

ITEM #50₍₂₎

ADDITIONAL MATERIAL

Regular Meeting

APRIL 16, 2019

SUBMITTED AT THE REQUEST OF

OFFICE OF THE COUNTY ATTORNEY



954-357-7600 · FAX 954-357-7641

MEMORANDUM

TO: Board of County Commissioners

FROM: Andrew J. Meyers, County Attorney *AJM*

DATE: April 15, 2019

RE: **Agenda Item No. 50 for the April 16, 2019, County Commission Meeting**

As was noted in the agenda item, we have been working to develop an accurate legal description of the parcel within West Lake Park that is anticipated to house the communications tower (the "Parcel"). We will be distributing as additional material (once finalized) amendments to both exhibits that were attached to the agenda item. The only material changes to the exhibits are to add the legal description and sketch of the Parcel and to identify on the sketch the access road that will be required to permit access to the Parcel (the "Access Road").

Staff within the County's Real Property Section will be arranging an additional survey to enable the development of the legal description of the Access Road. The legal description of the Access Road will be included in the published public notice of the May 7 public hearing during which the Board will consider removal of the applicable restrictive covenant, which removal is required to allow the communications tower to be constructed within West Lake Park.

Please feel free to contact Assistant County Attorney Irma Qureshi (ext. 7115) or me with any questions or concerns regarding this matter.

c: Bertha Henry, County Administrator
Bob Melton, County Auditor
Irma Qureshi, Assistant County Attorney

PROPOSED

RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, DIRECTING THE COUNTY ADMINISTRATOR TO PUBLISH NOTICE OF PUBLIC HEARING TO BE HELD ON TUESDAY, MAY 7, 2019, AT 10:00 A.M. IN ROOM 422 OF BROWARD COUNTY GOVERNMENTAL CENTER, 115 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA, TO CONSIDER A RESOLUTION APPROVING A MODIFICATION OF THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS FOR WEST LAKE REGIONAL PARK; DIRECTING THE PARKS AND RECREATION DIVISION TO POST SIGNAGE AT WEST LAKE REGIONAL PARK IN ACCORDANCE WITH THE DECLARATION OF RESTRICTIVE COVENANTS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") owns certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020, and 5142-11-00-0080, and known as West Lake Regional Park ("County Property");

WHEREAS, the use of the County Property is restricted by that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration");

WHEREAS, in order to protect the health, safety, and welfare of County residents and visitors, and after careful consideration of other sites proffered as being potentially viable, the County seeks to use (i) a portion of the County Property, as more particularly described in the sketch and legal description attached to and made a part of this Resolution as Attachment 1 ("Parcel"), in order to place a radio communication tower and

1 related communication equipment for the Project 25 Public Safety Radio System (the
2 “P25 System”); and (ii) a certain road on the County Property, as identified in
3 Attachment 1, that provides vehicular access to the Parcel and is reasonably necessary
4 to permit the County to have the right of ingress, egress, and access to and from the
5 Parcel for the P25 System (“Access Road”);

6
7 WHEREAS, the Declaration requires modification to release and remove the
8 restrictions imposed by the Declaration on the Parcel and the Access Road (collectively,
9 the “Premises”), thereby permitting the Premises to be used for the P25 System;

10

11 WHEREAS, the Declaration provides that “[n]o modification or termination of this
12 Declaration of Restrictive Covenants shall be permitted unless specifically approved by a
13 four-fifths vote of the entire Board of County Commissioners of Broward County, Florida
14 at a noticed public hearing. Notice of the proposed modification or termination shall be
15 given at least ten (10) days prior to the action by the Commission by publication in a
16 newspaper of general circulation in Broward County. In addition, at least ten (10) days
17 prior to the public hearing, the Parks and Recreation Division, or its successor division or
18 agency, shall post a sign visible from the street upon the property. The sign shall be in
19 accordance with applicable municipal regulations relating to signs and shall provide
20 pertinent information regarding the proposed modification or termination”; and

21

22 WHEREAS, in accordance with the Declaration, the Board of County
23 Commissioners of Broward County, Florida (“Board”), desires to hold a public hearing to
24 consider a resolution approving the proposed modification of the Declaration to release

1 and remove the restrictions imposed by the Declaration on the Premises in order to permit
2 the County to use the Premises for the P25 System, which modification is more
3 particularly described in the release attached to this Resolution as Attachment 2
4 (“Proposed Modification”), NOW, THEREFORE,

5
6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
7 BROWARD COUNTY, FLORIDA:

8
9 Section 1. The recitals set forth in the preamble to this Resolution are true,
10 accurate, and incorporated by reference herein as though set forth in full hereunder.

11
12 Section 2. The Board hereby authorizes and directs the County Administrator
13 to publish a notice of intent of the Board to consider a resolution approving the Proposed
14 Modification (“Notice”) at a public hearing on Tuesday, May 7, 2019, at 10:00 A.M., in
15 Room 422 of the Broward County Governmental Center, 115 South Andrews Avenue,
16 Fort Lauderdale, Florida 33301 (“Public Hearing”).

17
18 Section 3. Such Notice shall be in the form of the attached Attachment 3 and
19 shall be made at least ten (10) days prior to the Public Hearing in a newspaper of general
20 circulation in Broward County.

21
22 Section 4. The Board hereby directs the Parks and Recreation Division to post
23 signage at the Premises in accordance with the terms and conditions of the Declaration.

1 Section 5. Severability.

2 If any portion of this Resolution is determined by any court to be invalid, the invalid
3 portion will be stricken, and such striking will not affect the validity of the remainder of this
4 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
5 legally applied to any individual, group, entity, property, or circumstance, such
6 determination will not affect the applicability of this Resolution to any other individual,
7 group, entity, property, or circumstance.

8
9 Section 6. Effective Date.

10 This Resolution is effective upon adoption.

11
12 ADOPTED this ___ day of _____, 2019.

13
14 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

15
16 By /s/ Irma Qureshi 04/15/19
Irma Qureshi (date)
Assistant County Attorney

PROPOSED

17
18 By /s/ Maite Azcoitia 04/15/19
Maite Azcoitia (date)
Deputy County Attorney

19
20
21
22 IQ/mdw
23 Authorizing Public Hearing for W. Lake Park Reso.doc
04/15/19
24 Imanage file: 427853

ATTACHMENT 1

**LEGAL DESCRIPTION AND SKETCH OF PARCEL
AND
IDENTIFICATION OF ACCESS ROAD**

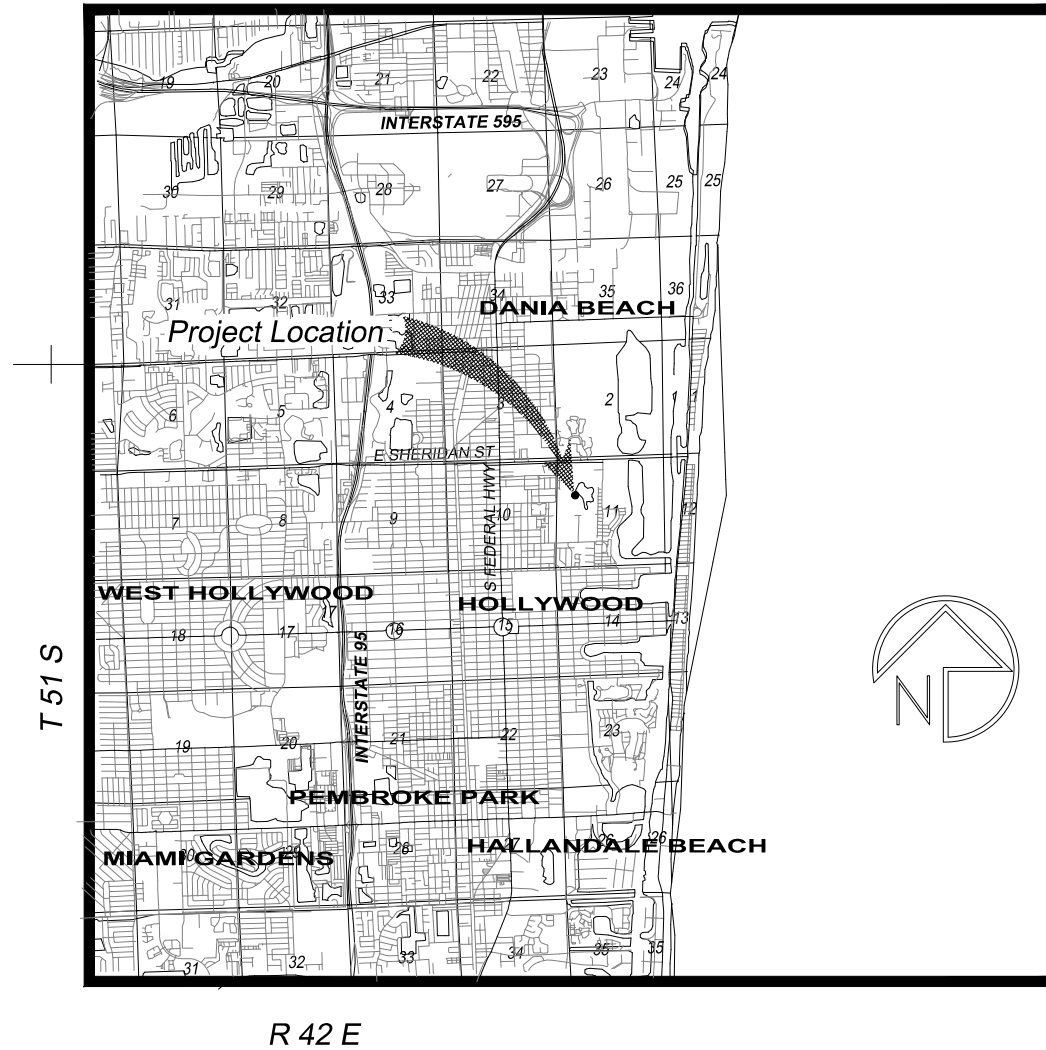
Map of ALTA / NSPS Land Title Survey
of
West Lake Park - Tower Site
Section 11, Township 51 South, Range 42 East
Broward County, Florida

LOCATION MAP
NOT TO SCALE

SURVEYOR'S NOTES

1. This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
2. The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
3. Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
4. Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
5. The field data acquisition phase of this survey was completed on July 19, 2017, as documented in AmecFW (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
6. This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
7. According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H; Effective date: August 18, 2014, the property described hereon is located in Zone AE (EL5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
8. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)



Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,
Wood Environment & Infrastructure Solutions, Inc.

CHARLES B. GARDINER
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NO. LS 5046

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4'	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

Wood Environment & Infrastructure Solutions, Inc.

550 Northlake Blvd., Suite 1000
Altamonte Springs, FL 32701 USA
Phone: (407) 522-7570
Fax: (407) 522-7576

wood.
Certificate of Authorization Number LB-0007932

CLIENT:

MOTOROLA SOLUTIONS

8000 WEST SUNRISE BLVD.
PLANTATION, FLORIDA 33322
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK
1200 SHERIDAN STREET
HOLLYWOOD, FL 33019

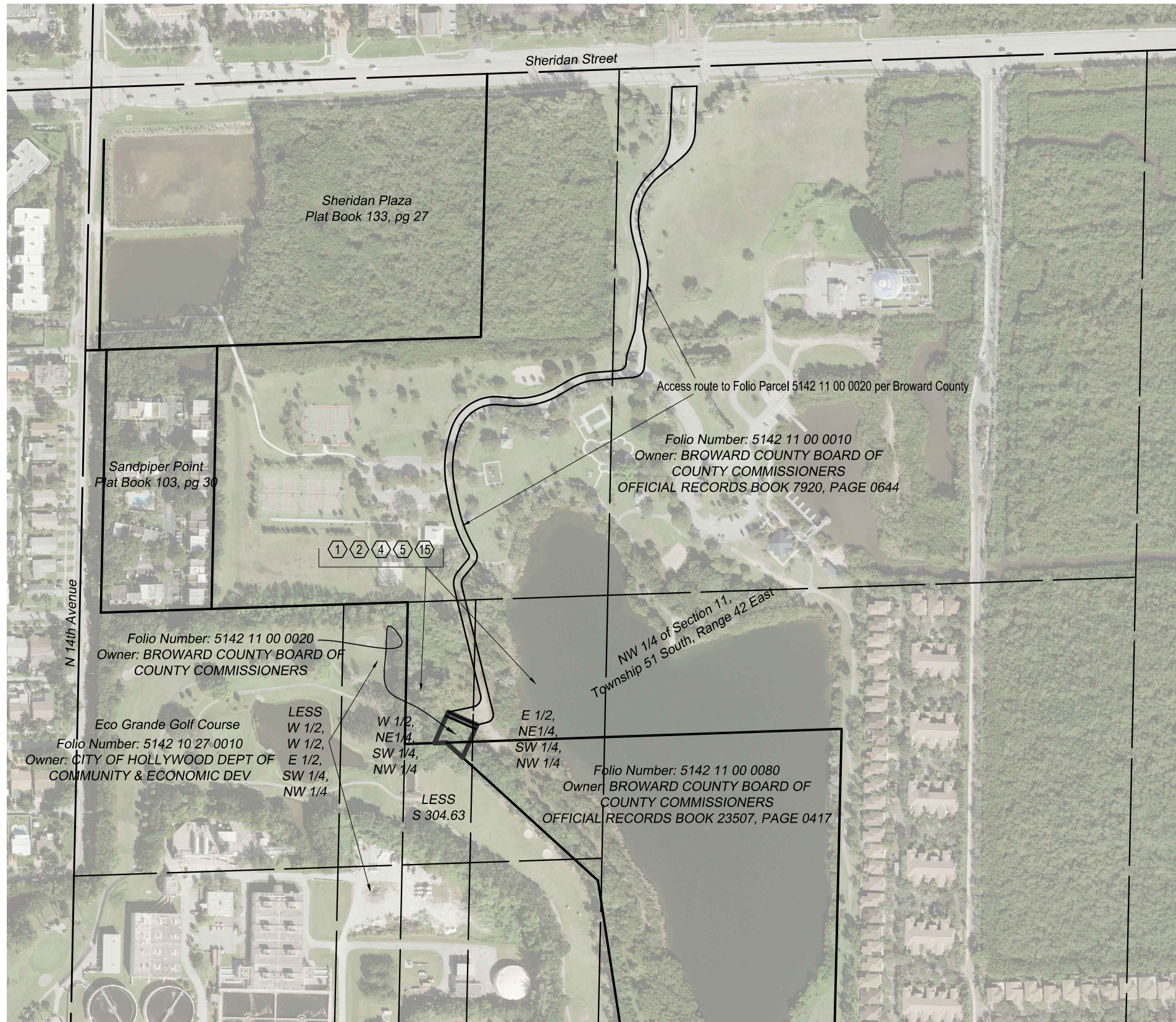
AMEC PROJECT NO: 6166170575.240
DRAWN BY: M. RAMOS
APPROVED BY:

CHECKED BY: C.B. GARDINER
DATE: 01/18/2017

Map of ALTA / NSPS Land Title
and
Topographic Survey

Sheet 1 of 3

P:\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST_LAKE_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida

SURVEYOR'S NOTES

continued from page 1

1. Agreement between Broward County and the City of Hollywood recorded January 5, 1979 recorded in Official Records Book 7968, Page 455. --- The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
2. Ordinance recorded in Official Records Book 9992, Page 242 (changing zoning of aprox 70 acres). ---The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
3. Conservation Easement Deed recorded April 12, 1993 in Official Records Book 20545, Page 431. --- The Conservation Easement does not appear to lie within the surveyed parcel.
4. Resolution recorded Official Records Book 21030, Page 348.--- The surveyed parcel lies within a portion of those lands described as "95 ACRE TRACT".
5. Agreement recorded Official Records Book 24149, Page 948.--- The surveyed parcel lies within a portion of those lands described as "WEST LAKE PARK".
6. Bill of Sale recorded in Official Records Book 25118, Page 852.--- Lands described in this document do not appear to lie within the surveyed parcel.
7. Easement recorded in Official Records Book 25118, Page 925 (waterline), as re-recorded in Official Records Book 27265, Page 337.--- Lands described in this document do not appear to lie within the surveyed parcel.
8. Conservation Easement Deed recorded in Official Records Book 25263, Page 720.--- Lands described in this document do not appear to lie within the surveyed parcel.
9. FPL Easement recorded in Official Records Book 25732, Page 936. --- Lands described in this document do not appear to lie within the surveyed parcel.
10. Declaration of Landfill Closure recorded in Official Records Book 27447, Page 455. -- The surveyed parcel does not lie within those lands described in Official Records Book 27447, Page 455.
11. Easement Agreement recorded in Official Records Book 31932, Page 645. --Lands described in Exhibit A and B do not appear to lie within the surveyed parcel.
12. Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 31189, Page 1342, as corrected in Official Records Book 37687, Page 1258. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 37687, Page 1258.
13. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded May 13, 2010 in Official Records Book 47083, Page 1671. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 47083, Page 1671.
14. Conservation Easement recorded in Official Records Book 22795, Page 66, as amended by Amendment to Conservation Easement recorded December 6, 2010 in Official Records Book 47562, Page 812. -- The Conservation Easement does not appear to lie within the surveyed parcel.
15. Restrictions recorded in Official Records Book 44349, Page 665. --- The surveyed parcel appears to lie within a portion of those lands described as "West Lake Regional Park".
16. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded in Official Records Book 47083, Page 1671. (Same as item 13)

GRAPHIC SCALE



(IN FEET)

1 inch = 300 feet

NORTH



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NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement, added access per Broward County

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Fax: (407) 522-7576

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Certificate of Authorization Number LB-0007932

CLIENT:

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PLANTATION, FLORIDA 33322
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK
1200 SHERIDAN STREET
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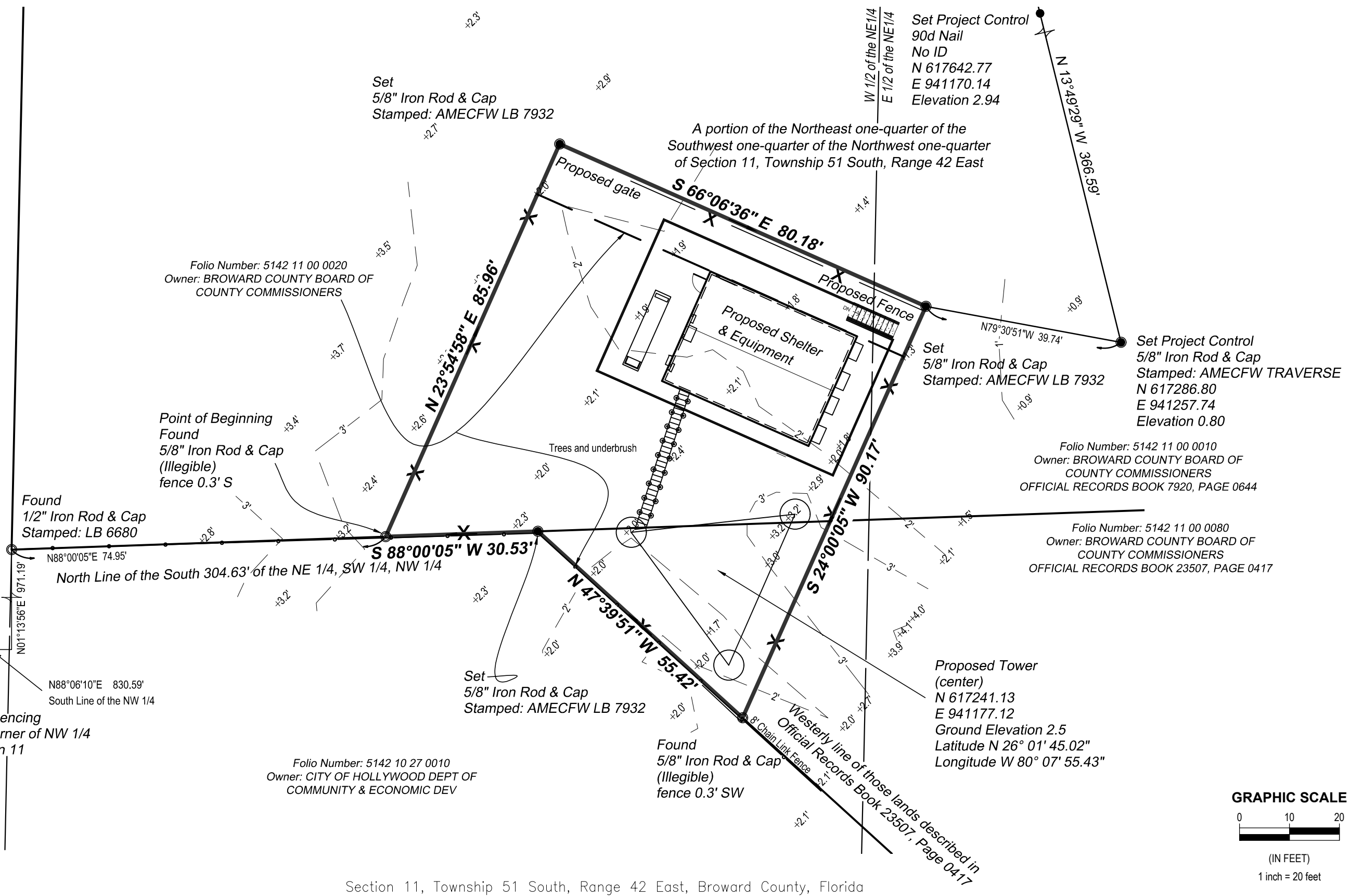
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APPROVED BY:

CHECKED BY: C.B. GARDINER
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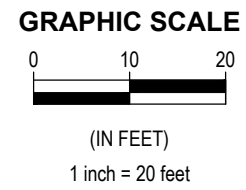
Map of ALTA / NSPS Land Title and Topographic Survey

Sheet 2 of 3

P:\0374\2017\06166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST_LAKE_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida



NO.	DATE	REVISION
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AMEC PROJECT NO: 6166170575.240
DRAWN BY: M. RAMOS
CHECKED BY: C.B. GARDINER
APPROVED BY: DATE: 01/18/2017

Map of ALTA / NSPS Land Title
and
Topographic Survey

Sheet 3 of 3

ATTACHMENT 2

Return recorded copy to:
Broward County Facilities Management Division
Real Property Section
115 South Andrews Avenue, Room 501
Fort Lauderdale, Florida 33301

This document prepared by
and approved as to form by:
Irma Qureshi
Broward County Attorney's Office
115 South Andrews Avenue, Room 423
Fort Lauderdale, Florida 33301

Folio Numbers:
5142-11-00-0010
5142-11-00-0020
5142-11-00-0080

MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS

This MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS ("Release") is made this ____ day of _____, 2019 by BROWARD COUNTY, a political subdivision of the State of Florida, whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County").

RECITALS

A. The County owns that certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020 and 5142-11-00-0080, and known as West Lake Regional Park ("County Property").

B. On or about December 12, 2006, the Board of County Commissioners of Broward County, Florida (the "Board"), approved that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), which restricted the permitted uses on the County Property.

C. The County desires to use (i) a portion of the County Property, as more particularly described in **Exhibit A** attached to and made a part of this Release ("Parcel"), to construct and operate an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("Project"); and (ii) a certain road on the County Property, as identified in **Exhibit A**, that provides vehicular access to the Parcel and is reasonably necessary to permit the County to access the Parcel for the construction and maintenance of the Project ("Access Road").

D. The Project is not a permitted use under the Declaration affecting the Parcel and the Access Road and, as a result, the Declaration needs to be modified to release and

remove the restrictions imposed by the Declaration on the Parcel and the Access Road.

E. The Declaration provides that “[n]o modification or termination of this Declaration of Restrictive Covenants shall be permitted unless specifically approved by a four-fifths vote of the entire Board of County Commissioners of Broward County, Florida at a noticed public hearing. Notice of the proposed modification or termination shall be given at least ten (10) days prior to the action by the Commission by publication in a newspaper of general circulation in Broward County. In addition, at least ten (10) days prior to the public hearing, the Parks and Recreation Division, or its successor division or agency, shall post a sign visible from the street upon the property. The sign shall be in accordance with applicable municipal regulations relating to signs and shall provide pertinent information regarding the proposed modification or termination.”

F. The Board, at a regular Commission meeting held on April 16, 2019, directed (i) the County Administrator to publish notice of the public hearing on May 7, 2019 (“May 7th hearing”), where the Board would consider a resolution approving a modification of the Declaration to release and remove the restrictions imposed by the Declaration on the Parcel and the Access Road; and (ii) the Parks and Recreation Division to post signage in accordance with the Declaration.

G. In accordance with the Declaration, the County Administrator published timely notice of the May 7th hearing, and the Parks and Recreation Division posted timely and visible signage providing information regarding the May 7th hearing and this Release.

H. At the May 7th hearing, this Release was approved by a four-fifths vote of the entire Board.

RELEASE

1. Recitals. The recitals set forth above are true, accurate, and fully incorporated by reference herein.

2. Partial Release of the Declaration. The County hereby releases and removes all of the restrictions imposed by the Declaration on (i) the Parcel in order to permit the development of the Project on the Parcel; and (ii) the Access Road only for the purpose of permitting the County to have the right of ingress, egress, and access to and from the Parcel for the construction and maintenance of the Project (“County’s Access”), and the right to improve and repair the Access Road for the facilitation of the County’s Access. Upon the recording of this Release in the Official Records of Broward County, Florida, the Declaration shall be of no further force or effect on the Parcel and the Access Road.

3. Limitations. This Release is limited to the Parcel described in **Exhibit A** and the Access Road identified in **Exhibit A**, and the components of and in furtherance of the Project specified in this Release. The County is not releasing the Declaration or any other restriction therein for any other development or area in the County Property, except as expressly referenced herein.

4. Severability. In the event any part of this Release is found to be invalid by a court of competent jurisdiction, that part shall be severed from this Release and the balance of this Release shall remain in full force and effect.

IN WITNESS WHEREOF, this Release is executed by BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ____ day of _____, 2019.

(Official Seal)

ATTEST:

County Administrator and
ex officio Clerk of the
Board of County Commissioners
of Broward County, Florida

COUNTY

BROWARD COUNTY, by and through its
Board of County Commissioners

By: _____
Mayor

____ day of _____, 2019.

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By: _____
Irma Qureshi (Date)
Assistant County Attorney

By: _____
Maite Azcoitia (Date)
Deputy County Attorney

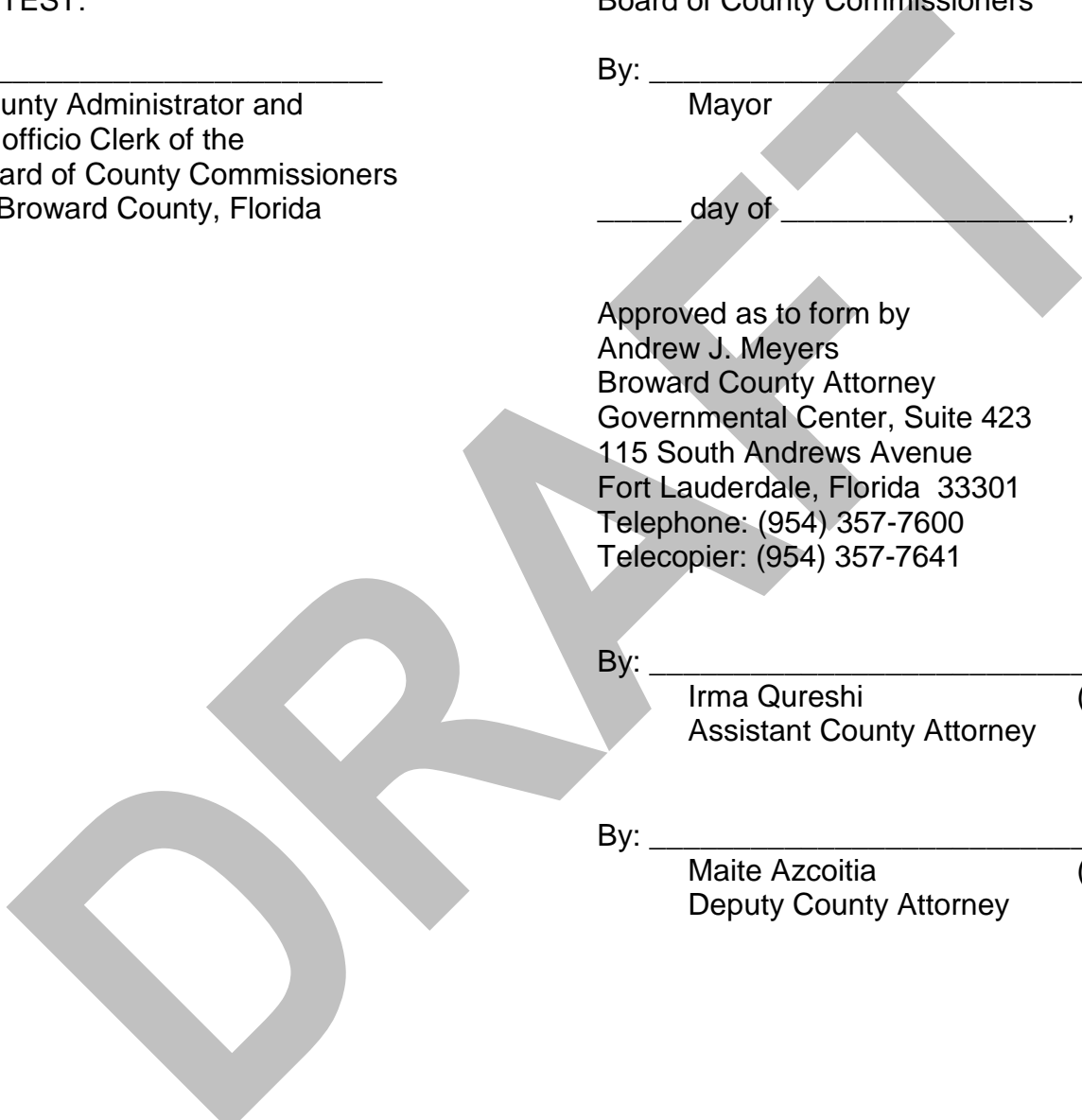


EXHIBIT A

**LEGAL DESCRIPTION AND SKETCH OF PARCEL
AND
IDENTIFICATION OF ACCESS ROAD**

DRAFT

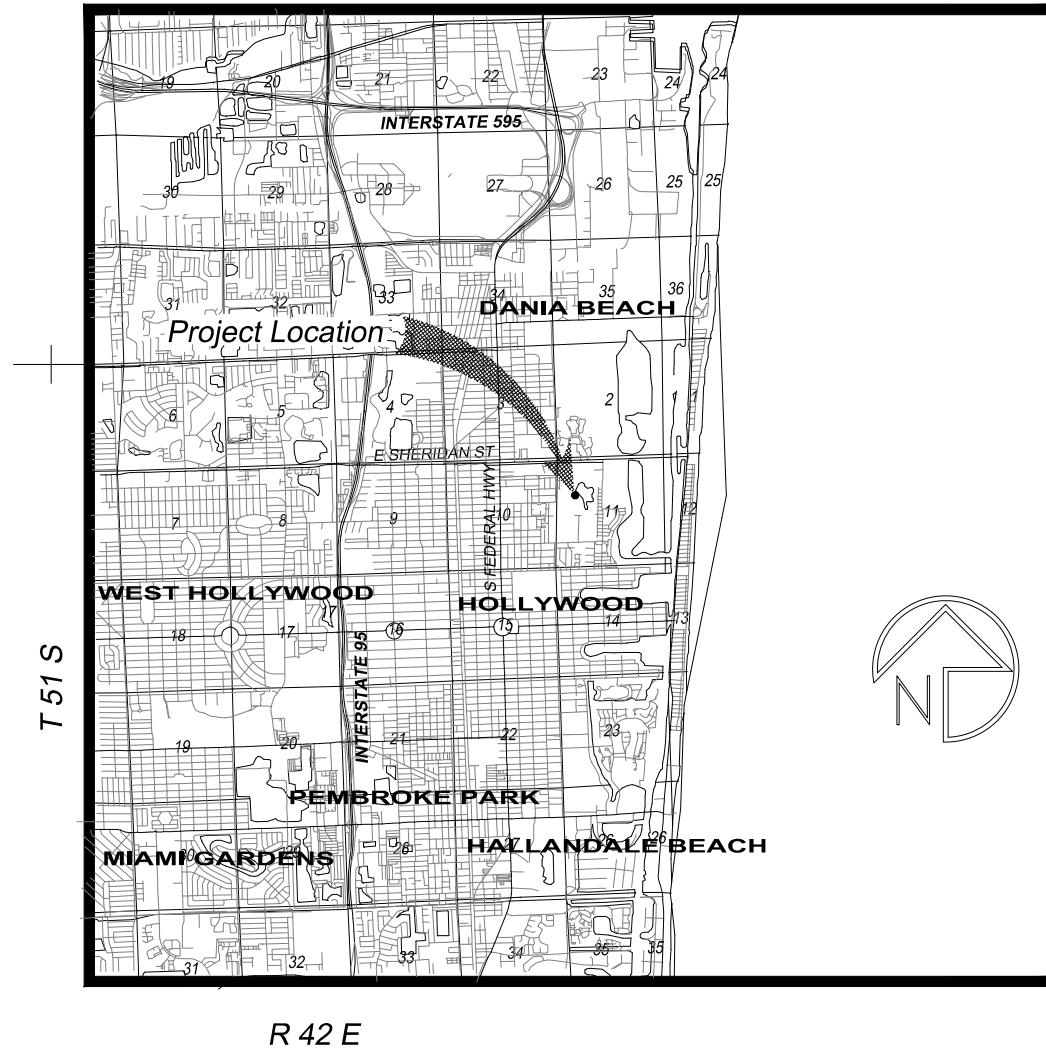
Map of ALTA / NSPS Land Title Survey
of
West Lake Park - Tower Site
Section 11, Township 51 South, Range 42 East
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LOCATION MAP
NOT TO SCALE

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(continue on page 2)



Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,
Wood Environment & Infrastructure Solutions, Inc.

CHARLES B. GARDINER
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NO. LS 5046

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4' -	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

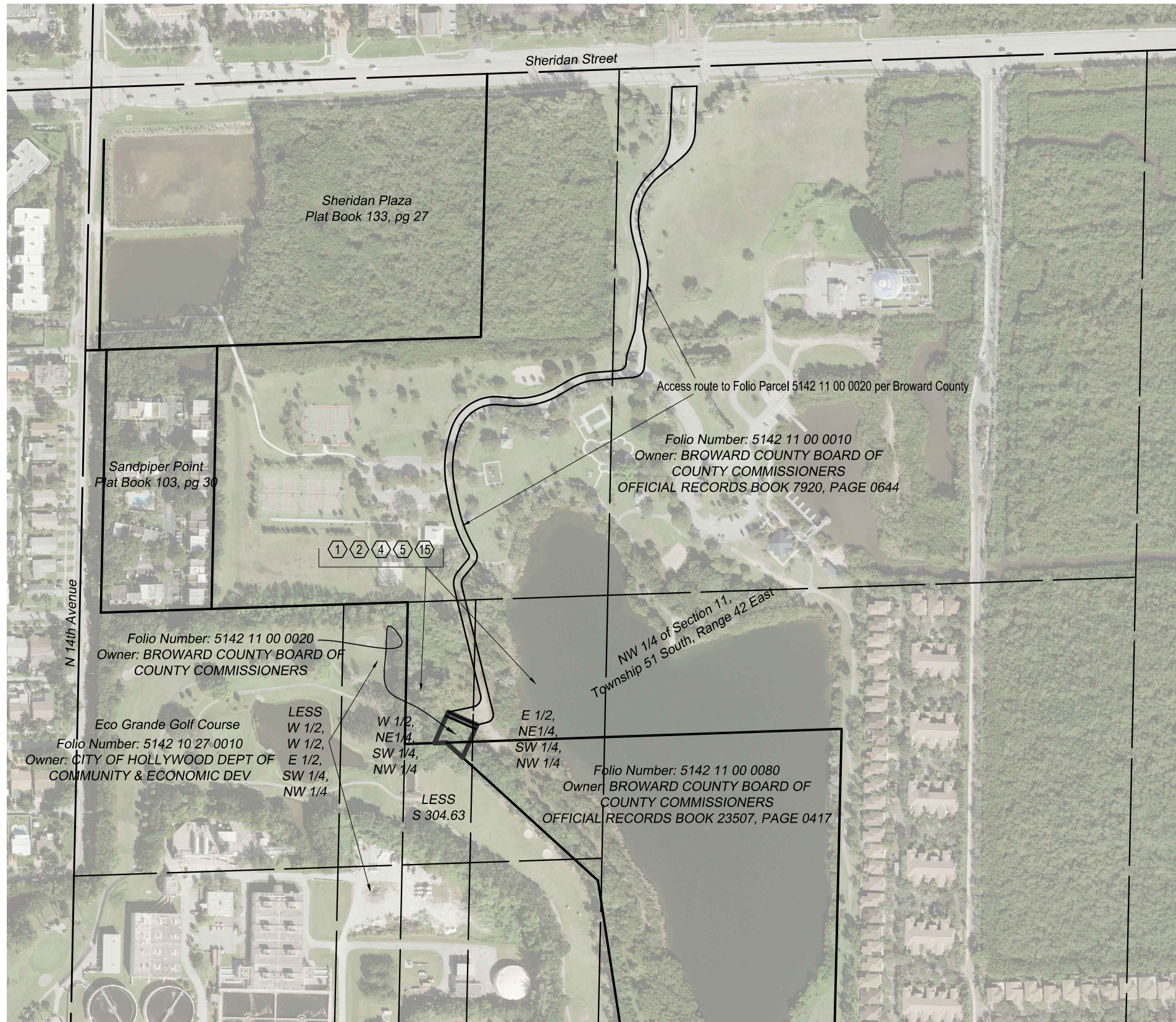
Wood Environment & Infrastructure Solutions, Inc.
550 Northlake Blvd., Suite 1000
Altamonte Springs, FL 32701 USA
Phone: (407) 522-7570
Fax: (407) 522-7576
Certificate of Authorization Number LB-0007932

CLIENT:
MOTOROLA SOLUTIONS
8000 WEST SUNRISE BLVD.
PLANTATION, FLORIDA 33322
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK
1200 SHERIDAN STREET
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240
DRAWN BY: M. RAMOS
CHECKED BY: C.B. GARDINER
APPROVED BY:
DATE: 01/18/2017

Map of ALTA / NSPS Land Title
and
Topographic Survey



Section 11, Township 51 South, Range 42 East, Broward County, Florida

SURVEYOR'S NOTES

continued from page 1

1. Agreement between Broward County and the City of Hollywood recorded January 5, 1979 recorded in Official Records Book 7968, Page 455. --- The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
2. Ordinance recorded in Official Records Book 9992, Page 242 (changing zoning of aprox 70 acres). ---The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
3. Conservation Easement Deed recorded April 12, 1993 in Official Records Book 20545, Page 431. --- The Conservation Easement does not appear to lie within the surveyed parcel.
4. Resolution recorded Official Records Book 21030, Page 348.--- The surveyed parcel lies within a portion of those lands described as "95 ACRE TRACT".
5. Agreement recorded Official Records Book 24149, Page 948.--- The surveyed parcel lies within a portion of those lands described as "WEST LAKE PARK".
6. Bill of Sale recorded in Official Records Book 25118, Page 852.--- Lands described in this document do not appear to lie within the surveyed parcel.
7. Easement recorded in Official Records Book 25118, Page 925 (waterline), as re-recorded in Official Records Book 27265, Page 337.--- Lands described in this document do not appear to lie within the surveyed parcel.
8. Conservation Easement Deed recorded in Official Records Book 25263, Page 720.--- Lands described in this document do not appear to lie within the surveyed parcel.
9. FPL Easement recorded in Official Records Book 25732, Page 936. --- Lands described in this document do not appear to lie within the surveyed parcel.
10. Declaration of Landfill Closure recorded in Official Records Book 27447, Page 455. -- The surveyed parcel does not lie within those lands described in Official Records Book 27447, Page 455.
11. Easement Agreement recorded in Official Records Book 31932, Page 645. --Lands described in Exhibit A and B do not appear to lie within the surveyed parcel.
12. Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 31189, Page 1342, as corrected in Official Records Book 37687, Page 1258. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 37687, Page 1258.
13. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded May 13, 2010 in Official Records Book 47083, Page 1671. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 47083, Page 1671.
14. Conservation Easement recorded in Official Records Book 22795, Page 66, as amended by Amendment to Conservation Easement recorded December 6, 2010 in Official Records Book 47562, Page 812. -- The Conservation Easement does not appear to lie within the surveyed parcel.
15. Restrictions recorded in Official Records Book 44349, Page 665. --- The surveyed parcel appears to lie within a portion of those lands described as "West Lake Regional Park".
16. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded in Official Records Book 47083, Page 1671. (Same as item 13)

GRAPHIC SCALE



(IN FEET)

1 inch = 300 feet

NORTH



P:\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST_LAKE_PARK-ALTA.DWG

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4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement, added access per Broward County

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wood.
Certificate of Authorization Number LB-0007932

CLIENT:

MOTOROLA SOLUTIONS

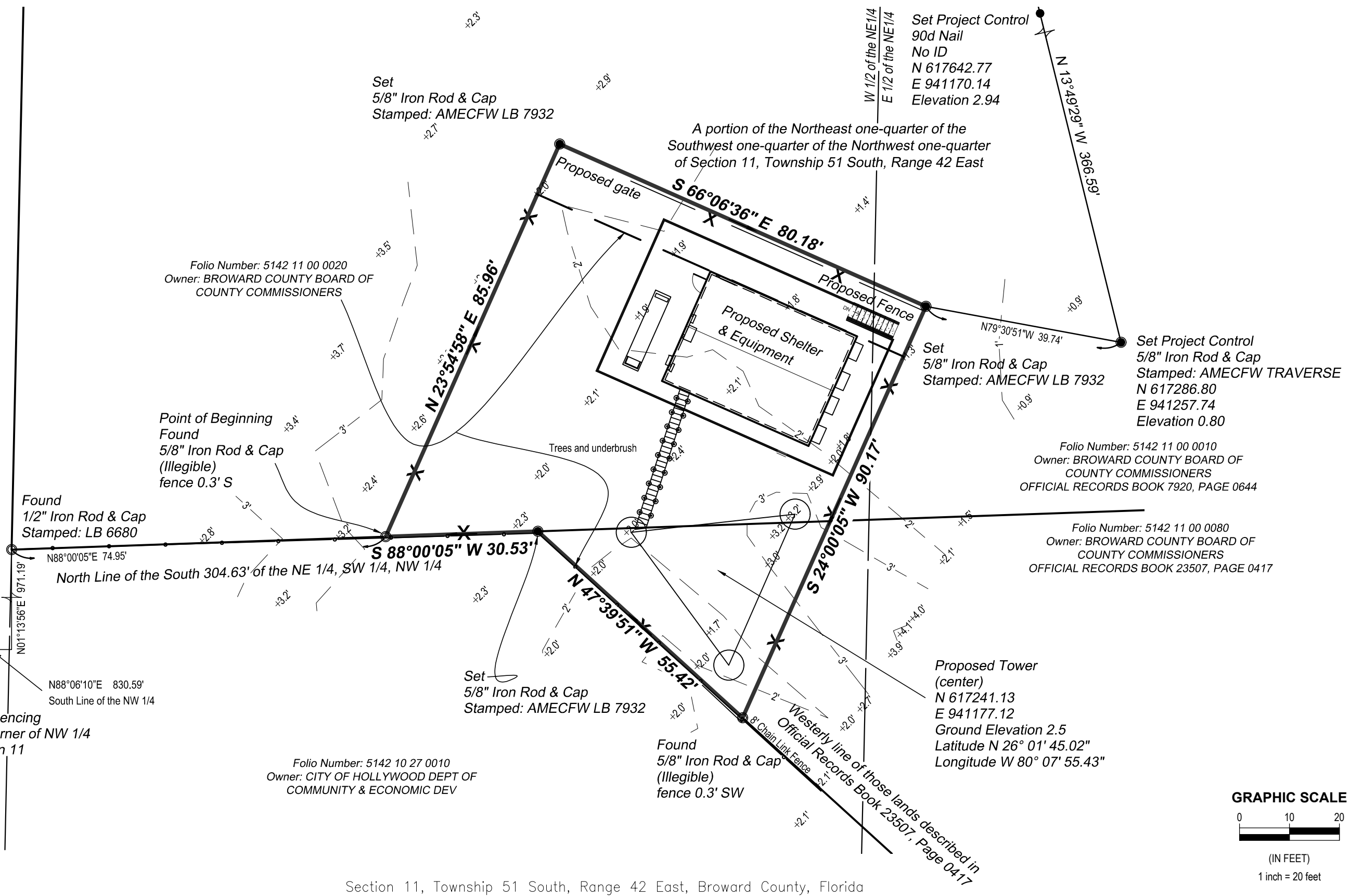
8000 WEST SUNRISE BLVD.
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BROWARD COUNTY - WEST LAKE PARK
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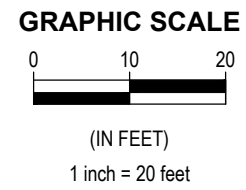
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CHECKED BY: C.B. GARDINER
APPROVED BY:
DATE: 01/18/2017

**Map of ALTA / NSPS Land Title
and
Topographic Survey**

P:\0374\2017\06166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST_LAKE_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida



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Sheet 3 of 3

ATTACHMENT 3

Notice of Public Hearing and Intent to Consider a Resolution Approving a Modification of the Declaration of Restrictive Covenants for West Lake Regional Park

Notice is hereby given by the Board of County Commissioners of Broward County, Florida, that said Board will hold a public hearing at 10:00 A.M. on Tuesday, May 7, 2019, in the Broward County Governmental Center, Room 422, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider a Resolution approving a modification of the Declaration of Restrictive Covenants, recorded as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), to release and remove the restrictions imposed by the Declaration on (i) a portion of West Lake Regional Park located at 1200 Sheridan Street, Hollywood, Florida 33019, which portion consists of approximately 0.148 acres of land ("Parcel"), in order to permit the construction of an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("P25 System"); and (ii) a certain road that provides vehicular access to the Parcel, which release and removal is reasonably necessary to permit the County to have the right of ingress, egress, and access to and from the Parcel for the P25 System ("Access Road"), and the right to improve and repair the Access Road to facilitate the County's access to the Parcel. The full legal descriptions of the Parcel and the Access Road are available for inspection at the Broward County Governmental Center, Real Property Section, 115 South Andrews Avenue, Room 501, Fort Lauderdale, Florida 33301. If due to a disability, you require auxiliary aids, accommodations, or alternative formats of materials to participate in a public hearing or meeting, contact Real Property Section at (954) 357-5535, or the Broward County Call Center TDD Line at (954) 370-3745. Please make any accommodation requests at least three days in advance of the public hearing.

Dated this _____ day of _____ 2019.

Mailing Instructions:

A. Publish one (1) time: April 25, 2019

B. Send two (2) proofs of publication to each of the following three (3) offices:

- | | | |
|--|---|--|
| (1) Gigi Barrasso
Real Property Section
115 S. Andrews Avenue, Rm. 501
Fort Lauderdale, Florida 33301 | (2) Irma Qureshi
Office of the County Attorney
115 S. Andrews Avenue, Rm. 423
Fort Lauderdale, Florida 33301 | (3) Mary Anne Darby, Deputy Clerk
Records, Taxes and Treasury Div.
115 S. Andrews Avenue, Rm. 336U
Fort Lauderdale, Florida 33301 |
|--|---|--|

C. Send one (1) proof of publication and invoice to:

Board of County Commissioners
Accounting Division, Room 201
Governmental Center
115 S. Andrews Avenue
Fort Lauderdale, FL 33301

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