

Board of County Commissioners, Broward County, Florida  
Environmental Protection and Growth Management Department  
Planning and Redevelopment Division  
DEVELOPMENT REVIEW REPORT

| PROJECT DESCRIPTION |   | Agenda Number |                   |
|---------------------|---|---------------|-------------------|
| Name:               | RIVERBEND MARKETPLACE   | Number:       | 025-MP-13         |
| Applicant:          | GDC Broward RB, LLC, et. al.  | Comm. Dist.:  | 9                 |
| Agent:              | The Ernest-Jones Group, Inc.  | Sec/Twp/Rng:  | 08-50-42          |
| Location:           | South Side of Broward Boulevard, between<br>S.W. 27 Avenue and S.W. 24 Avenue | Platted Area: | 36.05046<br>Acres |
| City:               | Fort Lauderdale   | Gross Area:   | N/A               |
| Replat:             | N/A   |               |                   |

| LAND USE         |  |                             |  |
|------------------|--|-----------------------------|--|
| Existing Use:    | Mobile Homes, Single Family Res.,<br>Multi-family Residential, Office,<br>Commercial | Effective Plan:             | Fort Lauderdale  |
| Proposed Use:    | 350,000 Sq. Ft. Commercial   | Plan Designation:           | Commercial. See attached<br>comments from the Planning<br>Council. |
| Adjacent Uses:   |  | Adjacent Plan Designations: |  |
| North:           | Sheriff's Office, Commercial, Ind., Vacant   | North:                      | Commercial (City and Unincorporated)                               |
| South:           | Mobile Homes, Single Family Residential,<br>Community Facility                       | South:                      | Commercial, Medium-High (25) Residential, Low (5)<br>Residential   |
| East:            | Single Family Residential, Commercial  | East:                       | Commercial, Low (5) Residential                                    |
| West:            | Commercial, Vacant   | West:                       | Commercial   |
| Existing Zoning: | B-1, B-2, MHP, CB & RMM-25   | Proposed Zoning:            | B-1  |

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date: 04/22/14  
Action Deadline: 05/27/14  
Deferral Dates:

Prepared: PK  
Reviewed:  
Approved:

## Continued

## SERVICES

|                    |                        |                      |                         |
|--------------------|------------------------|----------------------|-------------------------|
| Wastewater Plant:  | G. T. Lohmeyer (01/14) | Potable Water Plant: | Fort Lauderdale (03/06) |
| Design Capacity:   | 48.0000 MGD            | Design Capacity:     | 90.000 MGD              |
| 12-Mo. Avg. Flow:  | 39.1800 MGD            | Peak Flow:           | 59.700 MGD              |
| Est. Project Flow: | 0.0308 MGD             | Est. Project Flow:   | 0.035 MGD               |

Comments: Sufficient capacity exists at this time.      Comments: Sufficient capacity exists at this time.

## PARKS

| SCHOOLS        |            | Local:    | Land Dedication                                       | Impact Fee | Admin. Fee |
|----------------|------------|-----------|---|------------|------------|
| Dwelling Units | Impact Fee |           | County conducts no local review within municipalities | N/A        | N/A        |
| N/A            | N/A        | Regional: | N/A   | N/A        | N/A        |

## TRANSPORTATION

| Concurrency Zone:<br>Central | Trips/Peak Hr | Transit<br>Concurrency Fee | Road/Admin.<br>Fee |
|------------------------------|---------------|----------------------------|--------------------|
| Res. Uses:                   | N/A           | N/A                        | N/A                |
| Non-res. uses:               | 1,435         | *                          | N/A                |
| Total:                       | 1,435         | *                          | N/A                |

\* See Staff Comments No. 3, 5 & 6

See Finding No. 1

\* See Staff Recommendation No. 39

RIVERBEND MARKETPLACE  
025-MP-13

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the use being 350,000 square feet commercial.
- 2) Trafficways approval is valid for 10 months. Approval was received on August 22, 2013.
- 3) At the time of plat application, mobile homes, single family dwelling units, multi-family dwelling units, commercial and office uses existed on this site, which the applicant stated will be demolished. The Land Development Code provides credit for existing structures to be demolished, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. See Staff Comment 6 below.
- 4) Section 723.083, Florida Statutes, requires that no agency of municipal, local, county, or state government shall take any official action which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that other adequate suitable facilities exist for the relocation of the mobile home owners. In response to Section 723.083, the applicant has submitted the attached affidavit documenting that neither the mobile home park nor the mobile homes are owned by the residents, and the County Attorney's Office has confirmed that Section 723.083 is not applicable to this property.
- 5) This plat is located within a Transportation Concurrency Management Area. Transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. These fees shall be based on the gross square footage of any commercial buildings as defined in the ordinance. See Staff Comment 6 below.
- 6) In accordance with the credit provisions of Section 5-182(a)(4) of the Land Development Code, any request for credit towards transportation concurrency fees must be accompanied by the appropriate documentation regarding the gross square footage of the commercial and office uses, and the type and number of residential uses either demolished or to be demolished. **For non-residential structures, single family dwelling units, and multi-family dwelling units, no credit will be granted for demolition occurring more than eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.**

**For mobile homes, no credit will be granted for demolition or removal of mobile homes occurring more than sixty (60) months prior to the review of construction plans submitted for County environmental review approval. The applicant is advised that on September 25, 2015, the sixty (60) month time frame extension for demolition credit of mobile homes shall expire, and the credit shall only be granted for demolition occurring no more than eighteen**

**(18) months prior to the review of construction plans submitted for County environmental review approval.**

- 7) This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 8) Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. The surface water management licensing requirements of the Environmental Engineering and Licensing Section of the Broward County Environmental Licensing and Building Permitting Division must be met prior to any construction.
- 9) The Environmental Engineering and Licensing Section has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding, or altering either a gravity sanitary sewer, a sanitary force main, or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. For additional information, please contact the Environmental Engineering and Licensing Section at 954-519-1483.
- 10) Review of available information by staff of the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Aquatic and Wetland Resources Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.
- 11) The Aquatic and Wetland Resources Section encourages that all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species be removed during the development process, and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials should not include any plants considered to be invasive of South Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division.
- 12) This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. This Inventory may be accessed at

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<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c> and provides information regarding the ownership and management for each of the Protected Natural Lands.

- 13) Review of aerial photographs indicates that the subject site contains tree canopy. If trees are to be removed or relocated, development of the site must comply with the Tree Preservation Regulations of the City of Fort Lauderdale. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.
- 14) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division at 954-519-1483 for specific license requirements.
- 15) Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge.
- 16) A Parking Facility License may be required. Contact the Broward County Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for specific license requirements.
- 17) A demolition notice will be required from the Broward County Pollution Prevention, Remediation and Air Quality Division.
- 18) A Storage Tank License may be required if there will be fuel storage associated with either an emergency generator system or a service station. Contact the Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for specific license requirements.
- 19) The subject plat is in the vicinity of known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, approval of an application for a building permit or approval to construct or alter shall not be granted until the Pollution Prevention, Remediation and Air Quality Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Pollution Prevention, Remediation and Air Quality Division must approve any dewatering activities at this site.
- 20) This property is within 20,000 feet of Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.govoeaaa/>

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[external/portal.jsp](#). For additional information, contact the Broward County Aviation Department at 954-359-2291.

- 21) The Broward County Historical Commission staff has reviewed this plat application and determined that significant archaeological resources are not likely to be affected by development on this site. However, in the event that any unanticipated archaeological features or artifacts are discovered, the Historical Commission must be notified within 24 hours. If any unmarked human burial remains are discovered, then work in the vicinity of the burial find must halt immediately, until a determination can be made pursuant to FS Chapter 872, by either the state archaeologist or the county medical examiner, regarding the disposition of the remains. In addition, pursuant to Section 5-305, Ordinance No. 92-38 entitled Protection and Preservation of Archaeological Sites Discovered During the Development Process, in the event that future artifacts are uncovered during development activities, said activities shall be discontinued in the immediate vicinity of the discovery site and the procedures set forth in the aforementioned ordinance shall be initiated. For additional information, contact County Archaeologist Matthew De Felice at 954-357-5506 or [mdefelice@broward.org](mailto:mdefelice@broward.org).
- 22) The recommendations of the Highway Construction and Engineering Division and the Transit Division for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 23) Openings or improvements on functionally classified State Roads are subject to the Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards. In accordance with Section 5-189(b)(5) of the Land Development Code, the applicant has submitted the attached pre-application approval letter from the Florida Department of Transportation.
- 24) This site is currently serviced on Broward Boulevard by BCT Routes #9, #22, and #81.
- 25) The attached comments received from the Planning Council notes that a portion of this plat (i.e. the southeastern 24.6 acres) was the subject of Broward County Land Use Plan (BCLUP) Amendment PC 13-3, which amended the future land use designation from "Medium-High (25) Residential" to "Commercial." This amendment was adopted by the Broward County Commission on January 28, 2014, subject to the following voluntary restrictions:
  - Paying a proportionate share contribution of \$144,146 for the County's Signal Engineering Improvements on Broward Boulevard between Southwest 31 Avenue and Interstate 95 (see Staff Recommendation 27);
  - Constructing an exclusive northbound right-turn lane on Riverland Road from Davie Boulevard to Southwest 13 Street (see Staff Recommendation 28);
  - Restricting access to and from the amendment site via Southwest 24 Avenue to "Right in and Left Out Only"; and
  - paying any applicable transportation concurrency fees assessed (see Staff Recommendation 39).

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- 26) The applicant is advised that in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

## FINDINGS

### CONCURRENCY REVIEW

- 1) This plat is located within the Central Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

### RATIONAL NEXUS REVIEW

- 3) This plat has been evaluated by staff of the Highway Construction and Engineering Division for the relationship between the impact of the proposed development and the right-of-way dedications required by the Broward County Land Development Code (rational nexus test). Staff has made a finding that the proposed development meets the threshold test for rational nexus and this report includes right-of-way dedication requirements.

## STAFF RECOMMENDATIONS

### NON-VEHICULAR ACCESS LINE REQUIREMENTS

It is the express intent of this non-vehicular access line to eliminate all proposed openings and existing driveways not specifically delineated in the following recommendations:

- 1) Along the ULTIMATE right-of-way of Broward Boulevard (State Road 842) except at a 90-foot opening with centerline located approximately 717 feet east of the centerline of Southwest 27 Avenue (Riverland Road). Said non-access line will include a corner chord and extend south along Southwest 24 Avenue for a distance of 120 feet.

The opening on Broward Boulevard (State Road 842) is subject to the approval of the Florida Department of Transportation (FDOT). The applicant should consult with and obtain approval of FDOT. Contact the District Access Management Engineer at 954-777-4350 to discuss permissible access.

- 2) Along the ULTIMATE right-of-way of Southwest 27 Avenue (Riverland Road) except at the following:

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- A) A 50-foot opening centered in alignment with the centerline of Southwest 1 Street on the west side of Southwest 27 Avenue (Riverland Road). This opening is restricted to RIGHT TURNS ONLY.
- B) A 50-foot opening centered in alignment with the centerline of Southwest 2 Street on the west side of Southwest 27 Avenue (Riverland Road).
- C) A 60-foot opening with centerline located approximately 100 feet north of the south plat limits.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 3) Dedicate the right-of-way necessary to provide a 40-foot half on Southwest 27 Avenue (Riverland Road), an 80-foot collector, to conform to the Broward County Trafficways Plan, or verify that it exists prior to plat recordation.
- 4) Right-of-way for a corner chord based on a 30-foot radius at the intersection of Southwest 27 Avenue (Riverland Road) and Broward Boulevard (State Road 842).
- 5) Right-of-way for a corner chord based on a 30-foot radius at the intersection of Broward Boulevard (State Road 842) and Southwest 24 Avenue.
- 6) Right-of-way for an eastbound right turn lane on Broward Boulevard at the 90-foot opening with 150 feet of storage and 50 feet of transition.
- 7) Right-of-way for an eastbound right turn lane on Broward Boulevard (State Road 842) at Southwest 24 Avenue with 155 feet of storage and 50 feet of transition.
- 8) Right-of-way for a northbound right turn lane on Southwest 27 Avenue (Riverland Road) at Broward Boulevard (State Road 842) with 150 feet of storage and 50 feet of transition.
- 9) Right-of-way for northbound right turn lanes on Southwest 27 Avenue (Riverland Road) at both 50-foot openings with 150 feet of storage and 50 feet of transition.

BUS SHELTER REQUIREMENTS (Easement)

- 10) An 8-foot wide X 20-foot long bus shelter easement on Broward Boulevard (State Road 842), commencing 345 feet east of the centerline of Southwest 27 Avenue (Riverland Road) and continuing east for 20 feet.

ACCESS REQUIREMENTS

- 11) The minimum distance from the non-vehicular access line (NVAL) of Broward Boulevard (State Road 842), at any driveway in the 90-foot opening, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 100 feet.



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- 12) The minimum distance from the NVAL of Southwest 27 Avenue (Riverland Road) at any driveway in the north 50-foot opening, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 50 feet.
- 13) The minimum distance from the NVAL of Southwest 27 Avenue (Riverland Road) at any driveway in the south 50-foot opening, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 100 feet.
- 14) The minimum distance from the NVAL of Southwest 27 Avenue (Riverland Road) at any driveway in the 60-foot opening, to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 100 feet.
- 15) For the two-way driveways that will be centered in 50-foot openings: the minimum pavement width shall be 24 feet, the minimum entrance radii shall be 30 feet.
- 16) For the two-way driveway that will be centered in a 60-foot opening: the minimum pavement width shall be 24 feet, the minimum entrance radii shall be 30 feet.

Alternate pavement width or entrance radii may be approved if acceptable to the Paving and Drainage Section of the Highway Construction and Engineering Division.

ROADWAY IMPROVEMENTS (Secure and Construct)

- 17) The removal of all existing driveways in locations not consistent with approved openings in the non-vehicular access line and the construction of curb, gutter, and sidewalk in these openings when necessary to complete the required improvement.

TURN LANE IMPROVEMENTS (Secure and Construct)

- 18) An eastbound right turn lane on Broward Boulevard (State Road 842) at the 90-foot opening with 150 feet of storage and 50 feet of transition. Design of this turn lane is subject to approval by FDOT.
- 19) An eastbound right turn lane on Broward Boulevard (State Road 842) at Southwest 24 Avenue with 155 feet of storage and 50 feet of transition. Design of this turn lane is subject to approval by FDOT.
- 20) A northbound right turn lane on Southwest 27 Avenue (Riverland Road) at Broward Boulevard (State Road 842) with 150 feet of storage\* and 50 feet of transition.
- 21) Northbound right turn lanes on Southwest 27 Avenue (Riverland Road) at both 50-foot openings with 150 feet of storage\* and 50 feet of transition.

\* The length of the storage lane is measured from the end of the taper to the point of curvature of the turning roadway or the beginning of the chord in the case of right-of-way.

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SIDEWALK REQUIREMENTS (Secure and Construct)

- 22) Along Broward Boulevard (State Road 842) adjacent to this plat, as displaced by turn lane construction.
- 23) Along Southwest 27 Avenue (Riverland Road) adjacent to this plat, as displaced by turn lane construction.

SIGNALIZATION IMPROVEMENTS (Secure and Construct)

- 24) Any necessary modifications to the existing traffic signal at the intersection of Southwest 27 Avenue (Riverland Road) and Broward Boulevard (State Road 842) to provide for the required improvements.
- 25) Any necessary modifications to the existing traffic signal at the intersection of Broward Boulevard (State Road 842) and Southwest 24 Avenue to provide for the required improvements.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 26) Construction of the required improvements shall include the installation of pavement markings and signs. All pavement markings shall be thermoplastic. Pavement markings and signing materials shall be fully reflectorized with high intensity materials. The security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate as outlined below.

LAND USE PLAN AMENDMENT REQUIREMENTS (Secure and Construct)

- 27) In accordance with the attached Declaration of Restrictive Covenants related to Broward County Land Use Plan Amendment PC 13-3, during the County's review of the construction plans for the first building permit for a structure within the Property, pay the proportionate share contribution of \$144,146 for improvements to the County's Signal Engineering Improvements on Broward Boulevard between Southwest 31 Avenue and I-95.
- 28) In accordance with the attached Declaration of Restrictive Covenants related to Broward County Land Use Plan Amendment PC 13-3, prior to the issuance of the first certificate of occupancy for any use within the Property, design, obtain all necessary permits and construct an exclusive northbound right turn lane on Riverland Road from Southwest 13 Street to Davie Boulevard. This improvement must include installation of type F curb and gutter and a 6-foot wide sidewalk. The cost estimate for this improvement must be approved by the Broward County Highway Construction and Engineering Division prior to construction.

IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- 29) County Commission Policy requires a recordable agreement listing all of the plat required improvements. The owner of this plat shall enter into the standard Installation of Required Improvements Agreement (CAF#450) and submit it to the

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Highway Construction and Engineering Division for review and approval prior to recordation of the plat. The completion date for all required improvements listed as Exhibit "B" shall indicate completion prior to the issuance of Certificates of Occupancy. Alternate phasing schedules must receive prior approval from the Highway Construction and Engineering Division. The use of a non-standard agreement will require independent approval by the County Commission.

- 30) The Installation of Required Improvements Agreement (CAF#450) shall be secured by letter of credit, cash, lien, or other security acceptable to the County. Security instruments for all required improvements shall be submitted prior to plat recordation and/or the commencement of construction. Security amounts shall be based upon the one of the following:
- A) Approved construction plans. When security is based on approved construction plans, the security will be calculated at one-hundred (100%) percent of the cost of the improvements. Requirements for submitting construction plans are outlined below.
  - B) Engineer's cost estimate. When security is based on an engineer's cost estimate, the security will be calculated at one-hundred twenty-five (125%) percent of the cost of the improvements. Engineer's cost estimate(s) must be submitted for review by the Highway Construction and Engineering Division. Use of approved cost estimate forms is required. Payment of the applicable review fee is required pursuant to Chapter 38.8 of the Broward County Administrative Code.
  - C) All forms are available on the Highway Construction and Engineering Division's web page at: <http://bcegov2.broward.org/bcengineering/Plats/PlatsForms.asp>.

#### IMPROVEMENT PLAN SUBMITTAL REQUIREMENTS

- 31) The construction plans for the required improvements (including pavement marking and signing plans) shall be submitted to the Highway Construction and Engineering Division for review, and must be approved prior to the commencement of construction. Construction shall be subject to inspection and approval by the County. Pavement marking and signing shall be provided for all of the Improvements and shall be subject to review, field inspections and final approval by the Traffic Engineering Division. Security for pavement markings and signing shall not be released without a field inspection and final approval by the Traffic Engineering Division of all materials, installations and locations.

#### FLORIDA STATUTE CHAPTER 177 REQUIREMENTS

Complete the following corrections to the plat mylar to comply with the requirements of Florida Statutes Chapter 177 as outlined below:

#### 32) SURVEY DATA

- A) The legal description in the title opinion or certificate must match the legal description on the plat. The plat drawing must follow the legal description. **Add**

**the names of the municipality, county and state in which the plat is located to the description.**

- B) The metes and bounds description makes calls to the south and west lines of Lot 13, Block 15 of "WOODLAND PARK (UNIT ONE)" per Plat Book 10, Page 64, B.C.R. Add labels to the plat drawing that correspond to those calls.
- C) On the plat drawing, show labels for the calls to the plat recorded in Plat Book 173, Page 5, B.C.R. referenced in the description.
- D) Add a label for the southerly west plat boundary line that is 155' east of the west line of the northeast 1/4 of Section 8-50-42.
- E) Add a label for the plat boundary line that is coincident with the east line of the parcel described in O.R.B. 5642, PG. 174, B.C.R. and O.R.B. 5642, PG. 176, B.C.R.
- F) The bearing reference line must be a well-established and monumented line. Depict said line with its monumentation and tie to the plat boundary. Insufficient monumentation is shown for the line called out. Review and revise as necessary. **NOTE: Consider the use of the west line of the northeast 1/4 of Section 8-50-42 as the bearing reference line. The plat drawing shows two found monuments on that line.**
- G) Tie the plat benchmarks to the plat boundary by means of bearing – distance geometry, in addition to the State Plane Coordinates.
- H) Show **"(TOTAL)"** labels with **"(P.P.M. TO "P.R.M.)"** dimensions on plat boundaries where P.R.M.s are on offsets or where there are more than two monuments on the line.
- I) On Sheet 9, show a distance dimension on the south line of TRACT "C" and the adjacent south line of TRACT "A".
- J) Provide documentation from the City of Fort Lauderdale to verify the Benchmarks of Origin listed in Surveyor's Note #2.
- K) The platting surveyor must submit Certified Corner Records for section corners used in preparation of the plat to both the State and Broward County. County staff will confirm submittal to the State prior to plat recordation. For section corners which have Certified Corner Records on file, the surveyor must submit an affidavit confirming that the Section corner was found to be substantially as described in the most recently available certified corner record. Standard affidavit forms are available from the County Surveyor's Office.
- L) The surveyor must submit digital plat information after all corrections are completed and the Highway Construction and Engineering Division staff requests digital information.

33) RIGHT-OF-WAY DELINEATION AND DEDICATION LANGUAGE

- A) Depict the entire right-of-way width of West Broward Boulevard (State Road 842), Southwest 24 Avenue, Southwest 27 Avenue (Riverland Road), Southwest 1 Street, Southwest 2 Street, Southwest 3 Street, Northwest 25 Avenue, Northwest 25 Terrace, and Northwest 27 Avenue adjacent to the plat. Label the rights-of-way shown with all recorded instruments which establish public rights-of-way adjacent to this plat.
- 1) Show the source of right-of-way for Broward Boulevard adjacent to the west right-of-way line of Southwest 27 Avenue.
  - 2) Verify the source of right-of-way for Southwest 1 Street and Southwest 2 Street west of Southwest 27 Avenue. Refer to the plat recorded in Plat Book 6, Page 34, B.C.R. and revise as necessary.
  - 3) Show the sources of right-of-way for Northwest 27 Avenue north of Broward Boulevard.
  - 4) Verify the source of right-of-way for Northwest 25 Terrace north of Broward Boulevard. Review the plat recorded in Plat Book 24, Page 18, B.C.R. and revise as necessary.
  - 5) Verify the source of right-of-way for Northwest 25 Avenue north of Broward Boulevard. Review the instrument recorded in O.R.B. 2955, PG. 378, B.C.R. and revise as necessary.
  - 6) Label the right-of-way per Plat Book 175, Page 95, B.C.R.
- B) Obtain a copy of the latest revision of the Florida Department of Transportation (FDOT) Right-of-Way Map for Broward Boulevard (State Road 842) adjacent to the plat and provide it to the Highway Construction and Engineering Division for review. Add a label for same indicating the State Road designation, roadway section number, sheet number, and the latest date of revision.
- C) Provide proof of the vacation of rights-of-way created by deed that are within the plat boundary prior to plat recordation.
- D) On Sheet 9, complete the recording information for the Temporary Utility Easement within TRACT "A".

34) TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A) Pursuant to the requirements of Ordinance 2003-22, plat mylars will not be accepted without being accompanied by an original title certificate or an attorney's opinion of title which shall:
- 1) be based upon a legal description that matches the plat.

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- 2) be based upon a search of the public records within forty-five (45) days of submittal.
- 3) contain the names of all owners of record.
- 4) contain the names of all mortgage holders of record and if there are no mortgages, it shall so state.
- 5) contain a listing of all easements and rights-of-ways of record lying within the plat boundaries.
- 6) contain a listing of all easements and rights-of-ways which abut the plat boundaries and are necessary for legal access to the plat, and if there are none it shall so state.

**NOTE: The Adjacent Right-of-Way Report is incomplete. It does not document the full rights-of-way adjacent to the plat. This report is to be a search of the adjacent right-of-way to determine its full width and the instruments that created it. (Missing references include, but are not necessarily limited to: O.R.B. 9813, PG. 112, B.C.R. and O.R.B. 9976, PG. 185, B.C.R.). Review and revise the Adjacent Right-of-Way Report prior to plat recordation.**

The title must be updated for the review of any agreements and for the recordation process. Standard format for *Title Certificates*, *Opinions of Title*, the *Adjacent Right-of-Way Report*, and a *Guide to Search Limits of Easements and Right-of-Way* may be obtained by contacting the Highway Construction and Engineering Division or by visiting the Division's web site: <http://bcegov2.broward.org/bcengineering/index.asp>.

- B) All record owners must execute the plat with original signatures. For property owned by an individual (or by individuals), the plat must be executed in the presence of two witnesses for each signature. Property owned by corporations must be executed by at least one of the following officers: the President, Vice President, or Chief Executive Officer together with either (i) two witnesses or (ii) the Corporate Seal. A plat which has been executed by any officer other than the President, Vice President, or Chief Executive Officer must also provide documentation authorizing the individual(s) who executed the plat. The officers executing a plat must be verified through the Florida Department of State, or by the applicant providing corporate documentation. Persons executing plats owned by a partnership or a trust must provide documentation clearly demonstrating their authority to execute on behalf of the partnership or trust.
- C) All mortgagees must execute the plat with original signatures, seals, and witnesses.
- D) Acknowledgments and seals are required for each signature.

Continued

35) DRAFTING AND MISCELLANEOUS DATA

- A) Address any undefined abbreviations or symbols used on the plat or added during revisions. Remove any abbreviations and symbols from the Legend that do not appear on the plat. Add any missing abbreviations and symbols to the Legend that appear on the plat or are added during revisions.
- B) Add a note to indicate that the referenced documents are recorded in the public records of Broward County.

36) HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION INTERNAL PROCEDURES

The following items are required for plat recordation but are completed by County staff:

- A) Planning Council Executive Director Signature.
- B) Completion of Security Table and PLMASTER Data Base Inputs; reports printed.
- C) County Surveyor sign-off.
- D) P.R.M.s verified.
- E) Development Order, Planning and Redevelopment Director Signature.
- F) Highway Construction and Engineering Director Signature.

NOTE: Additional changes made to the original plat mylar beyond the above list of corrections may cause delays in review and recordation, and may result in additional review fees.

GENERAL RECOMMENDATIONS

- 37) Distance and measurement recommendations contained in this report were based on the best information available at the time of review. County staff may approve minor adjustments based on verified field conditions or details provided in approved construction plans.
- 38) All construction must include all necessary transitions to existing pavement, the lengths of which shall be determined by the design speed of the roadway. All designs, construction, studies, etc., shall conform to the applicable sections of the following:
  - A) United States Department of Transportation: *Manual on Uniform Traffic Control Devices* (MUTCD).
  - B) State of Florida Department of Transportation:

Continued

- 1) *Roadway and Traffic Design Standards.*
  - 2) *Standard Specifications.*
  - 3) *FDOT Transit Facilities Guidelines.*
- C) Broward County: *Minimum Construction Standards for Roadways Under Broward County Jurisdiction* (Exhibit 25A of Section 25.1, Broward County Administrative Code).

In addition, all designs for construction shall be certified by a Professional Engineer, registered in the State of Florida, that they meet the standards included above.

- 39) Applicant must pay transportation concurrency fees during the review of construction plans submitted for County environmental review approval by the Development Management and Environmental Review Section of the Planning and Redevelopment Division, in accordance with the fee schedule specified in the Land Development Code.
- 40) This plat will not be recorded until all real estate taxes (including taxes for the current year and any delinquent taxes) for the property being platted have been paid as required by Florida Statutes Chapter 197.192. The applicant must submit a current tax letter from the Revenue Collection Division providing proof of payment.
- 41) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable concurrency/impact fees have been paid or are not due.

- 42) Place a note on the face of the plat reading:
  - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **April 22, 2019**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
  - B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **April 22, 2019**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set



Continued

forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

- 43) Place a note on the face of the plat reading:

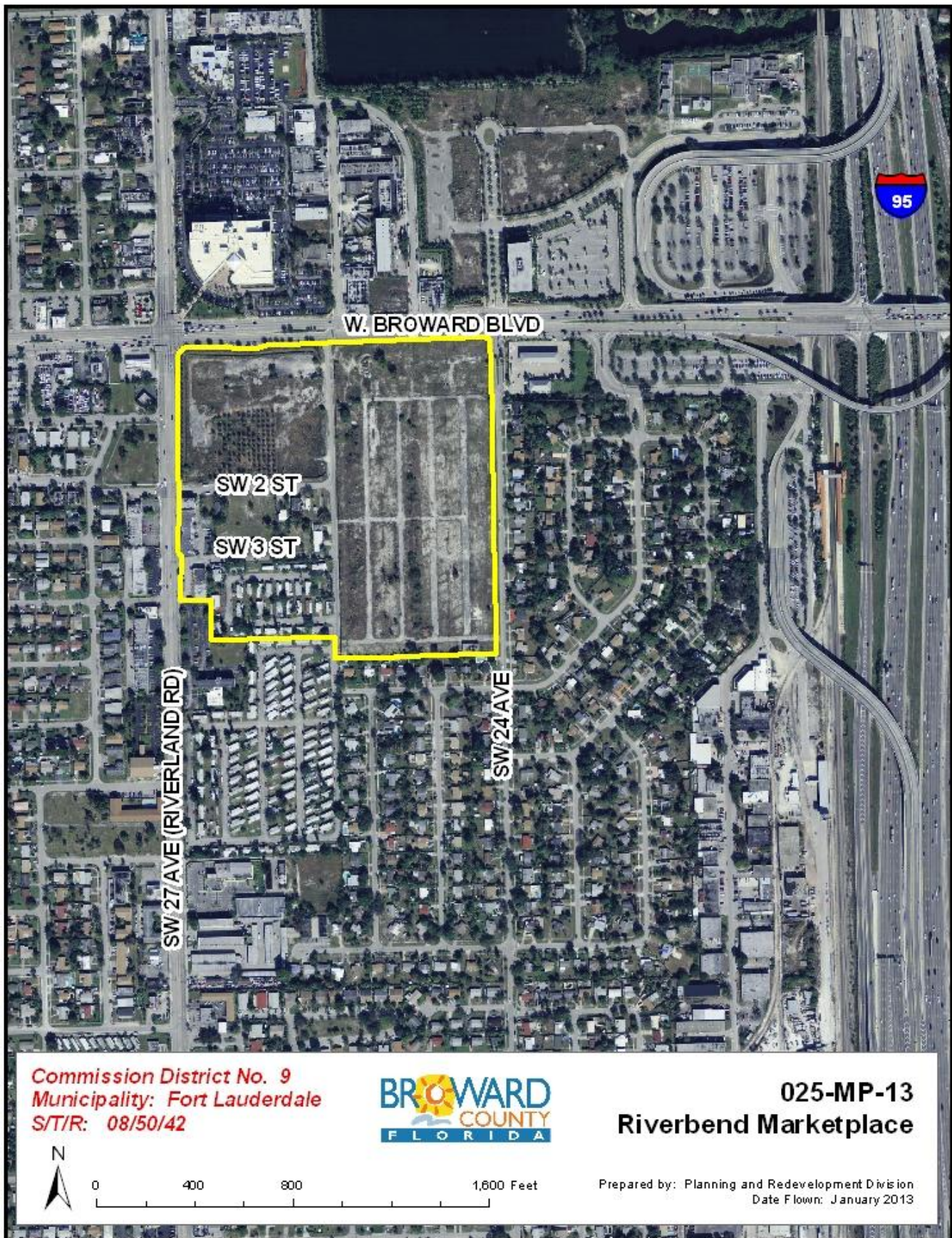
This property is restricted to 350,000 square feet of commercial use.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

- 44) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Continued



**AFFIDAVIT  
OF  
FRANKLIN C. GATLIN III**

BEFORE ME this day personally appeared FRANKLIN C. GATLIN III, who after being duly sworn and cautioned would state as follows:

1. I am the President/CEO of Gatlin Development Co., Inc., the manager of GDC Broward RB, LLC ("Applicant").
2. Applicant is the owner of the mobile home park known as Sunset Mobile Home Park located at 2400 West Broward Boulevard, Ft. Lauderdale, FL 33312 ("Property").
3. The Property is the subject of a plat application known as the Riverbend Marketplace plat.
4. The Applicant is the fee simple owner of the Property and also owns the mobile homes remaining on the Property.

FURTHER AFFIANT SAYETH NAUGHT.

By: 

Franklin C. Gatlin III, Pres./CEO  
Gatlin Development Co., Inc.

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 4 day of March, 2014, by Franklin C. Gatlin III as President/CEO of GATLIN DEVELOPMENT CO., INC., a California corporation as Managing Member of GDC BROWARD RB, LLC, a Delaware limited liability limited partnership, freely and voluntarily on behalf of said corporation. He is personally known to me or has produced \_\_\_\_\_ as identification or is known to me personally.

  
Notary Public

Antonina Cianciolo  
Typed, printed or stamped name of Notary Public

My Commission Expires:



ANTONINA CIANCIOLO  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE023638  
Expires 9/6/2014





*Revised*

## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.  
SECRETARY

January 23, 2014

**THIS PRE-APPLICATION LETTER IS VALID UNTIL JANUARY 23, 2015**

**THIS LETTER IS NOT A PERMIT APPROVAL**

Mr. Octavio Reis  
Creech Engineers Inc  
7881 SW Ellipse Way  
Stuart, Florida 34997

Dear Mr. Reis:

RE: **January 23, 2014 Pre-application Meeting for Category F Driveway**  
Broward County, Urban, In the City of Fort Lauderdale  
State Road 842, State Section 86006, Milepost 4.886, Access Class 5, Posted Speed 40 mph  
Reference Project N/A, Location: SE corner of Broward Blvd. between SW 27<sup>th</sup> Ave and SW 24<sup>th</sup> Avenue,  
Site Acreage: 36.05, Proposed Land Use: Shopping Center (Wal-Mart),  
Maximum Square Footage: 350,000, Applicant: Gatlin Development Company Inc. (Contract purchaser),  
Property Owner: Gatlin Development Co., Inc, Proposed Project Name & Address: Riverbend, 2400 West  
Broward Boulevard, Fort Lauderdale, Florida 33311

**Your Request:** A left-in, right-in, right-out driveway located 630 feet west of SW 24<sup>th</sup> Avenue.

**WE APPROVE YOUR REQUEST.** Please see the conditions and comments below.

This ruling is based on your presentation of the facts, site plan and survey.

**Conditions:** A minimum driveway length of 200 feet, as measured from the ultimate right-of-way line to the first conflict point, shall be provided.

- *Right turn lanes are required and must include bicycle lane width.*
- *The future storage of the existing left turn lane and any affected adjacent left turn lanes must be determined by a traffic study approved by the Traffic Access Manager.*
- *A resolution letter from the City for the abandonment of SW 26<sup>th</sup> Avenue is required.*
- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).
- A Storm Water Pollution Prevention Plan must be submitted with the application if there will be more than one acre of "disturbed area" (as defined by the Florida Department of Environmental Protection (FDEP))
- If right-of-way dedication is required to implement the proposed improvements, the applicant shall donate the right-of-way to the Department.
- All driveways not approved in this letter must be fully removed and the area restored.

**Comments:**

Please note that the dimensions between driveways are measured from the near edge of pavement to near edge of pavement and dimensions between median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note any required improvements. This letter shall be submitted with any further reviews. If conceptually approved, the applicant may submit engineering plans to the Department for permitting. The Department's personnel shall review these plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. Please note that this letter does not guarantee permit approval. The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department.

For right-of-way dedication requirements go to: <https://www3.dot.state.fl.us/OneStopPermitting/Home.aspx>:  
Click on Statewide Permit News, Scroll down to District 4. Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact Christine Nabong Bacomo at the District Permits Office with any questions at telephone number 954-777-4377, fax number 954-677-7893 or e-mail: [christine.bacomo@dot.state.fl.us](mailto:christine.bacomo@dot.state.fl.us). Thank you.

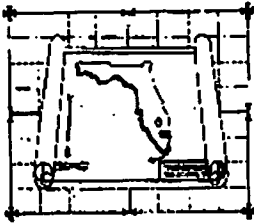
Sincerely,

Geysa Y. Sosa, P.E.  
District Traffic Access Manager

CNB/nyh

cc: Geysa Sosa/Stam Williams *SW*

File:s:\Permits\Pre-app Letters\Broward County\Gatlin Development Co, Inc - SR 842



## BROWARD COUNTY PLANNING COUNCIL

115 SOUTH ANDREWS AVENUE, ROOM 307, FORT LAUDERDALE, FLORIDA 33301

TO: Henry A. Sniezek, Director  
Planning and Redevelopment Division  
Broward County Environmental Protection and Growth Management Department

FROM: Barbara Blake Boy, Executive Director

RE: Riverbend Marketplace (025-MP-13)  
City of Fort Lauderdale

DATE: March 27, 2014

This memorandum updates our previous comments regarding the referenced plat dated February 24, 2014.

The Future Land Use Element of the City of Fort Lauderdale Comprehensive Plan is the effective land use plan for the City of Fort Lauderdale. That plan designates the area covered by this plat for the uses permitted in the "Commercial" land use category. This plat is generally located on the south side of Broward Boulevard, between Southwest 24 Avenue and Southwest 27 Avenue.

The proposed commercial use is in compliance with the permitted uses of the effective land use plan.

Planning Council staff notes that a portion of this plat (i.e. the southeastern 24.6 acres) was the subject of Broward County Land Use Plan (BCLUP) amendment PC 13-3, which amended the future land use designation from "Medium-High (25) Residential" to "Commercial." Said amendment was adopted by the Broward County Commission on January 28, 2014, subject to the following voluntary restrictions:

- Pay the proportionate share contribution of \$144,146 for the County's Signal Engineering Improvements on Broward Boulevard between Southwest 31 Avenue and Interstate 95;
- Construct an exclusive northbound right-turn lane on Riverland Road from Davie Boulevard to Southwest 13 Street;
- Restrict access to and from the amendment site via Southwest 24 Avenue to "Right in and Left Out Only"; and
- The above mitigation improvements are in addition to the payment of any applicable transportation concurrency fees assessed.

The effective land use plan shows the following land uses surrounding the plat:

North: Commercial (City and Unincorporated Area)  
South: Low (5) Residential, Medium-High (25) Residential and Commercial  
East: Commercial and Low (5) Residential  
West: Commercial

**Riverbend Marketplace**  
**March 27, 2014**  
**Page Two**

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

**BBB:IJC**

cc: Lee Feldman, City Manager  
City of Fort Lauderdale

Greg Brewton, Director, Department of Sustainable Development  
City of Fort Lauderdale

Prepared by and return to:

Name: Nectarie M. Chakas, Esq.  
Lochrie & Chakas, P.A.  
Address: 1401 E. Broward Boulevard  
Suite 200  
Ft. Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**DECLARATION OF RESTRICTIVE COVENANTS**

This DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this 25 day of February, 2014 by GDC BROWARD RB, LLC, a Delaware limited liability company ("Declarant") for the benefit of BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida ("County").

**WITNESSETH:**

WHEREAS, Declarant (and the other owners that have executed a joinder to this Declaration) are the fee simple owners of approximately 24.6 acres of land located in the City of Ft. Lauderdale ("City") more particularly described in Exhibit A attached hereto and made a part hereof ("Property"); and

WHEREAS, Declarant made an application to County to change the Property's land use designation under the County Land Use Plan (Application PC 13-3) from Medium High Residential (25) to Commercial ("Land Use Amendment"); and

WHEREAS, in an effort to mitigate the impacts of the proposed Land Use Amendment, Declarant has agreed to place certain restrictions on the development of the Property as set forth below.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, Declarant hereby declares that the Property shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the Property and any part thereof and which shall be binding upon all parties having any right, title or interest in such property or any part thereof, their heirs, successors and assigns.

1. Recitals. The recitals set forth above are true and correct and are incorporated herein by reference.
2. Property Development. Development of the Property is hereby restricted to those uses permitted in the City and County "Commercial" Land Use Plan designation.
3. Traffic Mitigation. Declarant shall mitigate the impacts of the Land Use Amendment in the following manner:
  - a) Proportionate share contribution. During the County's environmental review of the construction plans for the first building permit for a structure within the Property, Declarant shall pay the proportionate share contribution of \$144,146.00 for improvements to the County's Signal Engineering Improvements on Broward Boulevard

between SW 31<sup>st</sup> Avenue and I-95. The proportionate share amount shall be adjusted every October 1 by the amount of change reflected for previous twelve (12) month period in the Implicit Price Deflator of the Gross National Product prepared by the United States Department of Commerce Bureau of Economic Analysis. This obligation may also be satisfied at any time prior to County environmental review approval by paying the total mitigation amount as adjusted annually.

b) Prior to the issuance of a certificate of occupancy for any use within the Property, Declarant shall design, obtain all necessary permits and construct an exclusive northbound right turn lane on Riverland Road between SW 13 Street and Davie Boulevard. This improvement must include installation of type F curb and gutter and a 6-foot wide sidewalk. The cost estimate for this improvement, approved by the Broward County Highway Construction and Engineering Division, is \$83,726.00. The final design is subject to the review and approval of the Highway Construction and Engineering Division prior to commencement of construction.

c) Access to the Property along SW 24<sup>th</sup> Avenue. Vehicular access to and from the Property along SW 24<sup>th</sup> Avenue shall be limited to right in and left out only.

d) Concurrency fees. The above mitigation improvements are in addition to the payment of any applicable transit/transportation concurrency fees in effect at the time Declarant submits its construction plans for approval by the County.

4. Amendments, Releases and Termination. This Declaration shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners of the portion of the Property affected by such modification, amendment, or release and approved in writing by County. The appropriate governmental authority of County shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this covenant shall be recorded in the Public Records of Broward County, Florida.

5. Recordation and Effective Date. This Declaration shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after all necessary approvals by County of the requested application and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect County's approval of the application. Once recorded, this Declaration shall run with the land for the sole benefit of County and shall bind all successors-in-interest with respect to the Property.

6. Enforcement. This covenant shall not give rise to any other cause of action by any parties than County, and no parties other than County shall be entitled to enforce Sections 3a), 3b) and 3d) above of this Declaration. Section 3c) above may be enforced by the City of Ft. Lauderdale as a condition of any site plan approval. Any failure by County to enforce this Declaration shall not be deemed a waiver of the right to do so thereafter.

7. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Declarant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph, or part hereof, and the same shall remain in full force and effect.

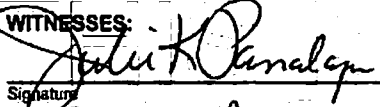
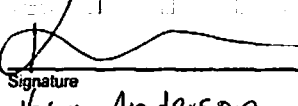



8. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this covenant are intended as a matter of convenience only and in no way shall such caption, heading or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this covenant.

9. Governing Law. This Declaration shall be governed by and construed in accordance with the laws of the State of Florida and venue for any litigation arising hereunder shall lie in the Seventeenth Judicial Circuit in and for Broward County, Florida.

10. Notice. Any notice required or permitted to be given hereunder shall be in writing and may be given by personal delivery or by certified mail, return receipt requested, postage prepaid to the address of the Property owner as reflected on the tax assessor's records for the affected Property.


IN WITNESS WHEREOF, Declarant has executed this Declaration on the day first above written.

WITNESSES:  
  
Signature  
Julie K. Pasquale  
Print Name  
  
Signature  
Kara Anderson  
Print Name

DECLARANT:  
GDC BROWARD RB, LLC, a Delaware limited liability company  
By: Gatlin Development Co., Inc., a California corporation, its Manager  
  
By: Franklin C. Gatlin, III, CEO  
Address: 888 E. Las Olas Boulevard Suite 600 Ft. Lauderdale, FL 33301

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of FEB. 2014, by Franklin C. Gatlin, III as CEO of Gatlin Development Co., Inc., a California corporation, as Manager of GDC BROWARD RB, LLC, a Delaware limited liability company, freely and voluntarily on behalf of such entity. He is personally known to me or has produced \_\_\_\_\_ as identification or is known to me personally.

  
Notary Public  
MARINA BUCKALEW  
Typed, printed or stamped name of Notary Public  
My Commission Expires:



**EXHIBIT A**  
**THE PROPERTY**  
**(Sketch and Legal Description)**

THIS IS NOT AN  
OFFICIAL COPY

**LEGAL DESCRIPTION TO ACCOMPANY SKETCH****LEGAL DESCRIPTION:**

A PARCEL OF LAND LYING WITHIN THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST; THENCE NORTH 87°47'47" EAST, ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 8, A DISTANCE OF 1,291.41 FEET; THENCE SOUTH 02°12'13" EAST, DEPARTING SAID NORTH SECTION LINE, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF BROWARD BOULEVARD, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP - SECTION 88008-2501, LYING 50.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8 AND A POINT ON THE NORTH LINE OF PARCEL "C", AS SHOWN ON THE "AMENDED PLAT OF WOODLAND PARK - UNIT 1", AS RECORDED IN PLAT BOOK 30, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID POINT ALSO BEING THE POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, WHOSE RADIUS POINT BEARS SOUTH 02°12'13" EAST; THENCE SOUTHEASTERLY CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, ALSO BEING THE NORTH LINE OF PARCEL "C", AND ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 81°00'37", A DISTANCE OF 39.71 FEET TO THE EAST LINE OF SAID PARCEL "C", ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF S.W. 24TH AVENUE; THENCE SOUTH 01°11'38" EAST, ALONG SAID EAST LINE OF SAID PARCEL "C" AND ITS SOUTHERLY EXTENSION AND SAID WESTERLY RIGHT OF WAY LINE OF S.W. 24TH AVENUE, A DISTANCE OF 208.59 FEET AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°11'38" EAST, ALONG SAID EAST LINE OF SAID PARCEL "C" AND ITS SOUTHERLY EXTENSION AND SAID WESTERLY RIGHT OF WAY LINE OF S.W. 24TH AVENUE, A DISTANCE OF 1,057.81 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8, ALSO BEING THE NORTH LINE OF BLOCK "A" OF THE "AMENDED PLAT OF WOODLAND PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 18 OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; THENCE SOUTH 88°02'57" WEST, ALONG SAID SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8 AND NORTH LINE OF SAID BLOCK "A", A DISTANCE OF 660.40 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST ONE-HALF (W ½) OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8; THENCE NORTH 01°15'07" WEST, ALONG SAID EAST LINE, A DISTANCE OF 92.27 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1,248.67 FEET OF THE WEST ONE-HALF (W ½) OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8;

**SURVEYOR'S NOTES**

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/1990 ADJUSTMENT) AND ARE REFERENCED TO THE CENTERLINE OF S.W. 2ND STREET BEING NORTH 87°47'47" EAST
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN HEREON. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.

NOTE SEE SHEET 3 OF 3 FOR SKETCH OF DESCRIPTION  
DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH  
OF DESCRIPTION AS SHOWN ON SHEET 3 OF 3 OF THIS  
DOCUMENT

**THIS IS NOT A SURVEY****SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES

DAVID J. IRWIN, P.S.M.  
FLORIDA LICENSE No. LS - 8672  
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 6705

*David J. Irwin*  
DAVID J. IRWIN  
PROFESSIONAL SURVEYOR AND MAPPER

4/1/13  
DATE OF SIGNATURE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CREECH**  
**ENGINEERS, INC.**

CIVIL & ENVIRONMENTAL ENGINEERING  
7601 S.W. ELLIPSE WAY, SUITE 100, STUART, FLORIDA 34997 (772) 283-1813  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE, FL.  
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 0138  
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-008932

F.E.S.

**RIVERBEND MARKETPLACE**  
**L.U.P.A. SKETCH AND LEGAL DESCRIPTION**

**BROWARD COUNTY** **FLORIDA**  
PROJECT NO. 12018.00 REVISED DATE: 4/1/13 DATE: SEPT. 12, 2012  
CARR. R.D. RIVERBEND LUPA REV 4-1-13 SCALE: N/A SHEET 1 OF 3

# LEGAL DESCRIPTION TO ACCOMPANY SKETCH

## LEGAL DESCRIPTION:

(CONTINUED FROM SHEET 1)

THENCE SOUTH 87°47'47" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 500.09' FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE PLAT OF "HENDERSON MENTAL HEALTH CENTER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, PAGE 5 OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; THENCE NORTH 01°15'07" WEST, ALONG SAID EASTERLY LINE OF SAID "HENDERSON MENTAL HEALTH CENTER", A DISTANCE OF 166.67 FEET; THENCE NORTH 01°15'07" WEST, ALONG THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 38687, PAGE 916 AND OFFICIAL RECORD BOOK 30424, PAGE 987, AS RECORDED IN THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA, A DISTANCE OF 130.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF S.W. 2ND COURT; THENCE NORTH 01°15'07" WEST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF S.W. 2ND COURT AND THE EASTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 5642, PAGE 174, AS RECORDED IN THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA, A DISTANCE OF 20.00 FEET; THENCE NORTH 01°15'07" WEST, A DISTANCE OF 15.00 FEET TO THE CENTERLINE OF S.W. 2ND COURT, AS SHOWN ON THE PLAT OF "WOODLAND PARK (UNIT ONE)", AS RECORDED IN PLAT BOOK 10, PAGE 64, OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; THENCE NORTH 87°47'47" EAST, ALONG SAID CENTERLINE OF S.W. 2ND COURT, A DISTANCE OF 25.00 FEET; THENCE NORTH 01°15'07" WEST, TO THE NORTH RIGHT OF WAY LINE OF SAID S.W. 2ND COURT, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°15'07" WEST, ALONG THE WEST LINE OF LOT 16 AS SHOWN ON SAID PLAT OF "WOODLAND PARK (UNIT ONE)", A DISTANCE OF 120.00 FEET; THENCE NORTH 01°15'07" WEST, ALONG THE WEST LINE OF LOT 9 AS SHOWN ON SAID PLAT OF "WOODLAND PARK (UNIT ONE)", A DISTANCE OF 120.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF S.W. 2ND STREET, AS SHOWN ON SAID PLAT OF "WOODLAND PARK (UNIT ONE)"; THENCE NORTH 01°15'07" WEST, A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF SAID S.W. 2ND STREET; THENCE NORTH 87°47'47" EAST, ALONG SAID CENTERLINE OF SAID S.W. 2ND STREET, A DISTANCE OF 475.00 FEET TO THE CENTERLINE OF S.W. 26TH AVENUE, AS SHOWN ON THE PLAT OF "AMENDED PLAT WOODLAND PARK-UNIT ONE", AS RECORDED IN PLAT BOOK 30, PAGE 45, OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; THENCE NORTH 01°15'07" WEST, ALONG SAID CENTERLINE OF S.W. 26TH AVENUE, A DISTANCE OF 482.74 FEET; THENCE NORTH 87°47'47" EAST, DEPARTING SAID CENTERLINE OF S.W. 26TH AVENUE, A DISTANCE OF 351.28 FEET TO THE WESTERLY LINE OF PARCEL "C", AS SHOWN ON SAID "AMENDED PLAT OF WOODLAND PARK - UNIT 1"; THENCE SOUTH 01°13'21" EAST, ALONG THE SAID WESTERLY LINE OF PARCEL "C", A DISTANCE OF 117.02 FEET; THENCE NORTH 87°47'47" EAST, DEPARTING SAID WESTERLY LINE OF PARCEL "C", A DISTANCE OF 310.39 FEET TO THE EAST LINE OF SAID PARCEL "C", ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF S.W. 24TH AVENUE AND THE POINT OF BEGINNING.

CONTAINING 23.88 ACRES. MORE OR LESS.

THIS IS NOT A SURVEY

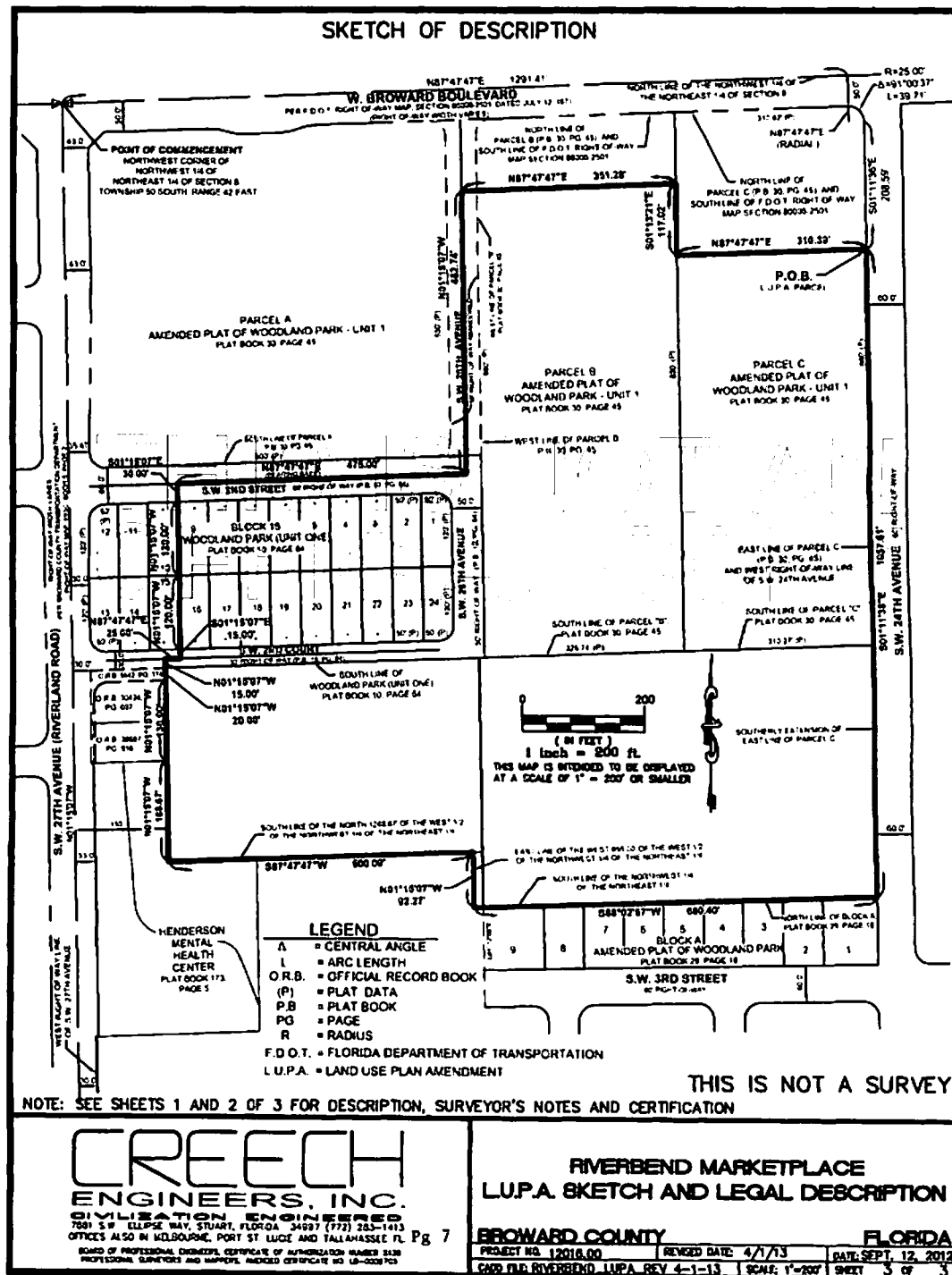
**CREECH**  
ENGINEERS, INC.

7501 S.W. ELLIPSE WAY, SUITE 100, FORT LAUDERDALE, FLORIDA 33307 (772) 283-1413  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE, FL  
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6138  
PROFESSIONAL SUPERVISORS AND SUPPORT, AMENDED CERTIFICATE NO. LR-0008720

Pg 6

RIVERBEND MARKETPLACE  
L.U.P.A. SKETCH AND LEGAL DESCRIPTION

|                                      |                      |                      |              |
|--------------------------------------|----------------------|----------------------|--------------|
| BROWARD COUNTY                       |                      | FLORIDA              |              |
| PROJECT NO. 12018.00                 | REVISED DATE: 4/1/13 | DATE: SEPT. 12, 2012 |              |
| CADD FILE: RIVERBEND LUPA REV 4-1-13 |                      | SCALE: N/A           | SHEET 2 OF 3 |



JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

BRIAN PATTULLO, individually, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the  
Presence of:

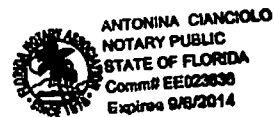
By: [Signature]  
Name: Maria Anderson

By: [Signature] By: [Signature]  
Name: MARIA ANDERSON BRIAN PATTULLO

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 17 day of February, 2014, by Brian Pattullo, who (check one) ☐ is personally known to me or ☒ has produced Florida Drivers License as identification.

[Signature]  
Print Name: Antonina Cianciolo  
NOTARY PUBLIC  
State of Florida  
My Commission Expires:



JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

CARL T. WALDRON, individually, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the  
Presence of:

By: K. Ebersold  
Name: Herrie Ebersold

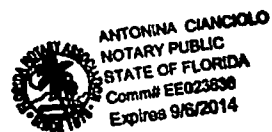
By: Marina Beckman  
Name: MARINA BECKMAN

By: CARL T. WALDRON  
Name: CARL T. WALDRON

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 30 day of January, 2014, by Carl T. Waldron, who (check one) [ ] is personally known to me or [x] has produced Florida Driver's License as identification.

Antonina Cianciolo  
Print Name: Antonina Cianciolo  
NOTARY PUBLIC  
State of Florida  
My Commission Expires:



JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

DONALD T. SWINARSKI a/k/a DONALD T. SWINARSKI, JR., individually, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence of:

By: [Signature]  
Name: JOHNIE T. HATHINGS

By: [Signature]  
Name: ELLEN L. LEEFER

By: [Signature]  
DONALD T. SWINARSKI

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of Feb., 2014, by Donald T. Swinarski, who (check one) ☐ is personally known to me or ☒ has produced Driver license as identification.

[Signature]  
KEDENE LAWRENCE  
Notary Public - State of Florida  
NOTARY PUBLIC  
State of Florida  
My Commission Expires: APR 14 2015  
Commission # EE 82617  
Bonded Through National Notary Assn.



JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

RIVERBEND SOUTH, LLC, a Florida limited liability company, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence  
of:

By: JoAnn Linger  
Name: JoAnn Linger

By: William Skow  
Name: William Skow

RIVERBEND SOUTH, LLC, a Florida limited liability company

By: BROWARD BARRON, INC., a Florida corporation, its Managing Member

By: George Rahael  
George Rahael, President

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 12 day of February, 2014, by George Rahael, as President of Broward Barron, Inc., a Florida corporation, Managing Member of RIVERBEND SOUTH, LLC, a Florida limited liability company, on behalf of such entity, who (check one) ☒ is personally known to me or ☐ has produced as identification.

Sofia Calderon  
Print Name: Sofia Calderon  
NOTARY PUBLIC  
State of Florida  
My Commission Expires: March 24, 2017



SOPIA CALDERON  
MY COMMISSION # EE 57481  
EXPIRES: March 24, 2017  
Bonded Third Degree Notary Services

JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

GEORGE BERGER and ARLENE M. BERGER, husband and wife, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence of:

By: [Signature]  
Name: IMELDA WISDOM  
WITNESS AS TO BOTH  
By: [Signature]  
Name: Guadalupe  
WITNESS AS TO BOTH  
By: [Signature]  
Name: [Signature]  
By: [Signature]  
Name: [Signature]

[Signature]  
GEORGE BERGER

[Signature]  
ARLENE M. BERGER

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 20 day of February, 2014, by George Berger, who (check one) ☐ is personally known to me or ☐ has produced FLDL as identification.



Rossiter Eric Fernandes  
Notary Public  
State of Florida  
My Commission # EE 650368  
Expires: November 8, 2018

Print Name: Rossiter Eric Fernandes  
NOTARY PUBLIC  
State of Florida  
My Commission Expires:

STATE OF FLORIDA )  
 )SS:  
COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 20 day of February, 2014, by Arlene M. Berger, who (check one) ☐ is personally known to me or ☐ has produced FLDL as identification.



Rossiter Eric Fernandes  
Notary Public  
State of Florida  
My Commission # EE 650368  
Expires: November 8, 2018

Print Name: Rossiter Eric Fernandes  
NOTARY PUBLIC  
State of Florida  
My Commission Expires:

JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

**CITY OF FORT LAUDERDALE**, a Florida municipal corporation, as the current fee simple owner of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence of:

**CITY OF FORT LAUDERDALE**, a Florida municipal corporation

By: Maxine A. Sinoh  
Name: \_\_\_\_\_

By: Robin Upstegrove  
Name: Robin Upstegrove

By: [Signature]  
John P. "Jack" Seiler, Mayor

By: Denise Danisco  
Name: Denise Danisco

By: [Signature]  
Name: [Signature]

By: [Signature]  
Lee R. Feldman, City Manager

ATTEST:

[Signature]  
Jonda Joseph, City Clerk  
Jeffrey A. Modarelli, Asst. City Clerk

APPROVED AS TO FORM:

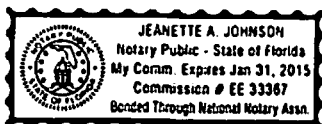
[Signature]  
Asst. City Attorney: Wayne H. Spore

STATE OF FLORIDA )

)SS:

COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March, 2014, by John P. "Jack" Seiler, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida, who (check one) ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.



Jeanette A. Johnson  
Print Name: Jeanette A. Johnson  
NOTARY PUBLIC  
State of Florida  
My Commission Expires:

STATE OF FLORIDA )

)SS:

COUNTY OF BROWARD )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of March, 2014, by Stanley D. Hawthorne, Acting City Manager for: Lee R. Feldman, City Manager of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida, who (check one) ☒ is personally known to me or ☐ has produced N/A as identification.



Donna M. Samuda  
Print Name: Donna M. Samuda  
NOTARY PUBLIC  
State of Florida  
My Commission Expires: January 30, 2017

THIS IS NOT AN  
OFFICIAL COPY

JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

FIFTH THIRD BANK, an Ohio banking corporation, as the current mortgagee of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence of:

By: Mark Patterson  
Name: MARK PATTERSON

FIFTH THIRD BANK, an Ohio banking corporation

By: Michael Miller  
Print Name: Michael Miller  
Title: Vice President

By: Leticia R. Morgan  
Name: Leticia R. Morgan

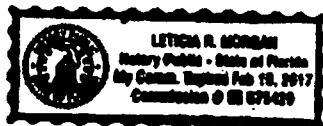
By: Michael Miller  
Name: Michael Miller

By: Mark Patterson  
Print Name: MARK PATTERSON  
Title: VP

By: Leticia R. Morgan  
Name: Leticia R. Morgan

STATE OF FLORIDA )  
COUNTY OF Palm Beach )SS:

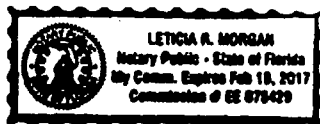
The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of Feb, 2014, by Michael Miller, as Vice Pres. of FIFTH THIRD BANK, an Ohio banking corporation, on behalf of the corporation, who (check one) ☒ is personally known to me or ( ) has produced as identification.



By: Leticia R. Morgan  
Print Name: Leticia R. Morgan  
NOTARY PUBLIC, State of Florida  
My Commission Expires: 2/18/2017

STATE OF FLORIDA )  
COUNTY OF Palm Beach )SS:

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of Feb, 2014, by Mark Patterson, as Vice President of FIFTH THIRD BANK, an Ohio banking corporation, on behalf of the corporation, who (check one) ☒ is personally known to me or ( ) has produced as identification.



By: Leticia R. Morgan  
Print Name: Leticia R. Morgan  
NOTARY PUBLIC, State of Florida  
My Commission Expires: 2/18/2017

01/30/2014 01:51 5616551509

SQUIRE SANDERS WPB

PAGE 03/03

JOINDER AND CONSENT TO DECLARATION OF RESTRICTIVE COVENANTS

IBERIABANK, a Louisiana banking corporation, as the current mortgagee of a portion of the Property described in Exhibit A to the foregoing Declaration of Restrictive Covenants, hereby joins in and consents to the Declaration.

Signed, Sealed and Delivered in the Presence of:

By: [Signature]  
Name: WANDA ELLIS

IBERIABANK, a Louisiana banking corporation

By: [Signature]  
Name: MARION DOWELL

By: [Signature]  
Print Name: JOHN TROYER  
Title: SVP

STATE OF FL  
COUNTY OF Palm Beach )SS:

The foregoing instrument was acknowledged before me this 30 day of Jan, 2014, by as of IBERIABANK, a Louisiana banking corporation, on behalf of the corporation, who (check one) ☒ is personally known to me or ☐ has produced as identification.



[Signature]  
Print Name: Diane Lotrich  
NOTARY PUBLIC, State of FL  
My Commission Expires: Aug 17, 2017