

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT, IN AND FOR  
BROWARD COUNTY, FLORIDA

CVS 10078 FL, LLC,

CASE NO.: 12-018839 CACE 04

Plaintiff,

v.

BROWARD COUNTY, FLORIDA  
CITY OF HALLANDALE BEACH,  
FLORIDA, CITY OF HOLLYWOOD,  
FLORIDA, et al.,

Defendants.

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**STIPULATION OF SETTLEMENT BETWEEN  
CVS 10078 FL, LLC AND BROWARD COUNTY, FLORIDA**

Plaintiff, CVS 10078 FL, LLC ("CVS"), and Defendant, Broward County, Florida (the "County"), hereby stipulate and agree as follows:

1. In exchange for a one-time payment by CVS to the County of \$10,300, representing the County's fees and costs incurred in this litigation, the County hereby expressly waives any objection it might raise in this case to the release of the "Buffer Zone" requirement in the "Agreement of Settlement" recorded in Official Records Book 3894 at Pages 348-390 of the Public Records of Broward County, Florida, as applied to the following property (the "Property"):

**Parcel D, Three Islands 2nd Section, Plat Book 77, Page 37, of the Public Records of Broward County, Florida**

2. Signed and sealed copies of (i) a sketch of the excluded portion of the Buffer Zone; and (ii) a corresponding legal description, are attached to this Stipulation as Exhibits A and B, respectively.

3. In exchange for the mutual promises contained herein, the sufficiency of which the parties hereby acknowledge, CVS Pharmacy, Inc. hereby agrees to indemnify, defend, and hold the County harmless from any claims or causes of action brought against the County by any beneficiaries of the Buffer Zone (specifically, any owners, mortgagees or others owning or having a property interest along Diplomat Parkway, running the length of the Buffer Zone) resulting from the County having entered into this Stipulation of Settlement. This obligation shall bind CVS Pharmacy, Inc. whether or not CVS sells, assigns or transfers the Property, but shall expire twenty (20) years from the date a final judgment is entered in this cause.

BILZIN SUMBERG BAENA PRICE &  
AXELROD LLP  
Attorneys for Plaintiff  
1450 Brickell Avenue, 23rd Floor  
Miami, Florida 33131  
(305) 350-7210  
(305) 351-2234 (facsimile)

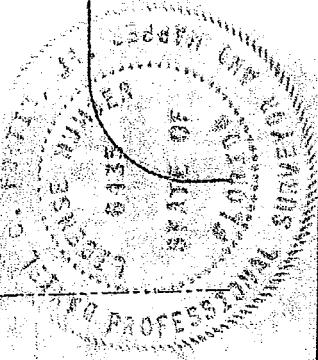
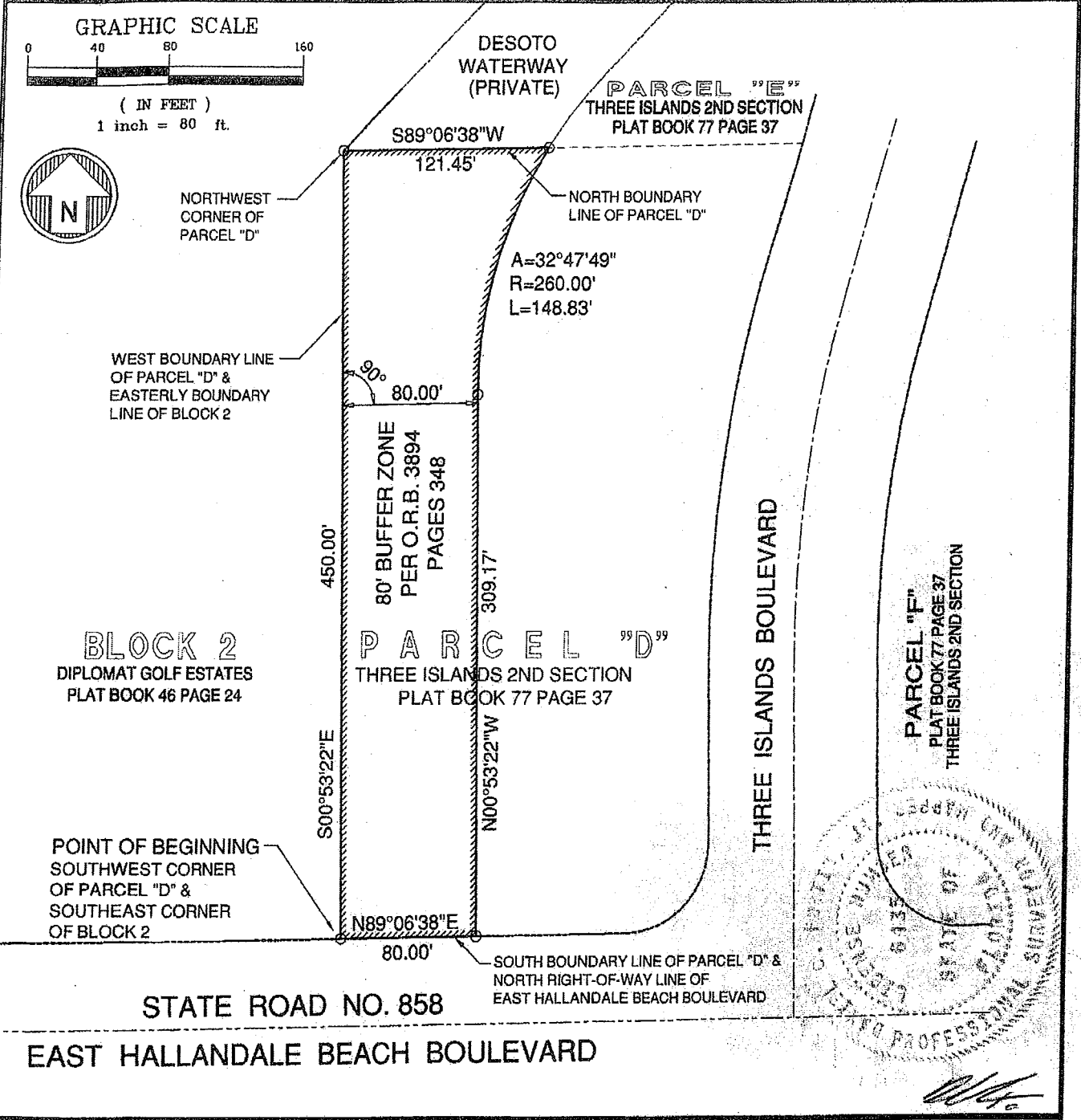
By: \_\_\_\_\_

Jose M. Ferrer  
Florida Bar No. 173746

JONI ARMSTRONG COFFEY  
County Attorney for Broward County  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
(954) 357-7600  
(954) 357-7641 (facsimile)

By: \_\_\_\_\_

Tony J. Rodriguez  
Assistant County Attorney  
Florida Bar No. 832820



*W. J. B.*

|                          |   |  |                      |
|--------------------------|---|--|----------------------|
| Drawn By<br>JJB          | <b>SKETCH OF DESCRIPTION</b>                          |  | Date<br>6/4/14       |
| Cad. No.<br>120256       | <b>FORTIN, LEAVY, SKILES, INC.</b>                    |  | Scale<br>1"=80'      |
| Ref. Dwg.<br>2012-060    | <b>CONSULTING ENGINEERS, SURVEYORS &amp; MAPPERS</b>  |  | Job. No.<br>140606   |
|                          | FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653 |  | Dwg. No.<br>1014-022 |
|                          | 180 Northeast 168th Florida 33162                     |  | Sheet<br>2 of 2      |
| Plotted:<br>6/4/14 2:57p | <b>EXHIBIT</b>  |  |                      |
|                          | Phone 305-653-4493 @flasurvey.com                     |  |                      |

tabbles  
10 A

## LEGAL DESCRIPTION:

A portion of the "BUFFER ZONE" as described in Official Records Book 3894 at Page 348 of the Public Records of Broward County, Florida that lies within Parcel "D" of THREE ISLANDS 2ND SECTION, according to the plat thereof, as recorded in Plat Book 77 at Page 37 of said Public Records of Broward County, Florida, and being more particularly described as follows:

Begin at the Southwest corner of said Parcel "D" of THREE ISLANDS 2ND SECTION, also being the Southeast corner of Block 2, of DIPLOMAT GOLF ESTATES, according to the plat thereof, as recorded in Plat Book 46 at Page 24 of said Public Records; thence North 89°06'38" East along the South boundary line of said Parcel "D", also being the North Right-of-Way line of East Hallandale Beach Boulevard for 80.00 feet; thence North 00°53'22" West, departing said South boundary line and North Right-of-Way line, along a line being 80.00 feet Easterly of, as measured at right angles, and parallel with the West boundary line of said Parcel "D", also being the Easterly boundary of said Block 2 for 309.17 feet to a point of curvature; thence Northeasterly along a 260.00 foot radius curve, leading to the right, through a central angle of 32°47'49" for an arc distance of 148.83 feet to a point on the North boundary line of said Parcel "D"; thence South 89°06'38" West along said North boundary line for 121.45 feet to the Northwest corner of said Parcel "D", also being a point on said Easterly boundary line of Block 2; thence South 00°53'22" East along the West boundary line of said Parcel "D" and said Easterly boundary line of Block 2, for 450.00 feet to the Point of Beginning.

## SURVEYOR'S NOTES:

- This site lies in Section 26, Township 51 South, Range 42 East, City of Hallandale Beach, Broward County, Florida.
- All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.
- Bearings hereon are referred to an assumed value of N 89°06'38" E for the North right of way line of East Hallandale Beach Boulevard.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2012-060.

## SURVEYOR'S CERTIFICATION:

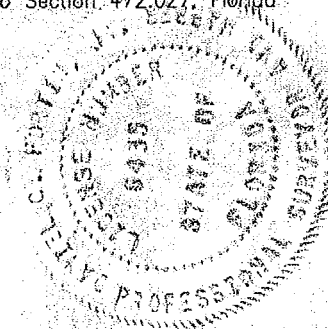
I hereby certify that this "Sketch of Description" was made under my responsible charge on June 4, 2014, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: \_\_\_\_\_

Daniel C. Fortin jr, For The Firm  
Surveyor and Mapper, RLS6435  
State of Florida.



|           |              |
|-----------|--------------|
| Drawn By  | JJB          |
| Cad. No.  | 120256       |
| Ref. Dwg. | 2012-060     |
| Plotted:  | 6/4/14 2:57p |

## SKETCH OF DESCRIPTION

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653  
180 Northeast 168th Avenue, Suite 100, Fort Lauderdale, Florida 33316  
Phone 305-653-4492 @flssurvey.com

EXHIBIT

|          |          |
|----------|----------|
| Date     | 6/4/14   |
| Scale    | 1"=80'   |
| Job. No. | 140606   |
| Dwg. No. | 1014-022 |
| Sheet    | 1 of 2   |

tabbles

"B"