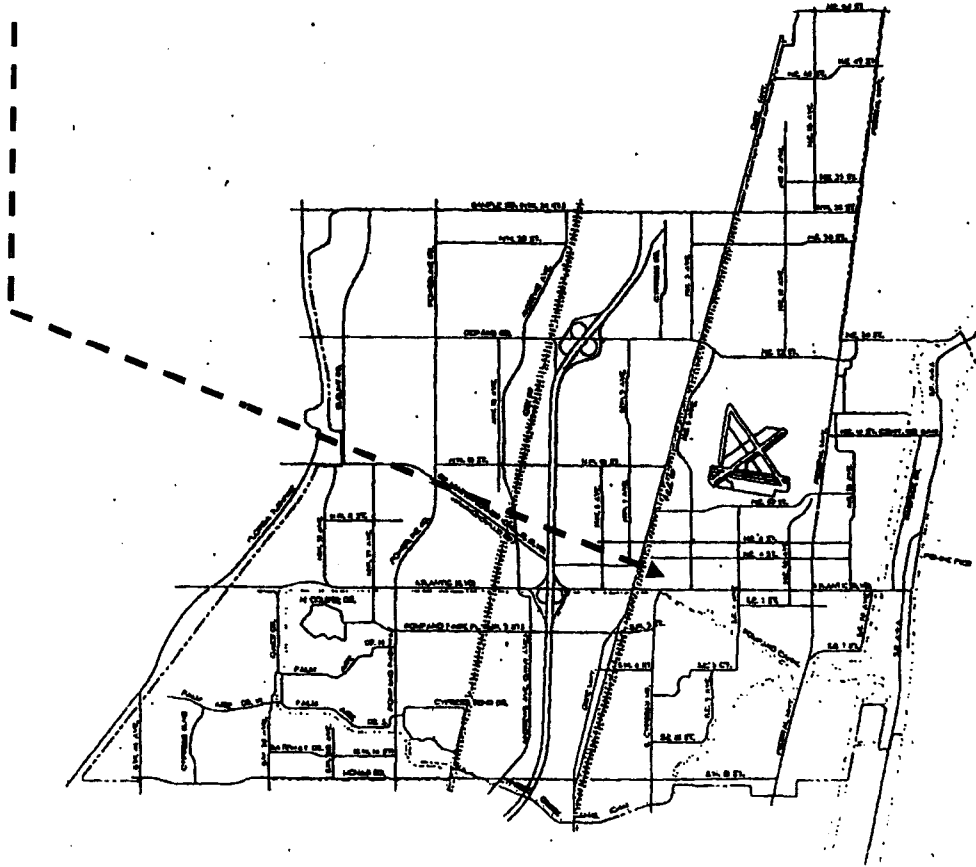


CITY OF POMPANO BEACH
DEPARTMENT OF DEVELOPMENT SERVICES
ADMINISTRATIVE REPORT NO. 11-370

DATE: September 16, 2011
TO: Planning & Zoning Board
VIA: Robin M. Bird, Development Services Director *RB*
FROM: Jean E. Dolan, AICP, Principal Planner *JED*
RE: Request for Abandonment
Campbell & Saxon Addition, Block 8, lots 1-10
Between Atlantic Blvd & NE 1st Street (P & Z # 11-18000003)

The Applicant is requesting to abandon the alleyway in the 300 block of East Atlantic Boulevard between NE 3rd Avenue and NE 4th Avenue, between Atlantic Blvd and NE 1st Street. This abandonment was previously submitted in 2008 (Case #08-18000007) and was ultimately withdrawn due to several objections. These objections have since been resolved and the Applicant is moving the request forward. A utility easement will be retained along the subject alley.

300 block East Atlantic Blvd

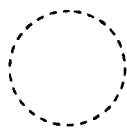


LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

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



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

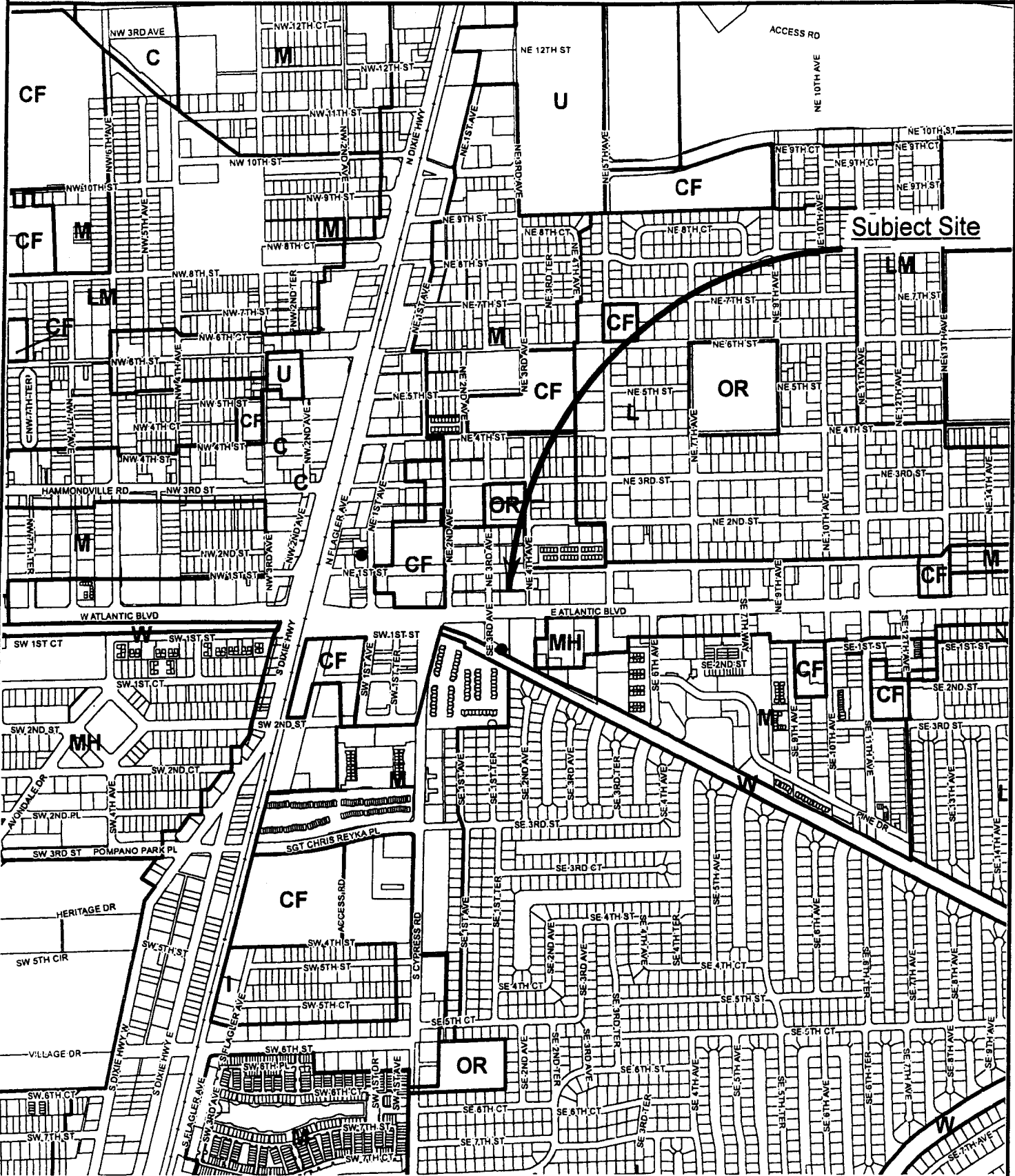
* Existing
> Proposed

FOR ZONING MAP

Symbol District

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

EXERPT FROM THE CITY OF POMPANO BEACH FUTURE LAND USE MAP



1 inch = 1,000 feet



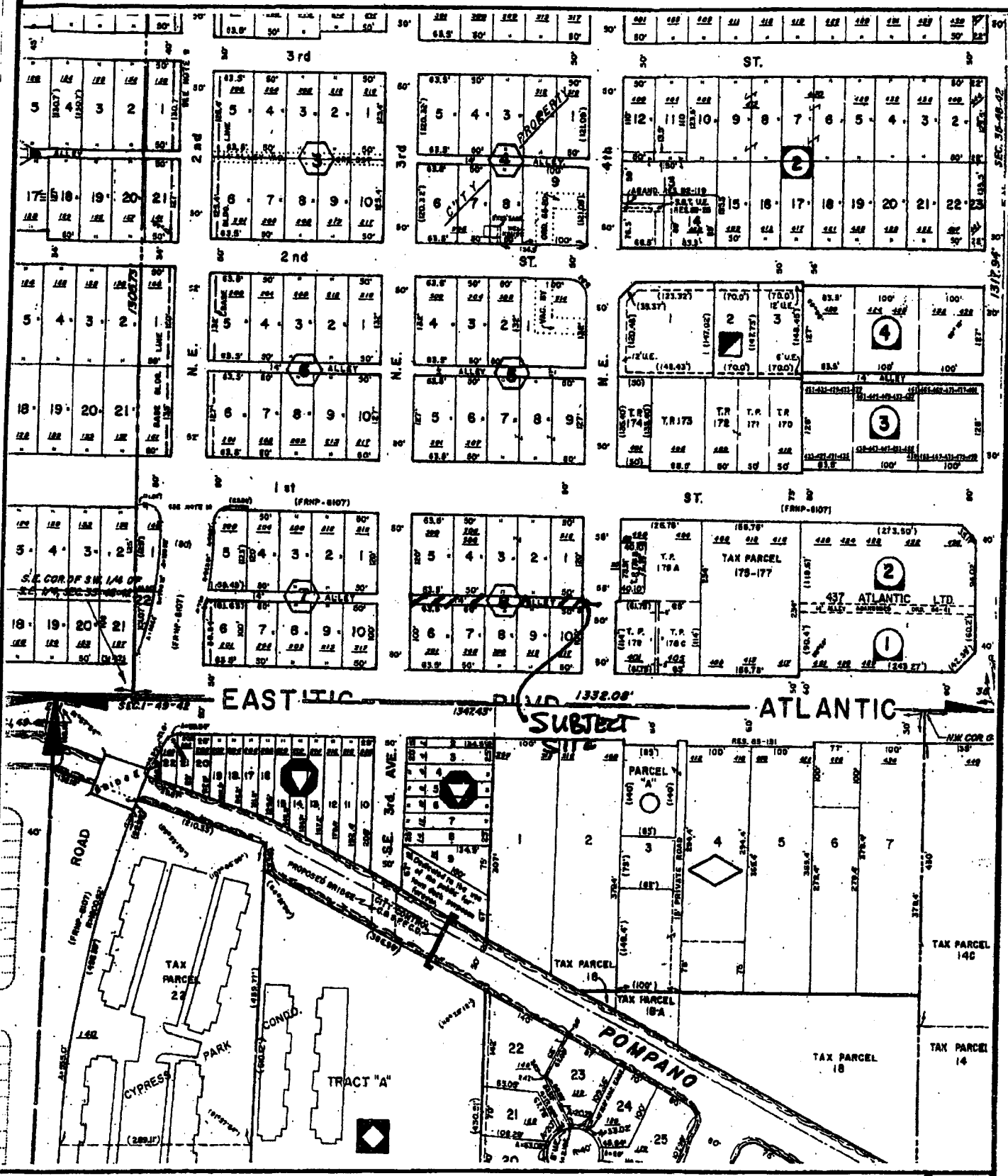
EXERPT FROM THE BROWARD COUNTY PROPERTY APPRAISER
AERIAL MAP



1 inch = 200 feet



EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: 1" = 200'

↑
NORTH

REVIEW AND SUMMARY

Zoning Department:	No Objection – subject to Unity of Title and Cross-Access Easement
Sherriff Department:	No objection
Fire Department:	No objection
Engineering Department:	No Objection – subject to Unity of Title and Cross-Access Easement
Public Works Department:	No objection
Utilities Department:	No objection
AT&T:	No objection - subject to retention of new utility easement and relocation of existing facilities into the new easement
TECO Gas:	No objection – subject to retention of utility easement
Department of Transportation:	No objection
FP&L:	No objection - subject to retention of utility easement
Comcast Cable:	No Objection - subject to retention of utility easement

ZONING DEPARTMENT RECOMMENDATION

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

Alternative Motions

I- Approve with conditions

Recommend approval to the City Commission with the condition that a utility easement as well as an access easement be provided for in the Ordinance to abandon the alley and said easements must be recorded by the petitioners. After abandonment, the petitioners shall record a Unity of Title for each property that will take a portion of the abandoned alley.

II- Table

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

III- Denial

Recommend denial to the City Commission as the Board finds that due to the location of utilities in the alley and the use of the alley for access signifies that this alleyway does serve a public purpose and should not be abandoned.

Staff recommends Motion I "Approve with conditions" as stated above.

August 23, 2011

Robin Bird, Director of Development Services
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, FL 33060

**RE: Alley Vacation 300 Block of East Atlantic Boulevard
Campbell and Saxon Addition P.B. 1 P. 125 PBCR Block 8, Lots 1-10**
Location: East/west alley between NE 3rd and NE 4th Streets, north of Atlantic Boulevard
K&A Project Number: 07046.M0

Dear Mr. Bird;

On behalf of Elizabeth Keith, Paul Gardener Company and MBPFF Holding Company, property owners, Keith & Associates is requesting the vacation of the above referenced alley. This application is identical to case 08-18000007 which was withdrawn. At this time, we believe we can obtain letters of no objection from all utility companies. To address the concerns of the City, we have also provided:

- Unity of title from each of the property owners;
- Blanket access easement for MBPFF from Paul Gardener Company for access to the rear of their property; and
- Utility easement over the alley and installation of a gate at NE 4th Street for the utility companies.

All three property owners have experienced vagrancy and/or vandalism issues pertaining to the alley and believe these issue would be greatly reduced with the closing of the alley.. There is no cohesive network of alleys within the surrounding blocks. Many of the surrounding alleys have already been abandoned or remain unimproved/grassed.

Keith & Associates looks forward to discussing this application with your staff, the Planning and Zoning Board and City Commission.

Respectfully submitted,



Mike Vonder Meulen, AICP
Keith & Associates, Inc.

Cc: Elizabeth Keith
Paul Gardener, Paul Gardner Co.
John McNamara, MBPFF Holding Co.

DRAFT
Executed but Not Recorded

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the City of Pompano Beach pertaining to the issuance of building permits and regulating building construction, the undersigned, **MBPFF Holding Company Inc.**, a Florida not-for-profit corporation, being the fee owner of the following described real property lying, being and situate in the City of Pompano Beach, County of Broward and State of Florida, to-wit:

Lot 4, Block 8, according to the plat thereof as recorded in Plat Book 1, Page 125 of the Public Records of Palm Beach County, Florida.

Together with:

The north 7.00 feet of that certain 14.00 foot Alley abutting said Lot 4.

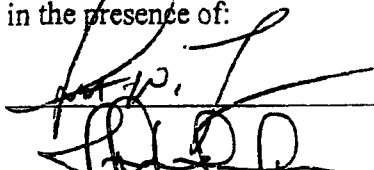
Said lands situate and being in the City of Pompano Beach, Broward County, Florida and containing 6,350 square feet (0.15 acre) more or less.

does hereby make the following declarations of conditions, limitations and restrictions on said lands, hereinafter referred to as the **MBPFF Property**.

-
1. The aforesaid plot, parcel or combinations of separate lots be and the same is hereby established and declared to be unified as an indivisible building site.
 2. This Declaration of Unity of Title shall constitute a covenant running with the land, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder and no portion shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel until such time as the same may be released in writing under the order of the Director of Development Services or title equivalent of the City of Pompano Beach.
 3. The undersigned does further agree that this instrument shall be filed for record among the Public Records of Broward County, Florida.

IN WITNESS WHEREOF, the undersigned has caused this Declaration of Unity of Title to be executed in appropriate manner and its seal to be affixed this 18th day of February.

Signed, Sealed and Delivered
in the presence of:



Print Witness Name(s)

By: JOHN M. NAMARA

Print Name

DRAFT

Executed but Not Recorded

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the City of Pompano Beach pertaining to the issuance of building permits and regulating building construction, the undersigned, **Elizabeth C. Keith**, being the fee owner of the following described real property lying, being and situate in the City of Pompano Beach, County of Broward and State of Florida, to-wit:

Lots 5 and 6, inclusive, Block 8 of the Campbell and Saxon Addition, according to the plat thereof as recorded in Plat book 1 on page 125 of the public records of Palm Beach County, Florida.

Together with:

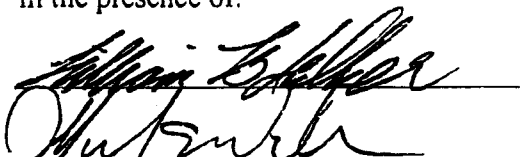
That certain 14.00 foot Alley abutting said lots 5 and 6 inclusive.

does hereby make the following declarations of conditions, limitations and restrictions on said lands, hereinafter referred to as **The Keith Property**

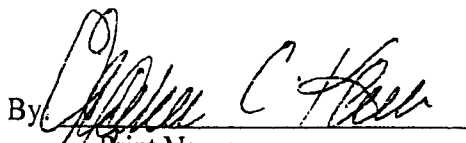
-
1. The aforesaid plot, parcel or combinations of separate lots be and the same is hereby established and declared to be unified as an indivisible building site.
 2. This Declaration of Unity of Title shall constitute a covenant running with the land, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder and no portion shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel until such time as the same may be released in writing under the order of the Director of Development Services or title equivalent of the City of Pompano Beach.
 3. The undersigned does further agree that this instrument shall be filed for record among the Public Records of Broward County, Florida.

IN WITNESS WHEREOF, the undersigned has caused this Declaration of Unity of Title to be executed in appropriate manner and its seal to be affixed this 1st day of December 2010.

Signed, Sealed and Delivered
in the presence of:



 Print Witness Name(s)
William B Walker
Michael S Walker

By 

 Print Name
ELIZABETH C KEITH

DRAFT

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the City of Pompano Beach pertaining to the issuance of building permits and regulating building construction, the undersigned, **Paul Gardner Company, Inc.**, a Florida corporation, being the fee owner of the following described real property lying, being and situate in the City of Pompano Beach, County of Broward and State of Florida, to-wit:

Lots 1 through 3, inclusive, Block 8, and Lots 7 through 10, inclusive, Block 8, according to the plat thereof as recorded in Plat Book 1, Page 125 of the Public Records of Palm Beach County Florida.

Together with:

That certain 14.00 foot Alley abutting said Lots 1 through 3, inclusive and said Lots 8 through 10, inclusive.

Together with:

The south 7.00 feet of that certain 14.00 foot Alley abutting said Lot 7.

Said lands situate and being in the City of Pompano Beach, Broward County, Florida and containing 40,450 square feet (0.93 acre) more or less.

does hereby make the following declarations of conditions, limitations and restrictions on said lands, hereinafter referred to as the **Gardner Company Property**.

-
1. The aforesaid plot, parcel or combinations of separate lots be and the same is hereby established and declared to be unified as an indivisible building site.
 2. This Declaration of Unity of Title shall constitute a covenant running with the land, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder and no portion shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel until such time as the same may be released in writing under the order of the Zoning Director or title equivalent of the City of Pompano Beach.
 3. The undersigned does further agree that this instrument shall be filed for record among the Public Records of Broward County, Florida.

DRAFT

Return recorded document to:

Paul N. Gardner Company, Inc.
316 NE 1st Street
Pompano Beach, FL 33060

Document prepared by:

Keith & Associates
301 East Atlantic Boulevard
Pompano Beach, FL 33060-6643

BLANKET ACCESS EASEMENT

THIS INDENTURE, made this ____ day of _____, _____, between **Paul N. Gardner Company Inc.**, a Florida Corporation whose post office address is 316 Northeast 1st Street , Pompano Beach, Florida 33060 ("GRANTOR"), and **MBPFF Holding Company, Inc.**, a Florida not-for-profit corporation, whose post office address is 304 Northeast 1st Street, Pompano Beach, Florida 33060("GRANTEE").

WHEREAS, GRANTOR is the owner of property situate in Broward County Florida, as described in Exhibit "A" (the "Property"):

WHEREAS, the City of Pompano Beach is requiring an access easement for the adjoining property as a condition of approval for the vacation of the adjoining alleyway; and

WHEREAS, GRANTEE desires an easement for the purpose of trash collection and emergency ingress and egress to the rear of GRANTEE's Building/Property and from property which abuts GRANTOR's property to the existing right-of-way (Northeast 1st Street); and

NOW, THEREFORE, IN CONSIDERATION of ten dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, GRANTOR does hereby grant unto the GRANTEE, its successors and assigns, a blanket access easement on, over, through, and across the above-described Property for the purpose of trash collection and emergency ingress and egress ("Blanket Access Easement") described in Exhibit "B". It is understood that GRANTEE shall use the existing paved access on said Property and in no way be responsible for the maintenance or repair of the above-described Property and/or the Blanket Access Easement and any actions

personally known to me, or
 produced identification. Type of identification produced

NOTARY PUBLIC:

(Seal)

My commission expires:

Print name:

EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

Lots 1 through 3 and Lots 7 through 10 along with that portion of the 14 foot vacated alley abutting lots 1 through 3 and lot 7 through 10, less the south 35 feet of lots 7 through 10 for right-of-way, lying in Block 8 of the Campbell and Saxon Addition, according to the plat thereof as recorded in plat book 1 on page 125 of the public records of Palm Beach County, Florida

EXHIBIT "B"
LEGAL DESCRIPTION OF BLANKET ACCESS EASEMENT

Lot 3 along with that portion of the 14 foot vacated alley abutting Lots 3 and 7 and 8, lying in Block 8 of the Campbell and Saxon Addition, according to the plat thereof as recorded in plat book 1 on page 125 of the public records of Palm Beach County, Florida

11-18000003

REQUEST FOR VACATION

TO THE CITY COMMISSION AND TO THE PLANNING AND ZONING BOARD OF THE
CITY OF POMPANO BEACH

Please take notice that the undersigned requests an Easement Vacation on the following described property:

Subdivision: _____ Block: _____ Lot(s): _____

(If Acreage, attach legal description.)

Street Address: _____

Type of Easement: _____

Reason for Request: _____

(A separate sheet may be attached for additional information.)

Please take notice that the undersigned requests a Right-of-Way Vacation adjacent to the following described property:

Subdivision: Campbell and Saxon Addition Block: 8 Lot(s): 1-10

(If acreage, attach legal description.) P.B. 1, P. 125, PBC

Street Address: 300 block of East Atlantic and 300 block of NE 1st Street

Reason for Request Abutting alleys to east and west are either vacated or unimproved.

All abutting owners would prefer to vacate alley and provide better security to property.

(A separate sheet may be attached for additional information.)

Name of Petitioner: Keith & Associates, Inc., as agent

Petitioner's Interest in Property: Corporate Headquarters located on portion of property

Does Petitioner have any financial interest in properties near or abutting this property? If so, explain:

Corporate Headquarters located on portion of property

Improvements Located on Property: Paved alley with overhead utility lines

Dated this 21st day of April, 2010.

Mike Vonder Meulen, AICP, with Keith & Associates, agents for the owners 

Print: Property Owner's Name

See attached Owner Certificates _____

Property Owner's Signature

301 East Atlantic Blvd.

Mailing Address

Pompano Beach, FL 33060

(Zip Code)

\$175.00 - Easement Vacation

\$500.00 - Right-of-Way Vacation

Tel.: 954-788-3400

(Area Code)

Receipt No.: _____

Note: Three (3) copies of this application with original signatures, three (3) sealed surveys or recorded plats must accompany this request. With requests to vacate right-of-way, an Attorney's Title Opinion or Certificate of Title dated within the last six (6) months is required.

OWNERS CERTIFICATE

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

Owner's Name: MBPFF Holding Company Inc.

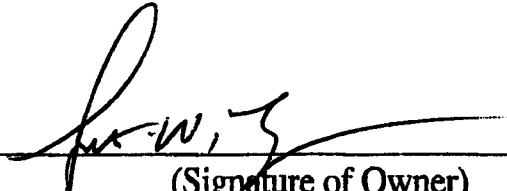
(Print or Type)

Address: 3304 NE 1st Street

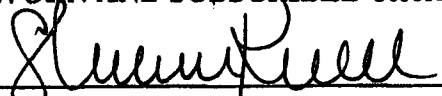
Pompano Beach, FL 33060

(Zip Code)

Phone: 954-783-1250

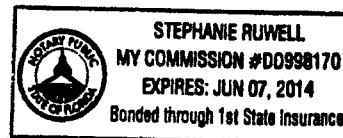

(Signature of Owner)

SWORN AND SUBSCRIBED before me this 18th day of February, 20 11.


NOTARY PUBLIC, STATE OF FLORIDA

Stephanie Ruwell
(Name of Notary Public: Print, stamp, or Type as Commissioned.)

Personally know to me, or
 Produced identification: FL Driver's License
(Type of Identification Produced)



OWNERS CERTIFICATE

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


Owner's Name: Paul N. Gardner Company, Inc., a Florida corporation

(Print or Type)

Address: 316 Northeast 1st Street
Pompano Beach, Florida 33060

(Zip Code)

Phone: (954) 946-9454



(Signature of Owner)
Paul N. Gardner, Jr.

SWORN AND SUBSCRIBED before me this 10 day of July, 20 08.

NOTARY PUBLIC, STATE OF FLORIDA



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

- Personally know to me, or
- Produced identification: _____

(Type of Identification Produced)

OWNERS CERTIFICATE

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

Owner's Name: Elizabeth C. Keith
(Print or Type)
Address: Post Office Box 1696
Frederiksted, USVI 00841
(Zip Code)
Phone: 954-444-2625

Elizabeth C. Keith
(Signature of Owner)

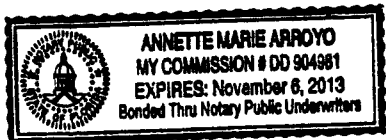
SWORN AND SUBSCRIBED before me this 1 day of December, 2010

Annette Arroyo
NOTARY PUBLIC, STATE OF FLORIDA

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

Personally know to me, or
 Produced identification: DL FL K30023137945-D
(Type of Identification Produced)

Exp 12/05/11



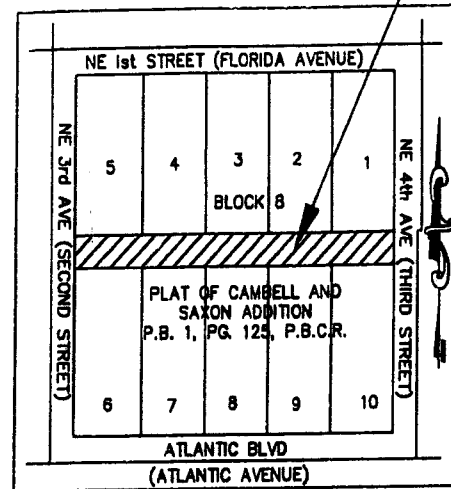
LAND DESCRIPTION:

ALL OF THAT PARTICULAR 14-FOOT ALLEY LYING IN BLOCK 8, PLAT OF CAMPBELL AND SAXON ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, ON PAGE 125, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID ALLEY BOUNDED ON THE NORTH BY THE SOUTH LINE OF LOTS 1 THROUGH 5, INCLUSIVE; BOUNDED ON THE SOUTH BY THE NORTH LINE OF LOTS 6 THROUGH 10, INCLUSIVE; BOUNDED ON THE WEST BY THE EAST LINE OF THE 50-FOOT RIGHT-OF-WAY OF N.E. 3rd AVENUE (FORMERLY SECOND STREET) AND BOUNDED ON THE EAST BY THE WEST LINE OF THE 50 AND 55-FOOT RIGHT-OF-WAY OF N.E. 4th AVENUE (FORMERLY 3rd STREET).

SAID LAND LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 3,689 SQUARE FEET (0.08 ACRES) MORE OR LESS.

THIS DESCRIPTION



LOCATION SKETCH
(NOT TO SCALE)

NOTES:

1. THE LAND DESCRIPTION HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
5. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
6. THIS SKETCH IS NOT A BOUNDARY SURVEY.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AS WRITTEN UNDER MY DIRECTION ON SEPTEMBER 4, 2009. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

Michael M. Mossey
MICHAEL M. MOSSEY
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION No. 5660
STATE OF FLORIDA

SKETCH AND DESCRIPTION

A PORTION OF BLOCK 8, PLAT OF CAMPBELL AND SAXON ADDITION, P.B. 1, PG. 125, P.B.C.R.
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

KEITH
ASSOCIATES, INC.
consulting engineers
301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2
DRAWING NO. 07046.MO

DATE 09/04/09
SCALE N/A
FIELD BK. N/A
DWNG. BY S.M.
CHK. BY M.M.M.

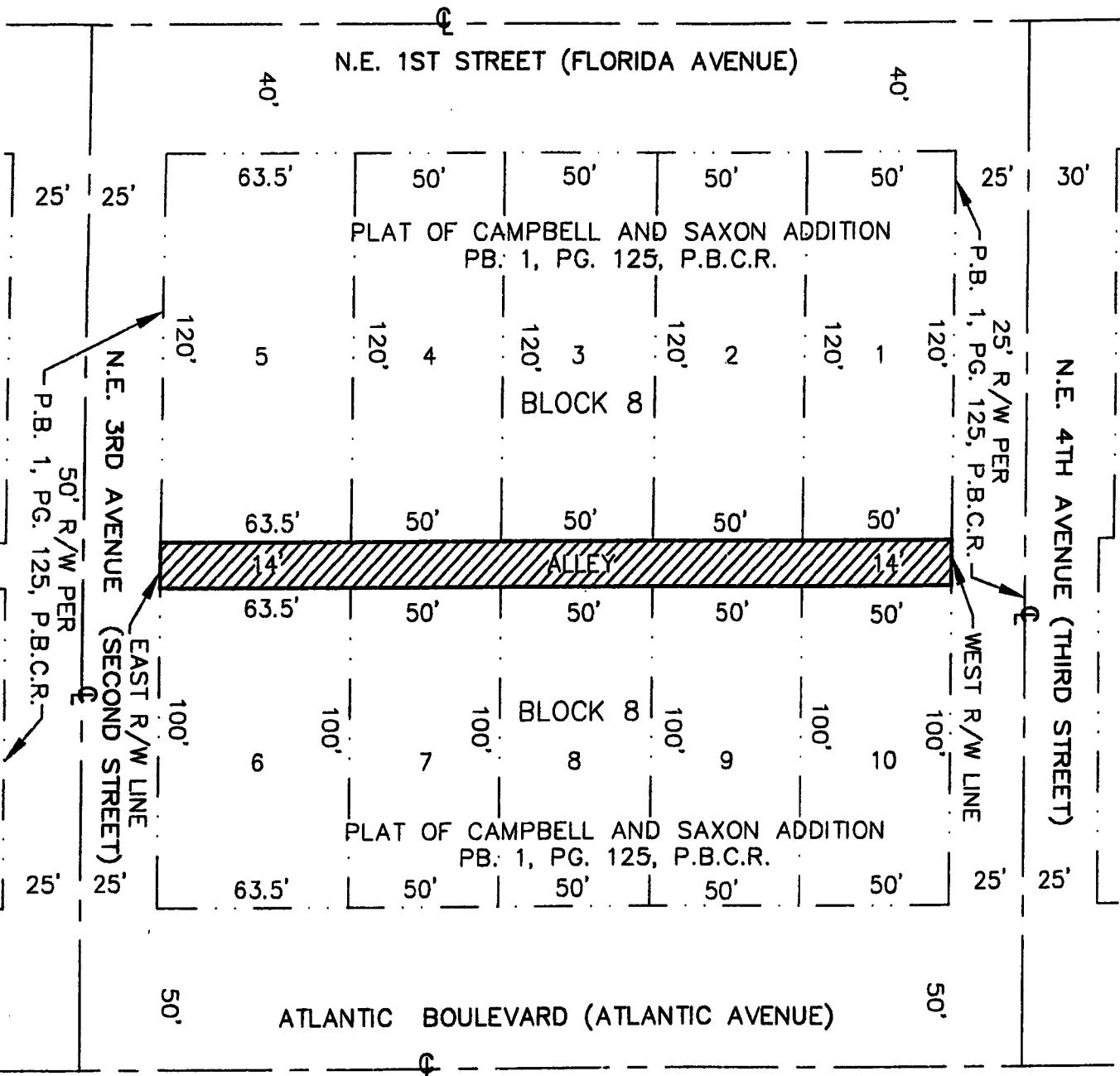
DATE	REVISIONS

REVIEW OF PROPOSALS outstanding 07/24/09 Florida Alkyday

LEGEND

- LB. LICENSED BUSINESS
- P.B.C.R. PALM BEACH COUNTY RECORDS
- P.B. PLAT BOOK
- PG. PAGE
- R/W RIGHT OF WAY
- Ⓢ CENTERLINE

SCALE 1"=50'



SKETCH AND DESCRIPTION

A PORTION OF BLOCK 8, PLAT OF CAMPBELL AND SAXON ADDITION, P.B. 1, PG. 125, P.B.C.R.
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

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EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2
DRAWING NO. 07046.MO

DATE 09/04/09
SCALE 1"=50'
FIELD BK. N/A
DWNG. BY S.M.
CHK. BY M.M.M.

DATE	REVISIONS

REVISIONS TO BE MADE BY THE ENGINEER OR ARCHITECT AT HIS OWNERS RISK