

REQUESTED COMMISSION ACTION:

QUASI-JUDICIAL

Consent

Ordinance

X Resolution

Consideration/
Discussion

Presentation

SHORT TITLE:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON OCEAN LAND POMPANO BEACH RESORT PLAT; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

The property owner, WH Pompano, wishes to amend the note on the Ocean Land Pompano Beach Resort Plat in order to redevelop the site to construct 92 high rise units and 5,000 square feet of commercial on Parcel A; 211 high rise units, 10,000 square feet of commercial, 2 boat slips and 25 ancillary boat slips on Parcel B; open space on Parcel A-1. The existing note currently reads "This plat is restricted to 600-room hotel and Parcel A-1 is restricted to open space. Residential uses are not permitted without the approval of the Board of County Commissioner who shall review and address these uses for increased impacts. Boat slips are not permitted without the approval of the Board of County Commissioners." The proposed note is to read, "This plat is restricted to 92 high rise units and 5,000 square feet of commercial on Parcel A, 211 high rise units, 10,000 square feet of commercial, 2 boat slips and 25 ancillary boat slips on Parcel B and open space on Parcel A-1. No free standing banks or banks with drive through facilities are permitted without the approval of the Board of County Commission who shall review and address these uses for increased impacts." Staff has no objections to the changes.

- (1) Origin of request for this action: WH Pompano, LP.
(2) Primary staff contact: Maggie Barszewski/Robin Bird Ext. 7921
(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. Serv. Dept.

6/19/2015

Approval

City Attorney

6/22/2014

[Signature]

CAC # 2015-1137

Advisory Board

X City Manager [Signature]

[Signature]

ACTION TAKEN BY COMMISSION:

Ordinance

Resolution

Consideration

Workshop

1st Reading

1st Reading

Results:

Results:

2nd Reading



City Attorney's Communication #2015-1137

June 22, 2015

TO: Maggie Barszewski, AICP, Planner
FROM: Gordon B. Linn, City Attorney
RE: Resolution Approving the Ocean Land Pompano Beach Resort Plat Amendment

As requested in your memorandum of June 18, 2015, Department of Development Services Memorandum #15-326, 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, APPROVING
AND AUTHORIZING CITY STAFF'S LETTER OF NO
OBJECTION TO AMENDMENT OF NOTATION ON THE
OCEAN LAND POMPANO BEACH RESORT PLAT;
PROVIDING AN EFFECTIVE DATE.**

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



GORDON B. LINN

GBL/jrm
l:cor/dev-srv/2015-1137

RESOLUTION NO. 2015-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE OCEAN LAND POMPANO BEACH RESORT PLAT; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That city staff's letter of no objection to amendment of notation on the Ocean Land Pompano Beach Resort Plat, a copy of which letter is attached hereto and incorporated herein by reference as if set forth in full, is hereby approved and authorized.

SECTION 2. That the proper city staff is hereby authorized to forward said letter to Broward County.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

June 19, 2015.

Ms. Peggy Knight
Broward County Planning & Redevelopment Division
1 N University Drive, Ste 102A
Plantation, Florida 33324

Re: City of Pompano Beach Letter of No Objection to the amendment to the plat note Ocean Land Pompano Beach Resort

Dear Ms. Knight:

The City of Pompano Beach has no objection to amendment of notation on the Ocean Land Pompano Beach Resort. The change to the note is, as follows:

From:

This plat is restricted to 600-room hotel and Parcel A-1 is restricted to open space. Residential uses are not permitted without the approval of the Board of County Commissioner who shall review and address these uses for increased impacts. Boat slips are not permitted without the approval of the Board of County Commissioners.

To:

This plat is restricted to 92 high rise units and 5,000 square feet of commercial on Parcel A, 211 high rise units, 10,000 square feet of commercial, 2 boat slips and 25 ancillary boat slips on Parcel B and open space on Parcel A-1. No free standing banks or banks with drive through facilities are permitted without the approval of the Board of County Commission who shall review and address these uses for increased impacts.

Regards,

Maggie Barszewski, AICP
Planner



City of Pompano Beach
Department of Development Services
Planning & Zoning Division

100 W. Atlantic Blvd Pompano Beach, FL 33060
Phone: 954.786.4634 Fax: 954.786.4666

**Request for Rezoning to Planned
Development**

OWNER'S CERTIFICATE

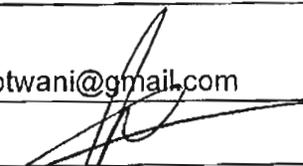
This is to certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application for rezoning.

Owner's Name: Dev Motwani, Manager for WH Pompano. L.P.
(Print or Type)

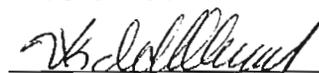
Address: 300 SW 1st Avenue, Suite 106
Fort Lauderdale, FL 33301
(Zip Code)

Phone: 954-522-6556

Email address: dev.motwani@gmail.com


(Signature of Owner or Authorized Official)

SWORN AND SUBSCRIBED before me this 5th day of February, 2015.


NOTARY PUBLIC, STATE OF FLORIDA

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

Personally know to me, or
 Produced identification: _____
(Type of Identification Produced)



OCEAN LAND POMPANO BEACH RESORT

A REPLAT OF SPANISH RIVER RAQUET CLUB, PLAT BOOK 125, AT PAGE 22, BROWARD COUNTY RECORDS,
AND A PORTION OF SECTIONS 5 & 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA
MARCH, 2006

CFN # 108494226,
Page 1 of 4
Recorded 03/30/2009 at 08:46 AM

#17

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL APPROVED THIS PLAT SUBJECT TO ITS COMPLIANCE WITH DEDICATION OF RIGHTS-OF-WAY FOR TRAFFICWAYS THIS 23RD DAY AUG. OF 2007 A.D.

BY: [Signature]
CHAIRPERSON

THIS PLAT COMPLIES WITH THE APPROVAL OF THE BROWARD COUNTY PLANNING COUNCIL OF THE ABOVE DATE AND IS APPROVED AND ACCEPTED FOR RECORD THIS 23RD DAY OF MARCH, 2009 A.D.

BY: [Signature]
EXECUTIVE DIRECTOR OR DESIGNEE

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT COUNTY RECORDS DIVISION - RECORDING SECTION

THIS INSTRUMENT WAS FILED FOR RECORD THIS 30TH DAY OF MARCH, 2009 A.D., AND RECORDED IN PLAT BOOK 118, PAGE 127, RECORD VERIFIED.

ATTEST: BERTHA HENRY COUNTY ADMINISTRATOR BY: [Signature] DEPUTY

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA THIS 25TH DAY OF SEPTEMBER, 2007.

ATTEST: BERTHA HENRY COUNTY ADMINISTRATOR BY: [Signature] DEPUTY
VICE MAYOR - COUNTY COMMISSION

BROWARD COUNTY HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

THIS PLAT IS APPROVED AND ACCEPTED FOR RECORD.

BY: [Signature] 3/25/09 BY: [Signature] 3/25/09
ROBERT P. LEBON, JR. DATE RICHARD TORIJOSE DATE
PROFESSIONAL SURVEYOR AND MAPPER DIRECTOR
FLORIDA REGISTRATION NO. LS 4030 FLORIDA REGISTRATION NO. 40263

BROWARD COUNTY ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

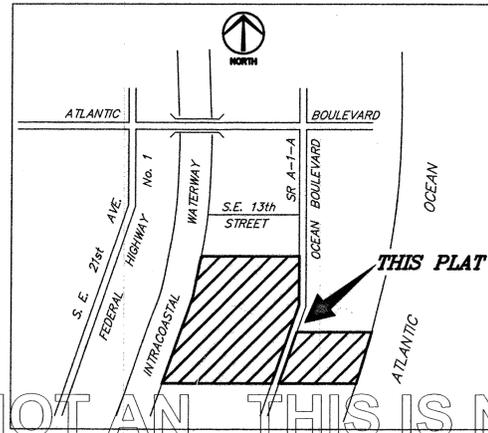
THIS PLAT IS APPROVED AND ACCEPTED FOR RECORD THIS 23RD DAY OF MARCH, 2009.

BY: [Signature]
DIRECTOR/DESIGNEE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS RECENTLY SURVEYED, SUBDIVIDED AND PREPARED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT THE PLAT AND SURVEY DATA SHOWN CONFORMS TO ALL THE APPLICABLE REQUIREMENTS OF CHAPTER 177, PART I, FLORIDA STATUTES, AND WITH THE APPLICABLE SECTIONS OF CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, AS REQUIRED TO COMPLY WITH THE BROWARD COUNTY LAND DEVELOPMENT CODE. THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) WERE SET IN ACCORDANCE WITH SECTION 177.091 OF SAID CHAPTER 177, PART I, ON THIS DAY OF 2006. THE BENCHMARKS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929 IN CONFORMITY WITH STANDARDS ADOPTED BY THE NATIONAL OCEAN SURVEY FOR THIRD ORDER VERTICAL CONTROL.

BY: [Signature] DATE: 8/24/06
RICHARD E. COUSINS
PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION NUMBER 4188
COUSINS SURVEYORS & ASSOCIATES, INC.
6501 ORANGE DRIVE, DAVIE, FLORIDA 33314
954-680-9885, FAX 954-680-0213
CERTIFICATE OF AUTHORIZATION NUMBER LICENSE BUSINESS 6448



LOCATION MAP NOT TO SCALE

LAND DESCRIPTION:

THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THAT PART OF GOVERNMENT LOT 2, LYING NORTH OF SECTION CENTER-LINE, SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, AND THAT PART OF THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THE S 1/2 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, LYING EAST OF STATE ROAD A-1-A, MORE PARTICULARLY DESCRIBED AS ALL OF THAT TRACT OF LAND 10 FEET IN WIDTH RUNNING FROM EAST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A TO THE WEST BOUNDARY OF THE ATLANTIC OCEAN ON THE EAST, TOGETHER WITH ANY AND ALL RIPARIAN AND/OR LITTORAL RIGHTS PERTAINING THERETO;

TOGETHER WITH:
THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THE SOUTH 1/2 OF THE SE 1/4 OF THE NE 1/4 IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING WEST OF STATE ROAD A-1-A AS SAME IS NOW CONSTRUCTED AND USED, AND EAST OF THE CENTERLINE OF SPANISH RIVER, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING;

TOGETHER WITH:
THE NORTH 200 FEET OF THAT PART OF THE SOUTH 450 FEET OF GOVERNMENT LOT 2 IN SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING NORTH OF THE EAST-WEST CENTER LINE OF SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST;

TOGETHER WITH:
THE NORTH 200 FEET OF THE SOUTH 450 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 LYING EAST OF HIGHWAY A-1-A IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST;

TOGETHER WITH:
THE NORTH 300 FEET OF THE SOUTH 550 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING WEST OF STATE ROAD A-1-A AS SAME IS NOW CONSTRUCTED AND USED, AND EAST OF THE CENTER LINE OF SPANISH RIVER;

TOGETHER WITH:
ALL OF "SPANISH RIVER RAQUET CLUB", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 125, AT PAGE 22, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

LESS AND EXCEPT: (PARCEL 13 RIGHT)
A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER (NE 1/4) SOUTH 89°19'51"WEST A DISTANCE OF 144.25 FEET TO A POINT; THENCE ALONG THE SURVEY BASELINE FOR STATE ROAD A-1-A AS SHOWN ON THE RIGHT-OF-WAY MAP FOR SECTION NO. 86050-2533 IN BROWARD COUNTY, FLORIDA, NORTH 10°58'58"EAST A DISTANCE OF 255.26 FEET TO A POINT; THENCE ALONG A LINE BEING 250 FEET NORTH OF AND PARALLEL WITH THE AFOREMENTIONED SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4), NORTH 89°19'51"EAST A DISTANCE OF 22.78 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°19'51"EAST A DISTANCE OF 5.81 FEET TO A POINT; THENCE SOUTH 10°58'58"WEST A DISTANCE OF 10.21 FEET TO A POINT; THENCE SOUTH 89°19'51"WEST A DISTANCE OF 5.90 FEET TO A POINT; THENCE NORTH 11°30'00"EAST A DISTANCE OF 10.23 FEET TO THE POINT OF BEGINNING.

ALSO LESS: (PARCEL 13 LEFT)
A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER (NE 1/4) SOUTH 89°19'51"WEST A DISTANCE OF 144.25 FEET TO A POINT; THENCE ALONG THE SURVEY BASELINE FOR STATE ROAD A-1-A AS SHOWN ON THE RIGHT-OF-WAY MAP FOR SECTION NO. 86050-2533 IN BROWARD COUNTY, FLORIDA, NORTH 10°58'58"EAST A DISTANCE OF 255.26 FEET TO A POINT; THENCE ALONG A LINE BEING 250 FEET NORTH OF AND PARALLEL WITH THE AFOREMENTIONED SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4), SOUTH 89°19'51"WEST A DISTANCE OF 27.57 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 10°58'58"WEST A DISTANCE OF 10.21 FEET TO A POINT; THENCE SOUTH 89°19'51"WEST A DISTANCE OF 3.06 FEET TO A POINT; THENCE NORTH 10°58'58"EAST A DISTANCE OF 10.21 FEET TO A POINT; THENCE NORTH 89°19'51"EAST A DISTANCE OF 3.06 FEET TO THE POINT OF BEGINNING.

ALSO LESS: (PARCEL 14)
A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER (NE 1/4) SOUTH 89°19'51"WEST A DISTANCE OF 144.25 FEET TO A POINT; THENCE ALONG THE SURVEY BASELINE FOR STATE ROAD A-1-A AS SHOWN ON THE RIGHT-OF-WAY MAP FOR SECTION NO. 86050-2533 IN BROWARD COUNTY, FLORIDA, NORTH 10°58'58"EAST A DISTANCE OF 255.26 FEET TO A POINT; THENCE ALONG A LINE BEING 250 FEET NORTH OF AND PARALLEL WITH THE AFOREMENTIONED SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4), SOUTH 89°19'51"WEST A DISTANCE OF 27.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID PARALLEL LINE, SOUTH 89°19'51"WEST A DISTANCE OF 3.06 FEET TO A POINT; THENCE NORTH 10°58'58"EAST A DISTANCE OF 215.38 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 923.47 FEET; THENCE ALONG THE ARC OF SAID CURVE 39.83 FEET THROUGH A CENTRAL ANGLE OF 02°28'16" TO A POINT; THENCE SOUTH 04°36'34"WEST A DISTANCE OF 34.76 FEET TO A POINT; THENCE SOUTH 10°58'58"WEST A DISTANCE OF 220.03 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: (PARCEL 15)
A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER (NE 1/4) SOUTH 89°19'51"WEST A DISTANCE OF 144.25 FEET TO A POINT; THENCE ALONG THE SURVEY BASELINE FOR STATE ROAD A-1-A AS SHOWN ON THE RIGHT-OF-WAY MAP FOR SECTION NO. 86050-2533 IN BROWARD COUNTY, FLORIDA, NORTH 10°58'58"EAST A DISTANCE OF 255.26 FEET TO A POINT; THENCE ALONG A LINE BEING 250 FEET NORTH OF AND PARALLEL WITH THE AFOREMENTIONED SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4), NORTH 89°19'51"EAST A DISTANCE OF 22.78 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11°30'00"EAST A DISTANCE OF 204.60 FEET TO A POINT; THENCE NORTH 89°19'51"EAST A DISTANCE OF 3.92 FEET TO A POINT; THENCE SOUTH 10°58'58"WEST A DISTANCE OF 204.20 FEET TO A POINT; THENCE SOUTH 89°19'51"WEST A DISTANCE OF 5.81 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, AND CONTAINING 263,458 SQUARE FEET OR 6.0482 ACRES, MORE OR LESS.

CITY COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED FOR RECORD BY THE CITY OF POMPANO BEACH, FLORIDA, AS SHOWN HEREON, AND BY RESOLUTION NO. 2007-249 DULY ADOPTED BY SAID CITY COMMISSION ON THIS 24TH DAY OF JULY, 2007.

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 IMPACT FEES HAVE BEEN PAID OR ARE NOT DUE.

IN WITNESS WHEREOF, THE SAID CITY COUNCIL HAS CAUSED THESE PRESENTS TO BE ATTESTED TO BY ITS CITY CLERK AND THE CORPORATE SEAL OF SAID CITY TO BE AFFIXED THIS 24TH DAY OF JULY, 2007.

BY: [Signature] CITY CLERK, MARY L. CHAMBERS
BY: [Signature] MAYOR, LAMAR FISHER

PLANNING & ZONING BOARD

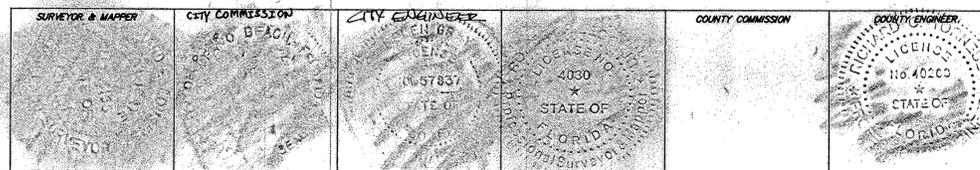
THIS IS TO CERTIFY THAT THE PLANNING & ZONING BOARD OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, HAS HEREBY APPROVED AND ACCEPTED THIS PLAT THIS 14TH DAY OF AUGUST, 2007.

BY: [Signature]
CHAIR, GEORGE R. FIVEK

ENGINEERING DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD THIS 9TH DAY OF AUGUST, 2007.

BY: [Signature]
HELEN GRAY, P.E. NO. 57837
CITY ENGINEER

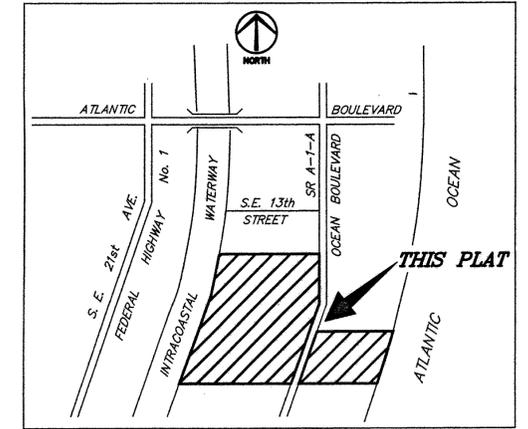


COUSINS SURVEYORS & ASSOCIATES, INC.
6501 ORANGE DRIVE
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION: LB # 6448
PHONE (954)680-9885 FAX (954)680-0213

OCEAN LAND POMPANO BEACH RESORT

A REPLAT OF SPANISH RIVER RAQUET CLUB, PLAT BOOK 125, AT PAGE 22, BROWARD COUNTY RECORDS,
AND A PORTION OF SECTIONS 5 & 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA
MARCH, 2006

CFN #108494226
Page 2 of 4



LOCATION MAP
NOT TO SCALE

DEDICATION

STATE OF FLORIDA }
COUNTY OF PALM BEACH } SS
KNOW ALL MEN BY THESE PRESENTS, THAT OCEAN LAND FINANCING, LTD., A FLORIDA LIMITED PARTNERSHIP, OWNER OF THE LANDS AS SHOWN AND DESCRIBED HEREON, HAS CAUSED SAID LANDS TO BE SUBDIVIDED AND PLATTED IN THE MANNER SHOWN HEREIN, SAID PLAT TO BE KNOWN AS THE OCEAN LAND POMPANO BEACH - RESORT, A PORTION BEING A REPLAT.

THE EASEMENTS AND RIGHT-OF-WAY, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES.

IN WITNESS WHEREOF, THE ABOVE-NAMED COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS OFFICER, THIS 28th DAY OF March, 2008.

OCEAN LAND FINANCING, LTD.
BY: OCEAN LAND FINANCING SPE, L.L.C., ITS SOLE GENERAL PARTNER

BY: [Signature]
JEAN FRANCOIS ROY, MANAGER
OCEAN LAND FINANCING SPE, L.L.C.

WITNESS [Signature] WITNESS [Signature]
Mark Issenman BEATRICE H. BASTIDAS

PRINT NAME: Mark Issenman PRINT NAME: BEATRICE H. BASTIDAS

ACKNOWLEDGEMENT

STATE OF FLORIDA }
COUNTY OF PALM BEACH } SS

I HEREBY CERTIFY THAT ON THIS DAY, BEFORE ME PERSONALLY APPEARED AN OFFICER OF SAID CORPORATION, THE PERSON KNOWN TO ME AND DESCRIBED WITHIN, OR WHO HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING PLAT AND INSTRUMENT OF DEDICATION AS OFFICER(S) OF SAID COMPANY, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE/THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE PURPOSES THEREIN EXPRESSED, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.

WITNESS MY SIGNATURE AND OFFICIAL SEAL THIS 28th DAY OF March, 2008.

SEAL/MY COMMISSION EXPIRES: April 19, 2010



[Signature]
NOTARY PUBLIC - STATE OF FLORIDA

DEDICATION BY MORTGAGE HOLDER

STATE OF MARYLAND }
COUNTY OF MONTGOMERY } SS
KNOW ALL MEN BY THESE PRESENTS, THAT CAPITALSOURCE FINANCE LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS HOLDER OF A CERTAIN MORTGAGE ON THE LANDS SHOWN AND DESCRIBED HEREON, AS RECORDED IN OFFICIAL RECORDS BOOK 44719 AT PAGE 663, BROWARD COUNTY RECORDS, DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION BY THE OWNER THEREOF, AND AGREES THAT ITS MORTGAGE SHALL BE SUBORDINATED TO THE DEDICATION OF SAID LANDS TO BE SUBDIVIDED AND PLATTED IN THE MANNER SHOWN HEREON.

IN WITNESS WHEREOF, SAID MORTGAGE HOLDER HAS CAUSED THESE PRESENTS TO BE SIGNED THERETO, THIS 31st DAY OF March, 2008.

CAPITALSOURCE FINANCE LLC

BY: [Signature] PRINT NAME: David M. Martin
SENIOR VICE PRESIDENT

WITNESS [Signature] WITNESS [Signature]
PRINT NAME: HEATHER E. MURPHY PRINT NAME: Lisa Havilland

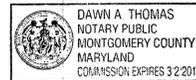
ACKNOWLEDGEMENT

STATE OF MARYLAND }
COUNTY OF MONTGOMERY } SS

I HEREBY CERTIFY THAT ON THIS DAY, BEFORE ME PERSONALLY APPEARED AN OFFICER OF SAID CORPORATION, THE PERSON KNOWN TO ME AND DESCRIBED WITHIN, OR WHO HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING PLAT AND INSTRUMENT OF DEDICATION AS AN OFFICER OF SAID CORPORATION, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE PURPOSES THEREIN EXPRESSED, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION-LIMITED LIABILITY COMPANY.

WITNESS MY SIGNATURE AND OFFICIAL SEAL THIS 31st DAY OF March, 2008.

SEAL/MY COMMISSION EXPIRES: 3/2/2010



[Signature]
NOTARY PUBLIC - STATE OF MARYLAND

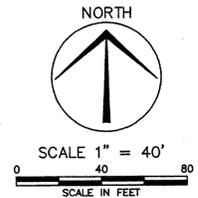
OCEAN LAND POMPANO BEACH RESORT

A REPLAT OF SPANISH RIVER RAQUET CLUB, PLAT BOOK 125, AT PAGE 22, BROWARD COUNTY RECORDS,
AND A PORTION OF SECTIONS 5 & 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA
MARCH, 2006

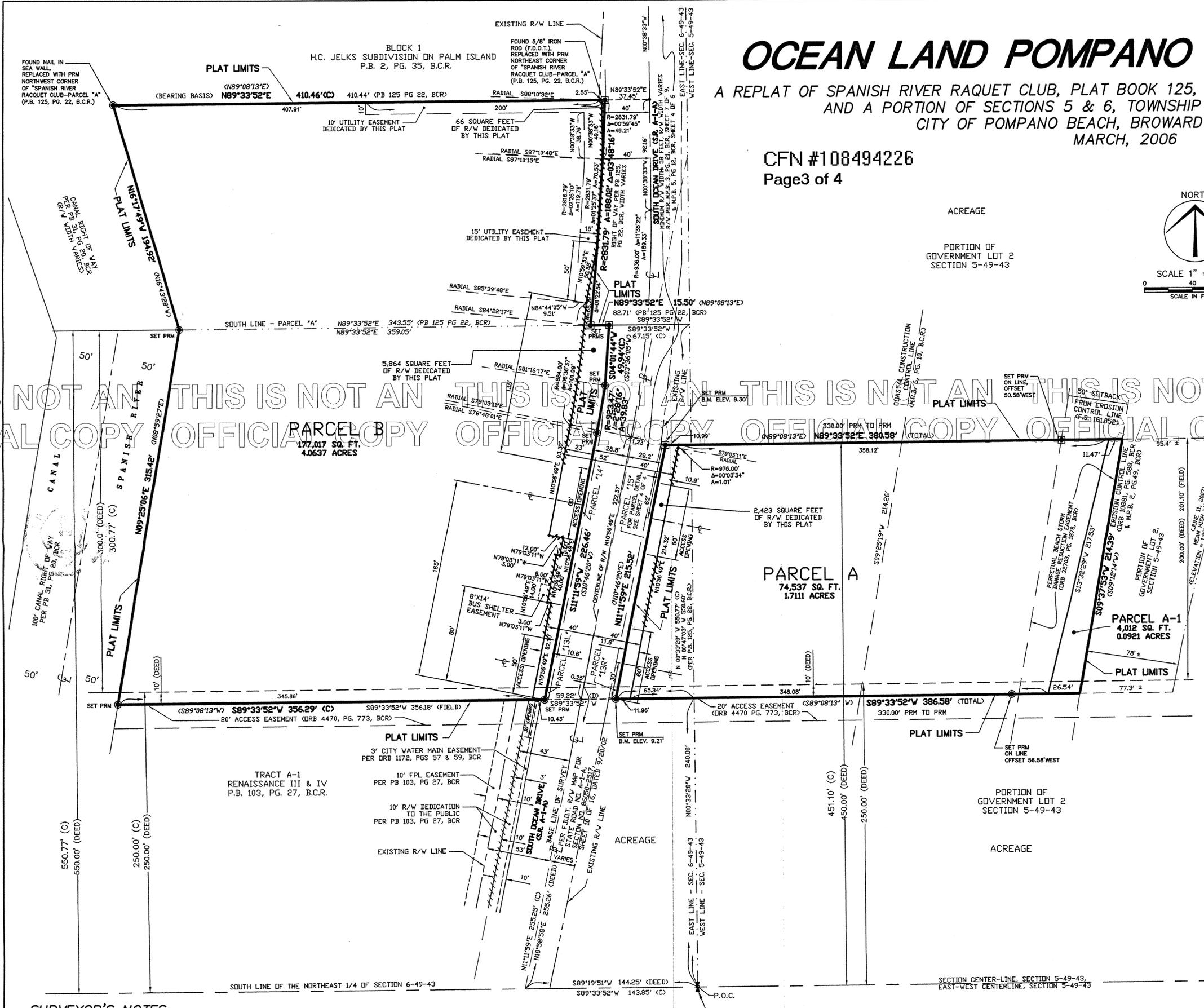
CFN #108494226
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PLAT NOTES:

- IF A BUILDING PERMIT FOR A PRINCIPAL BUILDING (EXCLUDING DRY MODELS, SALES AND CONSTRUCTION OFFICES) AND FIRST INSPECTION APPROVAL ARE NOT ISSUED BY SEPTEMBER 25, 2012, WHICH DATE IS FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT BY BROWARD COUNTY, THEN THE COUNTY'S FINDING OF ADEQUACY SHALL EXPIRE AND NO ADDITIONAL BUILDING PERMITS SHALL BE ISSUED UNTIL SUCH TIME AS BROWARD COUNTY MAKES A SUBSEQUENT FINDING THAT THE APPLICATION SATISFIES THE ADEQUACY REQUIREMENTS SET FORTH WITHIN THE BROWARD COUNTY AND DEVELOPMENT CODE. THE OWNER OF THE PROPERTY 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
 - IF PROJECT WATER LINES, SEWER LINES, DRAINAGE, AND THE ROCK BASE FOR INTERNAL ROADS ARE NOT INSTALLED BY SEPTEMBER 25, 2012, WHICH DATE IS FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT BY BROWARD COUNTY, THEN THE COUNTY'S FINDING OF ADEQUACY SHALL EXPIRE AND NO ADDITIONAL BUILDING PERMITS SHALL BE ISSUED UNTIL SUCH TIME AS BROWARD COUNTY MAKES A SUBSEQUENT FINDING THAT THE APPLICATION SATISFIES THE ADEQUACY REQUIREMENTS SET FORTH WITHIN THE BROWARD COUNTY LAND DEVELOPMENT CODE. PROVIDED A PHASING PLAN HAS BEEN APPROVED BY BROWARD COUNTY, THE OWNER OF THE PROPERTY 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.
 - THIS PLAT IS RESTRICTED TO A 600-ROOM HOTEL AND PARCEL A-1 IS RESTRICTED TO OPEN SPACE, RESIDENTIAL USES ARE NOT PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS. BOAT SLIPS ARE NOT PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS. ANY STRUCTURE WITHIN THIS PLAT MUST COMPLY WITH SECTION IV D.I.F. DEVELOPMENT REVIEW REQUIREMENTS, OF THE BROWARD COUNTY LAND USE PLAN, REGARDING HAZARDS TO AIR NAVIGATION. 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.
 - THE FOLLOWING NOTE IS REQUIRED BY THE BROWARD COUNTY SURVEYOR PURSUANT TO CHAPTER 177.091, SUBSECTION (28), FLORIDA STATUTES: ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS NOTE DOES NOT APPLY TO PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
 - THE FOLLOWING NOTE IS REQUIRED BY THE CITY OF POMPANO BEACH: ALL FACILITIES FOR THE DISTRIBUTION OF ELECTRICITY, TELEPHONE, AND CABLE TELEVISION SHALL BE INSTALLED UNDERGROUND.
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SURVEYOR'S NOTES:

- THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF "SPANISH RIVER RAQUET CLUB", P.B. 125, PG. 22, B.C.R. SAID LINE BEARS N 89°33'52" E.
- BEARINGS SHOWN THUS: () AND STATE PLANE COORDINATES SHOWN ARE BASED ON THE EASTERN BROWARD COUNTY HORIZONTAL CONTROL NETWORK - NAD 83 (90). (NAD 83 (90) IS DEFINED AS THE NORTH AMERICAN DATUM OF 1983 WITH A SUBSEQUENT RE-ADJUSTMENT DONE IN 1990). POINTS 016 AND 017 WERE USED TO ESTABLISH THE STATE PLANE COORDINATES. THE BEARING BETWEEN POINTS 016 AND 017 IS A GRID BEARING OF NORTH 08°41'01" EAST. (STATE PLANE COORDINATES ARE RELATIVE TO THE FLORIDA EAST ZONE COORDINATE SYSTEM.)
- THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND REFERENCED TO THE FOLLOWING BENCHMARK: BROWARD COUNTY BENCHMARK # 959A W.H.S. BM #2-Z "SQUARE" CUT ON CENTER RAILING POST ON NORTH SIDE OF BRIDGE ON TERRA MAR DRIVE, ELEVATION = 10.895'

LEGEND

- INDICATES SET PERMANENT REFERENCE MONUMENT, A NAIL & DISK STAMPED LB 6448
- INDICATES SET PERMANENT REFERENCE MONUMENT, A 4"x4"x24" CONCRETE MONUMENT WITH A NAIL & METAL DISK STAMPED LB 6448
- (5/8" IRON ROD, 18" LONG, ENCASED IN CONCRETE)
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COUSINS SURVEYORS & ASSOCIATES, INC.
3921 S.W. 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION: LB # 6448
PHONE (954)680-9885 FAX (954)680-0213

OCEAN LAND POMPANO BEACH RESORT

A REPLAT OF SPANISH RIVER RAQUET CLUB, PLAT BOOK 125, AT PAGE 22, BROWARD COUNTY RECORDS, CFN #108494226
 AND A PORTION OF SECTIONS 5 & 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST,
 CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA
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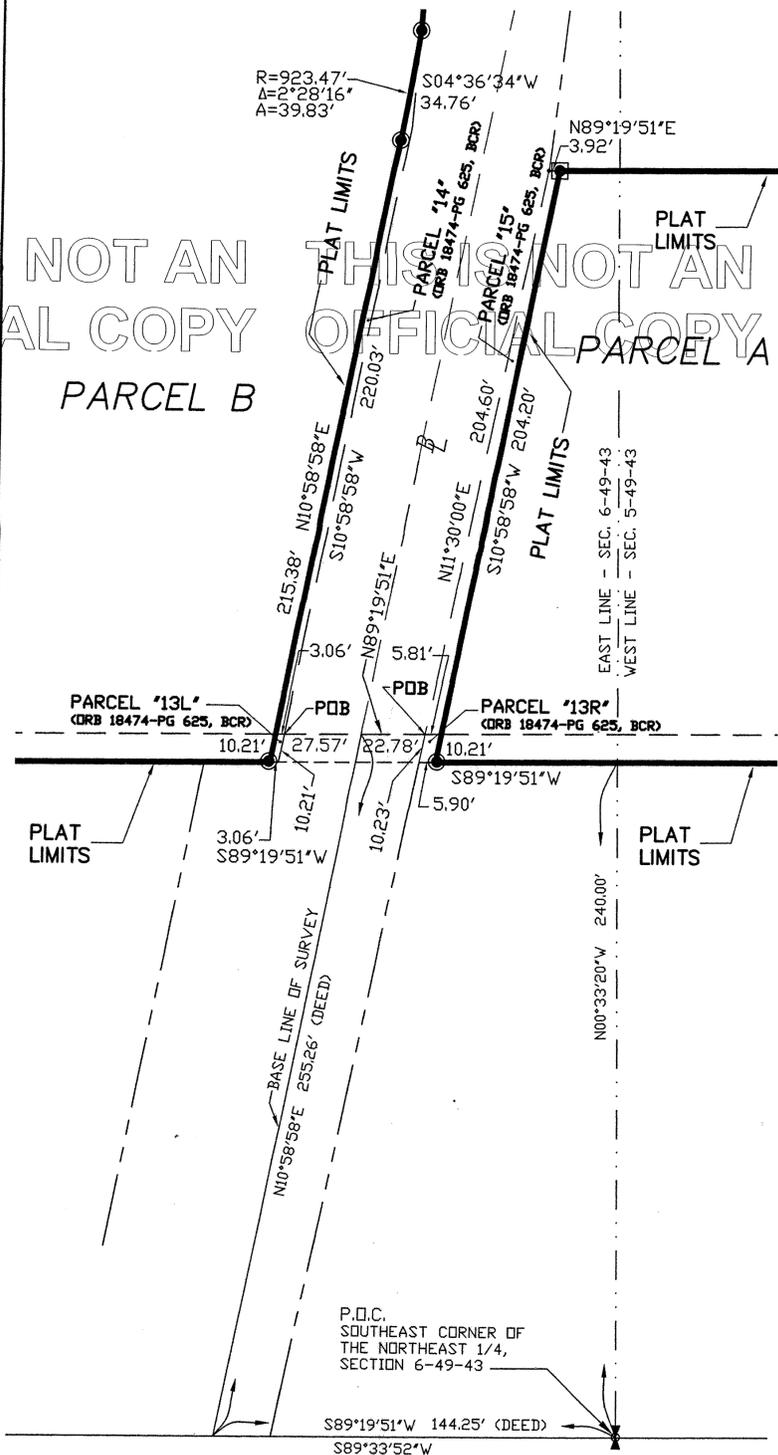
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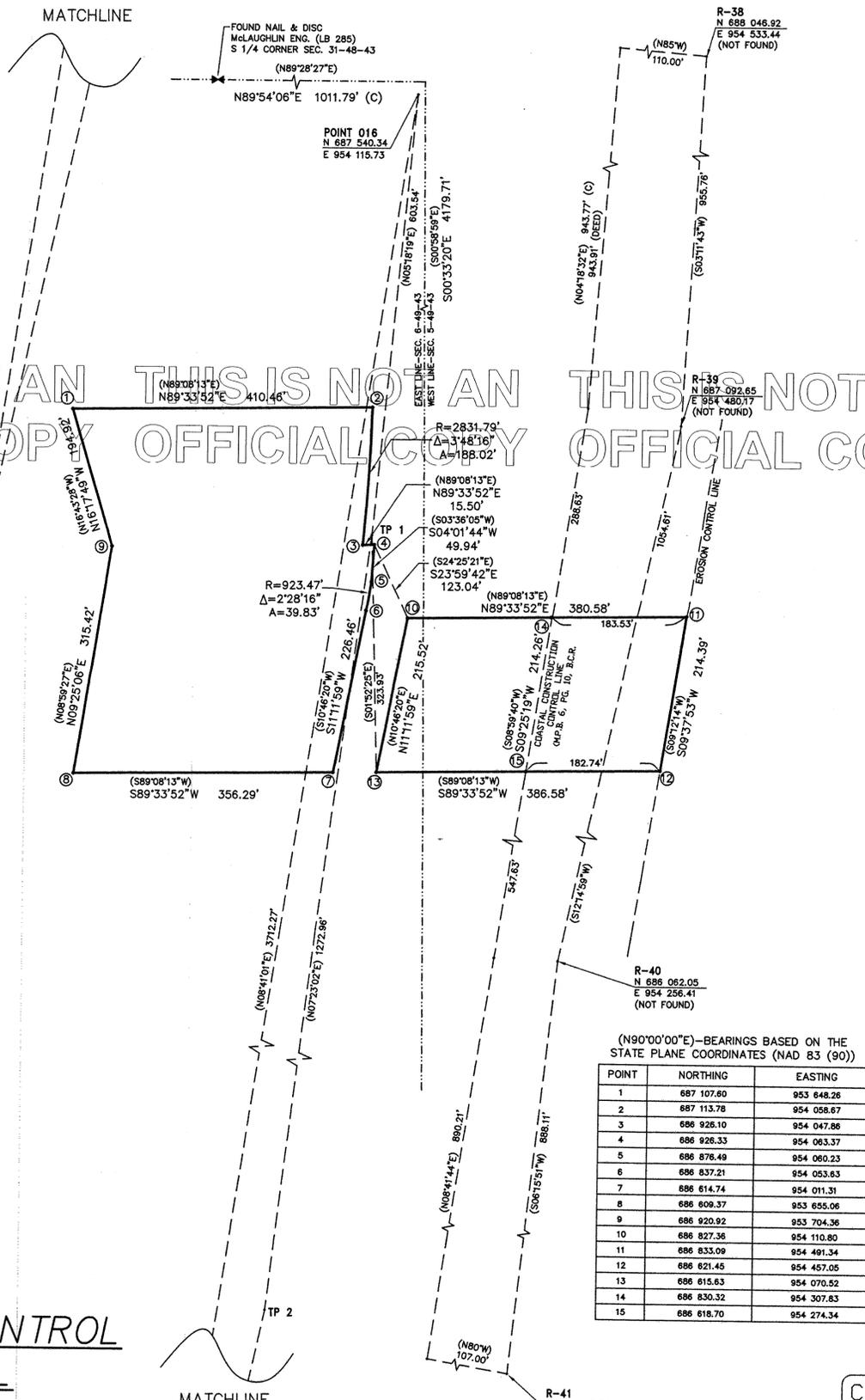
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**RIGHT-OF-WAY PARCEL
DETAIL
NTS**



**SURVEY CONTROL
DETAIL
NTS**



(N90°00'00"E)-BEARINGS BASED ON THE STATE PLANE COORDINATES (NAD 83 (90))

POINT	NORTHING	EASTING
1	687 107.80	953 648.26
2	687 113.78	954 058.67
3	686 926.10	954 047.86
4	686 926.33	954 063.37
5	686 876.49	954 080.23
6	686 837.21	954 053.63
7	686 614.74	954 011.31
8	686 609.37	953 855.06
9	686 920.92	953 704.36
10	686 827.36	954 110.80
11	686 833.09	954 491.34
12	686 821.45	954 457.05
13	686 615.63	954 070.52
14	686 830.32	954 307.83
15	686 618.70	954 274.34

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