

Meeting Date: 09/08/2015

Agenda Item 3

Consent       Ordinance       Resolution       Consideration       Workshop

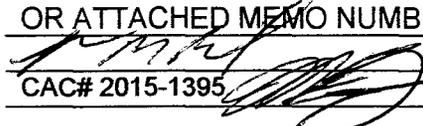
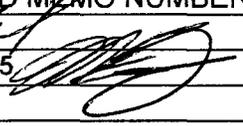
SHORT TITLE OR MOTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM BW US 1 SAMPLE, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE

**Summary of Purpose and Why:**

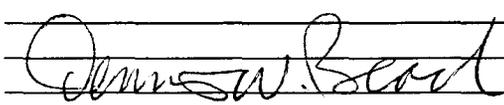
The applicant has obtained site plan approval for the property located at 3601 N Federal Hwy (PZ Number: 14-12000041, Folio: 484318010050). As a condition of approval, the applicant is required to dedicate the west five (5) feet of the property for Right of Way for NE 18 Terrace (aka. NE 27 Avenue). Included herein is the deed and the appropriate exhibits for the said right-of-way dedication.

**QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:**

- (1) Origin of request for this action: BW US 1 SAMPLE LLC
- (2) Primary staff contact: Jae Eun Kim/ Robin Bird Ext. 7778
- (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 OR ATTACHED MEMO NUMBER
Dev. Services	08/03/2015	Approval	
City Attorney	08/10/2015		CAC# 2015-1395 

- Advisory Board
- Public Works Administrator
- City Manager 



**ACTION TAKEN BY COMMISSION:**

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



**City Attorney's Communication #2015-1395**

August 10, 2015

**TO:** Jae Eun Kim, Planner  
**FROM:** Gordon B. Linn, City Attorney  
**RE:** Resolution – Right-of-Way Dedication  
WaWa, 3601 and 3661 N. Federal Highway

As requested in your memorandum received on August 6, 2015, Department of Development Services Administrative Report No. 15-401, 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 BW US 1  
SAMPLE, 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

/jrm  
l:cor/dev-srv/2015-1395

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 BW US 1 SAMPLE, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, BW US 1 Sample, LLC is willing to convey to the City of Pompano Beach certain real property via Special Warranty 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 BW US 1 Sample, LLC, 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:

T. Truett Gardner, Esq.  
Gardner Brewer Martinez-Monfort, P.A.  
400 North Ashley Drive, Suite 1100  
Tampa, FL 33602

NOTE TO RECORDER: Documentary stamp taxes in the amount of \$.70 are being paid in connection with this deed as required by Florida law. Consideration for the deed is \$.00.

[Space Above This Line For Recording]

## Special Warranty Deed

This Special Warranty Deed made effective as of the \_\_\_\_ day of \_\_\_\_\_, 2015, by and between BW US 1 SAMPLE, LLC, a Florida limited liability company, whose post office address is 3708 W Swann Ave, Tampa, FL 33609, grantor, and CITY OF POMPANO BEACH, whose post office address is City Hall Main Building, 100 West Atlantic Boulevard, Pompano Beach, FL 33060:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of trusts and trustees, corporations, limited liability companies and other entities)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's successors and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

LEGAL DESCRIPTION AS CONTAINED IN SKETCH AND  
DESCRIPTION ATTACHED HERETO AS EXHIBIT A  
AND MADE A PART HEREOF

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor will warrant and forever defend the title to the land against the lawful claims and demands of persons claiming by, through or under grantor, but not against the claims of any others; and that said land is free of all encumbrances, except for those matters described on Exhibit B attached hereto and made a part hereof.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

BW US 1 SAMPLE, LLC, a Florida limited liability company

BY: BRIGHTWORK REAL ESTATE, INC.,  
a Florida corporation  
Its Manager

Sign: [Signature]  
Print Name: Sandra G Underwood

By: [Signature]  
Print Name: Henry Hilsman  
Title: V.P.

Sign: [Signature]  
Print Name: Elizabeth J. Back

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of April, 2015, by Henry Hilsman as Vice President of BRIGHTWORK REAL ESTATE, INC., a Florida corporation, on behalf of said corporation, in its capacity as Manager of BW US 1 SAMPLE, LLC, a Florida limited liability company, on behalf of the company. Such officer  is personally known or  has produced a driver's license as identification.

[Notary Seal]

[Signature]  
Notary Public  
Printed Name: Gwendlyn M. Lisboa  
My Commission Expires: 6-29-2017



EXHIBIT A  
TO SPECIAL WARRANTY DEED

See Legal Description contained in Right-of-Way Dedication #1 Sketch and  
Description attached hereto and made a part hereof

## Sketch and Description:

THIS IS NOT A SURVEY

## Legal Description:

BEGIN AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S08°37'43"W ALONG THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPANO BEACH-SECTION 'A', A DISTANCE OF 256.76 FEET; THENCE DEPARTING SAID EAST LINE RUN S81°22'17"E, A DISTANCE OF 5.00 FEET TO A POINT LYING ON A LINE THAT IS 5.00 FEET EASTERLY (AS MEASURED PERPENDICULARLY) TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE; THENCE RUN N08°37'43"E ALONG SAID LINE A DISTANCE OF 257.47 FEET TO A POINT ON THE NORTH LINE OF LOT 6, BLOCK 1 OF SAID PLAT; THENCE DEPARTING SAID PARALLEL LINE RUN N89°28'17"W ALONG SAID NORTH LINE A DISTANCE OF 5.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,286 SQUARE FEET MORE OR LESS.

## Abbreviation Legend:

(A) - ACTUAL	A - DELTA	GOVT - GOVERNMENT	PC - POINT OF CURVATURE	R43E - RANGE 43 EAST
APPROX - APPROXIMATE	(D) - DEED	IP - IRON PIPE	PCC - POINT OF COMPOUND CURVATURE	R - RADIUS
AVC - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON ROD	PCP - PERMANENT CONTROL POINT	RAD - RADIAL
(BB) - BEARING BASIS	DEPT - DEPARTMENT	IR&C - IRON REBAR & CAP	PG - PAGE	REC - RECOVERED
BLDG - BUILDING	D/U - DRAINAGE AND UTILITY EASEMENT	L - ARC LENGTH	PGS - PAGES	REV - REVISION
BM - BENCH MARK	ELEV - ELEVATION	LB# - LICENSED BUSINESS NUMBER	PI - POINT OF INTERSECTION	RP - RADIUS POINT
(C) - CALCULATED	EOP - EDGE OF PAVEMENT	(M) - MEASURED	POB - POINT OF BEGINNING	R/W - RIGHT-OF-WAY
C - CHORD	ESMT - EASEMENT	N & D - NAIL AND DISK	POC - POINT OF COMMENCEMENT	SEC 18 - SECTION 18
CB - CHORD BEARING	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	NR - NON-RADIAL	POL - POINT ON LINE	SQ - SQUARE
CCR # - CERTIFIED CORNER RECORD NUMBER	FF - FINISH FLOOR	NSI - NO SURVEYOR IDENTIFICATION	PRC - POINT OF REVERSE CURVATURE	SQ FT - SQUARE FEET
C/L - CENTERLINE	FND - FOUND	NT - NON-TANGENT	PRM - PERMANENT REFERENCE MONUMENT	T8 - TANGENT BEARING
CM - CONCRETE MONUMENT	FP&L - FLORIDA POWER AND LIGHT	ORB - OFFICIAL RECORDS BOOK	PT - POINT OF TANGENCY	T46S - TOWNSHIP 46 SOUTH
CONC - CONCRETE	(G) - GRID (STATE PLANE)	(P) - PLAT	UE - UTILITY EASEMENT	(TYP) - TYPICAL
COR - CORNER		PB - PLAT BOOK	W/ - WITH	

## Surveyor's Notes:

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE PLATTED EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE AS BEING N08°37'43"W PER OFFICIAL RECORDS BOOK 44374, PAGES 1819 THROUGH 1838, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY, THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

## Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 23, 2015. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

For the Firm By:

  
 Thomas J. Galloway, RSM  
 Professional Surveyor and Mapper  
 Florida Registration No. 6549

**NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.**

Date: 3/20/15

Job No. B16101

Drawn by: RDB

Scale: N/A

File: B16101 SOD  
1.DWG

**cph**  
www.cphcorp.com

Prepared By:  
**CPH, Inc.**

Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2600926  
Lndsep. Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

Sheet

**1**

1 of 2

**SKETCH AND DESCRIPTION**

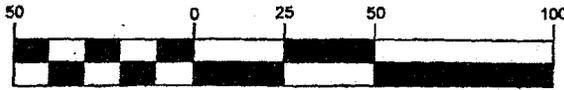
© 2014

500 W. Fulton St. ~ Sanford, FL 32774 ~ Ph: 407.322.6841

**Sketch and Description:**

THIS IS NOT A SURVEY

**GRAPHIC SCALE**



**POB**

NW CORNER LOT 6,  
BLOCK 1,  
PB 29, PG 15

( IN FEET )

LOT 7

1 inch = 50 ft.

N 89°28'17" W  
5.05'

LOT 6

NORTH LINE LOT 6, BLOCK 1(P)

5' FP&L EASEMENT  
PER ORB 10526, PG 647

250'(P)

LOT 5

250'(P)

**NORTH POMPANO BEACH-SECTION 'A'**  
**BLOCK 1**  
PB 29, PG 15

5.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

APPROXIMATE  
LOCATION  
GUY POLE AND GUY  
WIRE EASEMENT  
PER ORB 841, PG 231

LOT 4

250'(P)

LOT 3

250'(P)

CONTAINING 1,286 SQ FT ±

LOT 2

250'(P)

5.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

LOT 1

15.00'  
35.00'

**C/L SAMPLE ROAD**

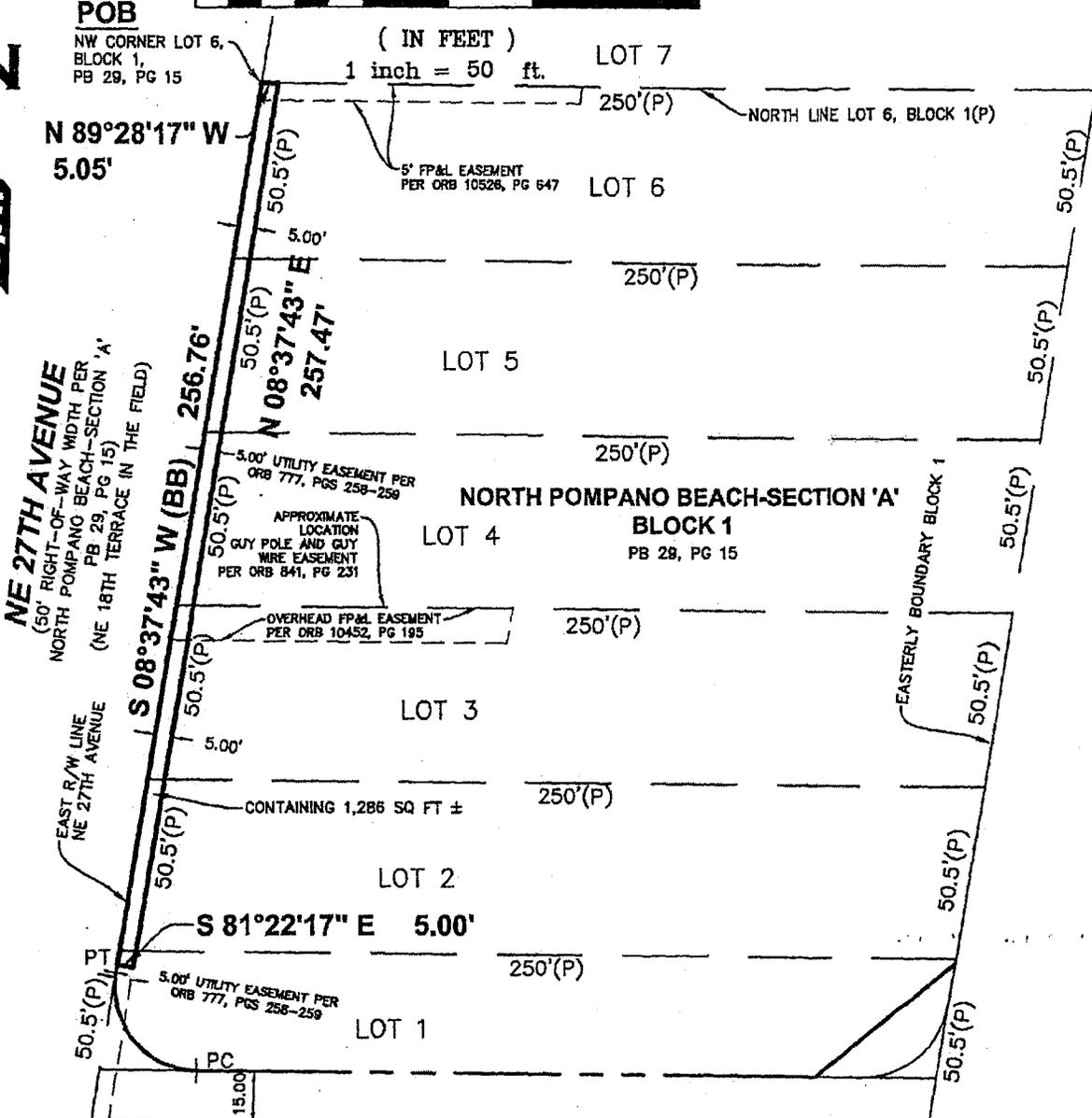
(SR S-834) (NE 36TH ST)  
(70' RIGHT-OF-WAY PB 29, PG 15)  
(100' RIGHT-OF-WAY WIDTH PER

FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAP  
SECTION NO. 86020-2518, DATED 12-05-95)

**NE 27TH AVENUE**  
(50' RIGHT-OF-WAY WIDTH PER  
NORTH POMPANO BEACH-SECTION 'A'  
PB 29, PG 15)  
(NE 18TH TERRACE IN THE FIELD)

EAST R/W LINE  
NE 27TH AVENUE

EASTERLY BOUNDARY BLOCK 1



TITLE BLOCK ABBREVIATIONS	
Eng. = ENGINEERING	L.B. = LICENSED BUSINESS
C.O.A. = CERTIFICATE OF AUTHORIZATION	Arch. = ARCHITECTURAL
Landscape = LANDSCAPE	NA = NOT APPLICABLE
No. = NUMBER	P.O. = POST OFFICE
	© = COPYRIGHT

**NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.**

Date: 3/20/15	Job No. B16101
Drawn by: RDB	Scale: 1"=50'
File: B16101 SOD	1.DWG

**CPH**  
www.cphcorp.com  
500 W. Fulton St. ~ Sanford, Fl. 32771 ~ Ph: 407.322.6841

Prepared By:  
**CPH, Inc.**  
Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2600926  
Landscape Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

**SKETCH AND DESCRIPTION**

Sheet  
**2**  
2 of 2  
© 2014

EXHIBIT B  
TO SPECIAL WARRANTY DEED

1. Dedications contained on the Plat of North Pompano Beach Section 'A', as recorded in Plat Book 29, Page 15, Public Records of Broward County, Florida.
2. Easement for public utilities along the back lot lines extending 5 feet from said back lot lines, which was reserved in the Declaration of Restrictions recorded in Deed Book 777, Page 258, Public Records of Broward County, Florida.
3. Easement to Florida Power & Light Company recorded in O.R. Book 841, Page 231, Public Records of Broward County, Florida.
4. Easement to Florida Power & Light Company recorded in O.R. Book 10452, Page 195, Public Records of Broward County, Florida.
5. Easement to Florida Power & Light Company recorded in O.R. Book 10526, Page 647, Public Records of Broward County, Florida.
6. Owner's Agreement with Broward County recorded in O.R. Book 10737, Page 550, together with the Bill Of Sale Absolute to Broward County recorded in O.R. Book 11031, Page 14, Public Records of Broward County, Florida.
7. Memorandum of Land Lease Agreement recorded in Clerk's File Number 2015-2858753, Public Records of Broward County, Florida.



GARDNER BREWER  
MARTINEZ-MONFORT

April 28, 2015

City of Pompano Beach  
100 W. Atlantic Boulevard  
Pompano Beach, FL 33060



Attention: Jae Eun Kim, PLA

RE: 5 ft. right-of-way parcel to be conveyed by BW US 1 Sample, LLC to the City of Pompano Beach for additional right-of-way for NE 27<sup>th</sup> Avenue

To Whom It May Concern:

With the understanding that this Opinion of Title is furnished to the City of Pompano Beach (the "City") as a requirement of its acceptance of the right-of-way dedication described above, and that the City is relying on this opinion with regard to such conveyance, it is hereby certified that I have examined (i) Old Republic National Title Insurance Company Commitment, Fund File Number 10-2015-103052-4, dated effective February 12, 2015 and (2) a complete title search of the public records of Broward County, Florida, prepared by Attorneys' Title Fund Services, LLC, Fund File Number 10-2015-161907-A2, covering the period from the May 27, 1964 to April 22, 2015, at 11:00 P.M. inclusive, for the property described on Exhibit A attached hereto (the "Property").

Based upon my examination, fee simple title to the Property was vested in **BW US 1 SAMPLE, LLC**, a Florida limited liability company (the "Owner"), by virtue of the following deeds:

A. Special Warranty Deed dated February 19, 2015 and recorded March 11, 2015 as Instrument #112858751, of the Public Records of Broward County, Florida; and

B. Special Warranty Deed dated February 20, 2015 and recorded March 11, 2015 as Instrument #112858746, of the Public Records of Broward County, Florida.

The Owner's title to the Property is encumbered by the following liens or encumbrances, to-wit:

1. Taxes and assessments for the year 2015 and subsequent years, which are not yet due and payable. Taxes for the year 2014 have been paid.
2. Easement for public utilities along the back lot lines extending 5 feet from said back lot lines, which was reserved in the Declaration Of Restrictions recorded in Deed Book 777, Page 258, Public Records of Broward County, Florida (As to Parcel 1).

GARDNER BREWER MARTINEZ-MONFORT

400 North Ashley Drive, Suite 1100, Tampa, Florida 33602-4324 | Main: (813) 221-9600 | Fax: (813) 221-9611  
www.gbmmllaw.com

3. Easement to Florida Power & Light Company recorded in O.R. Book 841, Page 231, Public Records of Broward County, Florida (As to Parcel 1).
4. Easement to Florida Power & Light Company recorded in O.R. Book 10452, Page 195, Public Records of Broward County, Florida (As to Parcel 1).
5. Easement to Florida Power & Light Company recorded in O.R. Book 10526, Page 647, Public Records of Broward County, Florida (As to Parcel 1).
6. Owner's Agreement with Broward County recorded in O.R. Book 10737, Page 550, together with the Bill Of Sale Absolute to Broward County recorded in O.R. Book 11031, Page 14, Public Records of Broward County, Florida (As to Parcel 1).
7. Terms, conditions, covenants, restrictions, agreements, disclosures, indemnity, release and easements contained in the Special Warranty Deed from ExxonMobil Oil Corporation, formerly known as Mobil Oil Corporation, recorded in O.R. Book 44374, Page 1819, Public Records of Broward County, Florida (As to Parcel 2).
8. Dedications contained on the Plat of North Pompano Beach Section "A", as recorded in Plat Book 29, Page 15, Public Records of Broward County, Florida.
9. Memorandum of Land Lease Agreement recorded as Instrument #2858753, Public Records of Broward County, Florida.
10. Declaration of Unity of Title recorded as Instrument #2886403, Public Records of Broward County, Florida.
11. Order of Imposition of Fine and Claim of Lien recorded in O.R. Book 51229, Page 1676, Public Records of Broward County, Florida.
12. Order of Imposition of Fine and Claim of Lien recorded in O.R. Book 51229, Page 1737, Public Records of Broward County, Florida.

GARDNER BREWER MARTINEZ-MONFORT, P.A.

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



Christopher W. Brewer, Esquire

## Exhibit A

### **Legal Description**

#### Parcel 1:

Lots 4, 5 and 6, in Block 1, and Lots 1, 2, and 3, in Block 1, less the East 150 feet thereof, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida; said East 150 feet of Lots 1, 2, and 3, in Block 1, being more particularly described as follows:

BEGINNING at an iron pipe in concrete on the Southeasterly corner of said Block 1, North Pompano Beach Section 'A', which point is also the intersection of the Westerly right of way line of U.S. Highway No. 1 (120 feet wide) with the Northerly right of way line of Sample Road (70 feet wide); extending thence (1) along said Northerly right of way line of Sample Road, which is also the Southerly boundary of said Block 1, North 89 degrees 28 minutes 17 seconds West 150.0 feet to an iron pipe in concrete in line of lands now or formerly of Pemur Holding Company; thence (2) along said line of lands now or formerly of Pemur Holding Company, through said Lots 1, 2 and 3, North 8 degrees 37 minutes 43 seconds East 151.50 feet to an iron pipe in concrete on the Northerly line of said Lot 3; thence (3) along said Northerly line of said Lot 3, South 89 degrees 28 minutes 17 seconds East 150.0 feet to an iron pipe in concrete on said Westerly right of way line of U.S. Highway No. 1; thence (4) along said Westerly right of way line of U.S. Highway No. 1, which is also the Easterly boundary of said Block 1, South 8 degrees 37 minutes 43 seconds West 151.50 feet to the Place Of Beginning, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida;

LESS the South 15 feet of Lot 1, Block 1, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, less the East 150 Feet thereof; and that part of said Lot 1, which is included in the external area formed by a 25 foot radius arc which is tangent to the West line of said Lot 1, and tangent to a line 15 feet North of and parallel to the South line of said Lot 1.

#### Parcel 2:

BEING the Easterly 150 feet of Lots 1, 2, and 3, Block 1, North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, and being more particularly described as follows:

BEGINNING at an iron pipe in concrete at the Southeasterly corner of said Block 1, North Pompano Beach Section 'A', which point is also the intersection of the Westerly right of way line of U.S. Highway No. 1 (120 feet wide) with the Northerly right of way line of Sample Road (70 feet wide); extending thence (1) along said Northerly right of way line of Sample Road, which is also the Southerly boundary of said Block 1, North 89 degrees 28 minutes 17 seconds West 150.0 feet to an iron pipe in concrete in line of lands now or formerly of Pemur Holding Company; thence (2) along said line of lands now or formerly of Pemur Holding Company, through said Lots 1, 2 and 3, North 8 degrees 37 minutes 43 seconds East 151.50 feet to an iron pipe in concrete on the Northerly line of said Lot 3; thence (3) along said Northerly line of said Lot 3, South 89 degrees 28 minutes 17 seconds East 150.0 feet to an iron pipe in concrete on said Westerly right of way line of U.S.

Highway No. 1; and thence (4) along said Westerly right of way line of U.S. Highway No. 1, which is also the Easterly boundary of said Block 1, South 8 degrees 37 minutes 43 seconds West 151.50 feet to the Place Of Beginning; LESS AND EXCEPT that portion of the above described premises condemned by the State Of Florida Department Of Transportation and Broward County pursuant to the Declaration Of Taking filed in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, Civil Action No. 70-3539, Parcel No.176, described as follows:

The South 15 feet of the East 150 feet of Lot 1, Block 1, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, and that part of said Lot 1, which is included in the external area formed by a 25 foot radius arc, which is tangent to the East line of said Lot 1, and tangent to a line 15 feet North of and parallel to the South line of said Lot 1.

Less and except that certain parcel described in an Order of Taking recorded in O.R. Book 26619, Page 518, of the Public Records of Broward County, Florida, being more particularly described as follows:

That part of Lot 1 as shown on the plat of North Pompano Beach Section 'A', as recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, lying in the Southwest Quarter (SW 1/4) of Section 18, Township 48 South, Range 43 East, Broward County, Florida, said part being more particularly described as follows:

Commence at the Southeast corner of said Southwest Quarter (SW 1/4) of Section 18; thence South 88°46'00" West, along the South line of said Southwest Quarter (SW 1/4) of Section 18, a distance of 249.780 meters (819.49 feet) to the Baseline of Survey for State Road 5 (US 1 - Federal Highway) as shown on that Florida Department of Transportation Right Of Way Map number 86020-2518; thence North 6°51'23" East, along said Baseline, a distance 19.927 meters (65.38 feet); thence North 83°08'37" West, a distance of 14.630 meters (48.00 feet) to the Westerly existing right of way line for State Road 5 (US 1 - Federal Highway), being the POINT OF BEGINNING, being also a point on a tangent curve concave Northwesterly as described in O.R. Book 4149, Page 951, of the said public records, having a chord bearing of South 47°48'41" West; thence Southwesterly along said curve (said curve being also the Northerly existing right of way line for State Road S-834 [Northeast 36th Street - Sample Road]) having a radius of 7.62 meters (25.00 feet), through a central angle of 81°54'37", an arc distance of 10.894 meters (35.74 feet); thence South 88°46'00" West, a distance of 4.400 meters (14.44 feet); thence North 49°26'35" East, a distance of 16.113 meters (52.86 feet); thence South 6°51'23" West, along said Westerly existing right of way line, a distance of 3.700 meters (12.14 feet) to the POINT OF BEGINNING.

The above Parcels 1 and 2 being also described as follows:

BEGIN AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S89°28'17"E ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 250.00 FEET TO A POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH FEDERAL HIGHWAY (US NO. 1) (120' RIGHT-OF-WAY) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 86020-2518, DATED 12-05-95,

SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 6, BLOCK 1; THENCE DEPARTING SAID NORTH LINE OF LOT 6, RUN S08°37'43"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 254.01 FEET TO A POINT BEING ON THE NORTHWESTERLY LINE OF ORDER OF TAKING FOR PARCEL 109 AS DESCRIBED IN OFFICIAL RECORDS BOOK 26619, PAGES 0518 THROUGH 0522 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE RUN S51°12'18"W ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 52.87 FEET TO A POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF SAMPLE ROAD PER ORDER OF TAKING FOR PARCEL 176, FLORIDA CIVIL ACTION NO. 70-3539 PER OFFICIAL RECORDS BOOK 44374, PAGES 1819 THROUGH 1838 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN N89°28'17"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 185.02 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF N40°28'02"W, AND A CHORD DISTANCE OF 37.79 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°11'31", FOR AN ARC DISTANCE OF 42.84 FEET TO A POINT OF TANGENCY, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPAÑO BEACH-SECTION 'A'; THENCE RUN N08°37'43"E ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 259.04 FEET TO THE POINT OF BEGINNING.

## Sketch and Description:

THIS IS NOT A SURVEY

## Legal Description:

BEGIN AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S08°37'43"W ALONG THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPANO BEACH-SECTION 'A', A DISTANCE OF 256.76 FEET; THENCE DEPARTING SAID EAST LINE RUN S81°22'17"E, A DISTANCE OF 5.00 FEET TO A POINT LYING ON A LINE THAT IS 5.00 FEET EASTERLY (AS MEASURED PERPENDICULARLY) TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE; THENCE RUN N08°37'43"E ALONG SAID LINE A DISTANCE OF 257.47 FEET TO A POINT ON THE NORTH LINE OF LOT 6, BLOCK 1 OF SAID PLAT; THENCE DEPARTING SAID PARALLEL LINE RUN N89°28'17"W ALONG SAID NORTH LINE A DISTANCE OF 5.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,286 SQUARE FEET MORE OR LESS.

### Abbreviation Legend:

(A) - ACTUAL	Δ - DELTA	GOVT - GOVERNMENT	PC - POINT OF CURVATURE	R43E - RANGE 43 EAST
APPROX - APPROXIMATE	(D) - DEED	IP - IRON PIPE	PCC - POINT OF COMPOUND	R - RADIUS
AVG - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON ROD	PG - CURVATURE	RAD - RADIAL
(BB) - BEARING BASIS	DEPT - DEPARTMENT	IR&C - IRON REBAR & CAP	PCP - PERMANENT CONTROL POINT	REC - RECOVERED
BLDG - BUILDING	D/U - DRAINAGE AND UTILITY	L - ARC LENGTH	PG - PAGE	REV - REVISION
BM - BENCH MARK	EASEMENT	LB# - LICENSED BUSINESS NUMBER	PGS - PAGES	RP - RADIUS POINT
(C) - CALCULATED	ELEV - ELEVATION	(M) - MEASURED	PI - POINT OF INTERSECTION	R/W - RIGHT-OF-WAY
C - CHORD	EOP - EDGE OF PAVEMENT	N & D - NAIL AND DISK	POB - POINT OF BEGINNING	SEC 18 - SECTION 18
CB - CHORD BEARING	ESMT - EASEMENT	NR - NON-RADIAL	POC - POINT OF COMMENCEMENT	SQ - SQUARE
CCR # - CERTIFIED CORNER	FDOT - FLORIDA DEPARTMENT OF	NSI - NO SURVEYOR IDENTIFICATION	POL - POINT ON LINE	SQ FT - SQUARE FEET
RECORD NUMBER	TRANSPORTATION	NT - NON-TANGENT	PRC - POINT OF REVERSE	TB - TANGENT BEARING
C/L - CENTERLINE	FF - FINISH FLOOR	OR - OFFICIAL RECORDS	PRC - POINT OF REVERSE	T48S - TOWNSHIP 48 SOUTH
CM - CONCRETE MONUMENT	FND - FOUND	ORB - OFFICIAL RECORDS BOOK	PRM - PERMANENT REFERENCE	(TYP) - TYPICAL
CONC - CONCRETE	FP&L - FLORIDA POWER AND LIGHT	(P) - PLAT	MONUMENT	UE - UTILITY EASEMENT
COR - CORNER	(G) - GRID (STATE PLANE)	PB - PLAT BOOK	PT - POINT OF TANGENCY	W/ - WITH
			FEC - FLORIDA EAST COAST RAILWAY	

### Surveyor's Notes:

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE PLATTED EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE AS BEING N08°37'43"W PER OFFICIAL RECORDS BOOK 44374, PAGES 1819 THROUGH 1838, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY, THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

### Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 23, 2015. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

For the Firm By: \_\_\_\_\_

  
 Thomas J. Galloway, RSM  
 Professional Surveyor and Mapper  
 Florida Registration No. 6549

TITLE BLOCK ABBREVIATIONS  
 Eng. = ENGINEERING    L.B. = LICENSED BUSINESS  
 C.O.A. = CERTIFICATE OF AUTHORIZATION    Arch. = ARCHITECTURAL  
 Landsc. = LANDSCAPE    N/A = NOT APPLICABLE    Lic. = LICENSED  
 No. = NUMBER    P.O. = POST OFFICE    © = COPYRIGHT

**NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.**

Date: 3/20/15

Job No. B16101

Drawn by: RDB

Scale: N/A

File: B16101 SOD  
1.DWG

Prepared By:  
**CPH, Inc.**

Licenses:

Eng. C.O.A. No. 3215

Survey L.B. No. 7143

Arch. Lic. No. AA2600926

Landsc. Lic. No. LC000298

**RIGHT-OF-WAY DEDICATION #1**

SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

**SKETCH AND DESCRIPTION**

Sheet

1

1 of 2

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**Sketch and Description:**

THIS IS NOT A SURVEY

**GRAPHIC SCALE**



**POB**

NW CORNER LOT 6,  
BLOCK 1,  
PB 29, PG 15

( IN FEET )  
1 inch = 50 ft.

N 89°28'17" W  
5.05'

LOT 7

NORTH LINE LOT 6, BLOCK 1(P)

5' FP&L EASEMENT  
PER ORB 10526, PG 647

LOT 6

250'(P)

LOT 5

250'(P)

**NORTH POMPANO BEACH-SECTION 'A'  
BLOCK 1**  
PB 29, PG 15

LOT 4

250'(P)

LOT 3

250'(P)

LOT 2

250'(P)

LOT 1

15.00'

**C/L SAMPLE ROAD**

(SR S-834) (NE 36TH ST)  
(70' RIGHT-OF-WAY PB 29, PG 15)  
(100' RIGHT-OF-WAY WIDTH PER

FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAP  
SECTION NO. 86020-2518, DATED 12-05-95)

**NE 27TH AVENUE**  
(50' RIGHT-OF-WAY WIDTH PER  
NORTH POMPANO BEACH-SECTION 'A'  
PB 29, PG 15)  
(NE 18TH TERRACE IN THE FIELD)

EAST R/W LINE  
NE 27TH AVENUE

PT

50.5'(P)

S 08°37'43" W (BB) 256.76'

N 08°37'43" E  
257.47'

5.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

APPROXIMATE  
LOCATION  
GUY POLE AND GUY  
WIRE EASEMENT  
PER ORB 841, PG 231

OVERHEAD FP&L EASEMENT  
PER ORB 10452, PG 195

CONTAINING 1,286 SQ FT ±

5.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

PC

15.00'

35.00'

250'(P)

TITLE BLOCK ABBREVIATIONS	
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Landsc. = LANDSCAPE	N/A = NOT APPLICABLE
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	© = COPYRIGHT

**NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.**

Date: 3/20/15	Job No. B16101
Drawn by: RDB	Scale: 1"=50'
File: B16101 SOD	1.DWG



Prepared By:  
**CPH, Inc.**  
Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2600926  
Lndsep. Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

Sheet  
**2**  
2 of 2

500 W. Fulton St. ~ Sanford, Fl. 32771 ~ Ph: 407.322.6841

**SKETCH AND DESCRIPTION**

© 2014

Prepared by and return to:  
T. Truett Gardner, Esquire  
Gardner Brewer Martinez-Monfort, P.A.  
400 North Ashley Drive, Suite 1100  
Tampa, Florida 33602

\_\_\_\_\_ [space above line for recording information] \_\_\_\_\_

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

That USAMERIBANK, a Florida banking corporation, whose mailing address is P. O. Box 17540, Clearwater, FL 33762 (the "Mortgagee") is the owner and holder of that certain Mortgage, Security Agreement and Fixture Filing dated as of February 20, 2015 executed by BW US 1 SAMPLE, LLC, a Florida limited liability company (the "Mortgagor") in favor of the Mortgagee and recorded March 11, 2015 as Instrument #112858754, Public Records of Broward County, Florida (the "Mortgage"), together with the other security documents and instruments described on Exhibit A attached hereto (the "Other Documents").

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Mortgagee does hereby release, quit-claim, exonerate and discharge the real property described on Exhibit B and Exhibit C attached hereto and made a part hereof from the lien, operation and effect of the Mortgage and Other Documents.

PROVIDED, however, that nothing herein shall in any way impair, alter or diminish the effect, lien or encumbrance of the Mortgage and Other Documents on the remaining portion of the mortgaged property not specifically released hereby, or any rights and remedies of the Mortgagee thereunder.

*SIGNATURE CONTAINED ON FOLLOWING PAGE*

(00546466-1)

In witness whereof the Mortgagee has caused this instrument to be executed as of the 13<sup>th</sup> day of April, 2015.

Witnesses:

USAMERIBANK, a Florida banking corporation

Sign: Lisa M Burnham BY: [Signature]  
 Name(print): Lisa M. Burnham Name(print): JOSEPH TAGGART  
 Title(print): SVP

Sign: Cari McGarr  
 Name(print): Cari McGarr

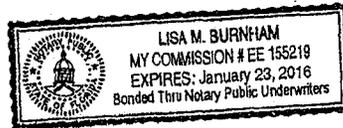
STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, this 13<sup>th</sup> day of April, 2015, by Joseph E. Taggart as Senior Vice President of USAMERIBANK, a Florida banking corporation, on behalf of the corporation. Such officer  is personally known to me or  produced \_\_\_\_\_ as identification.

[SEAL]

Lisa M Burnham  
Signature of NOTARY PUBLIC

Lisa M. Burnham  
Print, type or stamp commissioned name of Notary



{00546466-1}

**EXHIBIT A**  
**Other Documents**

1. Assignment of Rents and Leases dated February 20, 2015, executed by BW US 1 SAMPLE, LLC, a Florida limited liability company, in favor of USAMERIBANK and recorded March 11, 2015 as Instrument #112858755, Public Records of Broward County, Florida.

2. Financing Statement between BW US 1 SAMPLE, LLC, as Debtor, and USAMERIBANK as Secured Party, and recorded March 11, 2015 as Instrument #112858756, Public Records of Broward County, Florida.

{00546466-1}

**EXHIBIT B**

**NE 27<sup>th</sup> Avenue**

See Legal Description contained in Right-of-Way Dedication #1 Sketch and  
Description attached hereto and made a part hereof

{00546466-1}

**Sketch and Description:**

THIS IS NOT A SURVEY

**Legal Description:**

BEGIN AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S08°37'43"W ALONG THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPANO BEACH-SECTION 'A', A DISTANCE OF 256.76 FEET; THENCE DEPARTING SAID EAST LINE RUN S81°22'17"E, A DISTANCE OF 5.00 FEET TO A POINT LYING ON A LINE THAT IS 5.00 FEET EASTERLY (AS MEASURED PERPENDICULARLY) TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE; THENCE RUN N08°37'43"E ALONG SAID LINE A DISTANCE OF 257.47 FEET TO A POINT ON THE NORTH LINE OF LOT 6, BLOCK 1 OF SAID PLAT; THENCE DEPARTING SAID PARALLEL LINE RUN N89°28'17"W ALONG SAID NORTH LINE A DISTANCE OF 5.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,286 SQUARE FEET MORE OR LESS.

**Abbreviation Legend:**

(A) - ACTUAL	A - DELTA	GOVT - GOVERNMENT	PC - POINT OF CURVATURE	R43C - RANGE 43 EAST
APPROX - APPROXIMATE	(D) - DEED	IP - IRON PIPE	PCC - POINT OF COMPOUND	R - RADIUS
AVG - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON ROD	CR - CURVATURE	RAD - RADIAL
(BB) - BEARING BASIS	DEPT - DEPARTMENT	IR&C - IRON REBAR & CAP	PCP - PERMANENT CONTROL POINT	REC - RECOVERED
BLDG - BUILDING	D/U - DRAINAGE AND UTILITY	L - ARC LENGTH	PG - PAGE	REV - REVISION
BM - BENCH MARK	E - EASEMENT	LB# - LICENSED BUSINESS NUMBER	PGS - PAGES	RP - RADIUS POINT
(C) - CALCULATED	ELEV - ELEVATION	(M) - MEASURED	PI - POINT OF INTERSECTION	R/W - RIGHT-OF-WAY
C - CHORD	EOP - EDGE OF PAVEMENT	N & D - NON-RADIAL	POB - POINT OF BEGINNING	SEC 18 - SECTION 18
CB - CHORD BEARING	ESMT - EASEMENT	NR - NO SURVEYOR IDENTIFICATION	POC - POINT OF COMMENCEMENT	SQ - SQUARE
CCR - CERTIFIED CORNER	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	NT - NON-TANGENT	POL - POINT ON LINE	SQ FT - SQUARE FEET
CD - RECORD NUMBER	FF - FINISH FLOOR	OR - OFFICIAL RECORDS	PRC - POINT OF REVERSE	TB - TANGENT BEARING
C/L - CENTERLINE	FND - FOUND	ORB - OFFICIAL RECORDS BOOK	PCV - CURVATURE	T46S - TOWNSHIP 46 SOUTH
CM - CONCRETE MONUMENT	FPAL - FLORIDA POWER AND LIGHT	(P) - PLAT	PRM - PERMANENT REFERENCE MONUMENT	(TYP) - TYPICAL
CONC - CONCRETE	(G) - GRID (STATE PLANE)	PB - PLAT BOOK	PT - POINT OF TANGENCY	UE - UTILITY EASEMENT
COR - CORNER			FE - FLORIDA EAST COAST RAILWAY	W/ - WITH

**Surveyor's Notes:**

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE PLATTED EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE AS BEING N08°37'43"W PER OFFICIAL RECORDS BOOK 44374, PAGES 1619 THROUGH 1636, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE, NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

**Surveyor's Certification:**

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 23, 2015. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

For the Firm By:

*[Signature]*  
 Thomas J. Galloway, RSM  
 Professional Surveyor and Mapper  
 Florida Registration No. 6549

**TITLE BLOCK ABBREVIATIONS**  
 Eng. = ENGINEERING      L.S. = LICENSED BUSINESS  
 C.O.A. = CERTIFICATE OF AUTHORIZATION      Arch. = ARCHITECTURAL  
 Landsc. = LANDSCAPE      NA = NOT APPLICABLE      Lic. = LICENSED  
 MA = ADDRESS      P.O. = POST OFFICE      © = COPYRIGHT

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Date: 3/20/15	Job No. B16101
Drawn by: RDB	Scale: N/A
File: B16101 600	1.DWG

**CPH**  
 www.cphcorp.com  
 500 W. Fulton St. ~ Sanford, FL 32774 ~ Ph: 407.322.6841

Prepared By:  
**CPH, Inc.**  
 Licenses:  
 Eng. C.O.A. No. 3215  
 Survey L.S. No. 7143  
 Arch. Lic. No. AA260826  
 Landsc. Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
 SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
 BROWARD COUNTY, FLORIDA

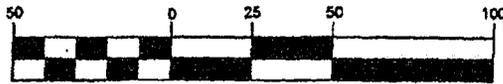
**SKETCH AND DESCRIPTION**

Sheet  
**1**  
 1 of 2  
 © 2014

**Sketch and Description:**

THIS IS NOT A SURVEY

**GRAPHIC SCALE**



**POB**  
NW CORNER LOT 6,  
BLOCK 1,  
PB 29, PG 15

N 89°28'17" W  
5.05'

**NE 27TH AVENUE**  
(50' RIGHT-OF-WAY WIDTH PER  
NORTH POMPANO BEACH-SECTION 'A'  
PB 29, PG 15)  
(NE 18TH TERRACE IN THE FIELD)

S 08°37'43" W (BB) 256.76'

EAST R/W LINE  
NE 27TH AVENUE

PT

50.5'(P)

5.00' UTILITY EASEMENT PER  
ORB 777, PGS 238-239

15.00'  
35.00'

250'(P)  
**C/L SAMPLE ROAD**

(SR S-834) (NE 36TH ST)  
(70' RIGHT-OF-WAY PB 29, PG 15)  
(100' RIGHT-OF-WAY WIDTH PER

FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAP  
SECTION NO. 86020-2518, DATED 12-05-85)

NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.

Date: 3/20/15

Job No. B16101

Drawn by: RDB

Scale: 1"=50'

File: B16101 800  
1.DWG



Prepared By:  
**CPH, Inc.**

Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2600926  
Landscape Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

Sheet

**2**

2 of 2

**SKETCH AND DESCRIPTION**

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**EXHIBIT C**

**Sample Road**

See Legal Description contained in Right-of-Way Dedication #2 Sketch and  
Description attached hereto and made a part hereof

{00546466-1}

**Sketch and Description:**

THIS IS NOT A SURVEY

**Legal Description:**

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S08°37'43"W ALONG THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPANO BEACH-SECTION 'A', A DISTANCE OF 256.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S08°37'43"W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 2.28 FEET A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S40°28'02"E, AND A CHORD DISTANCE OF 37.79 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°11'31", FOR AN ARC DISTANCE OF 42.84 FEET TO A POINT OF TANGENCY SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF SAMPLE ROAD PER ORDER OF TAKING FOR PARCEL 176, FLORIDA CIVIL ACTION NO. 70-3539 PER OFFICIAL RECORDS BOOK 44374, PAGES 1819 THROUGH 1838 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S89°28'17"E ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 185.02 FEET TO A POINT BEING ON THE NORTHWESTERLY LINE OF ORDER OF TAKING FOR PARCEL 109 AS DESCRIBED IN OFFICIAL RECORDS BOOK 26619, PAGES 0518 THROUGH 0522 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN N51°12'18"E ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 15.78 FEET TO A POINT LYING ON A LINE 10.00 FEET NORTHERLY (AS MEASURED PERPENDICULARLY) TO THE AFORESAID NORTH RIGHT-OF-WAY LINE; THENCE DEPARTING SAID NORTHWESTERLY LINE RUN N89°28'17"W ALONG SAID LINE A DISTANCE OF 199.29 FEET; THENCE DEPARTING SAID PARALLEL LINE RUN N40°28'02"W, A DISTANCE OF 26.60 FEET; THENCE RUN N81°22'17"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,315 SQUARE FEET MORE OR LESS.

**Abbreviation Legend:**

(A) - ACTUAL	A - DELTA	GOV'T - GOVERNMENT	PC - POINT OF CURVATURE	R43E - RANGE 43 EAST
APPROX - APPROXIMATE	(D) - DEED	IP - IRON PIPE	PCC - POINT OF COMPOUND CURVATURE	R - RADIUS
AVG - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON ROD	PCP - PERMANENT CONTROL POINT	RAD - RADIAL
(BB) - BEARING BASIS	DEPT - DEPARTMENT	IR&C - IRON REBAR & CAP	PG - PAGE	REC - RECOVERED
BLDG - BUILDING	D/U - DRAINAGE AND UTILITY	L - ARC LENGTH	PGS - PAGES	REV - REVISION
BM - BENCH MARK	E - EASEMENT	LB# - LICENSED BUSINESS NUMBER	PI - POINT OF INTERSECTION	RP - RADIUS POINT
(C) - CALCULATED	ELEV - ELEVATION	(M) - MEASURED	POB - POINT OF BEGINNING	R/W - RIGHT-OF-WAY
CHORD - CHORD	EDP - EDGE OF PAVEMENT	N & D - NAIL AND DISK	POC - POINT OF COMMENCEMENT	SEC 18 - SECTION 18
CB - CHORD BEARING	ESMT - EASEMENT	NR - NON-RADIAL	POL - POINT ON LINE	SQ - SQUARE FEET
CCR# - CERTIFIED CORNER RECORD NUMBER	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	NT - NON-TANGENT	PRC - POINT OF REVERSE CURVATURE	TB - TANGENT BEARING
C/L - CENTERLINE	FF - FINISH FLOOR	OR - OFFICIAL RECORDS	PRM - PERMANENT REFERENCE MONUMENT	T48S - TOWNSHIP 48 SOUTH
CM - CONCRETE MONUMENT	FND - FOUND	ORB - OFFICIAL RECORDS BOOK	PT - PLAT	(TYP) - TYPICAL
CMC - CONCRETE	FP&L - FLORIDA POWER AND LIGHT	(P) - PLAT	FEC - FLORIDA EAST COAST RAILWAY	UE - UTILITY EASEMENT
CDR - CORNER	(S) - GRID (STATE PLANE)	PB - PLAT BOOK		W/ - WITH

**Surveyor's Notes:**

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE PLATTED EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE AS BEING N08°37'43"W PER OFFICIAL RECORDS BDK 44374, PAGES 1819 THROUGH 1838, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

**Surveyor's Certification:**

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 23, 2015. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

*[Signature]*  
 For the Firm By: Thomas J. Galloway, PSM  
 Thomas J. Galloway, PSM  
 Professional Surveyor and Mapper  
 Florida Registration No. 6549

**TITLE BLOCK ABBREVIATIONS**  
 Eng - ENGINEERING L.B. - LICENSED BUSINESS  
 C.O.A. - CERTIFICATE OF AUTHORIZATION Arch - ARCHITECTURAL  
 Landsc - LANDSCAPE N/A - NOT APPLICABLE Lic - LICENSED  
 No - NUMBER P.O. - POST OFFICE P - CONTRACT

NOT VALID WITHOUT SHEETS 1 AND 2 OF 2.



Prepared By:  
**CPH, Inc.**  
 Licenses:  
 Eng. C.O.A. No. 3215  
 Survey L.B. No. 7143  
 Arch. Lic. No. AA2600926  
 Landsc. Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #2**  
 SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
 BROWARD COUNTY, FLORIDA

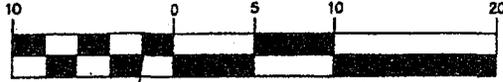
**SKETCH AND DESCRIPTION**

Date: 3/20/15 Job No. B16101  
 Drawn by: RDB Scale: N/A File: B16101 30D 2.DWG  
 Sheet **1**  
 1 of 2

**Sketch and Description:**

THIS IS NOT A SURVEY

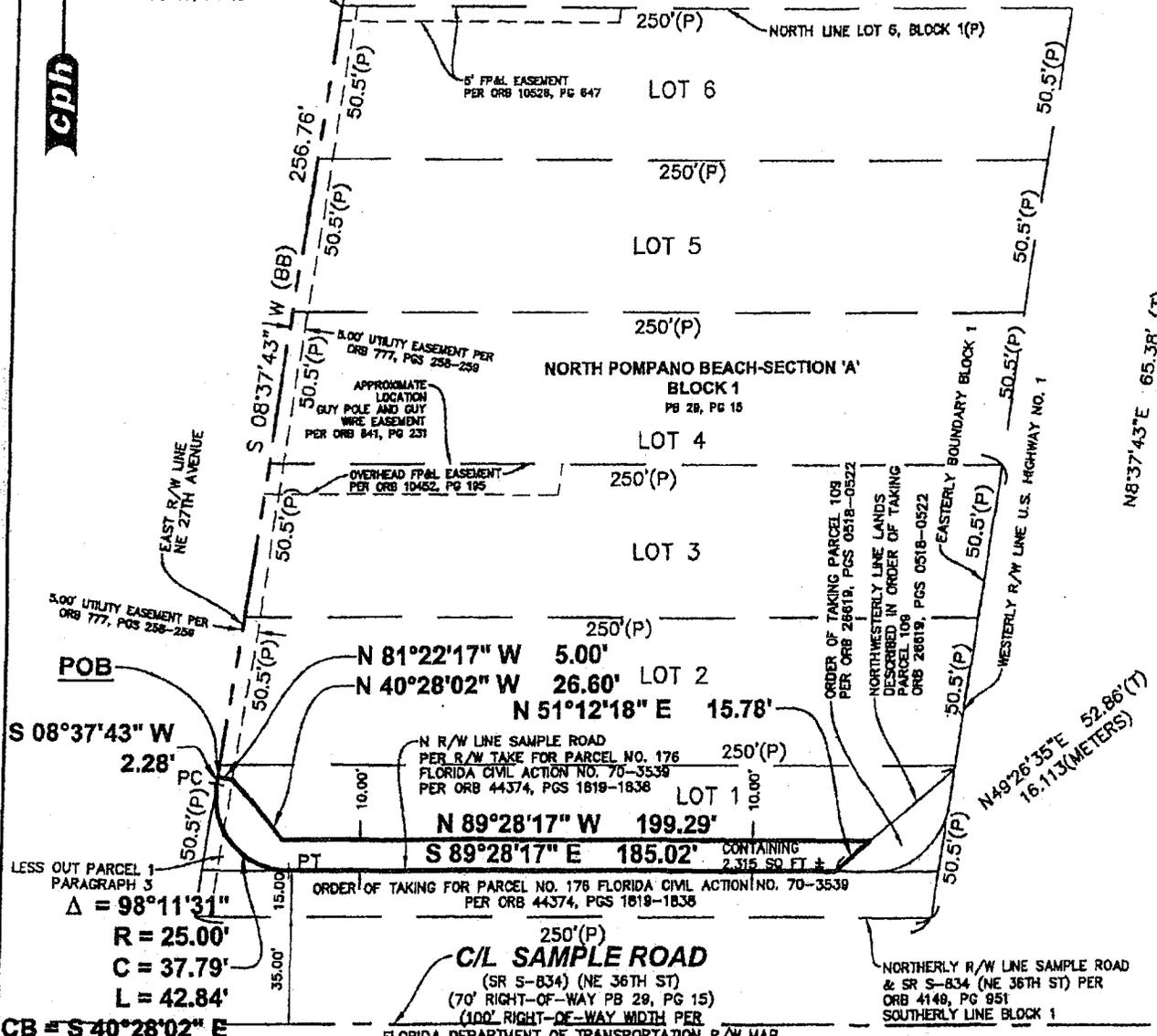
**GRAPHIC SCALE**



( IN FEET )  
1 inch = 10 ft.

NORTH POMPANO BEACH-SECTION 'A'  
PB 29, PG 15  
PARCEL ID # 4843-18-01-0100  
OWNER: KAJA PROPERTIES INC  
3605 N FEDERAL HIGHWAY  
POMPANO BEACH, FL 33064

**POC**  
NW CORNER LOT 6,  
BLOCK 1,  
PB 29, PG 15



N83°43'E 65.38' / 1"

N49°26'35"E 52.86'(1)  
16.113(METERS)

**POB**  
S 08°37'43" W 2.28'  
PT  
LESS OUT PARCEL 1  
PARAGRAPH 3  
 $\Delta = 98^{\circ}11'31"$   
R = 25.00'  
C = 37.79'  
L = 42.84'  
CB = S 40°28'02" E

FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAP

NOT VALID WITHOUT SHEETS 1 AND 2 OF 2

Date: 3/20/15 Job No. B16101  
Drawn by: RDB Scale: 1"=50' File: B16101 SOD 2.DWG



Prepared By:  
**CPH, Inc.**  
Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2800928  
Landscape Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #2**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

**SKETCH AND DESCRIPTION**

Sheet  
**2**  
2 of 2  
© 2014

PREPARED BY:  
RECORD & RETURN TO:  
Scott Backman, Esq.  
Dunay, Miskel and Backman, LLP  
14 S.E. 4<sup>th</sup> Street, #36  
Boca Raton, FL 33432

DECLARATION OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the City of Pompano Beach pertaining to the issuance of building permits and regulating building construction, the undersigned, BW US 1 Sample, LLC a Florida limited liability company, being the fee owner of the following described real property lying, being and situate in the City of Pompano Beach, County of Broward and State of Florida, to wit:

See Exhibit "A" attached hereto and incorporated by reference;

Address: 3601 North Federal Highway, Pompano Beach, FL 33064  
3661 North Federal Highway, Pompano Beach, FL 33064

Does hereby make the following declarations of conditions, limitations and restrictions on said lands:

1. The aforesaid plat, parcel or combinations of separate lots be and the same is hereby established and declared to be unified as an indivisible building site.
2. This Declaration of Unity of Title shall constitute a covenant running with the land, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder and no portion shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel until such time as the same may be released in writing under the Director of Development Services of the City of Pompano Beach.
3. The undersigned does further agree that this instrument shall be filed for record among the Public Records of Broward County, Florida.

[Remainder of This Page Intentionally Left Blank]

(4)

IN WITNESS WHEREOF, the undersigned has caused this Declaration of Unity of Title to be executed in appropriate manner and its seal to be affixed this 18 day of March, 2015.

Signed, Sealed and Delivered  
In the presence of:

[Signature]  
Print Witness Name(s)

By: [Signature]  
Henry Hillsman V.P.  
(Print Name and Title)

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

BEFORE ME the undersigned authority, personally appeared Henry G. Hillsman  
VP of Engstrom Real Estate, Inc. the manager of 2005 S Sample LLC, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same as the act and deed of said corporation and for the uses and purposes set forth therein.

WITNESS my hand and official seal at Tampa, Hillsborough County, Florida this 18th day of March, 2015.

[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA

(Name of Notary Public: Print, Stamp, or Type as Commissioned.)  
 Personally known to me, or  
 Produced Identification: \_\_\_\_\_  
(Type of Identification Produced)

My Commission Expires:



**Exhibit "A"**

**LEGAL DESCRIPTION**

Lots 4, 5 and 6, in Block 1, and Lots 1, 2, and 3, in Block 1, less the East 150 feet thereof, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida; said East 150 feet of Lots 1, 2, and 3, in Block 1, being more particularly described as follows:

BEGINNING at an iron pipe in concrete on the Southeasterly corner of said Block 1, North Pompano Beach Section 'A', which point is also the intersection of the Westerly right of way line of U.S. Highway No. 1 (120 feet wide) with the Northerly right of way line of Sample Road (70 feet wide); extending thence (1) along said Northerly right of way line of Sample Road, which is also the Southerly boundary of said Block 1, North 89 degrees 28 minutes 17 seconds West 150.0 feet to an iron pipe in concrete in line of lands now or formerly of Pemur Holding Company; thence (2) along said line of lands now or formerly of Pemur Holding Company, through said Lots 1, 2 and 3, North 8 degrees 37 minutes 43 seconds East 151.50 feet to an iron pipe in concrete on the Northerly line of said Lot 3; thence (3) along said Northerly line of said Lot 3, South 89 degrees 28 minutes 17 seconds East 150.0 feet to an iron pipe in concrete on said Westerly right of way line of U.S. Highway No. 1; thence (4) along said Westerly right of way line of U.S. Highway No. 1, which is also the Easterly boundary of said Block 1, South 8 degrees 37 minutes 43 seconds West 151.50 feet to the Place Of Beginning, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida;

LESS the South 15 feet of Lot 1, Block 1, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, less the East 150 Feet thereof; and that part of said Lot 1, which is included in the external area formed by a 25 foot radius arc which is tangent to the West line of said Lot 1, and tangent to a line 15 feet North of and parallel to the South line of said Lot 1.

Together with:

BEING the Easterly 150 feet of Lots 1, 2, and 3, Block 1, North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, and being more particularly described as follows:

BEGINNING at an iron pipe in concrete at the Southeasterly corner of said Block 1, North Pompano Beach Section 'A', which point is also the intersection of the Westerly right of way line of U.S. Highway No. 1 (120 feet wide) with the Northerly right of way line of Sample Road (70 feet wide); extending thence (1) along said Northerly right of way line of Sample Road, which is also the Southerly boundary of said Block 1, North 89 degrees 28 minutes 17 seconds West 150.0 feet to an iron pipe in concrete in line of lands now or formerly of Pemur Holding Company; thence (2) along said line of lands now or formerly of Pemur Holding Company, through said Lots 1, 2 and 3, North 8 degrees 37 minutes 43 seconds East 151.50 feet to an iron pipe in concrete on the Northerly line of said Lot 3; thence (3) along said Northerly line of said Lot 3, South 89 degrees 28 minutes 17 seconds East 150.0 feet to an iron pipe in concrete on said Westerly right of way line of U.S. Highway No. 1; and thence (4) along said Westerly right of way line of U.S. Highway No. 1, which is also the

Easterly boundary of said Block 1, South 8 degrees 37 minutes 43 seconds West 151.50 feet to the Place Of Beginning; LESS AND EXCEPT that portion of the above described premises condemned by the State Of Florida Department Of Transportation and Broward County pursuant to the Declaration Of Taking filed in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, Civil Action No. 70-3539, Parcel No.176, described as follows:

The South 15 feet of the East 150 feet of Lot 1, Block 1, of North Pompano Beach Section 'A', according to the Plat thereof, recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, and that part of said Lot 1, which is included in the external area formed by a 25 foot radius arc, which is tangent to the East line of said Lot 1, and tangent to a line 15 feet North of and parallel to the South line of said Lot 1.

Less and except that certain parcel described in an Order of Taking recorded in O.R. Book 26619, Page 518, of the Public Records of Broward County, Florida, being more particularly described as follows:

That part of Lot 1 as shown on the plat of North Pompano Beach Section 'A', as recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, lying in the Southwest Quarter (SW 1/4) of Section 18, Township 48 South, Range 43 East, Broward County, Florida, said part being more particularly described as follows:

Commence at the Southeast corner of said Southwest Quarter (SW 1/4) of Section 18; thence South 88°46'00" West, along the South line of said Southwest Quarter (SW 1/4) of Section 18, a distance of 249.780 meters (819.49 feet) to the Baseline of Survey for State Road 5 (US 1 - Federal Highway) as shown on that Florida Department of Transportation Right Of Way Map number 86020-2518; thence North 6°51'23" East, along said Baseline, a distance 19.927 meters (65.38 feet); thence North 83°08'37" West, a distance of 14.630 meters (48.00 feet) to the Westerly existing right of way line for State Road 5 (US 1 - Federal Highway), being the POINT OF BEGINNING, being also a point on a tangent curve concave Northwesterly as described in O.R. Book 4149, Page 951, of the said public records, having a chord bearing of South 47°48'41" West; thence Southwesterly along said curve (said curve being also the Northerly existing right of way line for State Road S-834 [Northeast 36th Street - Sample Road]) having a radius of 7.62 meters (25.00 feet), through a central angle of 81°54'37", an arc distance of 10.894 meters (35.74 feet); thence South 88°46'00" West, a distance of 4.400 meters (14.44 feet); thence North 49°26'35" East, a distance of 16.113 meters (52.86 feet); thence South 6°51'23" West, along said Westerly existing right of way line, a distance of 3.700 meters (12.14 feet) to the POINT OF BEGINNING.

Prepared by:  
Christopher W. Brewer, Esquire  
Gardner Brewer Martinez-Monfort, P.A.  
400 N. Ashley Drive, Suite 1100  
Tampa, FL 33602

#### PARTIAL RELEASE OF DECLARATION OF UNITY OF TITLE

THIS PARTIAL RELEASE OF DECLARATION OF UNITY OF TITLE ("Partial Release") is made as of the 27 day of July, 2015, by the CITY OF POMPANO BEACH, which has a mailing address of City Hall Main Building, 100 West Atlantic Boulevard, Pompano Beach, FL 33060.

#### Background Information

A. Pursuant to applicable ordinances of the City of Pompano Beach, on or about March 18, 2015, BW US 1 SAMPLE, LLC, a Florida limited liability company ("BW US 1") executed that certain Declaration of Unity of Title recorded March 25, 2015 as Instrument #112886403, in the Public Records of Broward County, Florida (the "Declaration"), pursuant to which certain parcels of real property were combined and unified as one building site (the "Unified Property"), as more specifically described in the Declaration.

B. BW US 1 is dedicating the real property described on Exhibit A attached hereto and made a part hereof (the "Dedicated Property") to the City of Pompano Beach, as additional right of way for NE 27<sup>th</sup> Avenue, and the Dedicated Property is being released from the Declaration as a perquisite to said dedication.

#### Operative Provisions

ACCORDINGLY, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City of Pompano Beach does hereby release and forever discharge the Dedicated Property from the benefits, burdens, rights, covenants, conditions, limitations and restrictions set forth in the Declaration. Provided, however, that nothing herein shall in any way impair, alter or diminish the effect of the Declaration on the remaining portion of the Unified Property, not specifically released hereby.

This Partial Release is being executed by the Director of Development Services of the City of Pompano Beach, in accordance with paragraph 2 of the Declaration.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the City of Pompano Beach has caused this Partial Release to be executed as of the date stated above.

WITNESSES:

CITY OF POMPANO BEACH

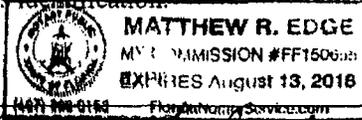
Sign: [Signature]  
Print: DIANE M. TAYLOR

By: [Signature]  
Name: Robin M. Bird  
Title: Director of Development Services

Sign: [Signature]  
Print: Gisela Bush

STATE OF FLORIDA  
COUNTY OF BROWARD

THE FOREGOING INSTRUMENT was acknowledged before me this 27 day of July, 2015, by Robin M. Bird as Director of Development Services of the City of Pompano Beach, who is personally known to the undersigned or  produced a current driver's license as identification.



NOTARY PUBLIC  
Name: Matthew R. Edge  
Commission # \_\_\_\_\_  
Commission expiration: \_\_\_\_\_

**EXHIBIT A**

SEE SKETCH AND DESCRIPTION PREPARED BY CPH, INC. DATED 3/20/15  
ATTACHED HERETO AND MADE A PART HEREOF

**Sketch and Description:**

THIS IS NOT A SURVEY

**Legal Description:**

BEGIN AT THE NORTHWEST CORNER OF LOT 6, BLOCK 1, NORTH POMPANO BEACH-SECTION 'A' ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN S08°37'43"W ALONG THE EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE (50' RIGHT-OF-WAY), PER SAID NORTH POMPANO BEACH-SECTION 'A', A DISTANCE OF 256.76 FEET; THENCE DEPARTING SAID EAST LINE RUN S81°22'17"E, A DISTANCE OF 5.00 FEET TO A POINT LYING ON A LINE THAT IS 5.00 FEET EASTERLY (AS MEASURED PERPENDICULARLY) TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF NE 27TH AVENUE; THENCE RUN N08°37'43"E ALONG SAID LINE A DISTANCE OF 257.47 FEET TO A POINT ON THE NORTH LINE OF LOT 6, BLOCK 1 OF SAID PLAT; THENCE DEPARTING SAID PARALLEL LINE RUN N89°28'17"W ALONG SAID NORTH LINE A DISTANCE OF 5.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,286 SQUARE FEET MORE OR LESS.

**Abbreviation Legend:**

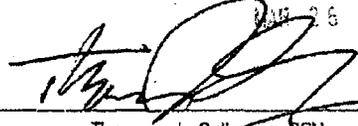
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C - CHORD	ESMT - EASEMENT	N & D - NON-RADIAL	POC - POINT OF COMMENCEMENT	SEC 18 - SECTION 18
CB - CHORD BEARING	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	NSI - NO SURVEYOR IDENTIFICATION	POL - POINT ON LINE	SO - SQUARE FEET
CCR # - CERTIFIED CORNER RECORD NUMBER	FF - FINISH FLOOR	NT - NON-TANGENT	PRC - POINT OF REVERSE CURVATURE	SQ FT - SQUARE FEET
C/L - CENTERLINE	FND - FOUND	OR - OFFICIAL RECORDS	PRM - PERMANENT REFERENCE MONUMENT	TB - TANGENT BEARING
CM - CONCRETE MONUMENT	FP&L - FLORIDA POWER AND LIGHT	ORB - OFFICIAL RECORDS BOOK	PT - POINT OF TANGENCY	T48S (TYP) - TOWNSHIP 48 SOUTH TYPICAL
CONC - CONCRETE	(G) - GRID (STATE PLANE)	PB - PLAT BOOK	FEC - FLORIDA EAST COAST RAILWAY	UE - UTILITY EASEMENT
COR - CORNER				W/ - WITH

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For the Firm By: 

Thomas J. Galloway, RSM  
Professional Surveyor and Mapper  
Florida Registration No. 6549

Eng. - ENGINEERING	L.S. - LICENSED BUSINESS
C.O.A. - CERTIFICATE OF AUTHORIZATION	Arch. - ARCHITECTURAL
Landsc. - LANDSCAPE	NA - NOT APPLICABLE
No. - NUMBER	P.O. - POST OFFICE
	8 - COPYRIGHT

NOT VALID WITHOUT SHEETS 1 AND 2 OF 2.

Date: 3/20/15	Job No. B16101
Drawn by: RDB	Scale: N/A
File: B16101 600 1.DWG	

**cph**  
www.cphcorp.com  
500 W. Fulton St. ~ Sanford, FL 32774 ~ Ph: 407.322.6841

Prepared By:  
**CPH, Inc.**  
Licenses:  
Eng. C.O.A. No. 3219  
Survey L.S. No. 7143  
Arch. Lic. No. AA2800926  
Landscape Lic. No. LC0900288

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

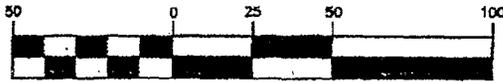
**SKETCH AND DESCRIPTION**

Sheet  
**1**  
1 of 2  
© 2014

**Sketch and Description:**

THIS IS NOT A SURVEY

**GRAPHIC SCALE**



**POB**  
NW CORNER LOT 6,  
BLOCK 1,  
PB 28, PG 15

**N 89°28'17" W**  
**5.05'**

( IN FEET )  
1 inch = 50 ft.

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2

LOT 1

**NE 27TH AVENUE**  
(50' RIGHT-OF-WAY WIDTH PER  
NORTH POMPANO BEACH-SECTION 'A'  
PB 29, PG 15)  
(NE 18TH TERRACE IN THE FIELD)

EAST R/W LINE  
NE 27TH AVENUE

**S 08°37'43" W (BB)**  
**256.76'**

5.00'

**N 08°37'43" E**  
**257.47'**

3.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

APPROXIMATE  
LOCATION  
CUT POLE AND CUT  
WIRE EASEMENT  
PER ORB 641, PG 231

OVERHEAD FP&L EASEMENT  
PER ORB 10452, PG 195

3.00' UTILITY EASEMENT PER  
ORB 777, PGS 258-259

18.00'

35.00'

**NORTH POMPANO BEACH-SECTION 'A'**  
**BLOCK 1**  
PB 28, PG 15

EASTERLY BOUNDARY BLOCK 1

**C/L SAMPLE ROAD**

(SR S-834) (NE 36TH ST)  
(70' RIGHT-OF-WAY PB 29, PG 15)  
(100' RIGHT-OF-WAY WIDTH PER

FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAP  
SECTION NO. 86020-2518, DATED 12-06-95)

TITLE BLOCK ABBREVIATIONS	
Eng. = ENGINEERING	L.B. = LICENSED BUSINESS
C.O.A. = CERTIFICATE OF AUTHORIZATION	Arch. = ARCHITECTURAL
Landscape = LANDSCAPE	N/A = NOT APPLICABLE
PL = PLANNING	LE = LICENSED
REG. = REGISTERED	REG. = REGISTERED

NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.

Date: 3/20/15	Job No. B16101
Drawn by: RDB	Scale: 1"=50'
File: B16101 SOD	1.DWG



Prepared By:  
**CPH, Inc.**  
Licenses:  
Eng. C.O.A. No. 3215  
Survey L.B. No. 7143  
Arch. Lic. No. AA2800928  
Landscape Lic. No. LC0000298

**RIGHT-OF-WAY DEDICATION #1**  
SECTION 18-TOWNSHIP 48 SOUTH-RANGE 43 EAST  
BROWARD COUNTY, FLORIDA

**SKETCH AND DESCRIPTION**

Sheet  
**2**  
2 of 2  
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**PROPERTY TRANSFER INFORMATION SHEET**

**FOLIO / PROPERTY /  
PARCEL I.D. #** 484318010050

**GRANTEE NAME:** City of Pompano Beach

**SALE PRICE:** \$0

**% OF MORTGAGE BALANCE  
BEING USED AND \$ AMOUNT:** \$0

(i.e., 1/2 interest = #00000)

**For information / clarification of the taxable amount, please contact the State of  
Florida Department of Revenue at 1-800-352-3671 or online at FL Dept of Revenue  
- TAX LAW LIBRARY.**

Internal form – 5/2008