



**DUNAY  
MISKEL  
BACKMAN** LLP

Gary Dunay  
Bonnie Miskel  
Scott Backman  
Eric Coffman

Hope Calhoun  
Dwayne Dickerson  
Ele Zachariades  
Matthew H. Scott

Christina Bilenki  
David F. Milledge  
Jeffrey Schneider  
Kristen Weiss  
Sara Thompson

March 17, 2023

Terrill C. Pybrun  
City Attorney  
City of Coconut Creek  
4800 W. Copans Road  
Coconut Creek, FL 33063

***Re: Cullum Road Utility Conversion, Special Assessment District***

Dear Ms. Pyburn,

As you are aware, this firm represents GSR RE Partners, LLC (“Petitioner”), the contract purchaser of the +/- 157 acre parcel generally located on the west side of Lyons Road between Wiles Road and West Sample Road (“Johns Parcel”) in the City of Coconut Creek (“City”). The Petitioner has submitted various applications, including but not limited to a Planned Mainstreet Development District (“PMDD”) rezoning application, an application for the amendment of a Development of Regional Impact (“DRI”), a plat application and multiple site plan applications (collectively referred to as the “MainStreet Applications”) for the development of the Johns Parcel with a mixed-use residential and commercial project known as MainStreet.

It is our understanding that on March 28, 2013, the City Commission adopted Resolution No. 2013-31, which Resolution declared a Special Assessment for a public improvement project to convert existing overhead Florida Power & Light distribution lines to underground distribution lines along Cullum Road (“Special Assessment”). Further, on August 8, 2013, the City Commission adopted Resolution 2013-79, ratifying and confirming the Special Assessment, and Resolution No. 2013-80 approving the equalized assessment for the Cullum Road Utility Conversion Special Assessment District. Pursuant to Resolution No. 2013-80, payment of the Special Assessment and accrued interest shall be due and payable in full on or before the eighth anniversary of the Resolution Date, as defined in Resolution No. 2013-80. The Special Assessment and any accrued interest thereon shall be a lien running with the land.

On behalf of Petitioner, we acknowledge that the eighth anniversary of the Resolution Date has passed, and the Special Assessment became due on January 22, 2023. Petitioner has assumed

the obligation to satisfy the payments required by the Special Assessment upon closing on the Johns Parcel. As has been discussed with meetings with City staff, closing will not occur until the Petitioner secures the necessary approvals for the MainStreet Applications. As such, we are requesting the City not take action on the FPL lien until that time.

Should you require additional information or wish to discuss this matter further, please do not hesitate to contact me at (561)405-3323.

Sincerely,



Scott Backman, Esq.

*Dunay, Miskel & Backman, LLP*