RESOLUTION NO. 2024-164

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF JOHNS FAMILY PARTNERS, LLLP TO CONSTRUCT ROADWAYS, INFRASTRUCTURE, ON-STREET PARKING, AND OTHER HARDSCAPE AND STREETSCAPE ELEMENTS FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY DESCRIBED AS THE MAINSTREET AT COCONUT CREEK DEVELOPMENT; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Scott Backman of Miskel Backman, LLP, on behalf of the property owner, David Auld of Johns Family Partners, LLLP ("Applicant"), is requesting Site Plan approval for property legally described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the Applicant is seeking Site Plan approval for the construction of roadways, infrastructure, on-street parking, and other hardscape and streetscape elements within the existing MainStreet at Coconut Creek Planned MainStreet Development District (MainStreet PMDD); and

WHEREAS, the proposed improvements are consistent with the MainStreet PMDD, Land Development Code, and Comprehensive Plan of the City of Coconut Creek; and

WHEREAS, at its public hearing held on October 1, 2024, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and recommendations of the City staff, together with the opinions and testimony stated at the public hearing, and has recommended approval of this item to the City Commission subject to conditions of approval; and

WHEREAS, the City Commission finds and determines that this Site Plan is in the best interest of the City and based upon the evidence presented at the public hearing, and all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file, is consistent with the requirements of the MainStreet at Coconut Creek PMDD, Article III, "Zoning Regulations," of Chapter 13, "Land Development Code," of the City of Coconut Creek, and the City of Coconut Creek Comprehensive Plan.

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

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: Finding. That the City Commission finds and determines that the above described Site Plan complies with the MainStreet PMDD zoning regulations, the requirements of Article III, "Zoning Regulations," of Chapter 13, "Land Development Code," of the City of Coconut Creek Code of Ordinances, and the City of Coconut Creek Comprehensive Plan.

Section 3: Approval. That this Site Plan application for the roadways, infrastructure, on-street parking, and other hardscape and streetscape elements, as depicted in Exhibit "B," attached hereto and incorporated herein, is hereby approved subject to the following conditions:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to building permit issuance or as otherwise stated therein.
2. All roadway and infrastructure improvements shall be completed pursuant to the phasing plan in the MainStreet PMDD, or as otherwise stated in a MainStreet development block site plan resolution or the Development Agreement, as most applicable.

Section 4: Violation of Conditions. That failure to adhere to the terms and conditions of the approval above shall be considered a violation of the City Code and persons found violating the conditions shall be subject to the penalties prescribed by the City Code, including but not limited to, the revocation of the approvals granted by this resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the City before it may commence construction or operation, and the City Commission may revoke this resolution at any time upon a determination that the Applicant is not in compliance with the City Code or this resolution.

Section 5: Compliance with Applicable Codes and Development Agreement. That the final Site Plan and building plans shall comply with all applicable zoning regulations, building codes, and the terms and conditions of the MainStreet at Coconut Creek Development Agreement.

Section 6: Other Approvals. That this approval does not in any way create a right on the part of the Applicant to obtain a permit from a county, state, or federal agency, and does not create liability on the part of the City for issuance of the approval if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency or undertakes action that result in a violation of county, state or federal law.

Section 7: Direction to City Clerk. That the City Clerk, or designee, is hereby directed to incorporate the appropriate plat references contained in the legal description included as Exhibit "A," attached hereto, upon recordation of the MainStreet at Coconut Creek Plat.

Section 8: Severability. That should any section or provision of this resolution, or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 9: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 10: Effective Date. That this resolution shall be in full force and effect upon its adoption provided that the site plan approved herein shall not be effective until the applicant's sale of the property has closed and the MainStreet at Coconut Creek Development Agreement has become effective.

Adopted this _____ day of _____, 2024.

_____
Sandra L. Welch, Mayor

Attest:

_____
Joseph J. Kavanagh, City Clerk

Welch _____

Railey _____

Rydell _____

Brodie _____

Wasserman _____

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EXHIBIT “A”

LEGAL DESCRIPTION: ROADWAYS

A PARCEL OF LAND BEING A PORTION OF TRACTS 24, 33, 34, 35, 40, 41, 42, 48, 49, 53, 54, 55, 57,58, 59, 60, AND 73, BLOCK 89, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK ___, PAGE ___, OF THE PUBLIC RECORDS OF PALM BEACH, FLORIDA, SAID LANDS NOW LYING IN SECTION 18, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BEING AND SITUATE IN BROWARD COUNTY, FLORIDA; TOGETHER WITH A PORTION OF PARCEL A, MCJAMES PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 147, PAGE 18, TOGETHER WITH PARCELS A AND "B", R. M. GREEN CORPORATION PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 164, PAGE 19, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND A PORTION OF WILES ROAD, CULLUM ROAD, BANKS ROAD AND N.W. 40TH STREET RIGHT-OF-WAYS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID R.M. GREEN CORPORATION PLAT;

THENCE NORTH 89°37'35" EAST ALONG THE EASTERLY PROJECTION OF THE NORTH LINE OF SAID R.M. GREEN CORPORATION PLAT, A DISTANCE OF 98.02 FEET TO THE NORTHEASTERLY MOST NORTHWEST CORNER OF PARCEL A, HIGH SCHOOL "GGG" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 170, PAGE 101 OF THE SAID PUBLIC RECORDS AND TO THE POINT OF BEGINNING;

THENCE SOUTH 44°36'15" WEST ALONG THE WEST LINE OF SAID PARCEL A AND THE EXISTING EAST RIGHT-OF-WAY LINE FOR BANKS ROAD, A DISTANCE OF 42.44 FEET;

THENCE SOUTH 00°25'05" EAST ALONG SAID WEST LINE AND EXISTING EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,194.02 FEET;

THENCE SOUTH 45°23'45" EAST ALONG SAID WEST LINE AND EXISTING EAST RIGHT-OF-WAY LINE, A DISTANCE OF 42.41 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD AND THE SOUTH LINE OF SAID PARCEL A;

THENCE NORTH 89°37'35" EAST ALONG SAID SOUTH LINE AND EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 2,521.51 FEET;

THENCE NORTH 44°30'15" EAST ALONG SAID SOUTH LINE AND EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 42.52 FEET TO A POINT ON THE EXISTING WEST RIGHT-OF-WAY LINE FOR LYONS ROAD AND THE EAST LINE OF SAID PARCEL A;

THENCE SOUTH 00°26'17" EAST ALONG SAID THE SOUTHERLY PROJECTION OF THE SAID EAST LINE OF PARCEL A AND THE SOUTHERLY PROJECTION OF THE SAID EXISTING WEST RIGHT-OF-WAY LINE, A DISTANCE OF 136.00 FEET;

THENCE NORTH 45°29'41" WEST, A DISTANCE OF 42.34 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE SOUTH 89°37'35" WEST ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF

280.10 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 33 AND THE EAST LINE OF SAID TRACT 34;

THENCE NORTH 85°08'12" WEST, A DISTANCE OF 219.12 FEET TO A POINT ON THE SAID EXISTING SOUTH RIGHT-OF-WAY LINE AND REFERENCE POINT "A";

THENCE SOUTH 44°37'35" WEST, A DISTANCE OF 35.36 FEET;

THENCE SOUTH 00°22'25" EAST, A DISTANCE OF 19.62 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 53°03'35" AND A RADIUS OF 160.00 FEET FOR AN ARC DISTANCE OF 148.17 FEET TO THE POINT OF CURVATURE OF A REVERSE CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 53°05'25" AND A RADIUS OF 100.00 FEET FOR AN ARC DISTANCE OF 92.66 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°24'08" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 427.69 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 44°30'28" AND A RADIUS OF 170.00 FEET FOR AN ARC DISTANCE OF 132.06 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 44°54'36" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 70.68 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 44°24'43" AND A RADIUS OF 230.00 FEET FOR AN ARC DISTANCE OF 178.28 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°29'53" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 290.01 FEET;

THENCE SOUTH 55°54'51" EAST, A DISTANCE OF 28.38 FEET TO A POINT ON THE ARC OF A NON- TANGENT CURVE CONCAVE TO THE SOUTHEAST; A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF NORTH 23°41'45" WEST;

THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 23°11'16" AND A RADIUS OF 389.94 FEET FOR AN ARC DISTANCE OF 157.81 FEET TO A POINT OF TANGENCY;

THENCE NORTH 89°37'32" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 277.94 FEET;

THENCE NORTH 44°30'22" EAST, A DISTANCE OF 42.51 FEET; THENCE NORTH 00°36'48" WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 12°52'56" EAST, A DISTANCE OF 51.42 FEET TO A POINT ON THE EXISTING WEST RIGHT- OF-WAY FOR LYONS ROAD;

THENCE SOUTH 00°36'48" EAST ALONG SAID EXISTING WEST RIGHT-OF-WAY LINE, A DISTANCE OF 265.94 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE FOR N.W. 40TH STREET;

THENCE SOUTH 89°37'32" WEST ALONG THE SAID EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 314.54 FEET;

THENCE SOUTH 00°24'34" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT- OF-WAY LINE FOR N.W. 40TH STREET;

THENCE NORTH 89°37'26" EAST ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 284.75 FEET;

THENCE SOUTH 44°13'59" EAST, A DISTANCE OF 43.49 FEET TO A POINT ON THE EXISTING WEST RIGHT- OF-WAY LINE FOR LYONS ROAD;

THENCE SOUTH 04°41'29" WEST ALONG SAID EXISTING WEST RIGHT-OF-WAY LINE, A DISTANCE OF 16.84 FEET;

THENCE NORTH 42°50'29" WEST, A DISTANCE OF 40.51 FEET; THENCE SOUTH 89°37'32" WEST, A DISTANCE OF 324.73 FEET; THENCE SOUTH 81°02'17" WEST, A DISTANCE OF 142.05 FEET;

THENCE SOUTH 75°00'00" WEST, A DISTANCE OF 74.93 FEET; TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTH;

THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 14°37'32" AND A RADIUS OF 400.00 FEET FOR AN ARC DISTANCE OF 102.11 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°37'32" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 860.24 FEET;

THENCE SOUTH 44°41'03" WEST, A DISTANCE OF 35.39 FEET;

THENCE SOUTH 00°24'34" EAST, A DISTANCE OF 533.49 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 58;

THENCE SOUTH 89°38'26" WEST ALONG THE SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE NORTH 00°24'34" WEST, A DISTANCE OF 533.54 FEET;

THENCE NORTH 45°23'39" WEST, A DISTANCE OF 35.28 FEET;

THENCE SOUTH 89°37'34" WEST, A DISTANCE OF 508.41 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 15°22'26" AND A RADIUS OF 400.00 FEET FOR AN ARC DISTANCE OF 107.33 FEET TO A POINT OF TANGENCY;

THENCE NORTH 75°00'00" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 190.97 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°20'30" AND A RADIUS OF 320.18 FEET FOR AN ARC DISTANCE OF 85.73 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°39'30" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 34.07 FEET;

THENCE SOUTH 44°36'13" WEST, A DISTANCE OF 35.34 FEET; THENCE SOUTH 00°25'06" EAST, A DISTANCE OF 123.94 FEET;

THENCE SOUTH 05°51'57" WEST, A DISTANCE OF 118.77 FEET TO A POINT ON A LINE 12 FEET EAST OF AND MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT 60 AND THE EXISTING EAST LINE FOR BANKS ROAD;

THENCE SOUTH 00°25'06" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1,027.95 FEET TO THE NORTH LINE OF A 50-FOOT ROAD RESERVATION ACCORDING TO THE SAID PALM BEACH FARMS COMPANY PLAT NO. 3;

THENCE SOUTH 89°38'26" WEST ALONG SAID NORTH LINE, A DISTANCE OF 12.00 FEET TO THE WEST LINE OF SAID TRACT 73 AND THE EXISTING EAST RIGHT-OF-WAY LINE FOR BANKS ROAD;

THENCE SOUTH 00°23'33" EAST ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE AND THE SOUTHERLY PROJECTION OF THE WEST LINE OF SAID TRACT 73 AND ALONG THE WEST LINE OF TRACT 4, BLOCK 90 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, A DISTANCE OF 148.36 FEET;

THENCE SOUTH 89°36'46" WEST, A DISTANCE OF 80.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE FOR BANKS ROAD;

THENCE NORTH 00°23'53" WEST, A DISTANCE OF 190.25 FEET; THENCE NORTH 06°25'28" EAST, A DISTANCE OF 100.72 FEET; THENCE NORTH 00°25'06" WEST, A DISTANCE OF 1,121.00 FEET;

THENCE NORTH 45°23'34" WEST, A DISTANCE OF 42.41 FEET. THE PREVIOUS FOUR COURSES BEING COINCIDENT WITH THE SAID EXISTING WEST RIGHT-OF-WAY LINE FOR BANKS ROAD AND SAID POINT BEING ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR N.W. 40TH STREET;

THENCE SOUTH 89°37'57" WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 83°31'29" WEST, A DISTANCE OF 100.72 FEET;

THENCE SOUTH 89°37'57" WEST, A DISTANCE OF 12.14 FEET. THE PREVIOUS THREE COURSES BEING COINCIDENT WITH THE SAID SOUTH RIGHT-OF-WAY LINE;

THENCE NORTH 00°24'31" WEST, A DISTANCE OF 70.00 FEET TO A POINT ON A LINE 25 FEET NORTH OF AND MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID TRACT 48 AND EXISTING NORTH RIGHT- OF-WAY LINE FOR N.W. 40TH STREET;

THENCE NORTH 89°37'57" EAST ALONG SAID SOUTH LINE AND THE EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 280.06 FEET;

THENCE NORTH 44°31'51" EAST, A DISTANCE OF 35.44 FEET TO A POINT ON A LINE 25 FEET WEST OF AND MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID TRACT 48;

THENCE NORTH 00°25'06" WEST ALONG THE SAID PARALLEL LINE AND THE EAST LINE OF SAID TRACT 48 AND ALONG THE EAST LINE OF SAID TRACT 41, A DISTANCE OF 1,244.91 FEET;

THENCE NORTH 45°23'38" WEST, A DISTANCE OF 35.34 FEET TO A POINT ON THE SOUTH EXISTING RIGHT-OF-WAY LINE FOR CULLUM ROAD AND THE NORTH LINE OF SAID TRACT 41;

THENCE SOUTH 89°37'33" WEST ALONG SAID NORTH LINE AND SOUTH EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 649.53 FEET;

THENCE SOUTH 44°36'44" WEST, A DISTANCE OF 36.06 FEET;

THENCE SOUTH 00°24'31" EAST, A DISTANCE OF 634.40 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 42;

THENCE SOUTH 89°37'49" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 80.00 FEET;
THENCE NORTH 00°24'31" WEST, A DISTANCE OF 615.41 FEET;

THENCE NORTH 45°23'23" WEST, A DISTANCE OF 34.65 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE SOUTH 89°37'33" WEST ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 489.29 FEET;

THENCE NORTH 00°21'18" WEST, A DISTANCE OF 102.13 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD AND THE SOUTH LINE OF TRACT "A", WHITWORTH PLAT NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 164, PAGE 1 OF THE SAID PUBLIC RECORDS;

THENCE NORTH 89°37'43" EAST ALONG SAID EXISTING NORTH RIGHT-OF-WAY LINE AND SAID SOUTH LINE, A DISTANCE OF 329.54 FEET TO A POINT OF INTERSECTION

WITH THE SAID EXISTING NORTH RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID TRACT 24 AND THE EAST LINE OF SAID PARCEL A;

THENCE NORTH 00°24'52" WEST ALONG THE WEST LINE OF SAID TRACT 24 AND THE WEST LINE OF PARCEL A OF SAID R.M. GREEN CORPORATION PLAT, A DISTANCE OF 621.40 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE EAST;

THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°24'52" AND A RADIUS OF 120.00 FEET FOR AN ARC DISTANCE OF 21.81 FEET TO A POINT OF TANGENCY;

THENCE NORTH 10°00'00" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 78.19 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE WEST;

THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 10°23'57" AND A RADIUS OF 80.00 FEET FOR AN ARC DISTANCE OF 14.52 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00°23'57" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 144.89 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE WEST;

THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 29°36'03" AND A RADIUS OF 27.00 FEET FOR AN ARC DISTANCE OF 13.95 FEET TO A POINT OF TANGENCY;

THENCE NORTH 30°00'00" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 38.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 29°35'53" AND A RADIUS OF 120.00 FEET FOR AN ARC DISTANCE OF 61.99 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00°24'07" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 230.66 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR WILES ROAD AND THE NORTH LINE OF PARCEL A OF SAID MCJAMES PLAT NO. 1;

THENCE NORTH 89°35'53" EAST ALONG SAID EXISTING RIGHT-OF-WAY LINE AND THE SAID NORTH LINE, A DISTANCE OF 34.00 FEET;

THENCE SOUTH 00°24'07" EAST, A DISTANCE OF 230.66 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 29°35'53" AND A RADIUS OF 86.00 FEET FOR AN ARC DISTANCE OF 44.43 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 30°00'00" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 38.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 29°36'03" AND A RADIUS OF 61.00 FEET FOR AN ARC DISTANCE OF 31.51 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°23'57" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 144.89 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE WEST;

THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°23'57" AND A RADIUS OF 114.00 FEET FOR AN ARC DISTANCE OF 20.69 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 10°00'00" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 78.19 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE EAST;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 10°24'52" AND A RADIUS OF 86.00 FEET FOR AN ARC DISTANCE OF 15.63 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°24'52" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 621.42 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE NORTH 89°37'43" EAST ALONG THE SAID EXISTING NORTH RIGHT-OF-WAY LINE AND IT'S EASTERLY PROJECTION, A DISTANCE OF 135.71 FEET;

THENCE NORTH 44°37'43" EAST, A DISTANCE OF 21.21 FEET TO A POINT ON THE SAID EXISTING NORTH RIGHT-OF-WAY LINE, SAID POINT ALSO BEING REFERENCE POINT "B";

THENCE NORTH 89°37'43" EAST ALONG THE SAID EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 77.91 FEET;

THENCE SOUTH 45°16'52" EAST, A DISTANCE OF 24.15 FEET TO A POINT 50 FEET NORTH OF AND MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID TRACT 24, AND THE SAID EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE NORTH 89°37'33" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 660.46 FEET;

THENCE NORTH 44°36'22" EAST, A DISTANCE OF 35.27 FEET TO A POINT ON A LINE 25 FEET WEST OF AND MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID TRACT 24 AND THE EXISTING WEST RIGHT OF WAY LINE FOR BANKS ROAD;

THENCE NORTH 00°25'05" WEST ALONG THE SAID PARALLEL LINE, A DISTANCE OF 1,163.57 FEET;

THENCE NORTH 45°23'45" WEST, A DISTANCE OF 42.44 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR WILES ROAD AND THE NORTH LINE OF PARCEL A, SAID R.M. GREEN CORPORATION PLAT;

THENCE SOUTH 89°37'35" WEST ALONG SAID NORTH LINE AND THE EXISTING SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 290.01 FEET;

THENCE CONTINUE ALONG SAID NORTH LINE AND EXISTING SOUTH RIGHT-OF-WAY LINE, NORTH 81°17'00" WEST, A DISTANCE OF 75.95 FEET;

THENCE NORTH 89°37'35" EAST, A DISTANCE OF 420.00 FEET BACK TO THE POINT OF BEGINNING.

LESS THE FOLLOWING:

CCOMMENCE AT THE AFOREMENTIONED REFERENCE POINT "A", SAID POINT LYING ON THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE SOUTH 89°37'35" WEST ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 45°22'25" EAST, A DISTANCE OF 35.36 FEET;

THENCE SOUTH 00°22'25" EAST, A DISTANCE OF 19.62 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 53°03'36" AND A RADIUS OF 100.00 FEET FOR AN ARC DISTANCE OF 92.61 FEET TO THE POINT OF CURVATURE OF A REVERSE CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 53°05'24" AND A RADIUS OF 160.00 FEET FOR AN ARC DISTANCE OF 148.25 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°24'08" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 427.68 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 44°30'28" AND A RADIUS OF 230.00 FEET FOR AN ARC DISTANCE OF 178.67 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 44°54'36" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 70.68 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 44°24'43" AND A RADIUS OF 170.00 FEET FOR AN ARC DISTANCE OF 131.77 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°29'53" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 312.84 FEET;

THENCE SOUTH 34°05'09" WEST, A DISTANCE OF 41.16 FEET;

THENCE SOUTH 68°40'12" WEST, A DISTANCE OF 29.15 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTH;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 20°57'21" AND A RADIUS OF 60.00 FEET FOR AN ARC DISTANCE OF 21.94 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°37'34" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 1,536.81 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTH;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 15°22'26" AND A RADIUS OF 320.00 FEET FOR AN ARC DISTANCE OF 85.86 FEET TO A POINT OF TANGENCY;

THENCE NORTH 75°00'00" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 190.97 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°20'30" AND A RADIUS OF 400.18 FEET FOR AN ARC DISTANCE OF 107.15 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°39'30" WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 34.07 FEET;

THENCE NORTH 45°26'35" WEST, A DISTANCE OF 35.49 FEET TO A POINT ON A LINE 25 FEET EAST OF AND MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT 49 AND THE EXISTING EAST RIGHT- OF-WAY LINE FOR BANKS ROAD;

THENCE NORTH 00°25'06" WEST ALONG SAID PARALLEL LINE AND THE WEST LINE OF SAID TRACT 49 AND TRACT 40, A DISTANCE OF 1,245.27 FEET;

THENCE NORTH 44°36'15" EAST, A DISTANCE OF 35.44 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 40 AND THE EXISTING SOUTH RIGHT-OF-WAY LINE FOR CULLUM ROAD.;

THENCE NORTH 89°37'35" EAST ALONG THE SAID EXISTING SOUTH RIGHT-OF-WAY LINE AND THE NORTH LINES OF SAID TRACTS 35 THROUGH 40, A DISTANCE OF 1,932.16 FEET BACK TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGIN AT THE AFOREMENTIONED REFERENCE POINT "B", SAID POINT LYING ON THE SAIS EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE NORTH 44°37'43" EAST, A DISTANCE OF 13.31 FEET; THENCE NORTH 00°24'20" WEST, A DISTANCE OF 308.57 FEET; THENCE NORTH 89°37'38" EAST, A DISTANCE OF 457.78 FEET; THENCE SOUTH 00°25'05" EAST, A DISTANCE OF 310.05 FEET;

THENCE SOUTH 45°19'50" EAST, A DISTANCE OF 35.37 FEET TO A POINT ON A LINE 50 FEET NORTH OF AND MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID TRACT 24 AND THE EXISTING NORTH RIGHT-OF-WAY LINE FOR CULLUM ROAD;

THENCE SOUTH 89°37'33" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 109.99 FEET; THENCE NORTH 44°36'14" EAST, A DISTANCE OF 35.37 FEET;

THENCE NORTH 00°25'05" WEST, A DISTANCE OF 225.08 FEET; THENCE NORTH 45°23'44" WEST, A DISTANCE OF 35.34 FEET; THENCE SOUTH 89°37'38" WEST, A DISTANCE OF 287.79 FEET; THENCE SOUTH 44°36'39" WEST, A DISTANCE OF 35.37 FEET; THENCE SOUTH 00°24'20" EAST, A DISTANCE OF 224.46 FEET;

THENCE SOUTH 45°16'52" EAST, A DISTANCE OF 12.02 TO A POINT ON A LINE 50 FEET NORTH OF AND MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID TRACT 24 AND THE EXISTING NORTH RIGHT- OF-WAY LINE FOR CULLUM ROAD;

THENCE SOUTH 89°37'43" WEST ALONG SAID EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 77.91 FEET BACK TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA, AND CONTAINING 6,460,600.39 SQUARE FEET (148.3150 ACRES), MORE OR LESS.

A PARCEL OF LAND BEING A PORTION OF TRACT 1, MAINSTREET AT COCONUT CREEK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK ___, PAGE ___ OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA. SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHERNMOST NORTHEAST CORNER OF SAID TRACT 1;

THENCE SOUTH 00°25'05" EAST, A DISTANCE OF 78.00 FEET;

THENCE SOUTH 00°25'05" EAST, A DISTANCE OF 775.45 FEET. THE PREVIOUS TWO COURSES ARE COINCIDENT WITH THE EAST LINE OF SAID TRACT 1 AND THE WEST RIGHT-OF-WAY LINE FOR BANKS ROAD;

THENCE SOUTH 89°37'38" WEST, A DISTANCE OF 411.71 FEET;

THENCE NORTH 00°25'03" WEST, A DISTANCE OF 262.68 FEET;

THENCE NORTH 44°36'03" EAST, A DISTANCE OF 58.41 FEET;

THENCE NORTH 89°37'38" EAST, A DISTANCE OF 210.39 FEET;

THENCE NORTH 00°25'07" WEST, A DISTANCE OF 408.90 FEET;

THENCE SOUTH 89°38'15" WEST, A DISTANCE OF 755.00 FEET;

THENCE NORTH 00°25'05" WEST, A DISTANCE OF 142.40 FEET;

THENCE NORTH 89°37'35" EAST, A DISTANCE OF 27.83 FEET;

THENCE NORTH 00°03'35" WEST, A DISTANCE OF 12.10 FEET;

THENCE NORTH 89°38'15" EAST, A DISTANCE OF 489.85 FEET;

THENCE SOUTH 81°17'00" EAST, A DISTANCE OF 75.81 FEET;

THENCE NORTH 89°37'28" EAST, A DISTANCE OF 257.40 FEET. THE PREVIOUS THREE COURSES ARE COINCIDENT WITH THE SOUTH LINE OF T-1 BUFFER AS SHOWN ON SAID MAINSTREET AT COCONUT CREEK PLAT AND THE NORTH LINE OF SAID TRACT 1;

THENCE SOUTH 00°25'05" EAST, A DISTANCE OF 80.04 FEET;

THENCE NORTH 89°37'10" EAST, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA, AND CONTAINING 321,262.66 SQUARE FEET, 7.3752 ACRES.