

ORDINANCE NO. 2016-14

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, VACATING, RELEASING, AND ABANDONING SIX (6) SEPARATE WATER AND WASTEWATER UTILITY EASEMENTS FOR THE PROJECT KNOWN AS NORTH BROWARD SCHOOL EACH GENERALLY LYING OVER AND ACROSS PORTIONS OF PARCEL "A" OF THE NORTH BROWARD SCHOOL PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 163, PAGE 19, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTIONS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBITS "A" THROUGH "F;" PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONDITIONS TO VACATE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek seeks to vacate and abandon six (6) separate water and wastewater utility easements for the property more particularly described in Exhibits "A" through "F," attached hereto and made a part hereof; and

WHEREAS, the existing utilities shall be owned and maintained by North Broward Preparatory School; and

WHEREAS, these utility easements are exclusive for water and wastewater; and

WHEREAS, the Planning and Zoning Board has recommended approval of this request for vacation of utility easements at its February 10, 2016, meeting; and

WHEREAS, all staff reports, minutes of meetings, findings of fact, and supporting documents are hereby incorporated as referenced.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the City Commission finds and determines that the above-described vacation of easements is in the best interest of the residents of the City and serves a public purpose.

Section 2: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board made on February 10, 2016, for approval of the vacation of easements for the property legally described in Exhibits "A" through "F," attached hereto and made a part hereof, and hereby vacates, releases, and abandons said easements.

Section 3: That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 4: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 5: That this Ordinance shall take effect immediately upon its passage and adoption.

PASSED FIRST READING THIS 14th DAY OF April, 2016.

PASSED SECOND READING THIS 28th DAY OF April, 2016.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, MMC
City Clerk

	<u>1st</u>	<u>2nd</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Absent</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>

WSS:jw

\\pdc\data\Development Services\Common\Documents\PLANNING & ZONING\Project Coordinator\Ordinances\Ord 2016-14 NBPS release of easements.docx

4-14-16

EXHIBIT "A"

98-563517 T#003
09-22-98 02:09PM

\$ 0.70
DOCU. STAMPS-DEED

RECVD. BROWARD CNTY

COUNTY ADMIN.

Prepared by and Return to

Bonnie L. Miske
Ruden, McClosky, Smith
Schuster & Russell, P.A.
200 East Broward Blvd.
Fort Lauderdale, Florida 33301
Tax Folio No. 1994-00-062 47473010 300

Will Cook: Ft. Lauderdale

Return to:
Paul B. Stewart P.A.
600 W. E 3rd Ave **SANITARY SEWER EASEMENT**
Ft. Laud., FL 33304

THIS INDENTURE ("Indenture") made this 25th day of August, 1997, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County, Florida of 4800 W. Copans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee").

THIS IS NOT AN OFFICIAL COPY

(WHEREVER 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 CORPORATIONS, WHEREVER THE CONTEXT SO ADMITS OR REQUIRES)

WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1.00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (sewer) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows: See Exhibit "A".

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

By: PREPARATORY SCHOOLS MANAGEMENT, INC., a Florida corporation

Michelle T. McDonnell
Signature of Witness

Michelle T. McDonnell
Printed Name

[Signature]
Signature of Witness

Aldo Kosuch
Printed Name

By: *[Signature]*
Printed Name: *William D. Spence*
Vice President

Address: 1600 W. Commercial Boulevard
Ft. Lauderdale, FL 33309

(CORPORATE SEAL)

BK 28861 PG 1605

(A) MB

STATE OF FLORIDA
COUNTY OF Franklin

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William Souza, the President of Florida Preparation Schools, Inc. corporation, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He/She is personally known to me or who has produced _____ as identification

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of August, 1997.

Nicole Mugavero
Notary Public State of Florida at Large

THIS IS NOT AN OFFICIAL COPY

Typed, printed or stamped name of Notary Public



My Commission Expires:

BK28861PG1606

SKETCH OF DESCRIPTION

SANITARY SEWER & LIFT STATION EASEMENT - THE NORTH BROWARD SCHOOL PLAT -

EXHIBIT "A"

LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 in the Public Records of Broward County, Florida, more particularly described as follows:

LIFT STATION EASEMENT:

COMMENCING at the Southwest corner of said Parcel "A", thence $N00^{\circ}53'39"W$, along the West boundary of said Parcel "A", 12.00 feet to point on the westerly extension of the North line of a 12' utility easement as shown on said Plat; thence $N89^{\circ}36'39"E$, along said westerly extension and North line, 1296.93 feet to the POINT OF BEGINNING; thence $N00^{\circ}23'21"W$, 66.50 feet; thence $N89^{\circ}36'39"E$, along a line 66.50 feet North of and parallel with the North line of said 12' utility easement, 19.20 feet to a point hereinafter referred to as REFERENCE POINT "A"; thence continue $N89^{\circ}36'39"E$, 24.01 feet, thence $S45^{\circ}35'29"E$, 58.90 feet; thence $S00^{\circ}23'21"E$, 25.00 feet to a point on the North line of said utility easement; thence $S89^{\circ}36'39"W$, along said North line, 36.66 feet to a point hereinafter referred to as REFERENCE POINT "C"; thence continue $S89^{\circ}36'39"W$, 48.34 feet to the POINT OF BEGINNING

TOGETHER WITH:

SANITARY SEWER EASEMENT:

A strip of land 30.00 feet in width, being 15.00 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "A", thence $N27^{\circ}43'41"E$, 161.58 feet to a point hereinafter referred to as REFERENCE POINT "B"; thence $N02^{\circ}34'44"W$, 197.81 feet; thence $S89^{\circ}21'13"E$, 126.69 feet; thence $N00^{\circ}36'33"W$, 211.04 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 30.00 feet in width, being 15.00 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "B", thence $N89^{\circ}29'20"E$, 104.33 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 50.00 feet in width, being 25.00 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "C"; thence $S00^{\circ}23'21"E$, 26.20 feet to the POINT OF TERMINATION of said centerline

Said lands lying and situate in Broward County, Florida.

NOTES:

- 1 Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- 2 No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
- 3 The land description shown hereon was prepared by the Surveyor.
- 4 Bearings shown hereon are based on the Plat with the North boundary of Parcel "A", having a bearing of $N89^{\circ}37'32"E$
- 5 Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey
- 6 Abbreviation Legend: A = Arc Length, ℓ = Centerline; Δ = Central Angle, L.B. = Licensed Business; O.R.B. = Official Records Book, P = Plat; P.B. = Plat Book, P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning, P.O.C. = Point of Commencement, P.O.T. = Point of Termination; R = Radius; REF. PT. = Reference Point; R/W = Right-of-Way.

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 and belief as prepared under my direction on August 19, 1997. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Keith M. Chee-A-Tow
 KEITH M. CHEE-A-TOW, P.L.S.
 Florida Registration No. 5328
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300

JOB #5729-JSAN
 DATE 8/19/97
 SHEET 1 OF 2

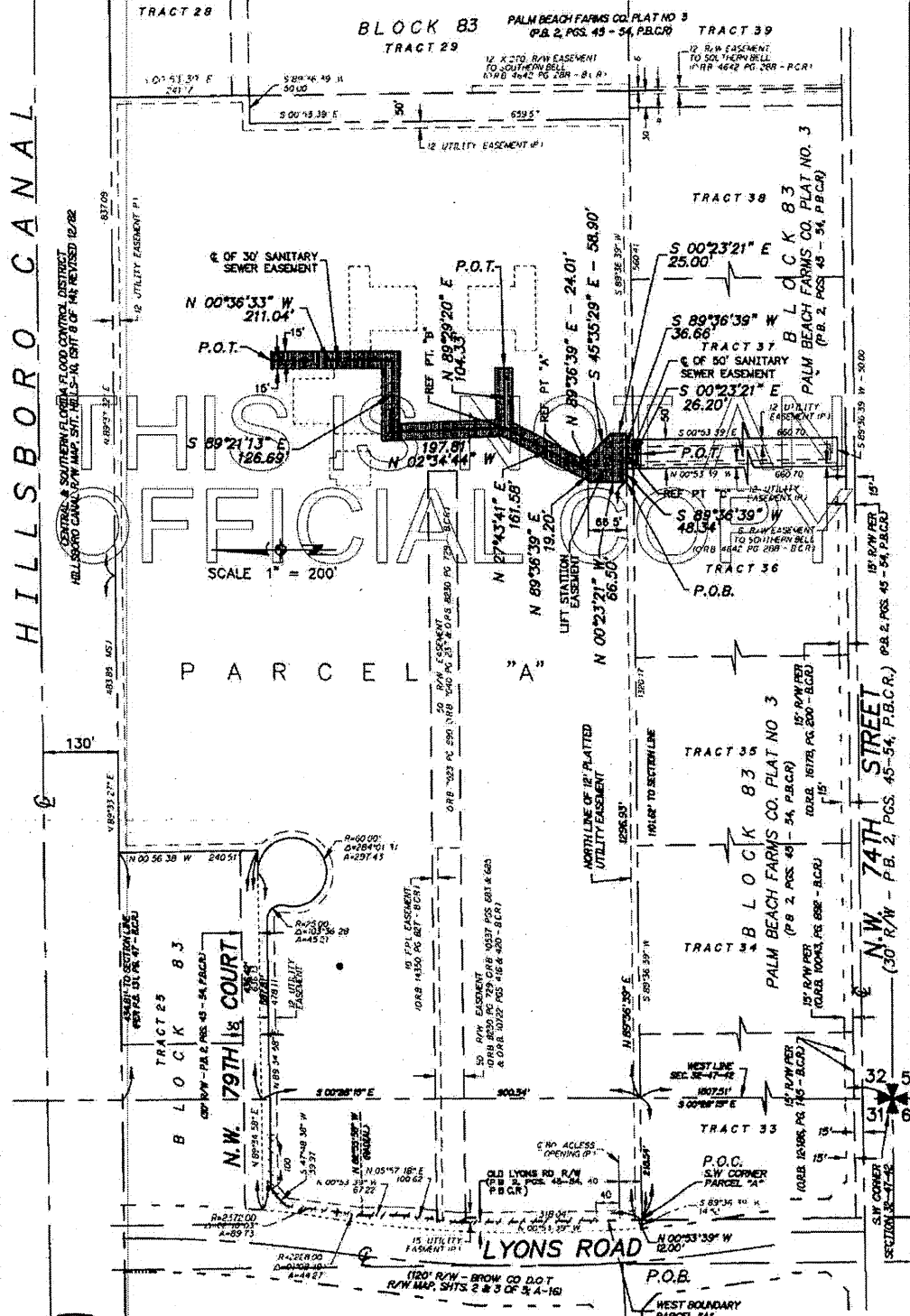


AVIROM & ASSOCIATES, INC.
 SURVEYING & MAPPING
 80 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (609) 392-2604, FAX (609) 394-7128

BK 28961Pg 1607

SKETCH OF DESCRIPTION
SANITARY SEWER & LIFT STATION EASEMENT
- THE NORTH BROWARD SCHOOL PLAT -

EXHIBIT "A"



HILLSBORO CANAL

HILLSBORO
 SPECIAL

PARCEL "A"

N.W. 74TH STREET

LYONS ROAD



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2664, FAX (561) 394-7126

RECORDED IN THE OFFICIAL RECORDS BOOK
 OF BROWARD COUNTY, FLORIDA
 COUNTY ADMINISTRATOR

JOB #5728-3SAN
 DATE 8/19/97
 SHEET 2 OF 2

8K28861Pg1608

EXHIBIT "B"



INSTR # 100502331
 OR BK 30810 PG 0359
 RECORDED 08/30/2000 03:33 PM
 COMMISSION
 BROWARD COUNTY
 DOC STMP-D 0.70
 DEPUTY CLERK 1016

Return to: (enclose self-addressed stamped envelope)

Name: Paul S. Stuart, P.A.
 600 N.E. Third Avenue
 Fort Lauderdale, FL 33304

This Instrument Prepared by:
 Bonnie L. Miskel, Esq.
 Ruden, McClosky, Smith
 Schuster & Russell, P.A.
 200 East Broward Boulevard
 Fort Lauderdale, Florida 33301

Tax Folio No:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

UTILITY EASEMENT

THIS INDENTURE ("Indenture") made this ^{10th} day of ^{February}, 2000, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County Florida of 4800 W. Copans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee").

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(WHEREVER 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 CORPORATIONS, WHEREVER THE CONTEXT SO ADMITS OR REQUIRES.)

WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1.00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (water) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows: See Exhibit "A".

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever.

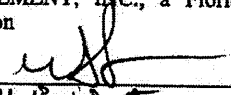
IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

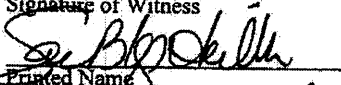
By: PREPARATORY SCHOOLS MANAGEMENT, INC., a Florida corporation

By: 
 Vice President

Printed Name: William Spawle
 Vice President

Address: 1600 W. Commercial Blvd
 Ft. Lauderdale, FL 33309

(CORPORATE SEAL)

Signature of Witness

 Printed Name: GAIL KAPITULNIK

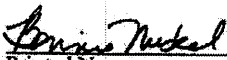

 Printed Name: Bonnie Miskel

EXHIBIT A

DEFERRED ITEM
 Return Document To
 Business Operations

6

STATE OF FLORIDA)
)ss:
COUNTY OF _____)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William Spruce, the President of Noeth Broward Preparatory Schools, a _____ corporation, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He/She is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 10 day of February, 2000.

Linda Sharp
Notary Public State of Florida at Large

LINDA SHARP
Typed, printed or stamped name
of Notary Public

My Commission Expires: 8-18-2000

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Linda Sharp
My Commission 00577640
Expires Aug 18, 2000

MORTGAGEE CONSENT AND JOINDER

MORTGAGEE

SUNTRUST BANK, SOUTH FLORIDA, N.A.

By: Sandra N. Tozzie
Print name: Sandra N. Tozzie
Title: First Vice President

Address: 501 East Las Olas Boulevard
Fort Lauderdale, FL 33301

WITNESSES:

Craig A. Nesbitt
Print name: Craig A. Nesbitt
Isabel Lopez
Print name: ISABEL LOPEZ



(CORPORATE SEAL)

day of
THIS IS NOT AN
ACKNOWLEDGMENT - INDIVIDUAL
OFFICIAL COPY
STATE OF _____)
COUNTY OF _____) SS: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

(Seal)

NOTARY PUBLIC:

Print name: _____

My commission expires:

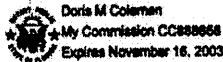
CORPORATE/PARTNERSHIP

STATE OF Florida)
COUNTY OF Broward) SS: _____

The foregoing instrument was acknowledged before me this 14th day of February, 2006, by Sandra N. Tozzie, as First Vice President of SunTrust Bank S. FL, a _____ corporation/partnership, on behalf of the corporation/partnership. He or she is personally known to me or has produced _____ as identification.

(Seal)

NOTARY PUBLIC:



Doris M. Coleman
Print name: DORIS M. Coleman

My commission expires:

EXHIBIT "C"

SKETCH AND DESCRIPTION FOR: *Exhibit A*
15' WATER LINE EASEMENT
- THE NORTH BROWARD SCHOOL PLAT -

OR BK 30810 PG 0362

LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 of the Public Records of Broward County, Florida, more particularly described as follows:

A 15 foot strip of land for a Water Line Easement being 7.50 feet on each side of the following described centerline:

COMMENCE at the northeast corner of said Parcel "A"; thence S89°37'32"W, along the north boundary of said Parcel "A", 446.25 feet; thence S00°03'38"W, 772.48 feet to the POINT OF BEGINNING of said centerline; thence continue S00°03'38"W, 74.00 feet to an intersection with the north line of an existing 15 foot Water Line Easement as recorded in Official Records Book 28861, Page 1587 of the Public Records of Broward County, Florida and the POINT OF TERMINATION of said centerline.

Said lands situate in Broward County, Florida.

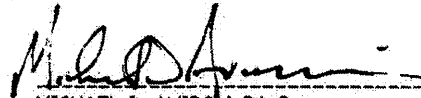
THIS IS NOT AN
OFFICIAL COPY

NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are based on the Plat with the north boundary of Parcel "A", having a bearing of S89°37'32"W
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation-Legend: B.C.R. = Broward County Records; C = Centerline; ESM'T. = Easement; Light Company; O.R.B. = Official Records Book; P.B. = Plat Book; PG. = Page; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

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 and belief as prepared under my direction on 2/2/00. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



MICHAEL D. AVIROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
20 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 992-2864, FAX (561) 994-7125
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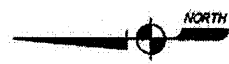
JOB # 5729-30

DATE: 2/2/00

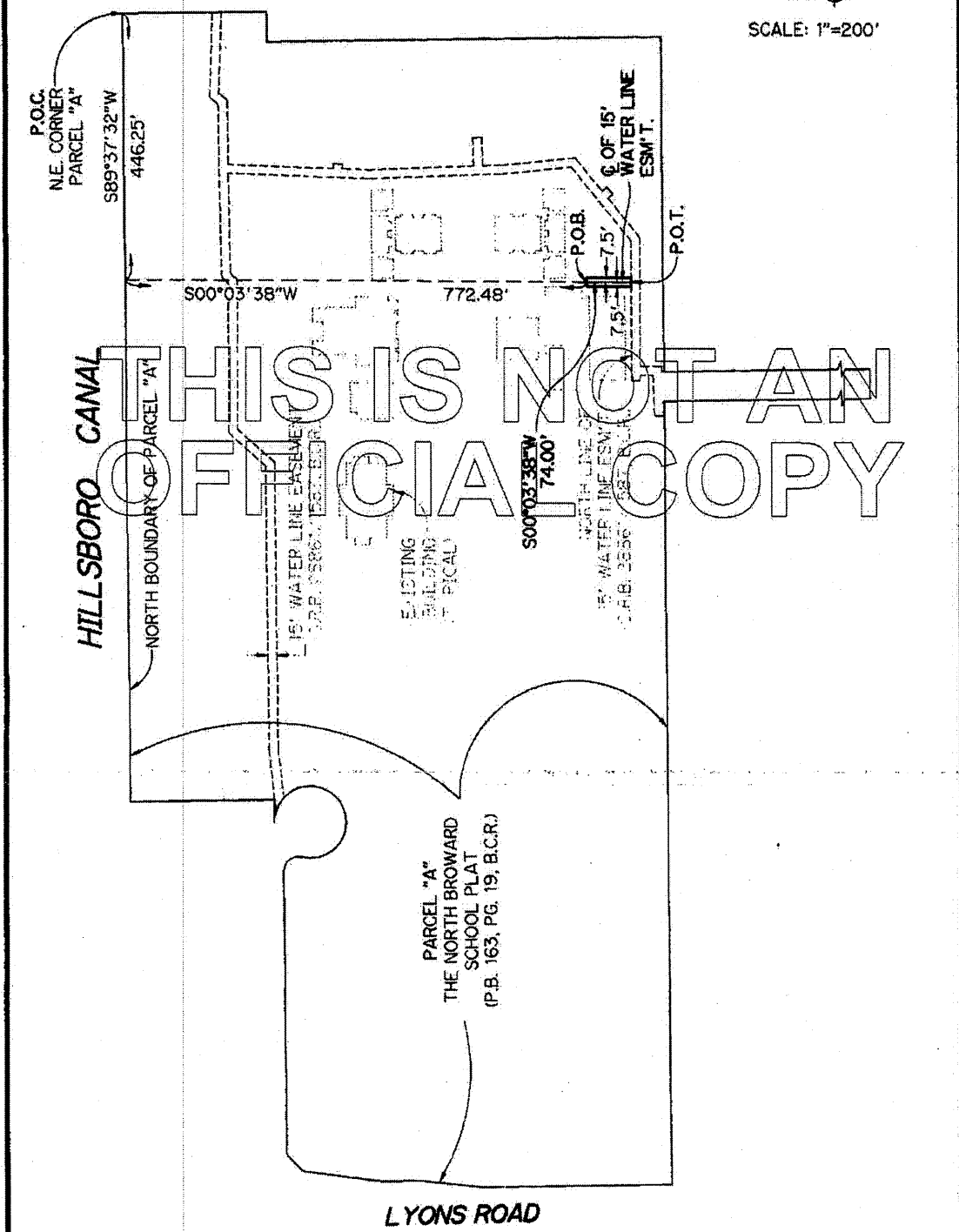
SHEET 1 OF 2

SKETCH AND DESCRIPTION FOR:
15' WATER LINE EASEMENT
 - THE NORTH BROWARD SCHOOL PLAT -

OR BK 30810 PG 0363



SCALE: 1"=200'



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AVIOM & ASSOCIATES, INC.
 SURVEYING & MAPPING
 50 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33482
 TEL. (561) 892-2664, FAX (561) 894-7126
 ©2000 AVIOM & ASSOCIATES, INC. ALL RIGHTS RESERVED.

JOB # 5729-30
 DATE: 2/2/00
 SHEET 2 OF 2



INSTR # 99507052
 CR BK 29786 PG 1414
 RECORDED 08/25/99 01:08 PM
 COMMISSION
 BROWARD COUNTY
 DOC STMP-D 0.70
 DEPUTY CLERK 1031

Return to: (enclose self-addressed stamped envelope)

Name: Paul S. Stuart, P.A.
 600 N.E. Third Avenue
 Fort Lauderdale, FL 33304

This Instrument Prepared by:
 Bonnie L. Miskel, Esq.
 Ruden, McClosky, Smith
 Schuster & Russell, P.A.
 200 East Broward Boulevard
 Fort Lauderdale, Florida 33301

Tax Folio No:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

UTILITY EASEMENT

THIS INDENTURE ("Indenture") made this 25th day of August, 1998, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County, Florida of 4800 W. Copans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee").

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WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1.00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (water) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows: See Exhibit "A".

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

By: PREPARATORY SCHOOLS MANAGEMENT, INC., a Florida corporation

By: William Spruce

Printed Name: William Spruce
 VICE President

Address: 1600 W. Commercial Boulevard
 Ft. Lauderdale, FL 33309

Dana Woods
 Signature of Witness

Printed Name: DANA WOODS

James P. Murray
 Signature of Witness

Printed Name: James P. Murray

(CORPORATE SEAL)

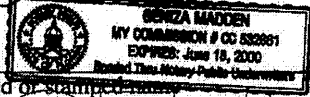
DEFERRED ITEM
 Return Document To
 Business Operations

STATE OF FLORIDA
COUNTY OF Broward

I HEREBY CERTIFY that on this day, before me, an officer ^{will} duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William Spruce, the President of Florida Prep Schools Management LLC, a Florida corporation, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He/She is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 3 day of May, 1998.

[Signature]
Notary Public State of Florida at Large



Typed, printed or stamped name of Notary Public

THIS IS NOT AN OFFICIAL COPY

My Commission Expires:

MORTGAGEE CONSENT AND JOINDER

MORTGAGEE Sun Trust Bank, South Florida, N.A.

WITNESSES:

[Signature]
Print name: Mercedes Alvarez
[Signature]
Print name: Lawrence

[Signature]
By _____
Print name: Sandra N. Tuzze
Title: First Vice President
Address: 501 E. Las Olas Blvd Ft Lauderdale, FL 33301

(CORPORATE SEAL)

7th day of May, 1999

ACKNOWLEDGMENT - INDIVIDUAL

STATE OF _____)
COUNTY OF _____) ss.:

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

(Seal)

NOTARY PUBLIC:

Print name: _____

My commission expires:

CORPORATE/PARTNERSHIP

STATE OF Florida)
COUNTY OF Broward) SS:

The foregoing instrument was acknowledged before me this 7 day of July, 1999, by Sandra Perez, as 1st Vice President of SunTrust Bank, S.A., a _____ corporation/partnership, on behalf of the corporation/partnership. He or she is personally known to me or has produced _____ s identification and did/did not take an oath.

(Seal)

NOTARY PUBLIC:

Mindy J. Gabriel
Print name: _____

My commission expires:

 THIS IS NOT AN OFFICIAL COPY

SKETCH AND DESCRIPTION

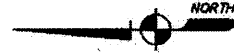
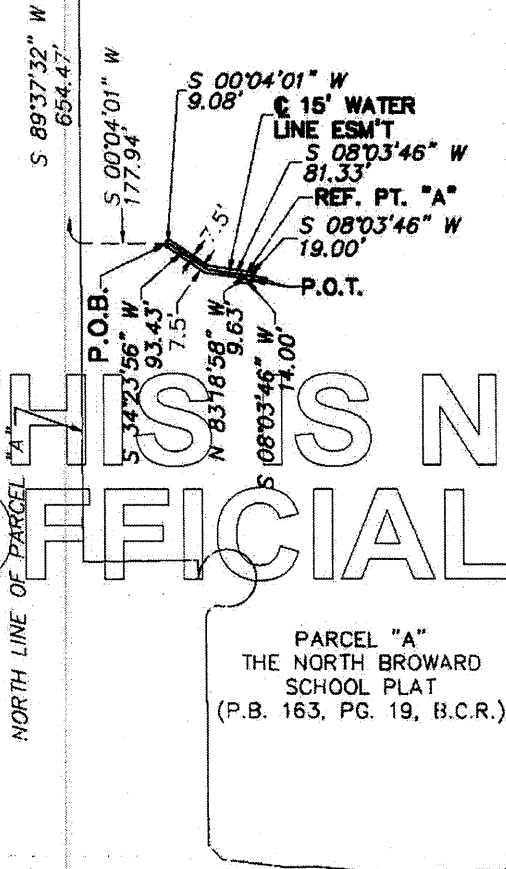
15' WATER LINE EASEMENT

- THE NORTH BROWARD SCHOOL PLAT -

P.O.C.
N.E. CORNER
PARCEL "A"

EXHIBIT "A"

OR BK 29786 PG 1417



SCALE: 1"=300'

THIS IS NOT AN OFFICIAL SURVEY

LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 in the Public Records of Broward County, Florida, more particularly described as follows:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

COMMENCING at the Northeast corner of said Parcel "A", thence S89°37'32"W, along the North boundary of said Parcel "A", 654.47 feet; thence S00°04'01"W, 177.94 feet to the POINT OF BEGINNING of said centerline; thence continue S00°04'01"W, 9.08 feet; thence S34°23'56"W, 93.43 feet; thence S08°03'46"W, 81.33 feet to a point hereinafter referred to as REFERENCE POINT "A"; thence continue S08°03'46"W, 19.00 feet to the POINT OF TERMINATION.

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "A"; thence N83°18'58"W, 9.63 feet; thence S08°03'46"W, 14.00 feet to the POINT OF TERMINATION.

Said land lying and situate in Broward County, Florida.

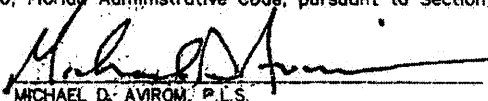
PARCEL "A"
THE NORTH BROWARD
SCHOOL PLAT
(P.B. 163, PG. 19, B.C.R.)

NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon is based on the instrument of record.
4. Bearings shown hereon are based on the plat with the North line of Parcel "A" having a bearing of S89°37'32"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; C = Centerline; ESM'T = Easement; L.B. = Licensed Business; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

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 and belief as prepared under my direction on 7/29/98. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.


MICHAEL D. AVROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2504, FAX (561) 394-7125
©1998 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.

JOB # 5729-15

DATE: 7/29/98

SHEET 1 OF 1

EXHIBIT "D"

98-86

98-563516 T#002
09-22-98 02:09PM

Return to (enclose self addressed stamped envelope)

Name Paul S. Stuart, P.A.
600 N.E. Third Avenue
Fort Lauderdale FL 33304

This Instrument Prepared by
Bonnie L. Miskel Esq.
Rudolf McClosky Smith
Schuster & Russell P.A.
200 East Broward Boulevard
Fort Lauderdale, Florida 33301

Tax Folio No 474232010300

\$ 0.70
DOCU. STAMPS-DEED

RECVD. BROWARD CNTY

COUNTY ADMIN.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

Will Call: 1st - County

UTILITY EASEMENT

THIS INDENTURE ("Indenture") made this 25th day of August, 1998, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County, Florida of 4800 W Cepans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee")

THIS IS NOT AN OFFICIAL COPY

(WHEREVER USED HEREIN THE TERMS "GRANTOR" AND "GRANTEE" INCLUDE ALL THE PARTIES TO THIS INSTRUMENT AND THE HEIR, LEGAL REPRESENTATIVES AND ASSIGNS OF INDIVIDUALS AND THE SUCCESSORS AND ASSIGNS OF CORPORATIONS, WHEREVER THE CONTEXT SO ADMITS OR REQUIRES)

WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1 00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (water) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows See Exhibit "A"

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written

Signed, sealed and delivered in the presence of

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

By PREPARATORY SCHOOLS MANAGEMENT, INC, a Florida corporation

By [Signature]

Printed Name William Sparvel
Vice President

Address 1600 W Commercial Boulevard
Ft Lauderdale, FL 33309

(CORPORATE SEAL)

[Signature]
Signature of Witness

Nicole Kay
Printed Name

[Signature]
Signature of Witness

DANA WOODS
Printed Name

BK28861PG1599

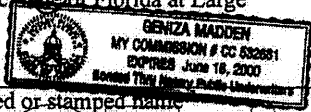
(6) HB

STATE OF FLORIDA
COUNTY OF Howard

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by William D. Spruell the President of Florida Prepaca - Tom Schob's Management, Inc. corporation, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He/She is personally known to me or who has produced _____ as identification ^{limited partnership}

WITNESS my hand and official seal in the County and State last aforesaid this 25 day of August, 1998

James Madden
Notary Public State of Florida at Large



Typed, printed or stamped name of Notary Public

THIS IS NOT AN OFFICIAL COPY

My Commission Expires

BK 28861 PG 1600

SKETCH OF DESCRIPTION
WATER LINE EASEMENT

- THE NORTH BROWARD SCHOOL PLAT -

EXHIBIT "A"

LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 in the Public Records of Broward County, Florida, more particularly described as follows:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

COMMENCING at the Northeast corner of said Parcel "A"; thence $S00^{\circ}53'39"E$, along the East boundary of said Parcel "A", 157.77 feet to the POINT OF BEGINNING of said centerline, thence $N87^{\circ}34'15"W$, 138.65 feet, thence $S39^{\circ}31'24"W$, 18.01 feet; thence $S88^{\circ}53'58"W$, 112.96 feet to a point hereinafter referred to as REFERENCE POINT "A"; thence continue $S88^{\circ}53'58"W$, 177.84 feet, thence $S43^{\circ}11'43"W$, 15.24 feet, thence $N89^{\circ}55'59"W$, 125.30 feet to a point hereinafter referred to as REFERENCE POINT "B"; thence continue $N89^{\circ}55'59"W$, 124.01 feet, thence $S42^{\circ}06'52"W$, 84.16 feet, thence $S89^{\circ}32'29"W$, 476.55 feet; thence $S83^{\circ}47'01"W$, 93.11 feet to the POINT OF TERMINATION of said centerline on the easterly right-of-way line of N.W. 79th Court.

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "A", thence $S01^{\circ}59'52"W$, 190.12 feet to a point hereinafter referred to as REFERENCE POINT "C", thence continue $S01^{\circ}59'52"W$, 52.84 feet, thence $S02^{\circ}15'37"E$, 182.67 feet to a point hereinafter referred to as REFERENCE POINT "D", thence continue $S02^{\circ}15'37"E$, 39.79 feet, thence $S06^{\circ}01'52"E$, 120.00 feet, thence $S50^{\circ}57'31"W$, 75.69 feet to a point hereinafter referred to as REFERENCE POINT "E", thence continue $S50^{\circ}57'31"W$, 90.36 feet; thence $N89^{\circ}56'22"W$, 218.16 feet to a point hereinafter referred to as REFERENCE POINT "F", thence continue $N89^{\circ}56'22"W$, 16.80 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline

BEGIN at aforementioned REFERENCE POINT "B"; thence $S00^{\circ}04'01"W$, 98.70 feet to the POINT OF TERMINATION of said centerline

(DESCRIPTION CONTINUED ON SHEET 2 OF 4)

NOTES:

- 1 Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper
- 2 No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
- 3 The land description shown hereon was prepared by the Surveyor
- 4 Bearings shown hereon are based on the Plat with the North boundary of Parcel "A", having a bearing of $N89^{\circ}37'32"E$
- 5 Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey
- 6 Abbreviation Legend: A = Arc Length; C = Centerline; Δ = Central Angle; L.B. = Licensed Business; O.R.B. = Official Records Book, P. = Plat; P.B. = Plat Book, P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R = Radius; REF. PT. = Reference Point; R/W = Right-of-Way.

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 and belief as prepared under my direction on August 5, 1997. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



MICHAEL D. AVIOM, P.L.S.
Florida Registration No. 3268
AVIOM & ASSOCIATES, INC.
L.B. No. 3300



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 892-2894, FAX (561) 894-7128

JOB #5729-JWE

DATE 8/05/97

SHEET 1 OF 4

BK 28861 Pg 1601

SKETCH OF DESCRIPTION
WATER LINE EASEMENT
- THE NORTH BROWARD SCHOOL PLAT -

BK28861PG1602

EXHIBIT "A"

(DESCRIPTION CONTINUED FROM SHEET 1 OF 4)

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline

BEGIN at aforementioned REFERENCE POINT "C"; thence $S88^{\circ}00'08"E$, 15.41 feet to the POINT OF TERMINATION of said centerline

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "D"; thence $N87^{\circ}44'23"E$, 55.56 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "E"; thence $S39^{\circ}02'29"E$, 18.26 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 15.00 feet in width, being 7.50 feet on each side of the following described centerline.

BEGIN at aforementioned REFERENCE POINT "F"; thence $S00^{\circ}03'38"W$, 36.76 feet; thence $S87^{\circ}57'36"W$, 26.81 feet to a point hereinafter referred to as REFERENCE POINT "G"; thence continue $S87^{\circ}57'36"W$, 49.04 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A strip of land 50.00 feet in width, being 25.00 feet on each side of the following described centerline:

BEGIN at aforementioned REFERENCE POINT "G"; thence $S00^{\circ}53'39"E$, 656.42 feet to the POINT OF TERMINATION of said centerline on the North right-of-way line of N.W. 74th Street.

Said lands lying and situate in Broward County, Florida.



AVROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 992-2504, FAX (561) 994-7125

JOB #5729-JWE

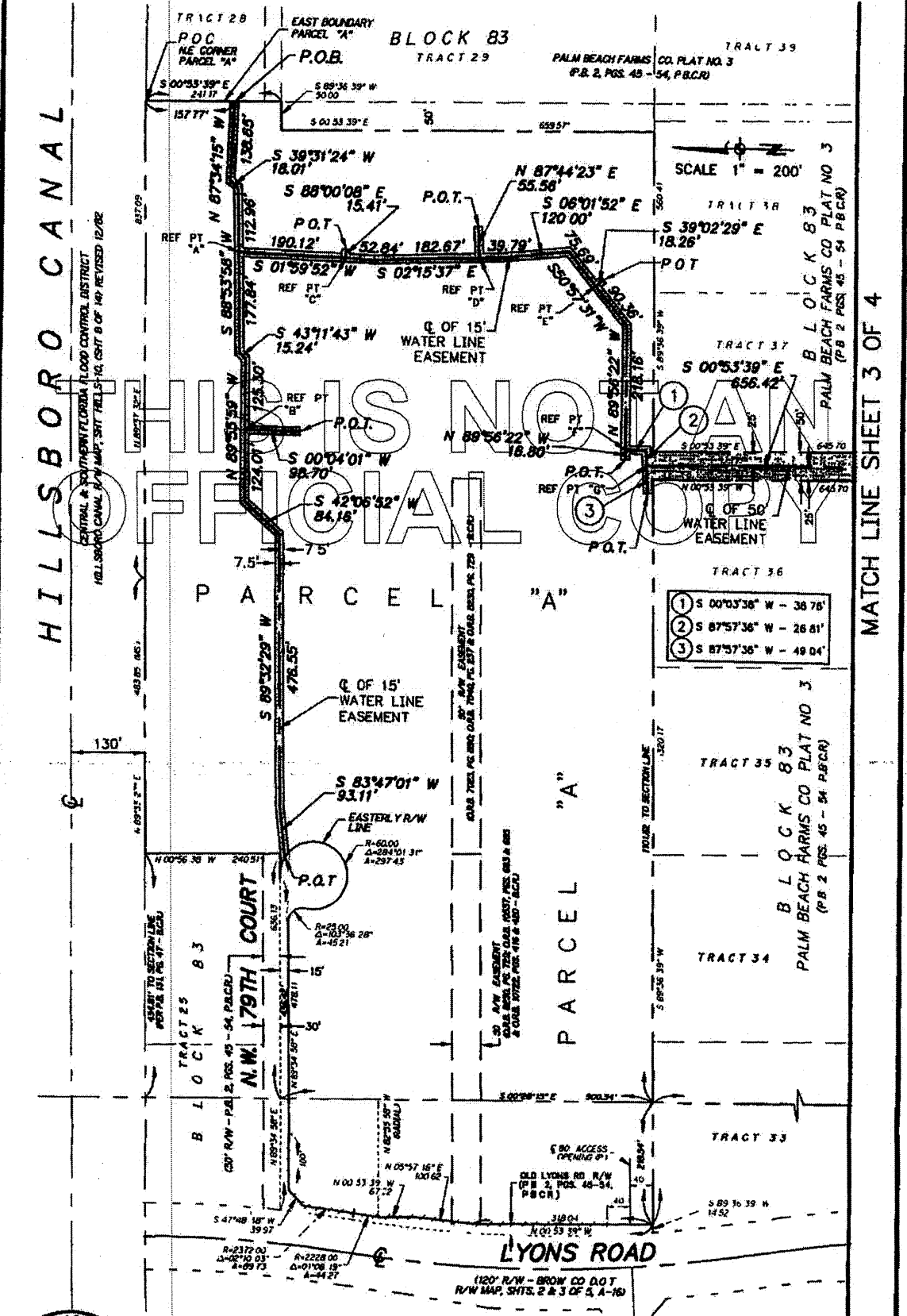
DATE 8/05/97

SHEET 2 OF 4

SKETCH OF DESCRIPTION WATER LINE EASEMENT

- THE NORTH BROWARD SCHOOL PLAT -

EXHIBIT "A"



HILLSBORO CANAL

CENTRAL & SOUTHWEST FLORIDA FLOOD CONTROL DISTRICT
HILLSBORO CANAL R/W MAP, SHIT 1 & 2, SHIT 8 OF 147 REVISED 12/82

THIS IS NOT AN OFFICIAL COPY

- ① S 00°03'36" W - 38.78'
- ② S 87°57'36" W - 26.81'
- ③ S 87°57'36" W - 49.04'

MATCH LINE SHEET 3 OF 4



AVROM & ASSOCIATES, INC.
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 892-2594, FAX (561) 894-7126

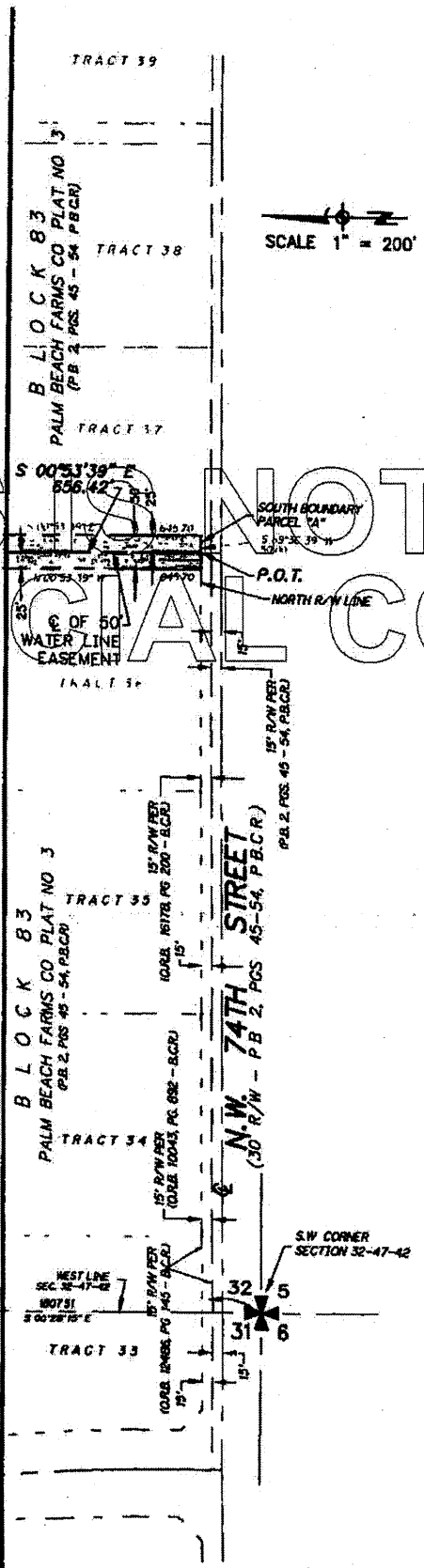
JOB #5729-3WE
 DATE 8/05/97
 SHEET 3 OF 4

SKETCH OF DESCRIPTION
WATER LINE EASEMENT
- THE NORTH BROWARD SCHOOL PLAT -

EXHIBIT "A"

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OFFICIAL COPY

MATCH LINE SHEET 2 OF 4



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 892-2604, FAX (561) 894-7126

RECORDED IN THE OFFICIAL RECORDS BOOK
 OF BROWARD COUNTY, FLORIDA
 COUNTY ADMINISTRATOR

JOB #5729-3WE
 DATE 8/05/97
 SHEET 4 OF 4

EXHIBIT "E"



INSTR # 99507050
 OR BK 29786 PG 1404
 RECORDED 08/25/99 01:08 PM
 COMMISSION
 BROWARD COUNTY
 DOC STHP-D 0.70
 DEPUTY CLERK 1831

29

Return to: (enclose self-addressed stamped envelope)

Name: Paul S. Stuart, P.A.
 600 N.E. Third Avenue
 Fort Lauderdale, FL 33304

This Instrument Prepared by:
 Bonnie L. Miskel, Esq.
 Ruden, McClosky, Smith
 Schuster & Russell, P.A.
 200 East Broward Boulevard
 Fort Lauderdale, Florida 33301

Tax Folio No:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

UTILITY EASEMENT

THIS INDENTURE ("Indenture") made this 25th day of August, 1998, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County, Florida of 4800 W. Copans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee").

THIS IS NOT AN OFFICIAL COPY

(WHEREVER 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 CORPORATIONS, WHEREVER THE CONTEXT SO ADMITS OR REQUIRES.)

WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1.00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (sewer) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows: See Exhibit "A".

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

By: PREPARATORY SCHOOLS MANAGEMENT, INC., a Florida corporation

By:

Printed Name: William Spruce
 Vice President

Address: 1600 W. Commercial Boulevard
 Ft. Lauderdale, FL 33309

(CORPORATE SEAL)

Signature of Witness

DANA WOODS
 Printed Name

Signature of Witness

James F. Bark
 Printed Name

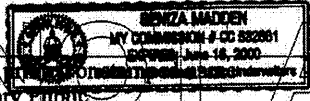
Return Document To Business Operations

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by WILLIAM SPRUCE, the Vice President of Preparatory Schools Management, Inc., a Florida corporation, on behalf of Florida Preparatory Schools Management II, Ltd., a Florida limited partnership, freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He is personally known to me or who has produced as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 3 day of May, 1999.

[Signature]
Notary Public State of Florida at Large



THIS IS NOT AN OFFICIAL COPY

My Commission Expires:

MORTGAGEE CONSENT AND JOINDER

MORTGAGEE

Sun. Trust Bank, South Florida, N.A.

WITNESSES:

[Signature]
Print name: Mercedes Alvarez

[Signature]
Print name: [Signature]

[Signature]

By
Print name: SANDRA N. TOZZIE
Title: First Vice President

Address: 501 E. Las Olas Blvd
Ft. Lauderdale, FL 33305

(CORPORATE SEAL)

7th day of May, 1999

ACKNOWLEDGMENT - INDIVIDUAL

STATE OF)
) ss.:
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

(Seal)

NOTARY PUBLIC:

Print name: _____

My commission expires:

CORPORATE/PARTNERSHIP

STATE OF Florida)
) SS:
COUNTY OF Baldwin)

The foregoing instrument was acknowledged before me this 1 day of May, 1999 by Sandra Ozzie, as 1st Vice President of Sunrise Bank S.F., a _____ corporation/partnership, on behalf of the corporation/partnership. He or she is personally known to me or has produced _____ s identification and did/did not take an oath.

(Seal)

NOTARY PUBLIC:

Mindy J. Gabriel
Print name: Mindy J. Gabriel

My commission expires:

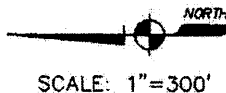
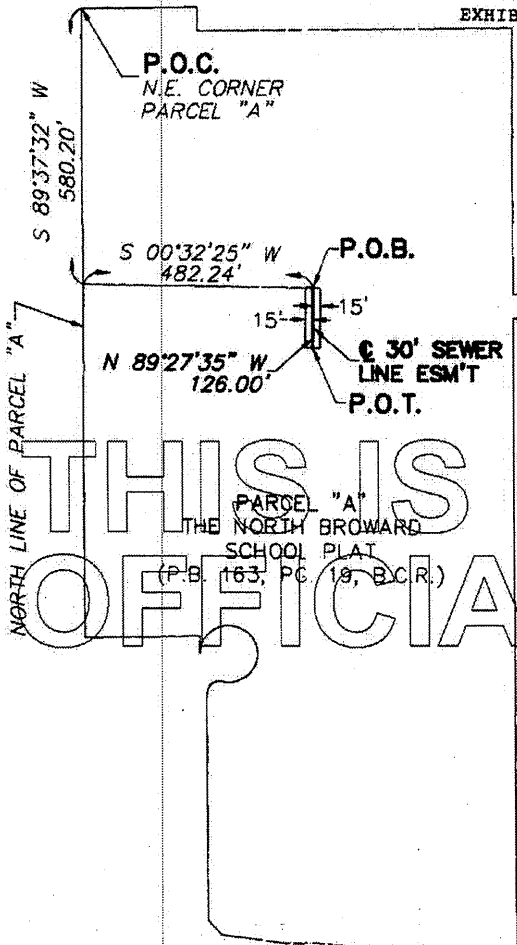


THIS IS NOT AN OFFICIAL COPY

**SKETCH AND DESCRIPTION
30' SEWER LINE EASEMENT
- THE NORTH BROWARD SCHOOL PLAT -**

OR BK 29786 PG 1407

EXHIBIT "A"



LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 in the Public Records of Broward County, Florida, more particularly described as follows:

A strip of land 30.00 feet in width, being 15.00 feet on each side of the following described centerline:

COMMENCING at the Northeast corner of said Parcel "A"; thence S89°37'32"W, along the North boundary of said Parcel "A", 580.20 feet; thence S00°32'25"W, 482.24 feet to the POINT OF BEGINNING of said centerline; thence N89°27'35"W, 126.00 feet to the POINT OF TERMINATION.

Said land lying and situate in Broward County, Florida.

THIS IS NOT AN OFFICIAL COPY

NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon is based on the instrument of record.
4. Bearings shown hereon are based on the plat with the North line of Parcel "A" having a bearing of S89°37'32"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; C = Centerline; ESM'T = Easement; L.B. = Licensed Business; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

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 and belief as prepared under my direction on 7/29/98. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

Michael D. Avrom

MICHAEL D. AVROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 882-2504, FAX (561) 364-7125
©1998 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.

JOB # 5729-16

DATE: 7/29/98

SHEET 1 OF 1

EXHIBIT "F"



INSTR # 100502333
OR BK 30810 PG 0371
 RECORDED 06/30/2000 03:33 PM
 COMMISSION
 BROWARD COUNTY
 DOC STAMP-D 0.70
 DEPUTY CLERK 1016

Return to: (enclose self-addressed stamped envelope)
 Name: Paul S. Stuart, P.A.
 600 N.E. Third Avenue
 Fort Lauderdale, FL 33304

This Instrument Prepared by:
 Bonnie L. Miskel, Esq.
 Rudee, McClosky, Smith
 Schuster & Russell, P.A.
 200 East Broward Boulevard
 Fort Lauderdale, Florida 33301
 Tax Folio No.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

UTILITY EASEMENT

THIS INDENTURE ("Indenture") made this 10th day of February, 2000, by and between FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership of 1600 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 (hereinafter called the "Grantor(s)") and THE CITY OF COCONUT CREEK, a municipal corporation of Broward County, Florida of 4800 W. Copans Road, Coconut Creek, FL 33063 (hereinafter called the "Grantee").

THIS IS NOT AN OFFICIAL COPY

(WHEREVER 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 CORPORATIONS, WHEREVER THE CONTEXT SO ADMITS OR REQUIRES.)

WITNESSETH:

WHEREAS, that for and in consideration of the sum of One Dollar (\$1.00), paid by the Grantee to Grantor(s), receipt of which is hereby acknowledged, and other good and valuable considerations, Grantor(s) hereby grant unto Grantee, its successors and assigns, full and free right and authority to install, operate and maintain utilities (sewer) and other public facilities as Grantee may deem necessary along, through, in and under that certain strip of parcel of land, situate, lying and being in the County of Broward and the State of Florida, described as follows: See Exhibit "A".

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTORS:

FLORIDA PREPARATORY SCHOOLS MANAGEMENT II, LTD., a Florida limited partnership

By: **PREPARATORY SCHOOLS MANAGEMENT, INC.**, a Florida corporation

By: [Signature]

Signature of Witness
[Signature]
 Printed Name: SAL SPRUCE

Printed Name: William Spruce, V.P.

[Signature]
 Printed Name: Bonnie Miskel

Address: 600 W Commercial Blvd
 Ft. Lauderdale, FL 33309

DEFERRED ITEM
Return Document To
Business Operations

(CORPORATE SEAL)



5

STATE OF FLORIDA)
)ss:
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by WILLIAM SPRUCE, the Vice President of Preparatory Schools Management, Inc., a Florida corporation, on behalf of Florida Preparatory Schools Management II, Ltd., a Florida limited partnership, freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation as General Partner of said limited partnership. He is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 10 day of February, 2000.

Linda Shaeff
Notary Public State of Florida at Large

THIS IS NOT AN OFFICIAL COPY

Linda Shaeff
Typed, printed or stamped name
of Notary Public

My Commission Expires: 8-18-2000



MORTGAGEE CONSENT AND JOINDER

MORTGAGEE

WITNESSES:

SUNTRUST BANK, SOUTH FLORIDA, N.A.

Cindy Nesbitt
Print name: Cindy L. Nesbitt

By: Sandra N. Tozzie
Print name: Sandra N. Tozzie
Title: First Vice President

Sabel Lopez
Print name: SABEL LOPEZ

Address: 501 East Las Olas Boulevard
Fort Lauderdale, FL 33301



(CORPORATE SEAL)

THIS IS NOT AN OFFICIAL COPY

ACKNOWLEDGMENT - INDIVIDUAL

STATE OF _____)
COUNTY OF _____) ss.:

The foregoing instrument was acknowledged before me this _____ day of _____, 2000, by _____, who is personally known to me or who has produced _____ as identification.

(Seal)

NOTARY PUBLIC:

Print name:

My commission expires:

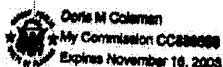
CORPORATE/PARTNERSHIP

STATE OF Florida)
COUNTY OF Broward) ss.:

The foregoing instrument was acknowledged before me this 14th day of February, 2000, by Sandra N. Tozzie, the First Vice President of SunTrust Bank, South Florida, N.A., on behalf of said corporation/partnership, and who is personally known to me or who has produced _____ as identification.

(Seal)

NOTARY PUBLIC:



Doris M. Coleman
DORIS M. Coleman
Print name:

My commission expires:

**SKETCH AND DESCRIPTION
30' SANITARY SEWER EASEMENT**

OR BK 30810 PG 0374

— THE NORTH BROWARD SCHOOL PLAT —

LAND DESCRIPTION:

A portion of Parcel "A", THE NORTH BROWARD SCHOOL PLAT, according to the Plat thereof as recorded in Plat Book 163, Page 19 of the Public Records of Broward County, Florida, more particularly described as follows:

A 30 foot strip of land for a Sanitary Sewer Easement being 15.00 feet on each side of the following described centerline:

COMMENCE at the Southwest corner of said Parcel "A"; thence N00°53'39"W, along the west boundary of said Parcel "A", 12.00 feet to point on the westerly extension of the north line of a 12 foot utility easement as shown on said Plat; thence N89°36'39"E, along said westerly extension and north line, 1296.93 feet to a point on the Lift Station Easement as recorded in Official Records Book 28861, Page 1605 of the Public Records of Broward County, Florida; thence N00°23'21"W, along said Lift Station easement line, 66.50 feet; thence continue along said easement line, N89°36'39"E, 23.61 feet to the POINT OF BEGINNING; thence N00°23'21"W, 161.18 feet; thence N19°20'12"E, 190.15 feet to an intersection with the centerline of a 30 foot Sanitary Sewer Easement as recorded in said Official Records Book 28861, Page 1605 of the Public Records of Broward County, Florida, said point also being the POINT OF TERMINATION and a point hereinafter referred to as REFERENCE POINT "A".

TOGETHER WITH:

A 30 foot strip of land for a Sanitary Sewer Easement being 15.00 feet on each side of the following described centerline:

COMMENCE at the aforementioned REFERENCE POINT "A", thence S89°21'15"E, along the centerline of the aforementioned 30 foot Sanitary Sewer Easement as recorded in Official Records Book 28861, Page 1605 of the Public Records of Broward County, Florida, a distance of 126.69 feet to the POINT OF BEGINNING; thence S00°36'33"E, 202.00 feet to the POINT OF TERMINATION.

The side lines of said 30 foot wide Sanitary Sewer Easement are to be extended or shortened, where applicable, to meet at angle points to the easement lines of the easement recorded in Official Records Book 28861, Page 1605 of the Public Records of Broward County, Florida.

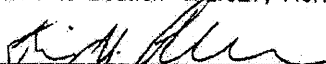
Said lands situate in Broward County, Florida.

NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are based on the Plat with the North boundary of Parcel "A", having a bearing of N89°37'32"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; C = Centerline; ESM'T = Easement; O.R.B. = Official Records Book; P. = Plat; P.B. = Plat Book; PG. = Page; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; U.E. = Utility Easement.

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 and belief as prepared under my direction on 4/26/99. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.


KEITH M. CHEE-A-TOW, P.L.S.
Florida Registration No. 5328
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
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JOB # 5729-22A
DATE: 4/26/99
SHEET 1 OF 2

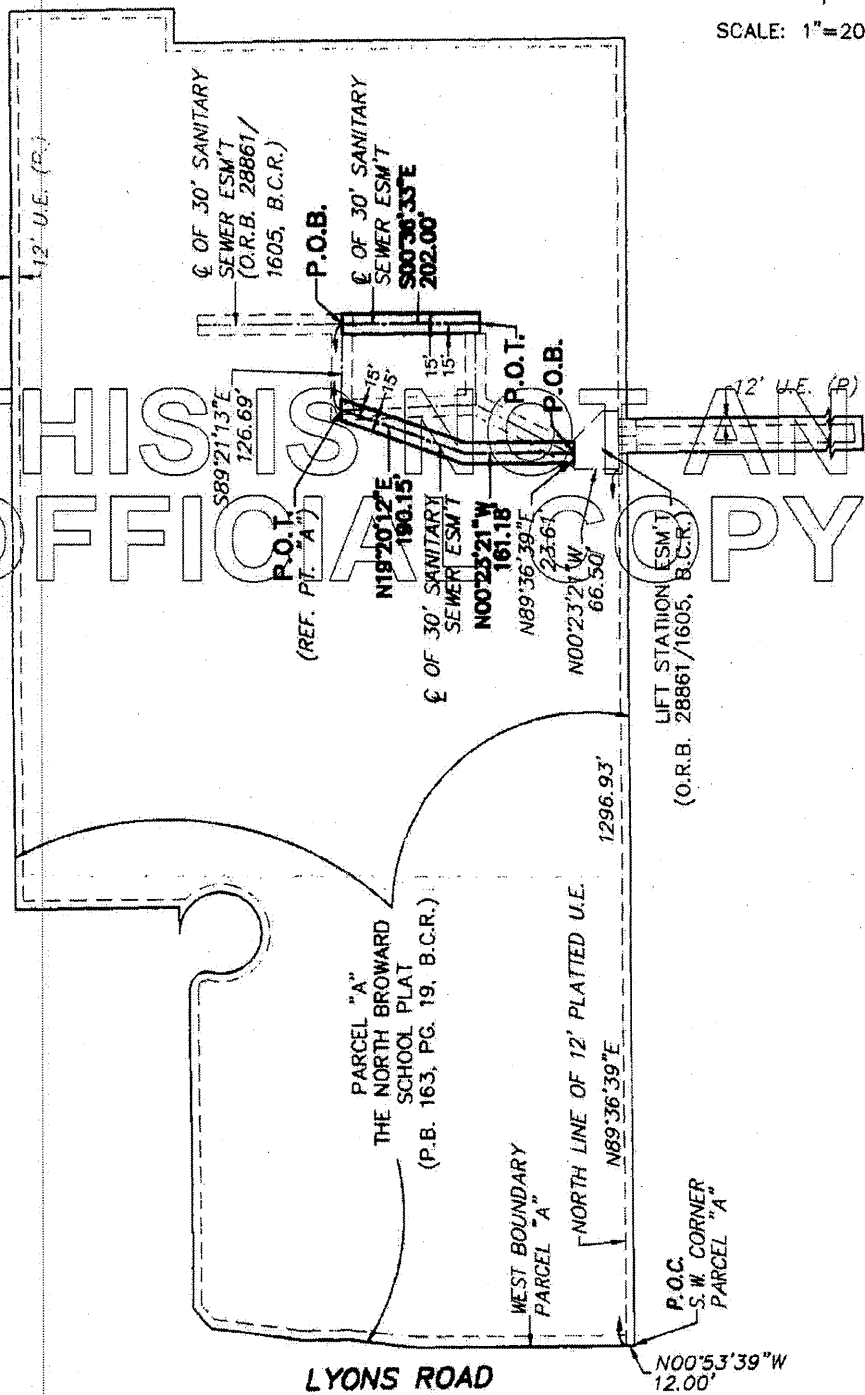
SKETCH AND DESCRIPTION
 30' SANITARY SEWER EASEMENT
 - THE NORTH BROWARD SCHOOL PLAT -

OR BK 30810 PG 0375



SCALE: 1"=200'

HILLSBORO CANAL



LYONS ROAD



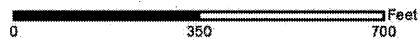
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JOB # 5729-22A
 DATE: 4/26/99
 SHEET 2 OF 2

NORTH BROWARD SCHOOL



City of Coconut Creek
City Commission
April 14, 2016
Vacation Applications



Map Scale = 1:4,200 (1" = 350')



**Coconut Creek G.I.S.
Department**

**CITY OF COCONUT CREEK
PLANNING AND ZONING BOARD MINUTES**

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: February 10, 2016
Time: 7:00 p.m.**

-
- 1. The meeting was called to order by Chairperson Debra Voorhees at 7:00 p.m.**
 - 2. Present upon roll call:**

Chair Debra Voorhees
Vice Chair Doug Young
Morris Chase
Todd Rogers

Absent:

Jerry Poole
Julia Price

Also present: Deputy Director of Sustainable Development Scott Stoudenmire, Assistant City Attorney Eve Lewis, City Clerk Leslie Wallace May and Senior Planner Linda Whitman.

- 3. Approval of Minutes: Meeting of January 13, 2016.**

MOTION: Young/Rogers – To approve Item No. 3, Minutes of Meeting No. 2015-0113 held on January 13, 2016.

Upon roll call, the motion passed by a 4-0 vote.

Assistant City Attorney Eve Lewis announced that Item 11 was not quasi-judicial as listed on the agenda. Chair Debra Voorhees stated that items 4 through 10 and 12 were quasi-judicial and read the rules for quasi-judicial procedures. She asked that any wishing to speak to stand and be sworn-in, and the City Clerk duly swore-in those wishing to speak on the quasi-judicial items.

- 4. *Coopers Hawk: a vacation of easement application to vacate a portion of a utility easement on the Green Farm Plat located at 4473 Lyons Road. (QUASI-JUDICIAL) (PUBLIC HEARING)**

Deputy Director of Sustainable Development Scott Stoudenmire presented item 4. Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte communications and there were none.

Michael Anger from The Permit Group was present representing the applicant.

Chair Voorhees opened the public hearing, there were no comments from the public and the hearing was closed.

MOTION: Young/Rogers – To approve Agenda Item No. 4, *Coopers Hawk: a vacation of easement application to vacate a portion of a utility easement on the Green Farm Plat located at 4473 Lyons Road.

Upon roll call, the motion passed by a 4-0 vote.

5. ***North Broward Preparatory School:** a vacation of easement application to vacate a portion of a utility easement on the North Broward Preparatory Plat located at 7600 Lyons Road. (QUASI-JUDICIAL) (PUBLIC HEARING)

Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte communications and there were none.

Deputy Director Stoudenmire read the staff report into the record and presented the item on behalf of Senior Engineer Yugal Lall of the City's Engineering Department, the applicant. He explained the history of this item and the cooperative effort between the City and the school to vacate the easement and turn the responsibility of the maintenance of the utility system over to the school.

Mr. Young asked for clarification on the responsibility of maintenance of the utility system, which Deputy Director Stoudenmire explained.

Additional attendees entered the meeting room and Chair Voorhees advised them that if they were wishing to speak then they would need to stand to be sworn-in, which the City Clerk did at this time.

Chair Voorhees opened the public hearing, there were no comments from the public and the hearing was closed.

MOTION: Young/Chase – To approve Agenda Item No. 5, ***North Broward Preparatory School:** a vacation of easement application to vacate a portion of a utility easement on the North Broward Preparatory Plat located at 7600 Lyons Road.

Upon roll call, the motion passed by a 4-0 vote.

Deputy Director Stoudenmire explained that if anyone wanted to speak in the future about this item it will go before the City Commission by ordinance, which requires two more public hearings.

6. ***Wal-Mart:** a special land use application to permit a liquor store located at the Wal-Mart at 5571 Hillsboro Boulevard. (QUASI-JUDICIAL) (PUBLIC HEARING)

Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte communications, which there were none.

Deputy Director Stoudenmire read the staff report into the record and gave a brief history of the project and the property.

The applicant Jason James, Project Manager, CPH, Inc., was present representing Wal-Mart.

Discussion ensued regarding the size of the liquor store, the type of security the store

would have, and location of the entrance for the liquor store. Deputy Director Stoudenmire mentioned that there was a condition put in place when the store was first approved that required Wal-Mart to provide an office for the Police Department within the store.

Chair Voorhees opened the public hearing, there were no comments from the public and the hearing was closed.

MOTION: Young/Chase - To approve Agenda Item No. 6, *Wal-Mart: a special land use application to permit a liquor store located at the Wal-Mart at 5571 Hillsboro Boulevard.

Upon roll call, the motion passed by a 4-0 vote.

Deputy Director Stoudenmire noted that if anyone wanted to speak in the future about this item, it will go before the City Commission, which requires two more public hearings.

7. ***Clarity Pointe Plat: a plat application to allow for an eight-four (84) bed memory care facility located at 5461 Johnson Road. (QUASI-JUDICIAL) (PUBLIC HEARING)**

Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte communications and there were none.

Deputy Director Stoudenmire read the staff report into the record and gave a brief history of the project. He stated that if anyone wanted to speak in the future about this item it will go before the City Commission on an ordinance, which requires two more public hearings.

John O'Keefe, Entitlement Managers for Clarity Point Properties, began the presentation and introduced Mike Vonder Meulen from Keith and Associates, the surveyor who is processing the plat. Mr. O'Keefe wanted to make a clarification on the application, which is reflecting 84 beds and should reflect 84 units with potentially eight or nine more beds for family members to stay.

Discussion ensued regarding the type of facility and the features. Mr. Vonder Meulen showed an enlarged copy of site plan and plat that was distributed to the board in the agenda packets. Mr. O'Keefe described the layout and security for the facility.

Chair Voorhees opened the public hearing, there were no comments from the public and the hearing was closed.

MOTION: Young/Rogers - To approve Agenda Item No. 7, *Clarity Pointe Plat: a plat application to allow for an eight-four (84) bed memory care facility located at 5461 Johnson Road.

Upon roll call, the motion passed by a 4-0 vote.

8. **Gupta Medical: a site plan application to construct a two-story medical office located at the northeast corner of Lyons Road and Wiles Road. (QUASI-JUDICIAL) (PUBLIC HEARING)**

Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte

communications, which there were none.

Deputy Director Stoudenmire read the staff report into the record and gave a brief history of the project and the property.

Ron Elkins, Architect, 2 Point Perspective, Inc., presented on this project. The board asked specific questions regarding the project and Dr. Sanjeev Gupta, the applicant, explained the planned business model.

Chair Voorhees opened the public hearing, there were no comments from the public and the hearing was closed.

MOTION: Chase/Young - To approve Agenda Item No. 8, Gupta Medical: a site plan application to construct a two-story medical office located at the northeast corner of Lyons Road and Wiles Road.

Upon roll call, the motion passed by a 4-0 vote.

9. ***Vine Ministries: a special land use application to permit a church called Vine Ministries in a CF (Community Facility District) zoned property located on the north side of Hillsboro between Lyons Road and NW 39th Avenue. (QUASI-JUDICIAL) (PUBLIC HEARING)**

The board agreed to hear the presentations for items 9, 10, 11 and 12 all together and then vote on each item separately.

Assistant City Attorney Lewis asked the board if there were any disclosures or ex parte communications and there were none.

Deputy Director Stoudenmire read the staff reports on each of the items into the record.

Henrick Demello of Demello Architect, Inc., Boca Raton, FL, presented on items 9, 10, 11, and 12. During his presentation, he showed pictures that were not part of the backup documentation, but were submitted into the record.

Mr. Chase commented on the underground utility waiver, and Mr. Demello explained that it would be more beneficial to pay the waiver fee rather than underground the lines. Mr. Rogers asked Deputy Director Stoudenmire about the City's plan for undergrounding the utility lines and Deputy Director Stoudenmire explained that at this time, no undergrounding is scheduled for the Hillsboro Boulevard corridor.

Discussion ensued regarding the building structure and surrounding property.

Chair Voorhees opened the public hearing.

Gary Lobban, 7087 Crescent Creek Lane, Coconut Creek, stated that his residence abuts the subject property and asked about the wall that would be built behind his home. Mr. Demello explained that the wall is required by the City. Mr. Lobban also asked about the traffic and noise from the church and if the building would be soundproof. Mr. Demello said that the sound would be diminished.

Cecelia Lobban, 7087 Crescent Creek Lane, Coconut Creek, inquired about the parking spaces on the northeast side of the building. Mr. Demello explained that there will be landscaping added surrounding the parking lot.

Charmaine Buchanan, 7093 Crescent Creek Lane, Coconut Creek, stated her concerns with noise, as a noise factor already exists and may become worse during services. Chair Voorhees asked the hours of operation and Pastor Clevinson, Vine Ministries, advised her of the service hours. He also stated the building will be constructed with sound proof walls to reduce the noise. Mrs. Buchanan also commented that the lighting for the parking spaces may be a nuisance and Mr. Demello explained that with the City's new lighting ordinance, the City requires lots to have zero light spillage.

Deputy Director Stoudenmire stated that these items will for move forward to the City Commission and residents will also have the opportunity to speak on the item at the City Commission meeting. He recommended for the residents and Church representatives meet to discuss all concerns regarding this project.

Chair Voorhees closed the public hearing.

Discussion ensued between staff and the board regarding the landscaping for the site.

MOTION: Young/Chase - To approve Agenda Item No. 9. *Vine Ministries: a special land use application to permit a church called Vine Ministries in a CF (Community Facility District) zoned property located on the north side of Hillsboro between Lyons Road and NW 39th Avenue.

Upon roll call, the motion passed by a 4-0 vote.

Deputy Director Stoudenmire informed the board members that a fence can be built to eight feet without a variance within a non-residential district. Discussion ensued.

10. ***Vine Ministries: a vacation of easement application to vacate a portion of a utility easement on the Workingman's Nursery Plat. (QUASI-JUDICIAL) (PUBLIC HEARING)**

MOTION: Young/Rogers - To approve Agenda Item No. 10, *Vine Ministries: a vacation of easement application to vacate a portion of a utility easement on the Workingman's Nursery Plat.

Upon roll call, the motion passed by a 4-0 vote.

11. ***Vine Ministries: an underground utility waiver for the project located on the north side of Hillsboro between Lyons Road and NW 39th Avenue. (QUASI-JUDICIAL) (PUBLIC HEARING)**

MOTION: Rogers/Young - To approve Agenda Item No. 11, *Vine Ministries: an underground utility waiver for the project located on the north side of Hillsboro between Lyons Road and NW 39th Avenue.

Upon roll call, the motion passed by a 3-1 vote, with Mr. Chase voting no.

12. **Vine Ministries:** a site plan application to modify and construct an existing building into a church located on the north side of Hillsboro between Lyons Road and NW 39th Avenue. (QUASI-JUDICIAL) (PUBLIC HEARING)

MOTION: Young/Rogers - To approve Agenda Item No. 12, Vine Ministries: a site plan application to modify and construct an existing building into a church located on the north side of Hillsboro between Lyons Road and NW 39th Avenue.

Upon roll call, the motion passed by a 4-0 vote.

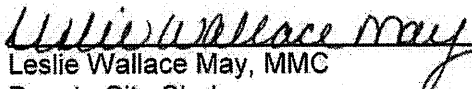
Deputy Director Stoudenmire explained to the board that going forward, a notation will be placed on the staff reports informing the board of the manner in which the item was noticed. This will confirm that the public has been properly notified about an item.

City Clerk Leslie May informed the board that the future Planning and Zoning Board meeting agendas will be accessible on-line through *Granicus*, a cloud-based platform, which will allow for the larger electronic files to open more quickly for viewing. She then informed the board that the City was working to re-purpose computer tablets to the board to view the agendas and back-up material during the meeting. She will keep the board informed of this progress.

13. **Adjournment.**

The meeting was adjourned at 9:02 p.m.

Transcribed by: Janice Ninesling


Leslie Wallace May, MMC
Deputy City Clerk

4/13/16
Date