

Meeting Date: February 24, 2015

Agenda Item 16

REQUESTED COMMISSION ACTION:

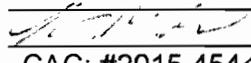
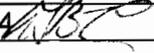
Consent Ordinance Resolution Consideration/Discussion Presentation

SHORT TITLE OR MOTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM TAHA FAMILY LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

Summary: The applicant seeks site plan approval for the property located at 3109 E Atlantic Blvd. As a condition of approval the applicant is required to provide additional right-of-way in order to meet code requirements. The dedication includes five (5) feet along North Riverside Drive and East Atlantic Blvd. Included herein is the deed and the appropriate exhibits for the said right-of-way dedication.

- (1) Origin of request for this action: Taha Family, LLC
- (2) Primary staff contact: Daniel Keester/ Robin Bird Ext. 5541
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	1/12/2015	Approval	
City Attorney	1/20/2015	_____	CAC: #2015-454 

 Advisory Board

 City Manager

Commissioner

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u> 1 st Reading	<u>Resolution</u> 1 st Reading	<u>Consideration</u> Results:	<u>Workshop</u> Results:
_____	_____	_____	_____
2 nd Reading	_____	_____	_____
_____	_____	_____	_____



City Attorney's Communication #2015-454
January 20, 2015

TO: Daniel T. Keester, Planner
FROM: Gordon B. Linn, City Attorney
RE: Resolution Accepting Right-of-Way Deed from Taha Family LLC

As requested in your memorandum dated January 12, 2015, Department of Development Services Memorandum No. 15-014, the following form of resolution, relative to the above-referenced matter has been prepared and is attached:

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ACCEPTING
CONVEYANCE OF REAL PROPERTY FROM TAHA
FAMILY LLC TO THE CITY OF POMPANO BEACH;
PROVIDING AN EFFECTIVE DATE.**

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



GORDON B. LINN

GBL/jrm
I:\cor\planning\2015-454

Attachment

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM TAHA FAMILY LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Taha Family LLC is willing to convey to the City of Pompano Beach certain real property via Right-of-Way Deed; and

WHEREAS, the City Commission has determined that the best interests of the public will be served by accepting and acquiring the rights being conveyed by the Deed; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City of Pompano Beach accepts the conveyance of real property from Taha Family LLC dated November 7, 2014, a copy of which is attached hereto and incorporated by reference as if set forth in full.

SECTION 2. That it is the determination of the City Commission of the City of Pompano Beach, Florida, that the acquisition of the aforesaid property is for a public purpose, to wit: future right-of-way.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

Prepared By and Return to:
Arthur R. Rosenberg, Esquire
6499 North Powerline Road, Suite 304
Fort Lauderdale, Florida 33309

RIGHT OF WAY DEED TO CITY OF POMPANO BEACH

THIS INDENTURE, made this 25th day of October 2014, by and between TAHA FAMILY LLC, a Florida limited liability company, ("TAHA") having its principal address at 500 SE 13th Court, Pompano Beach, Florida 33060, party of the first part, and the CITY OF POMPANO BEACH, a Florida municipality, ("CITY") and its successors in interest, having its principal address at 100 West Atlantic Boulevard, Pompano Beach, Florida 33060 party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a RIGHT OF WAY and purposes incidental thereto, the following described land, situate, lying and being in the County of Broward, State of Florida, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any wise appertaining

It is the intention of Taha by this instrument to convey to the said City, and its successors in interest, the land above described for use as a RIGHT OF WAY and for all purposes incidental thereto.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, on the day and year first above written.

Signed, sealed and delivered in the
in the presence of:

[Signature] (Sign)

[Print Name] (Print)

[Signature] (Sign)

[Print Name] (Print)

TAHA FAMILY LLC,
A Florida limited liability company

By: [Signature]

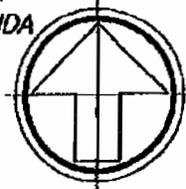
NADER TAHA
Managing Member

EXHIBIT "A"

As detailed in the attached sketch and legal description, totaling three (3) pages, prepared by Shah Drotos & Associates and dated June 13, 2014, as referenced by Project # 14-1008

SKETCH OF DESCRIPTION PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF
THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH
RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



NORTH LINE—SOUTH 180', SCALE: 1"=40'
W1/2, SW1/4, SE1/4,
SEC. 31-T48S-R43E

INTRACOASTAL WATERWAY
(PB 17, PG 7, BCR)
300' RIGHT-OF-WAY
N11°11'31" E
5.10'

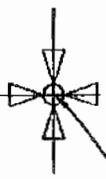
EAST RIGHT-OF-WAY LINE

MATCHLINE—SEE SHEET 3 OF 3 SHEETS

N89°50'30"E 288.87'

NORTH RIGHT-OF-WAY LINE S89°50'30"W 319.84'

EAST ATLANTIC BOULEVARD (S.R. 814)
(100' RIGHT-OF-WAY)



SOUTH LINE— (BEARING REFERENCE) S89°50'30"W 2945.18'
SEC 31-T48S-R43E CENTERLINE

SOUTHWEST CORNER
SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST

X:\Cad\Survey\1008100 TAMA MARINA\TAMA TOPO.dwg, 6/15/2014 11:04:55 AM, Rich Aficio NP 2550 PC.

PROJECT NO.: 14-1008

SHEET 2 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	06/13/14		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

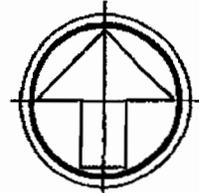
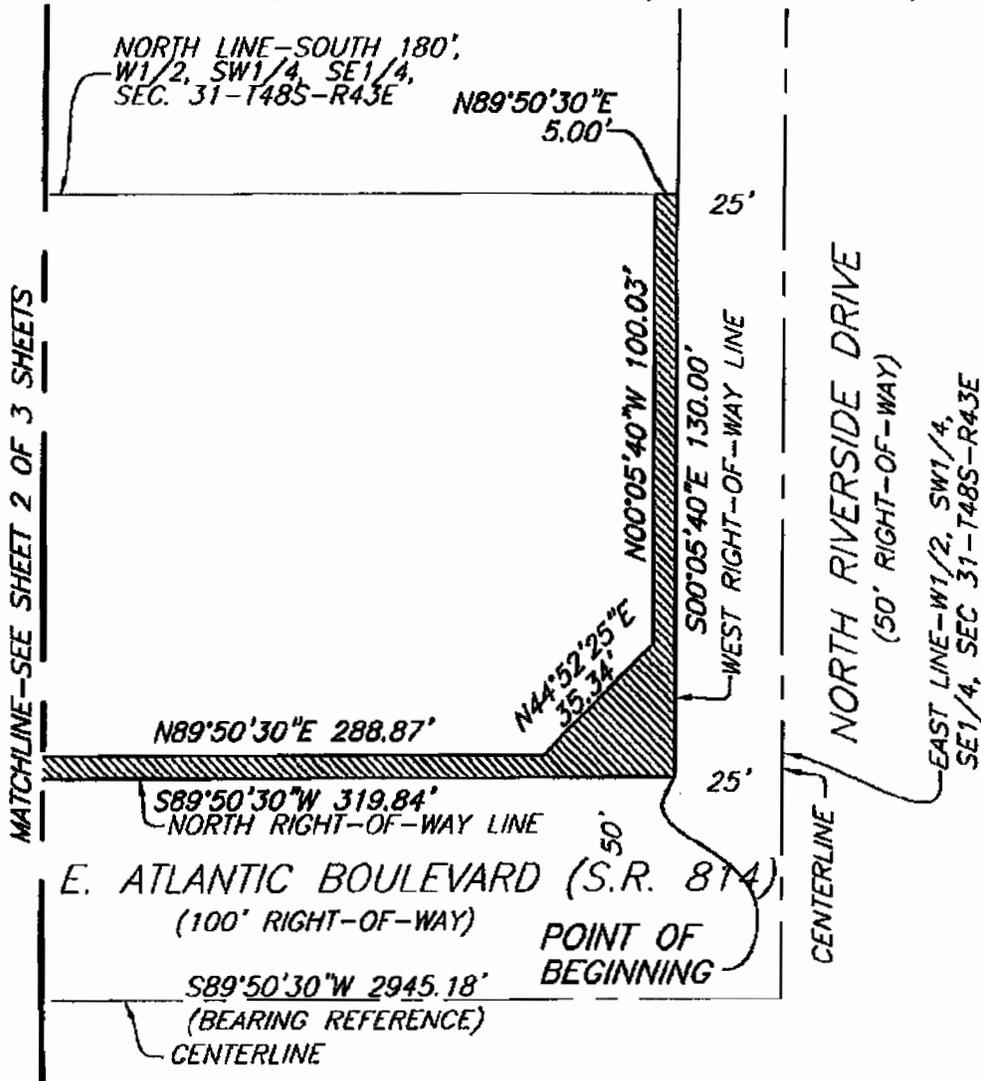
SDA **SHAH**
SDA **DROTOS**
& ASSOCIATES

ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3416 N. Andrews Avenue Ext • Pompano Beach, Fl. 33064
PH: 954-943-9433 • FAX: 954-783-4754

SKETCH OF DESCRIPTION PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF
THE SOUTH EAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH
RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



SCALE: 1"=40'

MATCHLINE-SEE SHEET 2 OF 3 SHEETS

X:\Cad\Survey\1008100 TAVA MARINA\TAVA TOPO.dwg, 6/15/2014 11:09:05 AM, Rich Africa MP 2550 PCL

SURVEY NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY SHAH, DROTOS & ASSOCIATES FOR EASEMENTS, RIGHTS-OF-WAY, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
2. THIS IS NOT A SURVEY.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE RELATIVE TO THE SOUTH LINE OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST. SAID SOUTH LINE BEARS SOUTH 89°50'30" WEST (ASSUMED) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

FOR THE FIRM, BY:

MICHAEL D. ROSE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. LS3998

PROJECT NO.: 14-1008

SHEET 3 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	06/13/14		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

SDA SHAH DROTOS & ASSOCIATES

ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3410 N. Andrews Avenue Ext • Pompano Beach, Fl. 33064
PH: 954-943-9433 • FAX: 954-783-4754

LAW OFFICES
ROSENBERG & PINSKY
SUITE 304
6499 NORTH POWERLINE ROAD
FORT LAUDERDALE, FLORIDA 33309
www.rp-lawfirm.com

ARTHUR R. ROSENBERG
JOSHUA S. PINSKY
HAROLD S. BOFSHEVER

954-772-5151
FAX 954-772-4224

November 5, 2014

To: City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, Florida 33060

Re: Taha Family LLC.

With the understanding that this Opinion of title is furnished to City of Pompano Beach, in connection with the execution of and conveyance, by Right of Way Deed of that certain real property described in Exhibit "A", attached hereto and incorporated herein for the use as a right of way, it is hereby certified that I have had obtained a Title Status Report ("TSR") of the real property described in Exhibit "B", which real property incorporates the real property described in Exhibit "A" and prepared by Attorneys' Title Fund Services, L.L.C., for the period through October 29, 2014, at the hour of 11:00 PM, inclusive, for the real property described in Exhibit "B":

I am of the opinion that on the last mentioned dated, the fee simple title to the real property described in Exhibit "B" and which incorporates the real property described in Exhibit "A" is vested in:

A. Taha Family, L.L.C., via a Quit Claim Deed from Safi Taha, individually and as trustee of the Trust under the Last Will and Testament of Rose Taha, dated October 29, 1999, recorded in Official Records Book 44555, at page 1459 of the Public Records of Broward County, Florida.

A copy of the recorded Quit Claim Deed reflecting the ownership is attached hereto as Exhibit "C."

The real property described in Exhibit "B" is subject to the following Liens and Encumbrances:

Mortgage(s) of Record:

1. Mortgage from Taha Family L.L.C., to Florida Capital Bank, N.A., dated May 13, 2008 and recorded May 16, 2008 in Official Records Book 45375, Page 1148, and which Mortgage was modified by Modification of Mortgage, dated July 21, 2010 and recorded in Official Records Book 47279, Page 898 and which Mortgage was assigned to Florida Shores Bank, via Assignment, recorded in Official Records Book 47823, Page 971, all of the Public Records of Broward County, Florida. A copy of the Mortgage, the Modification of Mortgage and Assignment of Mortgage are attached hereto as Composite Exhibit "D".

EXHIBIT *A, B, C, D*

Opinion of Title
November 5, 2014

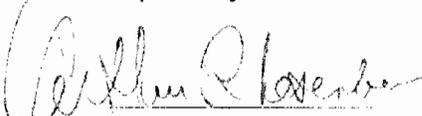
2. Assignment of Rents to Florida Capital Bank, N.A., dated May 13, 2008 and recorded May 16, 2008, in Official Records Book 45375, Page 1158, and which document was modified by Assignment of Rents recorded in Official Records Book 47279, Page 902, all of the Public Records of Broward County, Florida. A copy of the Assignment of Rents and modification are attached hereto as Composite Exhibit "E".

3. Mortgage from Taha Family LLC., to Mansfield Oil Company of Gainesville, Inc, recorded in Official Records Book 46964, at Page 1912, together with that Subordination Agreement recorded in Official Records Book 47279, at Page 909, all of the Public Records of Broward County, Florida. A copy of the Mortgage and Subordination Agreement are attached hereto as Exhibits "F" and "G".

I HEREBY CERTIFY that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the real property described in Exhibit "B" and which real property incorporates and includes the real property described in Exhibit "A".

I further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 5th day of November 2014.


Name

ARTHUR R. ROSENBERG, ESQUIRE

Print Name

Florida Bar No. 325805

EXHIBIT "A"

As detailed in the attached sketch and legal description, totaling three (3) pages, prepared by Shah Drotos & Associates and dated June 13, 2014, as referenced by Project # 14-1008

DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

A PORTION OF THE SOUTH 180 FEET OF THAT PORTION OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) LYING EAST OF THE INTRACOASTAL WATERWAY, EXCEPTING THEREFROM THE EAST 25 FEET THEREOF, AND FURTHER EXCEPTING THE SOUTH 50 FEET THEREOF, (SAID EXCEPTIONS HAVING BEEN CONVEYED FOR PUBLIC ROADS) OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE (50 FEET WIDE) WITH THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD (100 FEET WIDE);

THENCE SOUTH 89°50'30" WEST, ALONG A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 31 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD, 319.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS DESCRIBED IN PLAT BOOK 17, PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH 11°11'31" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 5.10 FEET;

THENCE NORTH 89°50'30" EAST, ALONG A LINE 55 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 31, A DISTANCE OF 288.87 FEET;

THENCE NORTH 44°52'25" EAST, 35.34 FEET;

THENCE NORTH 00°05'40" WEST, ALONG A LINE 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31, A DISTANCE OF 100.03 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 180 FEET OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31;

THENCE NORTH 89°50'30" EAST, ALONG SAID NORTH LINE, 5.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE;

THENCE SOUTH 00°05'40" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 130.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 2534 SQUARE FEET (0.058 AC), MORE OR LESS.

XI \ Cad \ Survey \ COBAGO \ TAMA MARINA \ TAMA TOPU.dwg, 6/15/2014 10:55:58 AM, Rich, Afcio, NP 2530 PCL

PROJECT NO.: 14-1008

SHEET 1 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	06/18/14		MDR
REVISIONS	DWV	DATE	FB/PG	CHKD

SDA SHAH DROTOS
& ASSOCIATES

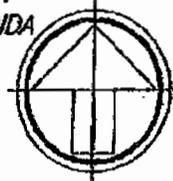
ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3430 N. Andrews Avenue Ext • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-783-4754

SKETCH OF DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



NORTH LINE-SOUTH 180',
W1/2, SW1/4, SE1/4,
SEC. 31-148S-R43E

SCALE: 1"=40'

INTRACOASTAL WATERWAY
(PB 17, PG 7, BCR)
300' RIGHT-OF-WAY
N11°11'31" E
5.10'

EAST RIGHT-OF-WAY LINE

N89°50'30"E 288.87'

NORTH RIGHT-OF-WAY LINE S89°50'30"W 319.84'

EAST ATLANTIC BOULEVARD (S.R. 814)
(100' RIGHT-OF-WAY)

S89°50'30"W 2945.18'
(BEARING REFERENCE)

SOUTH LINE--
SEC 31-148S-R43E

CENTERLINE

SOUTHWEST CORNER
SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST

MATCHLINE-SEE SHEET 3 OF 3 SHEETS

C:\Cad\Survey\1008100 TAMA MARINA\TAMA TOPO.dwg, 6/19/2014 11:04:55 AM, Rich Atlee NP 2550 PCL

PROJECT NO.: 14-1008

SHEET 2 OF 3 SHEETS

REVISIONS	DWN	DATE	FB/PG	CHKD
SKETCH OF DESCRIPTION	MDR	06/13/14		MDR

SDA SHAH DROTOS
& ASSOCIATES

ENGINEERING
SURVEYING
PLANNING
CERTIFICATE OF AUTHORIZATION NO. LB 6456
3410 N. Andrews Avenue Est • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-703-4734

EXHIBIT "B"
LEGAL DESCRIPTION OF TAHA FAMILY LLC PROPERTY

The South 180 feet of that portion of the West 1/2 of the Southwest 1/4 of the Southeast 1/4 lying East of the Intracoastal Waterway, excepting therefrom the East 5 feet thereof and further excepting therefrom the South 50 feet thereof, in Section 31, Township 48 South, Range 43 East of the Public Records of Broward County, Florida. Said lands situate, lying, and being in Broward County

**CERTIFICATE OF COMPANY
RESOLUTIONS, COMPANY STATUS AND INCUMBENCY**

The undersigned, being all of the members of TAHA FAMILY LLC, a Florida limited liability company ("Company"), hereby certifies that:

1. The Company is a duly formed, validly existing limited liability company in good standing under the laws of the State of Florida.

2. On 11/6, 2014, in accordance with the Company's Operating Agreement, the following resolutions were unanimously adopted by the Members of the Company, and the same have not been revoked, canceled, annulled or amended in any manner and are in full force and effect on the date hereof:

RESOLVED, in connection with the obtaining the approval of the site plan for real property owned by the Company and legally described in Exhibit "A", attached hereto and incorporated herein, that the Company hereby approves the transfer and conveyance, by a Right of Way Deed, to the City of Pompano Beach, a Florida municipal corporation to the real property that is legally described in Exhibit "B" attached hereto and incorporated herein, which property is a portion of the real property owned by the Company and described in Exhibit "A".

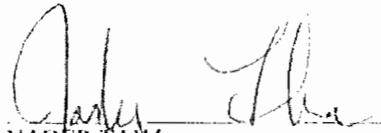
FURTHER RESOLVED, that the Nada Taha, the Managing Member of the Company acting alone, be and is hereby authorized to execute and deliver, affix the seal of the Company to the Right of Way Deed transferring and conveying the real property described in Exhibit "B", to the City of Pompano Beach, and all other documents and instruments required or which the Managing Member may deem advisable in connection with the transferring and conveying to the City of Pompano Beach, the real property described in Exhibit "B" and all documents and instruments executed and delivered as aforesaid to be and constitute the acts and obligations of the Company, the Company hereby ratifying and confirming the acts of its Managing Member executing and delivering all of such documents and instruments, irrespective of whether such acts were performed before or subsequent to the date of the adoption hereof, and directing the Managing Member of the Company to perform all of the Company's obligations and undertakings under each and all such documents and instruments; and

FURTHER RESOLVED, that these resolutions shall continue in full force and effect and may be relied upon by the City of Pompano Beach until receipt of written notice of any change therein.

4. The following are members of the Company set forth opposite their respective names and are incumbent in such offices as of the date hereof:

Name	Title
NADER TAHA	Managing Member
Rawan Ali Haidar	Member
Judith Ann Taha, Trustee of the Revocable Trust of Judith Ann Taha	Member
Jamil Taha, Trustee of the Revocable Trust of Jamil Taha,	Member

IN WITNESS WHEREOF, WE have hereunto subscribed our name and affixed the seal of the Company
this 6th day of NOV, 2014.



NADER TAHHA
MANAGING MEMBER

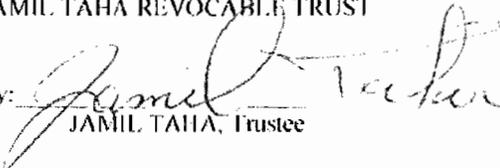


Rawan Ali Haidar

JUDITH ANN TAHHA REVOCABLE TRUST

By: 
JUDITH ANN TAHHA, Trustee

JAMIL TAHHA REVOCABLE TRUST

By: 
JAMIL TAHHA, Trustee

Prepared by:

ARTHUR R. ROSENBERG, Esquire
6499 North Powerline Road, Suite 304
Fort Lauderdale, Florida 33309

PARTIAL RELEASE OF MORTGAGE

The undersigned owner(s) and holder(s) of a Second Mortgage made by Taha Family, LLC, a Florida limited liability company of at 500 SE 13th Court, Pompano Beach, Florida 33060, (AMORTGAGOR"), to Mansfield Oil Company of Gainesville, Inc., of 1025 Airport Parkway, S.W., Gainesville, Georgia 30501-6813, ("Mortgagee") which Second Mortgage was recorded in Official Records Book 46964, at Page 1912 of the Public Records of Broward County, Florida; hereby agrees to release the following described portion of the Real Property from the Second Mortgage:

See Exhibit AA@ attached hereto and incorporated herein.

The INDEBTEDNESS which the subject Second Mortgage encumbers shall not be affected or cancelled by this Partial Release of Mortgage. This Partial Release of Mortgage is only releasing the real property above described from the Second Mortgage and no other property.

IN WITNESS THEREOF, I have hereunto set my hand and seal, the 08 day of December, 2014.

Signed, sealed and delivered
in presence of:

[Signature]
[Signature]

MANSFIELD OIL COMPANY OF GAINESVILLE,
INC.,

By: [Signature]

STATE OF FLORIDA)
) SS:
COUNTY OF [Signature])

ON THIS DAY, before me, an officer duly authorized to administer oaths and take acknowledgments in the County and State aforesaid, personally appeared [Signature] an officer of Mansfield Oil Company of Gainesville, Inc., who is personally known to me or who has produced his/her driver's license as identification and who did take an oath.

WITNESS my hand and official seal at [Signature], [Signature] County, Florida, on this [Signature] day of [Signature], 2014.

NOTARY PUBLIC/ STATE OF FLORIDA

My commission expires:

EXHIBIT AA@

DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

A PORTION OF THE SOUTH 180 FEET OF THAT PORTION OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) LYING EAST OF THE INTRACOASTAL WATERWAY, EXCEPTING THEREFROM THE EAST 25 FEET THEREOF, AND FURTHER EXCEPTING THE SOUTH 50 FEET THEREOF, (SAID EXCEPTIONS HAVING BEEN CONVEYED FOR PUBLIC ROADS) OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE (50 FEET WIDE) WITH THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD (100 FEET WIDE);

THENCE SOUTH 89°50'30" WEST, ALONG A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 31 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD, 319.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS DESCRIBED IN PLAT BOOK 17, PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH 11°11'31" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 5.10 FEET;

THENCE NORTH 89°50'30" EAST, ALONG A LINE 55 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 31, A DISTANCE OF 288.87 FEET;

THENCE NORTH 44°52'25" EAST, 35.34 FEET;

THENCE NORTH 00°05'40" WEST, ALONG A LINE 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31, A DISTANCE OF 100.03 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 180 FEET OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31;

THENCE NORTH 89°50'30" EAST, ALONG SAID NORTH LINE, 5.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE;

THENCE SOUTH 00°05'40" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 130.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 25.34 SQUARE FEET (0.058 AC), MORE OR LESS.

W. A. CASH, Surveyor, COBAGO TRAIL VALLEY, FLA. 1090 Land, 57 BY 2014 TO: 55 58 All, Rich A. 100 No 2550 PL

PROJECT NO.: 11-1008

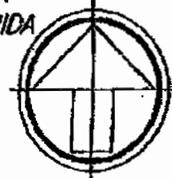
SHEET 1 OF 3 SHEETS

REVISIONS	DATE	BY	CHKD

SHAH & ASSOCIATES
 ENGINEERING
 SURVEYING
 PLANNING
 CERTIFICATE OF AUTHORIZATION NO. LG 6456
 3410 N. Andrews Avenue E.D. • Pompano Beach, FL 33062
 PH: 304-945-9433 • FAX: 304-793-4754

SKETCH OF DESCRIPTION PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF
THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH
RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



NORTH LINE-SOUTH 180',
W1/2, SW1/4, SE1/4,
SEC. 31-T48S-R43E

SCALE: 1"=40'

INTRACOASTAL WATERWAY
(PB 17, PG 7, BCR)
300' RIGHT-OF-WAY
N117°31' E
5.10'

EAST RIGHT-OF-WAY LINE

N89°50'30"E 288.87'

NORTH RIGHT-OF-WAY LINE S89°50'30"W 319.84'

EAST ATLANTIC BOULEVARD (S.R. 814)
50'
(100' RIGHT-OF-WAY)

S89°50'30"W 2945.18'
(BEARING REFERENCE)

SOUTH LINE--
SEC 31-T48S-R43E

CENTERLINE

SOUTHWEST CORNER
SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST

MATCHLINE--SEE SHEET 3 OF 3 SHEETS

X:\Cad\Survey\1008100 TAPA MARINA\TAPA TOPO.dwg, 6/15/2014 11:04:55 AM, Eacch\ARep\MP 2550.PLO

PROJECT NO.: 14-100B

SHEET 2 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	DATE	FB/PG	CHKD
REVISIONS	DWN			

SDA SHAH DROTOS
& ASSOCIATES

ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 8486
3410 N. Andrews Avenue Ext • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-783-6754

Prepared by:
ARTHUR R. ROSENBERG, Esquire
6499 North Powerline Road, Suite 304
Fort Lauderdale, Florida 33309

PARTIAL RELEASE OF MORTGAGE

The undersigned, STONEGATE BANK, a Florida Banking Corporation, formerly known as Florida Shores Bank-Southeast, as owner and holder of that certain first Mortgage made by Taha Family, LLC, a Florida limited liability company, located at 500 SE 13th Court, Pompano Beach, Florida 33060 (AMortgagor"), to Florida Capital Bank, N.A., dated on or about May 13, 2008, as recorded in Official Records Book 45375, Page 1148; as modified on or about July 21, 2010, as recorded in Official Records Book 47279, Page 898; and, which was assigned on or about December 3, 2010, to Florida Shores Bank-Southeast, as recorded in Official Records Book 47823, Page 971; all of the Public Records of Broward County, Florida; the undersigned agrees to PARTIAL.Y release from the above-stated mortgage, as modified, the following described **portion** of the mortgaged premises, legally described as follows:

See Exhibit "A" attached hereto and incorporated herein.

The INDEBTEDNESS which the subject First Mortgage encumbers shall not be affected or cancelled by this Release. This Release is only releasing the real property above described from the Mortgage, which is a small portion of the entire mortgaged premises, and no other property.

IN WITNESS THEREOF, I have hereunto set my hand and seal, the 8th day of August 2014.

Signed, sealed and delivered
in presence of:

STONEGATE BANK
A Florida Banking Corporation

[Signature]

[Signature]

By: [Signature], EVP

STATE OF FLORIDA)
) SS:
COUNTY OF [Signature])

ON THIS DAY, before me, an officer duly authorized to administer oaths and take acknowledgments in the County and State aforesaid, personally appeared [Signature] an officer of Stonegate Bank, a Florida Banking Corporation, who is personally known to me or who has produced his/her driver's license as identification and who did take an oath.

WITNESS my hand and official seal at [Signature] County, Florida, on this 1 day of August, 2014.

[Signature]

NOTARY PUBLIC/ STATE OF FLORIDA

My commission expires:

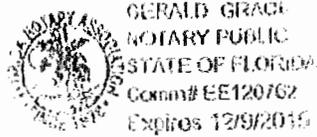


EXHIBIT "A"

As detailed in the attached sketch and legal description, totaling three (3) pages, prepared by Shah Drotos & Associates and dated June 13, 2014, as referenced by Project # 14-1008

DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

A PORTION OF THE SOUTH 180 FEET OF THAT PORTION OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) LYING EAST OF THE INTRACOASTAL WATERWAY, EXCEPTING THEREFROM THE EAST 25 FEET THEREOF, AND FURTHER EXCEPTING THE SOUTH 50 FEET THEREOF, (SAID EXCEPTIONS HAVING BEEN CONVEYED FOR PUBLIC ROADS) OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE (50 FEET WIDE) WITH THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD (100 FEET WIDE);

X:\Cad\Survey\008A00\TAHA\TAHA TOPO.dwg, 6/15/2014 10:55:58 AM, Rofth Afico MP 2550 PCL

THENCE SOUTH 89°50'30" WEST, ALONG A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 31 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD, 319.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS DESCRIBED IN PLAT BOOK 17, PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH 11°11'31" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 5.10 FEET;

THENCE NORTH 89°50'30" EAST, ALONG A LINE 55 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 31, A DISTANCE OF 288.87 FEET;

THENCE NORTH 44°52'25" EAST, 35.34 FEET;

THENCE NORTH 00°05'40" WEST, ALONG A LINE 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31, A DISTANCE OF 100.03 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 180 FEET OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SAID SECTION 31;

THENCE NORTH 89°50'30" EAST, ALONG SAID NORTH LINE, 5.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH RIVERSIDE DRIVE;

THENCE SOUTH 00°05'40" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 130.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 2534 SQUARE FEET (0.058 AC), MORE OR LESS.

PROJECT NO.: 14-1008

SHEET 1 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	06/13/14		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

SDA SHAH
SDA DROTOS
& ASSOCIATES

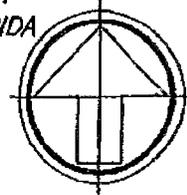
ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3410 N. Andrews Avenue Ext • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-783-4754

SKETCH OF DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



NORTH LINE-SOUTH 180°, SCALE: 1"=40'
 W1/2, SW1/4, SE1/4,
 SEC. 31-T48S-R43E

INTRACOASTAL WATERWAY
 (PB 17, PG 7, BCR)
 300' RIGHT-OF-WAY
 N11°11'31" E
 5.10'

EAST RIGHT-OF-WAY LINE

N89°50'30"E 288.87'

NORTH RIGHT-OF-WAY LINE S89°50'30"W 319.84'

EAST ATLANTIC BOULEVARD (S.R. 814)
 50' (100' RIGHT-OF-WAY)

S89°50'30"W 2945.18'
 (BEARING REFERENCE)

SOUTH LINE-
 SEC 31-T48S-R43E

CENTERLINE

SOUTHWEST CORNER
 SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST

MATCHLINE-SEE SHEET 3 OF 3 SHEETS

X:\Cadd\Survey\1008A00 TAPA MARINA\TAPA TOPO.dwg, 6/15/2014 11:04:53 AM, Rich AFeb MF 2550 PCL

PROJECT NO.: 14-1008

SHEET 2 OF 3 SHEETS

SKETCH OF DESCRIPTION	MDR	06/13/14		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

SDA SHAH DROTOS

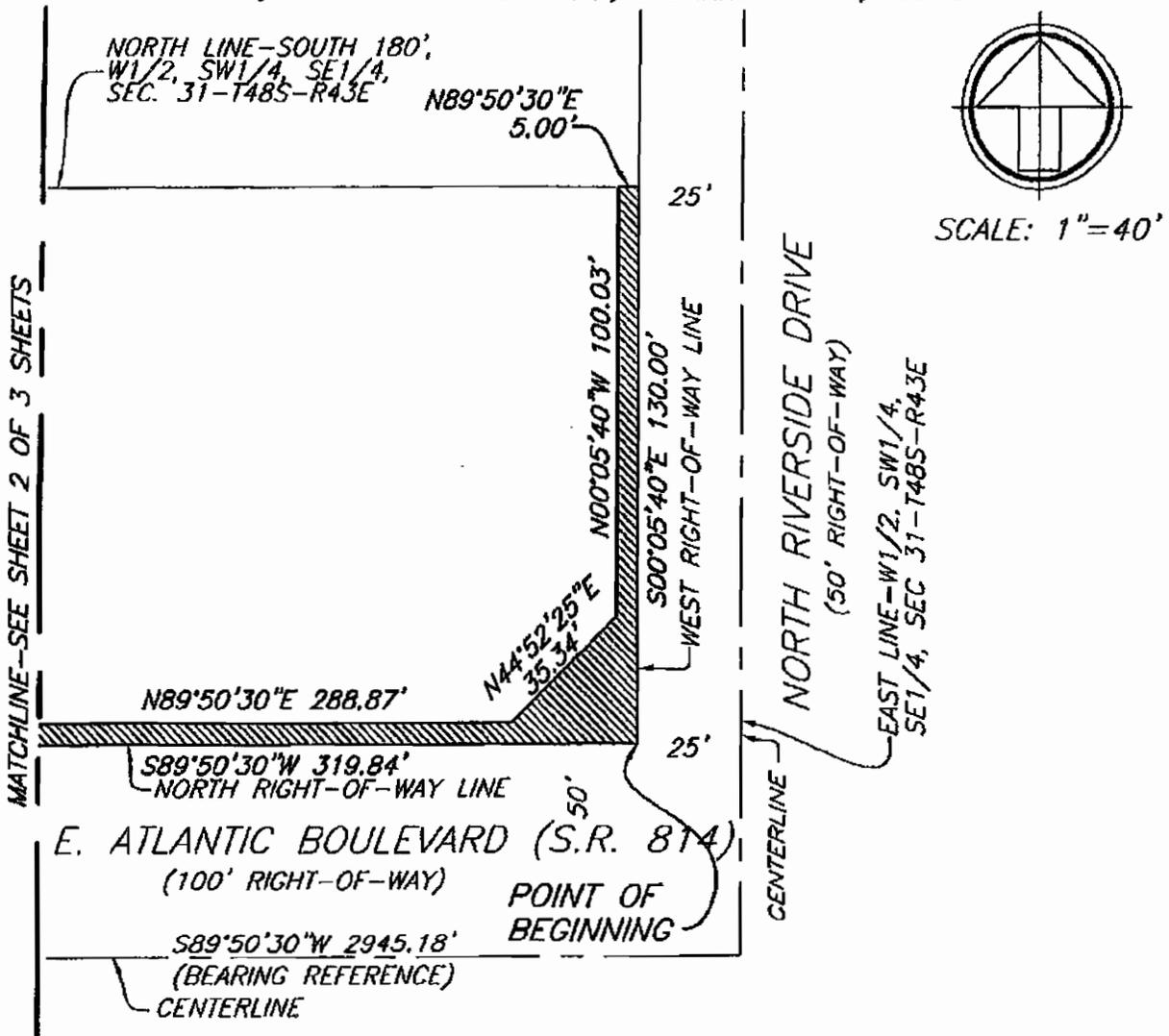
ENGINEERING
 SURVEYING
 PLANNING

& ASSOCIATES
 CERTIFICATE OF AUTHORIZATION NO. LB 6456
 3410 N. Andrews Avenue Ext. • Pompano Beach, FL 33064
 PH: 954-943-9433 • FAX: 954-783-4754

SKETCH OF DESCRIPTION

PROPOSED RIGHT-OF-WAY DEDICATION

A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTH EAST ONE-QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH RANGE 43 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



SURVEY NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY SHAH, DROTOS & ASSOCIATES FOR EASEMENTS, RIGHTS-OF-WAY, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
2. THIS IS NOT A SURVEY.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE RELATIVE TO THE SOUTH LINE OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST. SAID SOUTH LINE BEARS SOUTH 89°50'30" WEST (ASSUMED) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

FOR THE FIRM, BY:

MICHAEL D. ROSE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. LS3998

PROJECT NO.: 14-1008

SHEET 3 OF 3 SHEETS

NO.	DESCRIPTION	BY	DATE	CHKD
1	SKETCH OF DESCRIPTION	MDR	06/13/14	MDR
2	REVISIONS	DWN		FB/PG
				CHKD

SDA SHAH
SDA DROTOS
& ASSOCIATES

ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3410 N. Andrews Avenue Ext • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-783-4754