

Rose, Sheila

From: Christina Bilenki <cbilenki@dmbblaw.com>
Sent: Monday, May 22, 2017 3:20 PM
To: Rose, Sheila
Cc: Scott Backman; Stoudenmire, Scott
Subject: NBPS: Extension of Temporary Use Agreement

Good afternoon Ms. Rose,

As you are aware, North Broward Prep is requesting an extension of the Temporary Use Agreement related to the modular dormitories on Campus, as several changes have occurred since the last extension through July 2017, including issues with our neighbor located at the northwest corner of Campus that have delayed recording of the replat. As you learned last year through meetings with my client and I, North Broward was sold to an international school corporation (Nord Anglia), who subsequently finalized a sale/leaseback transaction with a third party whereby the underlying property was sold to a third party and leased back to Nord Anglia. As a result of these transactions, the Residential Village Dormitories were delayed while internal funding mechanisms were developed by the new ownership. Those issues have been resolved and the Residential Village has been running full steam toward permitting for several months. During this time, the neighbor located at the northwest corner of campus raised issues with the underlying ownership of NW 79th Court, all of which was included in the North Broward School Replat that was approved by the Broward County Commission on June 14, 2016. As you know, NW 79th Court was abandoned by the City on June 24, 2004 via Ordinance No. 2004-018. All title work we received related to the plat, identified this former right-of-way as being owned by the school. However, around November 2016, we received notice from the adjacent property owner that there was an issue related to this former ROW, as he would be entitled to a portion of the abandoned property.

The title company performing the searches has acknowledged their error, and we have since been working closely with the adjacent property owner on a resolution. At this time, we are finalizing a new access-easement agreement and believe the adjacent property owner will execute the plat mylar, as an additional entity having an interest within the plat boundaries. We are hopeful these items will be resolved in the coming weeks. Due to this issue, we were uncertain that the plat could be recorded with its current boundaries, as approved by the City and the County. As such, North Broward had been hesitant to pull permits and pay corresponding impact fees related to the Residential Village project. However, as we are close to finalizing the agreement with the neighbor and having the plat executed, North Broward is moving forward with permit applications and related impact fees so that building permits can be pulled immediately following recordation of the plat.

I hope the above information provides a sufficient update on the issues North Broward Preparatory School has been working through in order to record the plat and move forward with the Residential Village project. Should you have any questions, please do not hesitate to contact me.

Thank you,

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