Deerfield Beach
Florida

Regular City Commission Meeting Agenda

150 NE 2nd Avenue | Deerfield Beach, FL, 33441 | 954-480-4200

Mayor Bill Ganz
Vice Mayor Bernie Parness
District 1 Commissioner Michael Hudak
District 2 Commissioner Ben Preston
District 4 Commissioner Todd Drosky

Tuesday
April 4, 2023
7:00 PM

CALL TO ORDER & ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: March 28, 2023

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Hillsboro Inlet District Meeting Minutes

Attachment: February 27, 2023

APPROVAL OF THE AGENDA

April 4, 2023

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

https://deerfield-beach.zoom.us/j/81623032766?pwd=bzkzcjh1ZzY4OTNSQVR6MlZUakpnQT09

Join Zoom Meeting via telephone by dialing:
Call-in Number: (301) 715-8592
Meeting ID: 816 2303 2766#
Participant ID: #
Passcode: 335319#

For complete instructions on joining and/or participating during Public Comment, please click the following link or attend in person in the City Commission Chambers:

Attachment: Zoom Instructions

AWARDS & RECOGNITION

1. **Certificate of Recognition presented to Nayati Smith and Samantha Ryan for their participation in the City of Deerfield Beach Education Advisory Board Academic Scholarship Award.**

   Sponsor: Department of Community Services

2. **Proclamation presented to HOPE, Inc. in recognition of National Fair Housing Month.**

   Sponsor: Department of Community Services

3. **Presentation by Dr. Ned Murray of the Jorge M. Perez Florida International University Metropolitan Center, regarding Broward County Affordable Housing.**

   Sponsor: Department of Economic Development

QUASI-JUDICIAL PUBLIC HEARING

4. **P.H. 2023-056: APPLICATION 21-RM25-109**

   Applicant: FMO of Boca Raton LLC, represented by Dunay Miskel & Beckham, LLP

   Proposal: Major Site Plan application seeking approval to construct 4 new townhomes and associated site improvements, and seeking a variance from Section 98-61 to allow for a minimum twenty-foot (20') front yard in lieu of the required twenty-five-foot (25') front yard, on a 0.245-acre site.

   Location: The property is generally described as OCEAN VUE 3-34 B LOT 35 BLK 107, more

particularly described in the file, and located at 325 NE 20th Avenue.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 4/5 vote of the City Commission

Sponsor: Department of Planning & Development Services

Attachment: Application 21-RM25-109

PUBLIC HEARING - FIRST READINGS

5. **ORDINANCE 2023/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 2.968 GROSS ACRES LOCATED AT 641 NE 40TH STREET FROM INSTITUTIONAL AND EDUCATIONAL DISTRICT (I-1c) AND ONE-FAMILY DETACHED DWELLING DISTRICT (RS-4c) TO COMMUNITY FACILITIES DISTRICT (CF) (APPLICATION 20-CF-41); PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

   Suggested Action: Commission to vote on Ordinance and set public hearing for April 25, 2023

   Voting Requirement: Adoption requires a 3/5 vote of the City Commission

   Sponsor: Department of Planning & Development Services

   Attachment: Rezoning Application

6. **ORDINANCE 2023/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING TWO (2) TWENTY-FOOT WIDE UTILITY EASEMENTS AND ONE FIFTEEN FOOT ROAD AND MAINTENANCE EASEMENT LOCATED IN THE VICINITY OF 414, 430, 454 & 480 N.E. 1ST AVENUE, 240 N.E. 5TH STREET, 412, 424, 430, 446, 450 & 458 N. RIVER DRIVE AND 409 N. RIVER AVENUE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

   Suggested Action: Commission to vote on Ordinance and set public hearing for April 25, 2023

   Voting Requirement: Adoption requires a 3/5 vote of the City Commission

   Sponsor: Department of Planning & Development Services

   Attachment: Utility Easements

PUBLIC COMMENT

Persons addressing the Commission shall state his/her name and address and may speak for three (3) minutes unless extended for one (1) additional minute by the Mayor. All remarks made by the public at a Commission meeting on an agenda item shall be addressed to the Commission as a body and limited to the subject matter before the Commission at that particular time. No comments shall be made related to the personal life or personal qualities of any person and no language which would offend persons of ordinary sensibilities shall be permitted. The public shall be given an opportunity to speak on any substantive agenda item, subject to the aforementioned restrictions, prior to a vote on the matter by the City Commission. The Commission shall determine the appropriate time, prior to the vote, for the public to speak. For consent agenda items, the public shall be given an opportunity to speak prior to the approval of the consent agenda. The Commission may, by majority vote, determine that public input on an agenda item be tabled to a future meeting so long as the vote on the agenda item take place at the future meeting and that the public input take place prior to the Commission making any decision.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

7. **Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of a community participation grant to the Deerfield Beach Economic Development Council in the amount of $20,000; providing for in-kind services; authorizing execution of the Grant Agreement; providing for an effective date.** ***(Funds from #001-1500-552-32-64 - Business, Recruitment and Retention)***

   Suggested Action: Commission to vote on Resolution

   Voting Requirement: Adoption requires a 3/5 vote of the City Commission

   Sponsor: Department of Economic Development

   Attachment: Community Participation Grant

8. **Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled *Danny Hope vs. City of Deerfield Beach*; authorizing execution of documents necessary to effectuate the Settlement; providing for an effective date.** ***(Funds from Account #606-0900-519-37-70 - Risk Management/General Liability Legal)***

   Suggested Action: Commission to vote on Resolution

   Voting Requirement: Adoption requires a 3/5 vote of the City Commission

   Sponsor: Office of the City Attorney

Attachment: Settlement Agreement

9. **Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a change order to extend the time for Playmore West, Inc. to complete the Playground Equipment Project for Oveta McKeithen Park by 180 days; providing for execution and an effective date.**

   Suggested Action: Commission to vote on Resolution

   Voting Requirement: Adoption requires a 3/5 vote of the City Commission

   Sponsor: Department of Parks & Recreation

   Attachment: Playmore West, Inc.

ADDENDUM

10. **Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the special event permit application submitted by Deerfield Beach Christian Ministerial Association for the Easter Sunrise Service Special Event taking place on the beach sand north of the pier in front of the main beach parking lot at 149 SE 21st Avenue on April 9, 2023 from 6:00 am to 8:00 am; approving a waiver of fees; providing for an effective date. *(Funds from Account #001-7015-579-35-74 - Special Events)***

    Suggested Action: Commission to vote on Resolution

    Voting Requirement: Adoption requires a 3/5 vote of the City Commission

    Sponsor: Department of Parks & Recreation

    Attachment: Deerfield Beach Christian Ministerial Association

COMMENTS BY ADMINISTRATION & LEGAL

11. **Presentation regarding redevelopment in the Central City Area.**

    Sponsor: Department of Economic Development

COMMENTS BY MAYOR & CITY COMMISSION

ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Regular City Commission Meeting - Tuesday, April 25, 2023

Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 286.0105). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence of a certified court reporter at the hearing.

Meeting Minutes
City Commission

Tuesday, March 28, 2023 | **7:00 PM** | **Commission Chambers**

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present:
Commissioner Todd Drosky
Commissioner Bernie Parness
Commissioner Ben Preston
Vice Mayor Michael Hudak
Mayor Bill Ganz

Also Present:
City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Heather Montemayor

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

There was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - March 7, 2023

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve the meeting minutes as submitted. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Planning & Zoning Board Meeting Minutes - December 1, 2022
Firefighter's Pension Board Meeting Minutes - December 5, 2022
Code Compliance Meeting Minutes - January 25 & February 7, 2023

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to acknowledge the board minutes. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

INSTALLATION CEREMONY

1. Oath of Office administered by City Clerk for incoming Commissioners

2. Induction of 2023 Vice Mayor - Commissioner Bernie Parness

Vice Mayor Parness said being a member of this Commission is the most important job he's ever held, and he thoroughly enjoys it; nonetheless, he looks forward to contributing to this Commissions success for the next two years.

Commissioner Hudak said being a member of this Commission is not about his goals and accomplishments, but about what he can do to make the City better for the residents. Thereafter, he thanked his wife for all her support and the residents who came out and voted. Commissioner Hudak commented on the voter turnout, the importance of getting involved in the community, and the relationships that were built and the conversations that were had during Broward Days. Lastly, he hopes that he can get residents more involved in the community these next four years.

Commissioner Preston thanked the voters for believing in him and providing him the opportunity to contribute to the growth of Deerfield Beach, in particularly District 2. Further, he said these chairs do not belong to an individual person, but the entire community. Commissioner Preston said throughout his campaign he spoke to a lot of people who voiced their issues, concerns, opinions, etc. and reiterated that he will ensure their voices are heard. Thereafter, he thanked his family and the residents who came out and voted. Lastly, he again thanked the community for allowing him to serve another term.

Mayor Lamar Fisher, Broward County, congratulated Commissioner Hudak and Commissioner Preston on their reelection and commended David Santucci, City Manager, for what he has done. He agreed that the seats belong to the community, not just one individual. Thereafter, he thanked those who attended Broward Days, as advocating for the City and County makes a difference. Further, he said community, collaboration, and communication are important to him and stated that he is here to serve this community. Mayor Fisher said Deerfield Beach has made a tremendous mark on Broward County and although Deerfield Beach does not fall under District 4, he still claims the City, as Deerfield Beach holds a special place in his heart.

Commissioner Drosky congratulated Commissioner Hudak and Commissioner Preston on their reelection and stated that the referendum also passed. Thereafter, he outlined the voting turnout for each district and commented on misinformation stated on social media regarding the referendum. Commissioner Drosky said there will be lots of opportunities to dissect this project but asked that staff evaluate the election results to seek ways in which staff can reach out to the community to properly inform them about the project.

3. Announcement of Vice Mayor for 2024 - 2026

Heather Montemayor, City Clerk, outlined the Vice Mayors for the upcoming years: Commissioner Todd Drosky, 2024; Commissioner Ben Preston, 2025; and Commissioner Michael Hudak, 2026.

APPROVAL OF CITY COMMISSION AGENDA

March 28, 2023

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve the agenda as amended. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

AWARDS & RECOGNITION

1. Certificate of Recognition presented by Captain Hofstein to BSO Law Enforcement staff.

Captain Hofstein presented certificates of recognition to deputies for their assistance in apprehending a homicide suspect.

Mayor Ganz said deputies from Deerfield Beach and Coconut Creek performed a special detail on Hillsboro Boulevard from Military Trail to 441, whereby, 143 traffic citations were issued within six hours. Thereafter, he thanked BSO for their efforts.

PUBLIC COMMENT

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, commented on Waste Management's previous request to expand their facility, which was defeated, thanks to Vice Mayor Parness' efforts. Further, he said Broward County leaders agreed to create a trash and recycling program that would be independent of Waste Management, which he spoke in favor of. Thereafter, he commented on an Interlocal Agreement that the City can enter into, which he briefly explained and asked for clarification on.

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, expressed concerns with two properties, one residential, the other a business. He stated that both properties have been allowed to build in the City but have not adhered to what they promised. Thereafter, he provided a brief overview of the properties, and asked that the City keep a close eye on them.

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, said the boat ramp has increased traffic and speeding on 1st Terrace, and when the area gets flooded, water gets extremely close to her front door. Further, she commented on solicitation and asked that it be stopped. Ms. Graham-Bracy said the north side of Hillsboro Boulevard looks more like businesses than residential homes and asked that it be addressed. Lastly, she said there are trailers on properties that are housing large amounts of individuals.

Willis Moorer, 331 NW 2nd Terrace, Deerfield Beach, said the trees on NW 2nd Terrace are covering the streetlights and asked that it be addressed. Thereafter, he commented on the tragedy that occurred in Nashville and asked what the City's stance is regarding the concealed weapon permit.

Mayor Ganz answered questions/comments posed by the public. He said a certificate of occupancy will not be granted to property owners unless they meet the criteria that was originally submitted and approved. Further, he said traffic calming devices may need to be installed near Johnie McKeithen Park; nevertheless, the request must come from the surrounding community. Mayor Ganz said there is a solicitation policy, so if they do not have the proper permit, he urged residents to call the police, code enforcement or himself. The increase in traffic on 1st Terrace is due to the reopening of the boat ramp. Thereafter, he commended staff for the upkeep of Johnie McKeithen Park, but said he did notice homes with various vehicles in their yards, which staff is aware of and will handle accordingly. Mayor Ganz said the screening near the Braithwaite Center was previously mentioned by Mr. Moorer and does need to be readjusted. He also asked that staff look at the trees on NW 2nd Terrace.

Continuing, Mayor Ganz said Commissioner Drosky was correct, whereby, there is a running list in Tallahassee regarding who is opposing what and governmental agencies will be punished, i.e. lack of funding. He stated that individuals of this city have more power and more of a voice in Tallahassee than the Elected Officials. Thereafter, he encouraged residents to contact the State and Governor's office and share their opinions.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 2 & 3; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

CONSENT - BOARD APPOINTMENTS - CONTINUED

2. **Resolution 2023/046 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Joseph Cummings as an alternate member to the Community Appearance Board to fulfill an unexpired term; and providing for an effective date.**

3. **Resolution 2023/047 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Annette Mitchell as a Commissioner of the Deerfield Beach Housing Authority; and providing for an effective date.**

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Items 2 & 3. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Mayor Ganz opened the public hearing for Items 4 - 8; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

4. **Resolution 2023/048 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting the certified election results for the Municipal Election and Referendum Election held on March 14, 2023, as provided by the Broward County Supervisor of Elections; providing for an effective date.**

5. **Resolution 2023/049 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled *Landon Martini vs. City of Deerfield Beach*; authorizing execution of documents necessary to effectuate the Settlement; providing for an effective date.** *(Funds from Account #606-0900-519-37-70 - Risk Management/General Liability Legal)*

6. **Resolution 2023/050 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a second amendment to Contract #JP022-06-2023 with the Areawide Council on Aging of Broward County, Inc. to extend the Contract term to September 30, 2023; authorizing execution of the Second Amendment; providing for implementation and an effective date.**

7. **Resolution 2023/051 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a utility easement related to the Crystal Lake Drive outfall from Club House Cove Condominium; providing for implementation and an effective date.**

8. **Resolution 2023/052 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order with CNH Industrial America, LLC, for the purchase of a New Holland tractor, utilizing the Florida Department of Management Services State Term Contract No. 25101900-21-STC in the amount of $105,947.62; providing for implementation and an effective date.** *(Funds from Account #399-7020-539-64-20 - Cap Projects-Park Maintenance/Automobile Vehicle)*

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Items 4 - 8 in concert. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

DEPARTMENTAL BUSINESS

9. Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, awarding RFP #23-01-PC for citywide median landscaping maintenance to A Picture Perfect Landscaping & Lawncare, LLC; approving a contract with A Picture Perfect Landscaping & Lawncare, LLC for a two-year term, with three additional one-year renewal options, in an annual amount not to exceed $1,304,558.00; ratifying execution of the Contract; providing for implementation and an effective date. (*Funds from Account #001-7020-539-32-16 - Park Maintenance/Landscaping Services)*

Item 9 was tabled during the approval of the agenda.

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY

Private Beach Lot - Anthony Soroka, City Attorney, said the purchase of a private beach lot was previously discussed, but the sellers had to go through probate; nevertheless, the City will close on the lot March 29, 2023.

Affordable Housing - Mr. Soroka provided a brief overview of Senate Bill 102. He advised that the Bill passed the House and Senate and is currently awaiting the Governor's signature. He said the Bill has several incentives to promote affordable housing, but there are preemption components with respect to some of the City's regulations, i.e. density, location, etc.

CITY MANAGER

Broward Days - David Santucci, City Manager, stated that the two City's appropriations, Alzheimer's transportation funding and MLK stormwater design, have passed the Senate. The two appropriations still need to go through the House and the Office of Budget and Management and be signed by the Governor.

Short Term Rentals - Mr. Santucci said there is a bill floating around that is better than what is currently in place but still does not allow cities to regulate them; nevertheless, the Bill will provide stricter registration requirements.

Solid Waste Working Group - Mr. Santucci advised that he will be going to Sunrise on March 30th, along with the City Attorney and Director of Sustainable Management to review the final version of the Interlocal Agreement. Once analyzed by staff, recommendations will be brought to the Commission as the County is requesting that it be passed by June.

Mayor Ganz said affordable housing is a need not only in the City, but in Broward County; however, there is a negative connotation to the term affordable housing, as people automatically think of Section 8 or public housing, which it is not. Thereafter, he commented on a conversation he had with an individual who referenced affordable housing as attainable housing, which is more fitting.

10. Presentation regarding noise control.

Eric Power, Director of Planning & Development Services, provided a brief PowerPoint presentation. He stated that noise control is outlined in the Code of Ordinances and includes definitions, maximum noise levels, and exemptions; nevertheless, mechanical equipment falls under yard encroachments, which is outlined in the Land Development Code and is not defined, i.e. generator, pool pump, etc. He explained that mechanical equipment must be three feet from a lot line and screened from public view. Mr. Power said the noise ordinance was amended February 6, 2018, and limits construction noise to Monday - Friday, 7:00 a.m. to 7:00 p.m.; Saturday, 9:00 a.m. to 5:00 p.m.; and none on Sunday's and US holidays. Thereafter, he displayed the construction hours for other local municipalities, which showed that Deerfield Beach is consistent; therefore, staff is not recommending any changes to construction noise.

Continuing, Mr. Power said there have not been any recent updates to the Land Development Code regarding mechanical equipment, nor has it been specifically addressed in the noise ordinance. Thereafter,

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

he displayed the setback to lot line, buffer requirements, additional regulations, and decibel level for other local municipalities, which showed that Deerfield Beach has one of the lowest decibel levels. Further, he said staff did notice that other cities regulate when generators can be tested; therefore, staff is recommending allowing individuals to test a generator once for no more than 30 minutes in any seven-day period from 11:00 a.m. to 5:00 p.m. Monday - Saturday. Additionally, a new definition, method of measurement, will be added to allow for a clear description for how noise is measured.

In response to Commissioner Hudak's question, Mr. Power replied that the recommendation is to allow testing Monday - Saturday only. No testing is to be done Sunday and on federal holidays, but the final approval will come from the Commission.

Vice Mayor Parness spoke in opposition of not allowing testing to occur on Sundays.

COMMENTS BY MAYOR & CITY COMMISSION

COMMISSIONER DROSKY **DISTRICT 4**

Broward Days - Commissioner Drosky reiterated that state legislators want to hear from the residents, not elected officials; therefore, he encouraged individuals to reach out to the State so your voice is heard.

Florida League of Cities (FLC) - Commissioner Drosky advised that he will be going to the FLC event April 4th, which conflicts with the Commission meeting; nevertheless, he will participate via Zoom.

Saturday Office Hours - Commissioner Drosky said his office hours will be on April 1st from 10:00 a.m. to noon and appointments can be made with him or the City Manager's Office.

Joint Meeting - Commissioner Drosky said prior to COVID, the City of Deerfield Beach and City of Pompano Beach discussed having a joint meeting, so he asked that the City Manager contact the City of Pompano.

School Resource Officer - Commissioner Drosky said this issue was supposed to be discussed today, but he is unsure of the outcome; nevertheless, the School Board has the money to support the school resource officers and should provide the funding, not the cities.

VICE MAYOR PARNESS **DISTRICT 3**

Florida Legislature - Commissioner Parness agreed that residents have more of a voice than Elected Officials and urged them to contact the State. Further, he said gun violence is the leading cause of death in children. Thereafter, he commented on the ever-changing gun laws.

COMMISSIONER PRESTON **DISTRICT 2**

Thank You - Commissioner Preston thanked BSO police and fire for keeping them informed.

Stormwater Drainage - Commissioner Preston stated that he is glad the project is becoming successful in Tallahassee, as the residents of District 2 will be extremely grateful.

City Programming - Commissioner Preston requested that staff set up a meeting with Mr. Marlow to discuss the possibility of establishing a high school city commission. He explained that students would be elected by their classmates to represent each district, as well as a mayor at large, and would meet in the same type setting as this commission to train them on how to become leaders. Further, he spoke in support of the sports leagues the City offers but suggested that a public art program be developed.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

COMMISSIONER HUDAK **DISTRICT 1**

Thank You - Commissioner Hudak thanked his constituents for allowing him to be their representative for the next four years.

Broward Days - Commissioner Hudak provided a brief overview of Broward Days. He said when he first went to Tallahassee four years ago, no one knew Deerfield Beach, but this last time the City was very well received. Thereafter, he explained why these trips are important, i.e. building relationships, etc.

MAYOR GANZ

Congratulations - Mayor Ganz congratulated Commissioner Hudak and Commissioner Preston on being reelected.

Municipal Elections - Mayor Ganz encouraged everyone in the community to get involved and if an individual decides to run, run for the right reasons, to help the entire community. Further, he encourages criticism and debate and understands that not everyone is always going to agree with what is done, but there is a creative and productive way to get your point across. Mayor Ganz explained that many candidates try and make city elections partisan and there is even legislation floating around in Tallahassee trying to make city elections partisan, which he does not understand. Lastly, he said win or lose, all candidates should remain engaged.

Broward Days - Mayor Ganz said the residents' concerns, i.e. Airbnb's, were brought to Tallahassee. Further, he said in 2021, 7,600 carry permit applications were denied, whereby, if the new bill passes, those individuals will now be allowed to carry. Thereafter, he reiterated a very effective argument he heard in Tallahassee, whereby, if you don't need a license to own a gun, why do you need to register to vote. Mayor Ganz said Deerfield Beach is highly respected in Tallahassee, which he is proud of because it has not always been the case. Thereafter, he thanked the Elected Officials for all their hard work as it has not gone unnoticed. He also thanked Jonathan Salas, Director of Community Services, and David Santucci, City Manager, for the phenomenal job they did in Tallahassee. He also stated that the City's legislative agenda was well received and greatly appreciated by the legislators.

BSO - Mayor Ganz thanked police and fire for keeping them well informed, as the work they do is phenomenal.

Student Government - Mayor Ganz spoke in support of Commissioner Preston's idea, but advised that the high schools do have a student government, so if something new cannot be created, he suggested getting those who are already involved, involved with this commission.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to adjourn the meeting at 8:27 p.m. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

CITY OF DEERFIELD BEACH

_____
BILL GANZ, MAYOR

_____
Heather Montemayor, CMC, City Clerk

HILLSBORO INLET DISTRICT
Minutes of Regular Monthly Meeting, Monday, February 27, 2023
Fletcher Hall, 2200 NE 38th Street, City of Lighthouse Point

MEMBERS PRESENT:

Chair Denise Bryan
Vice-Chair Laurence Gore (Arrived 6:36 PM)
Commissioner Scott Loesel
Commissioner Tyler Chappell
Commissioner Mohamed "Mo" Tarifi (Via Zoom 6:34 PM)
Commissioner Randy Strauss
Commissioner Robert O'Neill
Commissioner Max Turner

OTHERS PRESENT:

David N. Tolces, General Counsel, Weiss Serota Helfman Cole & Bierman, P.L.
Captain Woodworth R. Draughon III
Assistant Captain, Alexander Cuevas
Christopher Creed, P.E., D.C.E, Olsen Associates, Inc. (Via Zoom)
Captain Luis Rodas
Paul Velisarios, Quality Sandblasting, Inc.
District Accountant Robert Andrews
Kimberly Longo, District Secretary
Ryan W. Hudak, Assistant General Counsel, Weiss Serota Helfman Cole & Bierman, P.L.

QUORUM PRESENT: The Secretary called the roll and established a quorum for the regular meeting. The meeting was called to order by Chair Bryan at 6:30 P.M.

APPROVAL OF MINUTES: A Motion to approve the January 23, 2023 Regular Meeting Minutes was made by Commissioner Chappell and seconded by Commissioner Loesel.

Chair Bryan	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The Motion to approve the Regular Meeting Minutes was approved unanimously. (6-0)

APPROVAL OF OUTSTANDING BILLS: A Motion was made by Commissioner Loesel and seconded by Commissioner O'Neill for approval of all outstanding bills in the amount of $61,686.09. The bills were reviewed and discussed in detail.

Chair Bryan	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The Motion to approve the outstanding bills was approved unanimously. (6-0)

APPROVAL OF CURRENT MONTH'S EXPENSES: Motion was made by Commissioner Loesel and seconded by Commissioner Chappell to approve current month's expenses of approximately $40,000.00.

Chair Bryan	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The Motion to approve the current month's expenses was approved unanimously. (6-0)

DREDGE LOG: Captain Draughon presented the Inlet depth chart, which depicted eight (8') feet controlling depth shoreward and five (5') feet controlling depth seaward. There was 25.5 hours of dredging time, resulting in about 11,475 yd^3 of sand bypassed to Pompano Beach. There was 15 hours of dredging time, resulting in about 6,750 yd^3 sand outside the channel into the staging area.

INLET STATUS REPORT: Captain Draughon advised the Board that the crew performed general maintenance. Captain Draughon also advised that the crew also performed the following:

1. Made repairs to locking ring to housing;
2. Fabricated parts to the connection to the new submerged line and currently working on a breach in the line from Hillsboro to Pompano; and
3. Performed preventive maintenance

Chair Bryan advised that she along with District Accountant Robert Andrews, Captain Draughon and Assistant Captain Cuevas met the new General Manager at the Hillsboro Club, Carl Horace. She stated it was a good meeting and the District has a long relationship with the Hillsboro Club.

Chair Bryan showed videos of boaters who are driving excessively fast and not adhering to the wake zone while the District's crew are trying to work and stated the District has asked for help from the Broward Sheriff's Office. There are also kids walking on the south jetty.

PUBLIC COMMENTS: Captain Luis Rodas, representing Patten Family Companies out of Boca Raton. He stated to the Board that he appreciates the efforts of the District's crew and Board

and stated for the Board to use federal and state help to obtain funds as the District's equipment seems to be updated and expressed his concerns relating to getting in and out of the Inlet.

NEW BUSINESS

DRAFT AUDIT REPORT 2021-2022 FISCAL YEAR: Chair Bryan advised the Board that Ken Smith of Keefe McCullough was present to discuss the 2021-2022 Audit. Mr. Smith advised the Board that there were no issues with the District's Audit. Mr. Smith stated District Accountant, Robert Andrews provided the information that was needed. It was a normal process and the reports are unmodified. The District is in compliance. A Motion was made by Commissioner Strauss to approve the 2021-2022 Audit and seconded by Commissioner Loesel.

Chair Bryan	Yes
Vice-Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The Motion to approve the Draft Audit Report 2021-2022 Fiscal Year was approved unanimously. (8-0)

AUDITING SERVICES COMMITTEE: Attorney David Tolces advised the Board that the District will have to issue a Request for Proposal ("RFP") in March for an auditor. The Board discussed the formation of an Auditor Selection Committee, which is required by statute. A Motion was made by Commissioner Chappell and seconded by Commissioner O'Neill to appoint Commissioner Turner, Commission Loesel, and Commissioner Strauss to the Auditor Selection Committee.

Chair Bryan	Yes
Vice-Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The motion to approve the Auditor Services Committee was approved unanimously. (8-0)

APPROVAL OF TASK ORDER FOR GENERAL SERVICES WITH OLSEN ASSOCIATES, INC.: Chris Creed of Olsen Associates, Inc. discussed the Olsen Associates, Inc.'s Task Order proposal with the Board which will provide professional coastal engineering services to the District to support the District in general liaison with District contractors, staff and

Board members as may be required with the State and Federal agencies as well as relevant correspondence with others relating to bypass operations on an as needed basis for a budget not to exceed $20,000.00. If the amount goes over the $20,000.00 budget, it must get additional authorization from the Board. A Motion was made by Commissioner Chappell to approve the Task Order for General Services in the amount of $20,000.00 and if the amount exceeds $20,000.00 it must get authorization from the Board and seconded by Commissioner Strauss.

Chair Bryan	Yes
Vice-Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The motion to approve to approve the Task Order for General Services was approved unanimously. (8-0)

DISCUSSION OF SAND BYPASS PERMIT RENEWAL: Chris Creed of Olsen Associates, Inc. advised the Board that the work for the District's Sand Bypass Permit Renewal is underway. Subject to the approval of a task work order, Olsen-Associates will prepare a new 15-year FDEP permit application for sand bypass operations. Mr. Creed will submit Olsen-Associates' proposal at the District's March meeting. The current District Sand Bypass Permit expires in December, 2023. The application for the permit will be submitted before the end of the year and will request a time extension while the District's permit is under review. The District has been assured that the FDEP will grant an extension of the current permit during the period when the District's permit application is being reviewed.

DISCUSSION REGARDING FUNDING REQUEST TO STATE OF FLORIDA: Chris Creed of Olsen Associates, Inc. advised the Board that Olsen Associates, Inc. can assist the District with the preparation of a 2023 local government funding request. He advised the Board that the Board will need to decide what items will be included in such request. Attorney Tolces advised that the District submitted a funding request with the assistance of House Representative Chip LaMarca and Senator Tina Scott Polsky request to fund 50% of the purchase of the new winch.

DISCUSSION REGARDING FUNDING REQUEST TO FLORIDA INLAND NAVIGATIONAL DISTRICT: Chris Creed of Olsen Associates, Inc. discussed with the Board the possibility of the District obtaining grant funds from the Florida Inland Navigation District for certain waterway improvement project through its Assistance Program. Mr. Creed advised the deadline to file an application is March 27, 2023 and the District does not have time to get it done in time this year. Attorney Tolces advised that the District will meet with a local FIND representative and come up with a project whether it is the buoys or another project that will qualify for funding to help take the burden off the taxpayers.

DISCUSSION REGARDING REFURBISHING THE DREDGE: Paul Velisarios of Quality Sandblasting, Inc. discussed refurbishing the dredge. He discussed the difficulties with securing

a location at the marinas. He then discussed applying a silicon based coating on the dredge. The Board discussed the proposed silicon based application as it relates to the District's dredge. Mr. Velisarios will provide a proposal at next month's meeting which will include a warranty.

DISCUSSION OF NORTH JETTY BUOY SAFETY PROJECT: Chris Creed of Olsen Associates, Inc. discussed his continuation of work with marine contractors to secure cost proposals to fabricate and install the buoy infrastructure. A proposal was provided from Industrial Divers in the amount of $74,790.00, not including the maintenance of the buoys to stay in place. The cost is based on fabrication of the anchors and the installation of the anchors given the size. Chair Bryan asked Commissioner Chappell if this buoy project would meet the FIND criteria for a grant application and award. Commissioner O'Neill inquired if the District can check with Deerfield Beach to see how much they paid for the installation of their buoys. He stated that the proposal that was provided is very expensive. Mr. Creed asked for another month to work on this item more and to see the logistics he and Captain Draughon can come up with.

UPDATE REGARDING PURCHASE OF WINCH AND BARGE: Captain Draughon advised the Board that the winch and the barge will be delivered in five weeks, hopefully by the end of March.

OLD BUSINESS

GENERAL COUNSEL COMMENTS: Attorney Tolces reminded the Board that their next meeting will be Monday, March 27, 2023 and the Audit Board meeting will be Monday, March 27, 2023 at 6:15 PM.

COMMISSIONER COMMENTS: Chair Bryan advised the Board that Chris Creed of Olsen Associates, Inc. has been given a lot of work to do in the next few weeks and inquired if the District can move the March meeting to the following week (March 27, 2023). A Motion to move next month's District meeting to March 27, 2023 was made by Commissioner Strauss and seconded by Commissioner O'Neill.

Chair Bryan	Yes
Vice-Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Chappell	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes
Commissioner Turner	Yes

The Motion to move next month's District meeting to March 27, 2023 was approved unanimously. (8-0)

District Accountant Robert Andrews provided the Board with an update regarding the amount of funds going out on projects and how much will be budgeted. Total estimate of funds could be 2.3

million dollars. The District has already collected a bulk of the tax dollars. An estimate of the Inlet Management Plan could be $500,000.00. Chair Bryan also stated that we are close to entering hurricane season and will need a cushion in case funds are needed. District Andrews stated that he will prepare a timeline of projects that need to be done and an estimate of costs in the future for funding. Commissioner Chappell stated that we should prepare to do the Inlet Management Plan now and have a framework in place.

Commissioner O'Neill expressed concern that Chris Creed of Olsen Associates, Inc. is getting overwhelmed with a lot of our projects and suggested working with other companies. Commissioner Chappell stated that Mr. Creed has a large company and can handle our projects.

ADJOURNMENT: Motion was made by Commissioner O'Neill to adjourn the meeting and seconded by Vice-Chair Gore. The meeting was adjourned at 8:12 PM by Chair Bryan.

Respectfully submitted,

_____

Kimberly Longo, District Secretary

Regular City Commission Meeting - April 4, 2023

DEERFIELD BEACH - YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Tuesday, April 4, 2023, at 7:00 PM in the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, Florida.** A quorum of the City Commission will be physically present at the meeting and the City will be utilizing communications media technology with most City staff participating through video conferencing.

The April 4, 2023, Regular City Commission meeting will proceed utilizing communications media technology; **however, the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, will be open to the public as an additional method** for speakers wishing to speak on items. A copy of the agenda for the April 4, 2023 meeting will be available at http://www.deerfield-beach.com/1554/Meetings-Agendas.

Attending and Viewing the City Commission Meeting:

This meeting will be broadcast live for members of the public. There are several options available to the public to attend/view the meeting:

1. **In Person Attendance**. Attend in person in the City Commission Chambers.

2. **Zoom**

   a. **Via Zoom Online** - Access to the meeting will begin at 6:45 PM on April 4, 2023.
      i. Use the following link below to access the meeting via Zoom:
https://deerfield-beach.zoom.us/j/81623032766?pwd=bzkzcjh1ZzY4OTNSQVR6MlZUakpnQT09
      ii. The video camera display feature is disabled for public use

   b. **Via Zoom Telephone** - Join the meeting via telephone (audio only) using the Call-in number below, followed by the Meeting ID when prompted. No computer or access code is required.

Call-in Number: (301) 715-8592, Meeting ID: 816 2303 2766#, Participant ID: #, Passcode: 335319#

For more information on using Zoom, please visit Zoom Support at the following link: https://support.zoom.us/hc/en-us.

3. **YouTube**

   The meeting will also be available to the public via YouTube for audio and video access; however, public participation, i.e. comments are not possible. The link to watch the meeting via YouTube will be active no later than 6:45 PM on April 4, 2023, and can be found by clicking the camera icon in the Media column at http://www.deerfield-beach.com/1554/Meetings-Agendas.

Providing Public Comment:

Public participation is strongly encouraged. Your comments will be limited to three minutes per person. To participate, please choose the option best for you and remember to include your name and address for the record.

1. **In person** - Public comment may be given in the Commission Chambers during the applicable public comment portion of the meeting.

2. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click "raise hand" on the bottom of the "participants" tab, and your audio will be unmuted when you are recognized.

3. **Live Zoom Telephone Participation** - If attending via Zoom by telephone, at the appropriate public comment period, press *9 to "raise your hand" and your audio will be unmuted when you are recognized.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 3 DAYS PRIOR TO THE MEETING AT (954) 480-4213 FOR ASSISTANCE.

Should you have any questions, please feel free to contact the City Clerk's Office at 954.480.4213. For additional information on the agenda items for the Commission meeting, please visit www.dfb.city.

City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet
File Number: I.D. 2023-1781

Agenda Date: 4/4/2023

Status: QUASI-JUDICIAL PUBLIC HEARING

In Control: City Commission

Title
P.H. 2023-056: APPLICATION 21-RM25-109

Recommended Action
Commission to vote on Resolution

Voting Requirement
Adoption requires a 4/5 vote of the City Commission

Background/History
The Applicant, FMO of Boca Raton, LLC, is seeking major site plan approval to demolish an existing 2,584 square foot apartment building with three units and redevelop the property with four townhouses. Each of the two-story townhouses will feature 3 bedrooms per unit, an active rooftop deck, and an oversized garage. In order to develop the Project, Petitioner is also requesting a variance from Section 98-61 of the Land Development Code to allow for a twenty-foot (20') front yard in lieu of the required twenty-five foot (25') front yard.

A traffic impact analysis was submitted with the site plan application and reviewed by the City's traffic consultant. Since the analysis of the proposed development resulted in less than 500 daily trips, a trip impact analysis was not required. The site meets all setback, bulk, parking, lighting, landscape and appearance requirements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

On January 25, 2023, the item was heard and approved by the Community Appearance Board.

On March 2, 2023, the item was heard and approved by the Planning & Zoning Board.

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING A MAJOR SITE PLAN FROM FMO OF BOCA RATON, LLC, TO DEMOLISH AN EXISTING 2,584 SQUARE FOOT, THREE-UNIT APARTMENT BUILDING AND CONSTRUCT A TWO STORY, FOUR-UNIT TOWNHOUSE DEVELOPMENT WITH GARAGES ON THE PROPERTY LOCATED AT 325 NE 20TH AVENUE (APPLICATION NO. 21-RM25-109); APPROVING A VARIANCE FOR THE PROPOSED DEVELOPMENT TO PERMIT A 20 FOOT FRONT YARD IN LIEU OF THE MINIMUM 25 FEET REQUIRED BY THE CITY'S LAND DEVELOPMENT CODE (CASE NO. 2576); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Application No. 21-RM25-109 (the "Site Plan Application") has been submitted to the City by FMO of Boca Raton, LLC (the "Applicant") seeking site plan approval to demolish an existing 2,583 square foot, three-unit apartment building and to construct a two story, four-unit townhouse development with garages on the property located at 325 NE 20th Avenue, Deerfield Beach (the "Development"); and

WHEREAS, the Development site is an approximately .245 acre lot located in the RM25 Multi-Family Residential Zoning District and described as OCEAN VUE 3-34B, LOT 35, BLK 107, as more particularly described in the file, and located at 325 NE 20th Avenue, Deerfield Beach, Florida (the "Property"); and

WHEREAS, the Applicant has also submitted an application seeking approval of a variance for the Development to permit a front yard of 20 feet in lieu of the minimum 25 feet required by Section 98-61 of the City's Land Development Code (the "Variance Application"); and

WHEREAS, the Site Plan Application and Variance Application were previously reviewed by City staff, and on January 25, 2023, the Community Appearance Board approved the Site Plan Application; and

WHEREAS, the Planning and Zoning Board voted to recommend approval of the Site Plan Application on March 2, 2023; and

WHEREAS, the City Commission has reviewed and received testimony on the Variance Application and determined that a hardship as well as the other requisites to a variance have been demonstrated by the Applicant as required by Section 98-116(f)(2) of the Land Development Code of the City of Deerfield Beach; and

WHEREAS, based upon the evidence in the record and presented at the hearing before the City Commission, the City Commission finds that, with the exception of the front yard setback for which the Applicant has requested a variance, all applicable Land Development Code

requirements have been met, the Site Plan Application is consistent with the City's Comprehensive Plan and approval of the Site Plan Application is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The Variance Application for the variance from Section 98-61 of the City's Land Development Code to permit a front yard of 20 feet in lieu of the minimum 25 feet required by Section 98-61 of the City's Land Development Code is hereby approved.

Section 3. The Site Plan Application is hereby approved, subject to all requirements set forth in the DRC report, as amended, dated February 22, 2023, which shall be deemed conditions of this approval and shall be satisfied.

Section 4. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Should any section or provision of this Resolution or any portion thereof, any paragraph, sentence 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 thereof other than the part declared to be invalid.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2023.

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, DENYING A MAJOR SITE PLAN FROM FMO OF BOCA RATON, LLC, TO DEMOLISH AN EXISTING 2,584 SQUARE FOOT, THREE-UNIT APARTMENT BUILDING AND CONSTRUCT A TWO STORY, FOUR-UNIT TOWNHOUSE DEVELOPMENT RESIDENTIAL BUILDING WITH GARAGES ON THE PROPERTY LOCATED AT 325 NE 20TH AVENUE (APPLICATION NO. 21-RM25-109); DENYING A VARIANCE FOR THE PROPOSED DEVELOPMENT TO PERMIT A 20 FOOT FRONT YARD IN LIEU OF THE MINIMUM 25 FEET REQUIRED BY THE CITY'S LAND DEVELOPMENT CODE (CASE NO. 2576); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Application No. 21-RM25-109 (the "Site Plan Application") has been submitted to the City by FMO of Boca Raton, LLC (the "Applicant") seeking site plan approval to demolish an existing 2,583 square foot, three-unit apartment building and to construct a two story, four-unit townhouse development with garages on the property located at 325 NE 20th Avenue, Deerfield Beach (the "Development"); and

WHEREAS, the Development site is an approximately .245 acre lot located in the RM25 Multi-Family Residential Zoning District and described as OCEAN VUE 3-34B, LOT 35, BLK 107, as more particularly described in the file, and located at 325 NE 20th Avenue, Deerfield Beach, Florida (the "Property"); and

WHEREAS, the Applicant has also submitted an application seeking approval of a variance for the Development to permit a front yard of 20 feet in lieu of the minimum 25 feet required by Section 98-61 of the City's Land Development Code (the "Variance Application"); and

WHEREAS, the City Commission has reviewed and received testimony on the Site Plan Application and Variance Application; and

WHEREAS, after reviewing the Variance Application and the testimony submitted, the City Commission has determined that the Applicant has not satisfied the requirements as set forth in Section 98-116(f)(2) of the City's Land Development Code for a variance; and

WHEREAS, the City Commission finds that the Site Plan Application for the Property without the Variance fails to satisfy the requirements of Section 98-61 of the City of Deerfield Beach Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The City Commission finds that Case No. 2576 fails to satisfy the requirements for a variance as set forth in Section 98-116(f)(2) of the City's Land Development Code. Therefore, the Variance Application is hereby denied.

Section 3. The Site Plan Application is hereby denied based upon the failure to meet the requirements of Section 98-61 of the City of Deerfield Beach Land Development Code.

Section 4. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Should any section or provision of this Resolution or any portion thereof, any paragraph, sentence 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 thereof other than the part declared to be invalid.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2023.

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

Deerfield Beach
Florida

PUBLIC HEARING NOTICE

March 24, 2023

Dear Property Owner:

This is to notify you that the CITY COMMISSION of the City of Deerfield Beach, a municipal corporation of Florida, shall hear an application for:

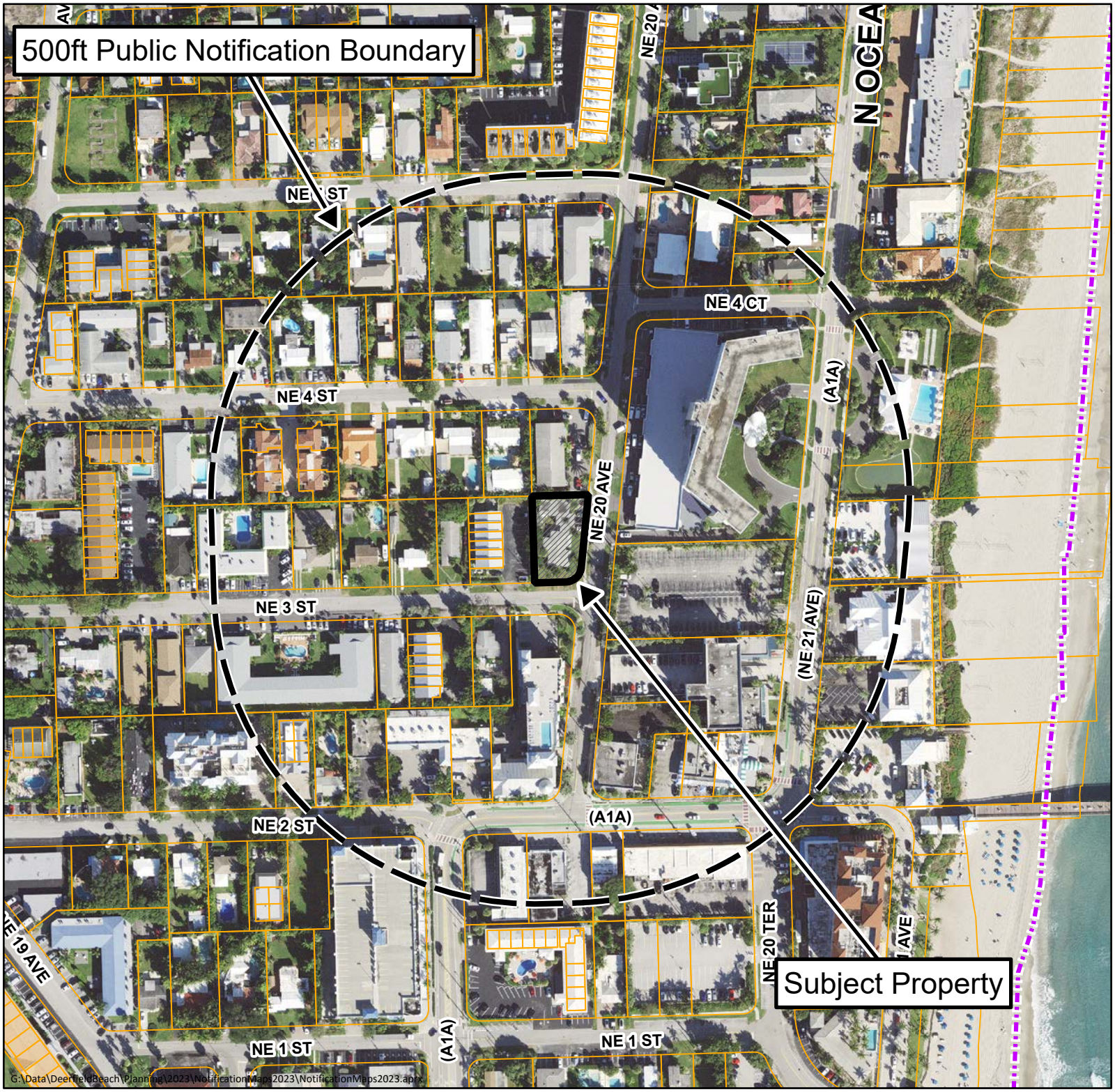
P.H. 2023-056: APPLICATION 21-RM25-109
Applicant: **FMO of Boca Raton LLC, represented by Dunay, Miskel & Backman, LLP**
Proposal: Major Site Plan application seeking approval to construct 4 new townhomes and associated site improvements, and seeking a variance from Section 98-61 to allow for a minimum twenty-foot (20') front yard in lieu of the required twenty-five-foot (25') front yard, on a 0.245-acre site.
Location: The property is generally described as OCEAN VUE 3-34 B LOT 35 BLK 107, more particularly described in the file, and located at 325 NE 20th Avenue.

A public hearing will be held on **TUESDAY, APRIL 4, 2023 at 7:00 p.m.** in the City Commission Chambers, City Hall, 150 NE 2nd Avenue, Deerfield Beach, Florida, and communications media technology will be utilized with some City staff participating through video conferencing via Zoom (virtual meeting). All interested parties may appear in person to offer evidence in support of or against the proposal. Further information may be obtained at www.deerfield-beach.com/agendas or from the Planning and Development Services Department during business hours in City Hall, 150 N.E. 2nd Avenue, Deerfield Beach, FL 33441, phone: (954) 480-4206.

At said meeting interested persons may appear and be heard with respect to the public hearing. Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this hearing would need a record of the proceedings. And for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The above notice is required by State Law (FS 286.0105). **Any person desiring a verbatim transcript shall have the responsibility, at his own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed to appeal any decision of the City Commission.

Any person requiring auxiliary aids and services at this hearing may contact the City Clerk's Office at (954) 480-4213 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

Heather Montemayor, CMC, City Clerk



Public Hearing Notice Map

Island Estates 21-RM25-109

325 NE 20 AVE

N
W E
S

0 130 260

Feet

For additional information
call the Planning Department at 954-480-4206
or visit www.deerfield-beach/boardagendas

Deerfield Beach
Florida

PUBLIC NOTICE

APPLICATION
21-RM25-109

February 15, 2022

Dear Property Owner:

This is to notify you that the **PLANNING AND ZONING BOARD** of the City of Deerfield Beach, a municipal corporation of Florida, shall hear an application for:

FMO of Boca Raton, LLC.
Represented by Dunay, Miskel & Backman LLP

Seeking major site plan approval to construct 4 new townhomes and associated site improvements, and seeking a variance from Section 98-61 to allow for a minimum twenty-foot (20') front yard in lieu of the required twenty-five foot (25') front yard, on a 0.245-acre site described as OCEAN VUE 3-34 B LOT 35 BLK 107, more particularly described in the file, and located at **325 NE 20th Avenue.**

A public hearing will be held on **THURSDAY, March 2, 2022,** at **7:00 P.M.** in the **City Hall Commission Chambers, located at 150 NE 2nd Avenue**, **Deerfield Beach, FL 33441**. All interested parties may appear in person to offer evidence in support of or against the proposal. Further information may be obtained at www.deerfield-beach.com/boardagendas or you may contact the Planning Office during business hours in City Hall, 150 N.E. 2nd Avenue, Deerfield Beach, FL 33441, phone: (954) 480-4206.

Any person wishing to appeal any decision made by the Planning and Zoning Board with respect to any of the above, will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The above notice is required by State Law (FS 286.0105.) **Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed in order to appeal any decision of the Board. If anyone requires auxiliary aids for communication, please call (954) 480-4206.

Eric M. Power
Director of Planning & Development Services

Development Review Committee
Summary Report
Development Plan Application Review

General Information

Application No.	21_RM25-109
Project Name:	Island Estates
Applicant:	FMO of Boca Raton, LLC
Agent:	Dunay, Miskel & Backman, LLP
Requested Action/Description:	Major Site Plan application seeking approval to construct 4 new townhomes and associated site improvements, and seeking a variance from Section 98-61 to allow for a minimum twenty-foot (20') front yard in lieu of the required twenty-five-foot (25') front yard, on a 0.245-acre site.
Location:	325 NE 20th Avenue
Legal Description:	Generally described as OCEAN VUE 3-34 B LOT 35 BLK 107, more particularly described in the file.
Size:	0.245 acres
Existing Zoning:	RM-25 Resident, Multifamily District
Existing Land Use:	Residential Multifamily
Future Land Use Plan Designation:	Residential High (25 DU/AC)

Surrounding Land Use and Zoning:

	Existing Land Use	Zoning
North:	Apartment building	RM-25 Residence, Multifamily
East:	Multifamily condo residences	B-1 Business, Community
South:	Hotel	RM-25 Residence, Multifamily
West:	Multifamily residences	RM-25 Residence, Multifamily

Applicable Regulations:	Deerfield Beach Land Development Code
Plat Restrictions:	None

REQUEST:

Major Site Plan application seeking approval to construct 4 new townhomes and associated site improvements, and seeking a variance from Section 98-61 to allow for a minimum twenty-foot (20') front yard in lieu of the required twenty-five-foot (25') front yard, on a 0.245-acre site.

BACKGROUND:

The Applicant, FMO of Boca Raton, LLC, is seeking major site plan approval to demolish an existing 2,584 square foot apartment building with three units and redevelop the property with four townhouses. Each of the two-story townhouses will feature 3 bedrooms per unit, an active rooftop deck, and an oversized garage.

In order to develop the Project, the Applicant is also requesting a variance from Section 98-61 of the Land Development Code to allow for a twenty-foot (20') front yard in lieu of the required twenty-five foot (25') front yard.

A traffic impact analysis was submitted with the site plan application and reviewed by the City's traffic consultant. Since the analysis of the proposed development resulted in less than 500 daily trips, a trip impact analysis was not required. The site meets all setback, bulk, parking, lighting, landscape and appearance requirements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

On January 25, 2023, the item was heard and approved by the Community Appearance Board.

SUMMARY OF DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The application has been reviewed by the Development Review Committee (Planning & Zoning, Landscape, Environmental Services, Sanitation, Traffic). Staff comments have been addressed and the application is considered to be in compliance with the Land Development Code. Staff DRC comments are attached to this report.

PLANNING CONSIDERATIONS:

1. Compliance with the Comprehensive Plan. Per Section 98-9, no permit or approval for development of land shall be approved which does not comply with the goals, objectives and policies (GOPs) of the Deerfield Beach Comprehensive Plan. The Future Land Use (FLU) Map designation identifies the site as Residential High (25 DU/AC), and the Plan indicates townhomes to be appropriate in this land use category.

2. Land Development Requirements: Pursuant to the City of Deerfield Beach official zoning map, the property is currently located within RM-25 Resident, Multifamily zoning district. The proposed use is a permitted use within the RM-25 Resident, Multifamily district.

3. Finding of compatibility of a proposed development with adjacent and neighboring (500 feet) uses and zoning; Per Section 98-17(15), there must be a finding of compatibility as defined in the Land Development Regulations, between adjacent and neighboring uses (500 feet) and the proposed development. By definition,

compatibility is to be measured based on the following compatibility characteristics of the proposed development in relationship to the immediate surrounding area:

(a) Permitted uses, structures and activities allowed within the zoning category;

Townhomes are a permitted use within the RM-25 Resident, Multifamily district. There are existing multifamily buildings completely surrounding the subject parcel, and the proposed building is consistent with the structures and activities in the RM-25 Resident, Multifamily district.

(b) Building location, dimensions, height and floor area;

The proposed building meets most of the required setbacks for the RM-25 Resident, Multifamily district with the exception of the east side. The east side of the site is considered the front of the property and requires a 25' front yard. The applicant is requesting a variance to reduce the 25' front yard requirement to 20'. In other regards, the proposed building meets the requirements for dimensions, height, and floor area.

(c) Location and extent of parking, access drives and service areas;

Each townhouse unit within the building is being provided with a two-car garage. The applicant has demonstrated that driveway have adequate maneuvering room on the site to exit the site in a forward motion. It is anticipated that trash service will be provided through roll out carts.

(d) Traffic generation, hours of operation, noise levels and outdoor lighting;

The proposed development plan was reviewed by the City's traffic engineering consultant and was determined to be sufficient. The site is in a location where noise will be minimal. The propose outdoor lighting meets the code requirements for lighting.

(e) Alteration of light and air;

The proposed site will not impact light and air more than what would be allowed by the zoning regulations.

SUMMARY & REQUIREMENTS

Staff's review of application 21-RM25-109 has found that the proposed project is consistent with the goals, objectives and policies of the Future Land Use Element of the Deerfield Beach Comprehensive Plan, and the proposed use is permitted per the Land Development Code.

This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Island Estates**	**Application No.:**	**21-RM25-109**
Reviewer Name:	**Chris Suneson**	**Project Address:**	**325 NE 20th Ave.**
Department/Division:	**Planning & Zoning**		
Position:	**Asst Director**		
Date of Review:	**12/2/22**		
Submittal No.:	**4**		

A.	**APPLICATION / GENERAL COMMENTS:**	
	1.	The Project coordinator (Chris Suneson) shall be the primary point of contact between the applicant and the City during the DRC process. The applicant shall not contact a City consultant without first contacting the project coordinator. Furthermore, the applicant must notify or copy via email any conversation or contact the applicant has with a separate division or department of the City. **Amended 9/16/22*
	1.a.	Comment acknowledged.
	2.	Prior to resubmittal, contact Chris Suneson, Asst. Director, and Shelly Grant, Planning Assistant, at csuneson@deerfield-beach.com and cgrant@deerfield-beach.com to schedule a Development Review Committee meeting. **Amended 9/16/22*
	2.a.	Comment acknowledged.
	3.	All resubmittals shall be provided with a written narrative responding to all comments.
	3.a.	Comment acknowledged.
	4.	Per Sec. 98-35, all applications proceeding to City Commission shall comply with requirements for public notice, including submittal of all required fees, documents, and labels for notice to property owners, on-site signage, and newspaper publishing. Applicants are only permitted to begin the public notification process upon determination by Planning & Zoning staff that the item has been scheduled for an upcoming public hearing. The Public Notice Checklist is attached and can be accessed at http://www.deerfield-beach.com/DocumentCenter/View/12586/Public-Notice-Checklist.
	4.a.	Comment acknowledged.
	5.	For items being heard by City Commission, a cost recovery fee shall be paid by check to the City of Deerfield Beach for electronic document remediation of the application in order to comply with Title III of the Americans with Disabilities Act. The fee will be payable by the Applicant once the City receives the invoice.
	5.a.	Comment acknowledged.

6.	Community Appearance Board approval is required prior to approval of site plan. Staff will notify the applicant once application submittal is to be scheduled as item on an agenda. The applicant shall provide both existing and proposed elevations to determine building facades will complement each other. Once staff has advised the item is ready to be scheduled for CAB, submit five (5) sets of revised plans in 11" x 17" with Community Appearance Board application, which include colored building elevations and complete site plan sets.
6.a.	Comment acknowledged.
7.	Per Section 98-13(8)(j) The attached document titled Conceptual Engineering Plan are advisory comments and shall be addressed upon submittal of the engineering permit. Applicant must not resubmit conceptual engineering plan sets or address these comments during the DRC process.
7.a.	Comment acknowledged.
8.	Per Section 98-14(f) An application for development plan shall be deemed to have been abandoned becoming null and void after six months of inactivity. If an application has no activity within this time frame, then a new application for development plan along with all applicable fees shall be submitted should the applicant wish to proceed with the project.
8.a.	Comment acknowledged.
9.	The initial site plan application fee includes the first review plus two resubmittals. Any resubmittal after the 3rd site plan review requires a fee of 30% of the initial application fee to be submitted for each submittal thereafter
9.a.	Comment acknowledged.
9.b.	This project submitted review fees in the amount of $3,140 for site plan ($2,140) and variance review ($1,000). has been submitted a fourth time, and now owes $642.00. Any subsequent reviews will require an additional review of $642.00
9.c.	Comment acknowledged.
10.	Per the requirements of Chapter 98-17.1 the applicant is required to pay impact fees for Public Safety and Parks. Payment of these fees are due at the time of Building permit submittal. Please note that if the project changes in size or intensity, the below calculations may also change. An impact fee calculation sheet will be given to the applicant when the project is complete. 1. Fire Rescue **$ 931.48** 2. Police **$ 1,139.16** **3.** Parks **$ 6,112.00**
10.a.	Comment acknowledged.
11.	Community Meeting - Prior to being scheduled for a public hearing, the Applicant is encouraged to hold its own meeting with the surrounding community to explain the proposed project and seek feedback. At a minimum, the applicant should invite all properties within 500 feet of the subject site. If a meeting is held, please provide Planning and Development Services staff with the meeting details for record on the file.
11.a.	Comment acknowledged.
12.	**You are required to contact Broward County's Resilient Environment Department, Urban Planning Division (954-357-6666, Option 2; and jsaname@broward.org) concerning their transit oriented concurrency process. Provide documentation that

	this has been completed and that any payments have been made as appropriate.** *Amended 2/1/22*
12.a.	Comment addressed.
13.	Revise the narrative to clarify whether the proposed townhomes will be fee-simple or rentals.
13.a.	Comment addressed. Response sheet states the units will be fee-simple.
14.	All sheets within the plan set demonstrate lot lines for the site which are inconsistent with the property as it is shown from the Broward County Property Appraiser and recorded plat. All sheets must be revised to reflect the correct property boundaries and site information.
14.a.	Comment not addressed. Survey of the property was not sufficiently provided to confirm lot line location. Further, the 24"x 36" copies of the plan sets contained a survey for a property outside of the Deerfield Beach municipal boundary. Refer to comment no. 8 in Table C. Survey. for additional information.
14.b.	Comment addressed.
15.	Confirm that the use of an Adobe Acrobat digital signature complies with the signature and seal requirements pursuant to Chapter 61G1-16 of the Florida Administrative Code.
15.a.	Comment addressed.
	NEW COMMENT 9/16/22
16.	As of February 1, 2008, the Public School Impact Application (PSIA) must be submitted to the School Board of Broward County for developments that are required to submit to the School District. Evidence of submittal of the PSIA is required prior to submittal of a development application with a residential component to the City. Be advised that the Broward County School District will not accept any development application that does not include the attached form and the appropriate application fee. The form is available at http://www.broward.k12.fl.us/propertymgmt/#GrouthMgnt. If you have any questions, contact Chris Akagbosu at 754-321-8352. A copy of the school capacity availability determination (SCAD) letter from the School Board of Broward County must be submitted to the Planning and Development Services Department prior to City Commission approval of a site plan for a residential development. The PSIA on file is dated June 7, 20221 and has expired. Please update the SCAD and provide to staff.
16.a.	Comment addressed.

B.

COVERPAGE:	
1.	Location Map does not accurately demonstrate the adjacent land uses as there are single family and hotel uses not listed. Per Section 98-13(8)(a)(3) Provide a location map showing adjacent land use and zoning and all curbs and median cuts within 300 feet.
1.a.	Comment not addressed. Location map does not depict the adjacent parcels or the associated uses. Further, the circular buffer depicted in the map appears to obstruct the adjacent properties to the subject site.
1.b.	Comment addressed.

2.	Property owner contact information was not provided. Per Section 98-13(8)(a)(5) Provide contact information of the applicant, property owner, and architect/engineer of record.
2.a.	Comment addressed.
	NEW COMMENT 1/24/22
3.	Elevation sheets A-5, A-6, and A-7 are incorrectly located and listed in the Drawings Index. Per Section 98-13(8), the plan set should be in the following order: cover page, survey, site plan, elevations, floor plans, landscape plan, irrigation plan, and photometric plan. Revise the order of the plan set and the index on the cover page to meet Code requirements.
3.a.	Comment addressed.
	NEW COMMENT 6/16/2022
4.	Cover page demonstrates a legal description with a site area calculation inconsistent with the legal description provided on the signed and sealed survey. Revise the legal description to be consistent with the survey. Additionally, omit the Broward County tabulations from the sheet as they are not pertinent to the data required on the cover page, per Code Section 98-13(b)(8)(b).
4a.	Comment addressed.

C.	**SURVEY:**
1.	Survey is not current, as it is dated 7-1-2019. Per Section 98-13(8)(b)(1) Provide a certified boundary survey, in conformance with Chapter 61G17, Florida Administrative Code, no more than one year old from the submittal date and extending to the center line of all adjacent streets, which specifies gross and net acreage or square footage.
1.a.	Comment not addressed. Date is still listed as 7-1-2019 on the 11”x17” and digital copy.
1.b.	Comment addressed.
2.	The survey submitted with the plan set appears to be a copy and does not have an original seal or signature. It is also not accurately scaled. Submit a scaled signed and sealed survey.
2.a.	Comment not addressed. Refer to comment no. 8 below.
2.b.	Comment addressed.
3.	Survey does not include a title commitment. Per Section 98-13(8)(b)(5) Update the survey and provide a title policy, title commitment, title search/exam, opinion of title or property information report current to within one year, identifying any encroachment, encumbrance, violation, or variance, as well as the date, policy number, issuers name, address and the disposition of all schedule B-II encumbrances.
3.a.	Commitment references items (nos. 2,3,6, and 7) that may affect the site and were not plotted. Provide documentation of the abovementioned items to ensure are no conflicts with the proposed development of the site.
3.b.	Comment addressed.
4.	The survey demonstrates the south east edge of the property as pointed which is inconsistent with documentation of the property from Broward County Property

	Appraiser and the recorded plat associated with the site. Revise the survey to reflect the correct property boundaries.
4.a.	Comment not addressed. Refer to comment no. 8 below.
4.b.	Comment addressed.
5.	Confirm the extent and location of the demonstrated existing sidewalk adjacent to NE 20th Avenue (and all other conditions) on the survey as it appears inconsistent with the existing conditions and current aerials provided from Broward County Property Appraiser.
5.a.	Comment not addressed. Refer to comment no. 8 below.
5.b.	Comment addressed.
6.	Provide a legend and clarify the acronym O/S.
6.a.	Comment not addressed. No legend was provided for the survey. Further, ensure the legend provides clarification on the acronyms “P.C.” and “P.I.”
6.b.	Comment addressed.
7.	Provide dimensions of all lot lines, sidewalks, asphalt areas, etc.
7.a.	Comment not addressed. Refer to comment no. 8 below.
7.b.	Comment addressed.
	NEW COMMENT 1/24/22
8.	24”x36” copies of the plans include a signed and sealed survey for property with physical address Coral Shores Dr., Fort Lauderdale, FL 33306. Per Section 98-13(8)(b), provide a survey of the subject property in compliance with Code requirements. Ensure the survey demonstrates consistent information throughout each plan set.
8.a.	Comment addressed.

D. SITE PLAN:

1.	The site plan drawing and calculations provided in the site data table must be updated to accurately reflect the correct property boundaries and area calculations.
1.a.	Comment not addressed. Clearly demonstrate the property lot lines consistent with the survey, as previously requested.
1.b.	Comment addressed.
2.	The site data table lists the applicant as Peter B. McAllister, who is not listed on the development plan application as either the applicant or agent. Omit reference or revise all applicable application documents to reflect the applicant information (i.e. Development Plan application, disclosure affidavit, cover page, etc.).
2.a.	Comment addressed.
3.	No. 4 of the data table lists the previous use as residence and the proposed use, land use designation, and existing use designation all as RM-25 Multifamily. Revise the table to refer to RM-25 Multifamily as the zoning district. Revise the proposed use to be consistent with the scope of work and the previous use to identify the existing 4-unit multifamily development, provided they were legally established. Correct the land use designation to be Residential High (25 DU/AC).
3.a.	Comment not addressed.
3.b.	Comment addressed.
4.	Correct the height listed on the site data table to comply with Code requirements. Per Code Section 98-3, *building height* is defined as the “*vertical distance from the finish grade at the center of the front of the building to…the mean heights level between eaves and ridges for gable, hip and gambrel roofs*.” Refer to Comment no. 1 in *Table E.- Elevations*.

4.a.	Comment not addressed. Refer to comment no. 1/1.a. from *Table E.- Elevations*.
4.b.	Comment addressed.
5.	Ensure the required setbacks listed in the table are revised based on the corrected building height and reflect additional feet required per Code Section *98-61.- Schedule of Dimensional Regulations.* Revise the Required "north-rear" and "west-side" setbacks calculation in the data table to accurately demonstrate the Code requirement.
5.a.	Comment not addressed. Confirm height is accurately measured. Refer to comment no. of Table E. Elevations for further detail.
5.b.	Comment addressed.
6.	Remove 10- Landscape Buffers from the site data table.
6.a.	Comment partially addressed. Although the data was removed, the rest of the calculations must be renumbered to reflect the change.
6.b.	Comment addressed.
7.	Confirm gross floor area and floor area ratio calculations per Code requirements and ensure consistency throughout plan set. Floor area ratio is listed as 7,900 s.f., however, the units' square footage breakdown on the floor plan sheets result in calculations that vary from what is listed on the site data table. Note that the gross floor area for each unit includes the garage. Per Code Section 98-3, Floor area, gross means *the floor area within the perimeter of the outside walls of the building with no deduction for corridors, stairs, closets, thickness of walls, columns, or other features. Where the term "area" is used in this Code, it shall be understood to be gross area unless otherwise specified.; and* Floor area ratio *means a mathematical expression determined by dividing the gross floor area of a building by the area of the lot on which it is located: Gross Floor Area / Lot Area = Floor Area Ratio.*
7.a.	Comment addressed.
8.	Landscape and pervious area calculations are listed as 4,155 s.f. in the site data table. However, landscape plan sheet L-1 lists the landscape area as 3372.4 s.f. Correct the discrepancy and comply throughout the plan set.
8.a.	Comment addressed.
9.	Relocate the concrete patio and AC pads demonstrated in the required 5-foot landscape buffer to comply with Code Section 98-80(e).
9.a.	Comment addressed.
10.	Remove the dashed lines parallel to the east property line and the parallel diagonal hatching shown in the building. Provide a legend for all materials/hatching demonstrated on the site plan. If you would like to include a plan demonstrating the locations of the required and proposed setbacks, it may be provided as a supporting document in the variance application.
10.a.	Comment not addressed. Revise the plan to address the last sentence of comment no. 10 above.
10.b.	Comment addressed. Proposed and required setback line is acceptable.
11.	Provide the proposed front yard setback dimensions for Units B-D on the site plan drawing.
11.a.	Comment addressed.
12.	The yards labeled on the site plan drawing are incorrect. On the site plan drawing, revise the following: 1. "16' Req'd Side Setback" to "Proposed Rear Setback"

	2. "11' Min. Rear Req'd Setback" to "11' Proposed Side Yard Setback"
12.a.	Comment addressed; no longer applicable.
13.	Provide the setback measurement of the balconies that project beyond the ground floor building line. Per Section 98-71(c)(5) Unroofed and unenclosed balconies may project up to 5 feet into a required rear yard and 3 feet into a required side yard.
13.a.	Comment addressed.
14.	Clarify the vertical lines with the label "C" which appear to divide the areas between the concrete AC pads and patios.
14.a.	Comment addressed.
15.	Revise the site plan drawing to demonstrate the proposed widths and distance between the driveways on the site plan. Ensure both are measured along the property line. Per Section 98-13(8)(c)(2) Provide the proposed off-street parking spaces, and driveways, including location, dimensions, setbacks, ADA compliance and location of loading zones.
15.a.	Comment addressed.
16.	Per Section 98-88(e) Provide a vehicle auto-turn diagram demonstrating vehicles will not back out into the right-of-way and provide a notation on the site plan stating that vehicles will not back out into right-of-way. The auto-turn diagram may be included on a site detail sheet and located behind sheet A-1.
16.a.	Comment not addressed. The diagram sheet must demonstrate the entire site. Additionally, the area proposed as back-out spaces must be modified from 10 to 5 feet. This can be discussed in further detail during the DRC meeting.
16.b.	Comment addressed.
17.	Per Schedule B.-*Off-Street Parking Requirements* Revise the required parking to two parking spaces for each unit.
17.a.	Comment addressed.
18.	Is fencing proposed for the site? Elevation sheets demonstrate fencing within the backyard, inconsistent with the site plan drawing. If fencing is proposed, demonstrate the fencing on the site plan, providing the location, height, linear dimensions, material, and setbacks in compliance with Code. Additionally, provide a detailed elevation of the proposed fencing on the site plan sheet. Ensure consistency throughout all sheets within plan set.
18.a.	Comment addressed.
19.	Confirm whether a monument sign is proposed for the site. If so, provide the location and data demonstrating compliance with the sign regulations outlined in Chapter 102 of the Code. Per Section 98-13(8)(c)(10) Provide proposed location and elevations of wall sign areas and ground sign locations.
19.a.	Comment addressed.
20.	Remove floor plan labels from the site plan.
20.a.	Comment addressed.
	NEW COMMENT 1/24/2022
21.	Scale is indicated on sheets SP and SP-11 as 1"=1'0-0", which is inaccurate to the drawings provided on the plans. Per Code Section (standard comment). Ensure consistency with all sheets in plan set.
21.a.	Comment addressed.

E.	**ELEVATIONS:**
1.	Height is shown as being measured to the top of the roof deck which is inconsistent

	with Code as the proposed townhomes demonstrate a pitched roof on the room located on the third floor. Revise the elevation sheets to provide the correct building height as defined by Code and ensure the setbacks and height measurements in site data table accurately reflect the correction.
1.a.	Comment partially addressed. "Mean Height" is demonstrated on the elevation sheets and as measured from grade. Per Code Section 98-3, proposed *building height* shall be measured from *finish grade* to the flat surface of the roof. Rectify the error and ensure all plans are updated to reflect the correction.
1.b.	Comment addressed.
2.	The vertical dimension of the highest point of the building (the roof ridge) was not provided. Per Section 98-13(8)(d)(4) Show the height of all buildings, overhangs, and canopies, including the highest points of all proposed structures.
2.a.	Comment addressed.
3.	Per Code Section 78-6(d)3.(e)2. Properties located within Coastal Community Architectural District must adhere to design guidelines of COD. Ensure development complies with design guidelines found in Section 98-53B(g)(attached) of the Code.
3.a.	Comment partially addressed. To be discussed at the DRC meeting.
3.b.	Comment addressed.
4.	Proposed colors and materials were not included on the elevation sheets. Per Section 98-13(8)(d)(1) Provide scale drawing illustrating all elevations of all principal and accessory buildings and structures, including height, dimensions, color, surface materials and texture. Revise the elevation sheets to provide a color and material legend. Ensure the elevation drawings demonstrate the dimensions of all proposed features and elements demonstrated on the building (including but not limited to the partition walls on the third floor, windows, doors, roofing, railings, etc.).
4.a.	Comment not addressed. Address the following: 1. Item No. 9. On Exterior Finish Legend. – Exterior Light Fixtures. No lighting fixtures were demonstrated on the plans as identified on the legend. Refer to comment no. 1 in Table H. – *Photometric Plan* for more information. 2. Item No. 10 on Exterior Finish Legend. - Fencing is demonstrated as 6 feet; however, it does not appear to be accurate to the indicated scale. Ensure all items are dimensioned, to-scale. 3. The garage door with glass demonstrated on the image must be corrected to reflect the coloring/material of the cladding as proposed on the legends.
4.b.	Comment addressed.
5.	The *Rear-'North*' and *Left side-'West'* elevations located on Sheet A-3.1 do not appear to demonstrate multiple building materials or colors. A minimum of two building colors (a primary color and secondary) and two building materials are required, per Code Section 78-7(b)7. & 78-7(b)13.(c), respectively.
5.a.	The rear does not demonstrate the stone cladding in a manner sufficient to satisfy the minimum building materials Code requirement. Revise the elevations for the rear and side yard to ensure the dimensions are adequately.
5.b.	Comment addressed.
6.	It appears that the brick/stone siding terminates on the north and west elevations. Per Code Section 78-7(b)13(b), the brick/stone must continue harmoniously on all

	sides of the building consistently.
6.a.	Comment not addressed. To be discussed at the DRC meeting.
6.b.	Comment addressed.
7.	Clarify “Brg.” demonstrated on Elevation sheets.
7.a.	Comment addressed.
8.	Elevations demonstrate AC equipment without screening. Per Section 98-13(8)(c)(4) Per Section 98-13(8)(d)(3) Show the location of all mechanical equipment showing adequate concealment.
8.a.	Comment not addressed. Proposed fencing does not sufficiently screen the equipment. Revise the elevation plans to demonstrate landscape screening around the proposed mechanical equipment. Ensure consistency with the landscaping plans.
8.b.	Comment addressed.
9.	The corner side ‘east’ elevation located on sheet A-3.0 demonstrates sliding doors/widows that exceed beyond the balconies and railing located on the second floor of units A, B, and C. Clarify where the railing will terminate with consideration to the balcony and doorways.
9.a.	Comment addressed.
10.	Confirm whether a freestanding sign is proposed for the development. If so, provide a conceptual elevation detail on the elevation sheet.
10.a.	Comment addressed.
11.	Additional comments are forthcoming following the resubmittal of corrected plans.
11.a.	Comment acknowledged.

F.	**FLOOR PLANS:**
1.	Correct the labels on the floor plans shown as if they were reflected over a vertical axis. Ensure all labels on plans are clear, correct and concise. (Refer to “Queen” and “King” beds).
1.a.	Comment addressed.
2.	Provide a dimensioned roofing plan for each proposed townhouse unit.
2.a.	Comment addressed.
3.	Complete dimensions for the stairwells were not provided for all proposed units. Per Section 98-13(8)(e)(1) Show the complete dimension of each room on all floors, including rooftop activation, labeling any permanent feature.
3.a.	Comment addressed.
4.	Clarify the square gridlines demonstrated on the active roof deck plans provided for each proposed unit. If flooring, identify the material.
4.a.	Comment addressed.
5.	The roof deck plan proposed for Unit D includes the label “Jacuzzi Optional”. Update the deck plan to demonstrate the jacuzzi. Additionally, confirm whether Units A-C will have jacuzzis. If so, update each unit’s roof deck plan to demonstrate the jacuzzis in compliance with Code Section 98-13(8)(e)(1).
5.a.	Comment addressed.
6.	Provide a notation on the plans that the required safety barriers for the jacuzzis will comply with Chapter 515 of the Florida Statutes.
7.a.	Comment addressed. No pools are proposed for the revised plans.

G.	LANDSCAPE PLANS:	
	1.	Ensure correct landscape area/pervious area calculation is consistent throughout all sheets of plan set.
	1.a.	Comment addressed.

H.	PHOTOMETRIC PLAN:	
	1.	Per Section 98-13(8)(h)(7) Demonstrate that this property, due to its location, is in adherence with the following provisions of Article IV- Beach Area Outdoor Lighting, Code Section 34-60(b): *"(1) Floodlights are prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.* *(2) Pole lighting shall be shielded in such a way that light will be contained within an area of three to 73 degrees on the seaward side of the pole. Outdoor lighting shall be held to the minimum necessary for security and convenience.* *(3) Low profile luminaires shall be used in parking lots and such lighting shall be positioned so that no light illuminates the beach.* *(5) Lights on balconies shall be fitted with hoods so that lights will not illuminate the beach.* *(6) Tinted or filmed glass shall be used in windows facing the ocean above the first floor or multistory structures. Shade screens can be substituted for this requirement.* *(7) Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground. Illumination from the lights shall not spread beyond the boundary of the property being developed, and in no case shall those lights illuminate the beach."*
	1.a.	Comment not addressed.
	1.b.	Comment addressed.
	2.	Photometric Plan L-1 does not demonstrate the foot candles along the north, south, east, or complete west property line. Per Section 98-13(8)(h)(3) revise the photometric plan to demonstrate a minimum foot candle taken at the property line.
	2.a.	Comment not addressed.
	2.b.	Comment partially addressed. The calculation summary must identify the property lines with the navigable orientation of the lot lines (i.e. *north, south, east, west*), not by *left, right, back*, and *front*.
	2.c.	Comment addressed.
	3.	Confirm the colors proposed for the light poles and bollards.
	3.a.	Comment not addressed.
	3.b.	Comment addressed.
	4.	The proposed elevations demonstrate lighting on the third floor. Revise the photometric plan to demonstrate the lighting as proposed. Per Section 98-13(8)(h)(2) Provide a photometric layout of each proposed light fixture and light

	pole, showing its maximum to minimum foot-candle level.
4.a.	Comment not addressed.
4.b.	Comment addressed.

I.	**ADDITIONAL COMMENTS:**
1.	Revise the variance application form and justification to include a variance request from Sec. 98-61 for the 100 ft. minimum lot width for RM-25 (Multifamily with less than one acre). Be advised that each request must be identified and response provided on all criteria in the application form.
1.a.	Comment not addressed. Variance application to be discussed during DRC meeting.
1.b.	Variance Application was not resubmitted with the development plan package. Note that the site plan application will not be scheduled for public hearing until the variance application has been provided and deemed acceptable. Submit Attachment C - Application for Variance for the front yard setback request, providing each response within the application form. If additional space is required, you may attach additional sheets for the remaining portion of each response. The application form is accessible through the following link: https://www.deerfield-beach.com/DocumentCenter/View/42/Attachment-C---Application-for-Variance
1.c.	Variance justification (page 3, criteria “C”) references a variance granted to the Vistalmar Beach Resort (Silsar LLC property). Please remove reference to this information since the applicant’s variance must not rely on any perceived precedents.
1.d.	Comment acknowledged.
2.	Note that additional comments regarding the variance application will be provided upon review of resubmitted of plans.
2.a.	Comment acknowledged.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Island Estates**	**Application No.:**	**21-RM25-109**
Reviewer Name:	**Harold Hoyte**	**Project Address:**	**325 NE 20th Ave.**
Department / Division:	**Landscape**		
Position:	**Landscape Architect**		
Date of Review:	**9/14/22**		
Submittal No.:	**4**		

A. **Survey:**

1.	Show length of north property line on the survey.
1.a	Comment not addressed.
1.b	Comment addressed 6/2/22.
	New Comment 1/21/22
2.	Incorrect survey submitted; appears to be a property in another jurisdiction.
2.a	Comment addressed 6/2/22.

B. **LANDSCAPE PLAN:**

1.	Coordinate pervious/ landscape areas on sheets A-1 and L-1 to be consistent.
1.a	Comment addressed 6/2/22.
2.	Mitigation calculation is 1.5 times canopy removed, per Section 98-81(h)(2) c. Revise calculation on sheet TD-1.
2.a	Comment addressed
3.	Property line buffers shall be 5 feet wide and contain landscape material only. Move patio and landscape pads outside of these buffers.
3.a	Comment addressed
4.	Tree and palms over and above those may be used to satisfy mitigation requirement. Trees not planted shall be paid for into the Beautification Fund at $200 per 3inch caliper.
4.a	Comment not addressed
4.b	Comment not addressed. Mitigation for trees not planted is calculated in inches. Adding the amounts on TD-1, Fifty-seven (57) Inches of DBH not planted, equals $3,800 in mitigation. Revise note on TD-1 to reflect this amount.
4.c	**Comment addressed. Will pay $3,800 into Beautification Fund.**
5.	Per Section 98-80 (e)(2), add additional trees to meet the perimeter buffer requirement.
5.a	Comment addressed

6.	Per section 98-80(e)(14)(e), Veitchias shall have 16 feet of graywood, revise plant list accordingly.
6.a	Comment addressed
7.	Show Diameter at Breast Height (DBH) for all trees and palms on TD-1.
7.a	Comment addressed
8.	On the north property line, show locations and real size of existing palms on L-1.
8.a	Comment addressed
9.	Show graywood of palms in the plant list on sheet L-1.
9.a	Comment addressed
10.	Identify all trees on the TD-1 sheet, no trees shall be “Unknown”
10.a	Comment addressed
11.	Label all areas to receive sod.
11.a	Comment not addressed. No large mulched areas, unless associated with landscape.
11.b	Comment addressed 6/2/22.
12.	Relocate the two CS (Orange Geiger) trees shown to the west of the sidewalk along NE 20th Ave, as landscaping outside of the property line is not counted toward interior landscape requirements.
12.a	Comment addressed
13.	CS (Orange Geiger) trees are not commercially available locally at the size specified in plant list, revise accordingly.
13.a	Comment addressed
	New Comment 1/21/22
14.	Tree #18 does not appear on TD-list
14. a	Comment addressed 6/2/22.
15.	Tree #7 is too close to driveway. Add to mitigation or relocate.
15.a	Comment addressed 6/2/22.
16.	“BS” to the north is too close to driveway and property line. Change species or move to another location.
16.a	Comment addressed 6/2/22.
17.	“BS” to the south to be moved into the ROW buffer, 10’ from the property line.
17.a	Comment addressed 6/2/22.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**ISLAND ESTATE**	**Application No.:**	**21-RM25-109**
Reviewer Name:	**CAPTAIN MIKE HEFFERON**		
Department / Division:	**BSO FIRE PREVENTION**		
Position:	**CAPTAIN**		
Date of Review:	**09/07/22**		
Submittal No.:	**4**		

A.	**APPLICATION / GENERAL COMMENTS:**	
	1.	**A complete set of permitted plans must be submitted for review and approval prior to all construction.** **All permitted plans must document on plans that a certificate of occupancy shall not be issued until the AHJ determines that the building is in compliance with section 118 (TWO WAY RADIO ENHANCEMENT SYSTEM) with Broward County Local Amendments to the Florida Fire Prevention Code 7TH Ed., NFPA 1-Fire Code, Florida Edition 2018, NFPA 101-Life Safety Code, Florida Edition 2018.**
	1A	**ADDRESSED**

B.	**SITE PLAN:**	
	1.	SHOW LOCATION FOR THE FIRE POINT OF SERVICE WITH THE BACKFLOW,FDC AND UNDERGROUND
	1A	ADDRESSED

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Island States, Major Site Plan**	**Application No:**	**21-RM25-109**
Reviewer Name:	**Cesar E. Osegueda**		
Department / Division:	**Sustainable Management**		
Position:	**Code Compliance Spec.**		
Date of Review:	**09/21/2022**		
Submittal No:	**Submittal 4**		

A.	**RECYCLING & SOLID WASTE DIVISION:**	
	1.	The above Site Plan Application, located at 325 NE 20th Avenue, Deerfield Beach, FL 33441 (4 two-story townhouses units) has been reviewed by the Sustainable Management Dept. (Recycling and Solid Waste Management) and was found to be Acceptable as it relates to collection services and location of Recycling/Solid Waste Receptacles.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Island Estates Major Site Plan**	**Application No.:**	**21-RM25-109**
Reviewer Name:	**Alfonso Orellana**		
Department / Division:	**Environmental Services**		
Position:	**Plans Reviewer**		
Date of Review:	**09-19-2022**		
Submittal No.:	**4**		

A.	**SITE PLAN:**	
	1.	Per City of Deerfield Beach Code Sec.98-13(b)(8)(j)(ii), provide "*Preliminary flood routing and water quality calculations supporting the surface water management elements, weir elevation and design finished floor elevation shall be provided as supporting documentation."*
	1.a	COMMENT NOT ADDRESSED. Code Sec.98-13(b)(8)(j)(ii) is part of the Development Plan application requirements
	1.b	COMMENT ADDRESSED

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Island Estates Major Site Plan**	**Application No.:**	**21-RM25-109**
Reviewer Name:	**Alfonso Orellana**		
Department / Division:	**Environmental Services**		
Position:	**Plans Reviewer**		
Date of Review:	**09-19-2022**		
Submittal No.:	**4**		

A.	**CONCEPTUAL ENGINEERING PLAN:**	
	1.	Per City of Deerfield Beach Code Sec.98-13(b)(8)(j)(ii), provide "*Preliminary flood routing and water quality calculations supporting the surface water management elements, weir elevation and design finished floor elevation shall be provided as supporting documentation."*
	1.a	COMMENT NOT ADDRESSED. Code Sec.98-13(b)(8)(j)(ii) is part of the Development Plan application requirements.
	1.b	COMMENT ADDRESSED
	2.	Please, provide a calculation for water use based on Broward County GUIDELINES FOR DETERMINING ABILITY TO PROVIDE POTABLE WATER AND WASTEWATER SERVICE.
	2.a	COMMENT NOT ADDRESSED.
	2.b	COMMENT ADDRESSED
	3.	Relocated new Water Meters and Backflow Assembly to the areas away from the proposed driveways. Provide a single potable water service connection and Water Meter for each residential unit.
	3.a	COMMENT ADDRESSED.
	4.	Replace existing public concrete sidewalk across proposed driveways to meet the required 6 Inches concrete thickness and extend 2 Ft. beyond the proposed driveway width in accordance with the City of Deerfield Beach Standard Details R-7A and R-7B, latest edition.
	4.a	COMMENT ADDRESSED.

B.	ADVISORY COMMENTS:	
	1.	Provide copies of all permits from agencies having jurisdiction at the time of Engineering Permit Application, including, but not limited to Broward County EPGMD
	2.	COMMENT ACKNOWLEDGED by Applicant's Engineer.
	2.	**DAMAGE BY CONTRACTOR** A. The Contractor shall protect from damage by construction operations, all public streets sidewalks, landscape, irrigation, signage, striping, pavements, including all base courses and surface courses, that abuts the work area. B. Any sidewalk, base course or surface course beyond those limits, damaged as a result of the Contractor's operation, shall be restored in accordance with prevailing applicable professional standards, to the satisfaction of the City of Deerfield Beach, and to the satisfaction of any other governing authority having jurisdiction over the work area. C. Any damage to adjacent lanes of pavement will require the Contractor to resurface the entire lane width for a length, as approved by the City of Deerfield Beach. When the damage amounts to 25 percent or more in any one block (approximately 600 feet), the Contractor shall resurface the entire width of the lanes in which the damage occurred for the entire block. D. The Contractor is hereby notified that wherever the line for repaving for trenches extends one foot into the edge of the existing paving, he shall repave to this edge only. Full lane paving will not be required. Damage to the pavement beyond this line by the Contractor will require that he repave the full width.
	3.	Please be advised that for this project to receive final sign-off by the Engineering Division all required water and sewer connection fees must have been paid. Fees are based on City of Deerfield Beach Code of Ordinances Sec. 70-132 for water and Sec. 70-75 for sewer.
	4.	Additional comments may be provided at the time Engineering Permit review.
	4.a	NOTED by Applicant
	5.	(12-17-21) Please, be aware the following newly adopted Broward County Ordinance could impact the minimum proposed Finished Floor Elevation of proposed building structures. The Broward County Future Conditions 100-Year Flood Map (2060) was implemented beginning July 1, 2021 as a flood protection requirement for building Finished Floor Elevations. Please see attached Ordinance 2021-33 which outlines the updates made to Broward County Code of Ordinances Chapter 27. More specifically, these updates pertain to Section 27-200(b)(5). I have also provided a link to the online GIS Map below: https://bcgis.maps.arcgis.com/apps/webappviewer/index.html?id=ec160b81e7f84bdeacda62575e817380

6.	(12-17-21) All work in public right-of-way shall be done in strict compliance with the rules and regulations of the City of Deerfield Beach Code of Ordinances, Manual on Uniform Traffic Control Devices, the Occupational Safety and Health Administration, the Americans with Disabilities Act, AASTHTO "Green Book", Broward County and FDOT. Civil Engineering Plans must include, as applicable, the following: a. Demolition Plan b. Stormwater Pollution Prevention Plan/ E&SC Plan c. Paving, Grading and Drainage Plans and Details d. Water and Sewer Standard Details e. Pavement Markings and Signing plan in accordance with the MUTCD latest edition.
6.a	APPLICANT AGREES TO COMPLY

Deerfield Beach
Florida

DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

[X] New Site Plan / Site Plan Modification (See Attachment A)	[ ] Plat or Plat Note Amendment (See Attachment F)
[ ] Community Appearance Board (See Attachment B)	[ ] Conditional Use (See Attachment G)
[X] Variance (See Attachment C)	[ ] Vacation & Abandonment (See Attachment H)
[ ] Technical Deviation (See Attachment D)	[ ] ROW Variance (See Attachment I)
[ ] Rezoning (See Attachment E)	[ ] Sign Variance (See Attachment J)

Project Name: Island Estates

Property Owner: FMO of Boca Raton Inc

Applicant (if different from Owner):

Agent (if different from Owner/Applicant): Dwayne L. Dickerson, Esq. - Dunay, Miskel & Backman, LLP

Address of Property: 325 NE 20th Avenue, Deerfield Beach, FL 33441

Legal Description of Property (lot, block, tract, subdivision): Lot 35, Block 10, Ocean Vue, according to the Plat thereof: as recorded in Plat Book 3, Page 34 of the Public Records of Broward County, Florida.

Description of Project: Demolition of existing structure and redevelopment of Property with four (4) new townhouse units.

New Development (Y/N):	Yes	Modification to Existing Development (Y/N):	Yes
Zoning District:	RM - 25	Future Land Use Category:	Residential High (25du/ac)
Existing Use:	Residential	Proposed Use:	Residential
Lot Area (acres):	+/- 0.245	Number of Dwelling Units (proposed):	4 units
Sq. Ft. of Structure (existing):	+/- 2,584 SF	Sq. Ft. of Structure (proposed):	+/- 7,900 SF under air total

Agent Signature:		Owner Signature:	
Name Printed:	Dwayne L. Dickerson, Esq.	Name Printed:	Roy Weisman
Address:	14 SE 4th Street, Suite 36 Boca Raton, FL 33432	Address:	1761 W Hillsboro Blvd, Suite 409 Deerfield Beach, FL 33442
Telephone:	561-405-3336	Telephone:	954-871-5903
Email:	ddickerson@dmbblaw.com	Email:	Roy@JR-Adventures.com

City of Deerfield Beach
MAY 12 2021
Received
Planning & Dev. Svcs.

INTERNAL USE ONLY:

SUBMITTAL DATE: 5/12/21 Total owed - S.P. - $2140.00
Var - $1000.00

REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided	REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided
Site Plan - Residential		$2000 + $10/unit + $100 (Fire) $2,140		**Site Plan Modification - Major**		$2000 + $100 (Fire)	
Site Plan - Nonresidential		$2000 + $20 / 1000 GFA + $100 (Fire)		**Site Plan Modification - Minor**		$500 + $100 (Fire)	
Community Appearance Board (CAB)		$50		**Plat or Note Amendment**		$1000 + $50/acre (Nonres) $1000 + $40/acre + $10/unit (Res) $550 (Note)	
Variance (Site Plan) *		$1000 $1,000		**Conditional Use**		$1000 / $300	
Variance (ZASM)		$300					
Sign Variance		$550					
Technical Deviation		$500		**ROW Vacation / Abandonment**		$1,350	
Rezoning		$2000		**Easement Vacation / Abandonment**		$1,350	

Total Fees Paid: $3,140

Cost Recovery

Account No.	Project No.	Project Name	Service	Deposit Amount	Date Received	Check No.	Receipt No.

FMO OF BOCA RATON INC
1761 West Hillsboro Blvd
Suite 409
Deerfield Beach, FL 33442

Authorization and Letter of Representation

FMO OF BOCA RATON INC, hereby authorizes Dwayne L. Dickerson, Esq. and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent FMO OF BOCA RATON INC before all officials, bodies, instrumentalities and at any meetings and public hearings necessary in connection with their matters with the City of Deerfield Beach.

FMO OF BOCA RATON INC

By: Roy Weisman
Name and Title of Person Signing

For Office Use Only
Date: _____
Application Nos.: _____

Deerfield Beach
Florida

DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.

B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

See attached.

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

None.

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

None.

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Dwayne L. Dickerson, Esq., have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Dwayne L. Dickerson
Signature

12/8/2021
Date

SWORN TO AND SUBSCRIBED Before me by means of [x] physical presence or [ ] online notarization, this 8th day of December, 2021 by Dwayne L. Dickerson, Esq. (Affiant), who is personally known to me or has produced _____ identification.

My commission expires: 7/15/22

Commission No.: GG 238430

Rachel McHugh
(Signature of Notary Public - State of Florida)

RACHEL MCHUGH
Notary Public - State of Florida
Commission # GG 238430
My Comm. Expires Jul 15, 2022
Bonded through National Notary Assn.

Rachel McHugh
(Print, Type, or Stamp Commissioned Name of Notary Public)

Campaign Contributions:

1. Bill Ganz $1,000, December 17, 2020
2. Bernie Parness $1,000, December 17, 2020
3. Todd Drosky, $1,000, December 17, 2020
4. Michael Hudak, $1,000 February 7, 2019

For Office Use Only
Date: _____
Application Nos.: _____

Deerfield Beach
Florida

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(Attach additional sheets as needed for each item.)

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NONE

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

NONE

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Peter B McAllister, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Peter B McAllister
Peter B McAllister
Signature

Dec. 1, 2021
Date

SWORN TO AND SUBSCRIBED Before me by means of ☒ physical presence or ☐ online notarization, this 1st day of December, 2021 by Peter B McAllister (Affiant), who is personally known to me or has produced FL DL identification.

My commission expires: 05/03/2028

Commission No.: 338526

Edgardo Garcia
Notary Public
State of Florida
My Commission Expires 06/02/2023
Commission No. GG 338526

Edgardo Garcia
(Signature of Notary Public - State of Florida)

Edgardo Garcia
(Print, Type, or Stamp Commissioned Name of Notary Public)

For Office Use Only
Date: _____
Application Nos.: _____

Deerfield Beach
Florida

DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

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B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

None

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

None

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

None

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Roy Weisman, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Roy Weisman
Signature

11/30/21
Date

SWORN TO AND SUBSCRIBED Before me by means of ☑ physical presence or ☐ online notarization, this 30th day of November, 2021 by Roy Weisman (Affiant), who is personally known to me or has produced (Personally Known) identification.

My commission expires: 7/14/2024

Commission No.: GG970417

Notary Public State of Florida
Tamara L. Click
My Commission GG 970417
Expires 07/14/2024

Tamara L. Click
(Signature of Notary Public - State of Florida)

Tamara L. Click
(Print, Type, or Stamp Commissioned Name of Notary Public)

For Office Use Only
Date: _____
Application Nos.: _____

Deerfield Beach
Florida

DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. **Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.**

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.

B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

   NA

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

   NA

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

NA

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Tobi Aycock, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Tobi Aycock
Signature

11-19-2021
Date

SWORN TO AND SUBSCRIBED Before me by means of ■ physical presence or ☐ online notarization, this 19 day of November, 2021 by Tobi Aycock (Affiant), who is personally known to me or has produced _____ identification.

My commission expires: August 21, 2023

Commission No.: #GG361706

Wyatt Aycock
(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

WYATT AYCOCK
Notary Public - State of Florida
Commission # GG 361706
My Comm. Expires Aug 1, 2023
Bonded through National Notary Assn.

For Office Use Only
Application No. _____
Submittal Date: _____

ATTACHMENT C
APPLICATION FOR VARIANCE

Pursuant to Code Section 98-116

COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

Check applicable box:

☐ **Variance- Zoning Appeals Special Master (ZASM)**: Must submit complete application and all required submittals by the cutoff date to be scheduled for a ZASM hearing. If Staff determines more information is needed or the application is incomplete, the application will not be processed or scheduled.

☒ **Variance- City Commission**: Must comply with the public notice and advertising requirements, pursuant to Code Section 98-35(1).

REQUIRED SUBMITTALS

The following items must be submitted to be deemed a complete application (*for variances requiring approval by City Commission, documentation may be provided with the development plan application requirements in Attachment A)*:

☐ **Complete Application** (Including Development Plan Application Form)

☐ **Application Processing Fee** (See fee schedule)

☐ **Proof of Ownership** from the property owner. If the owner cannot be verified through the Broward County Tax Roll, a copy of either the recorded warranty deed, valid purchase contract, or a signed and notarized letter from the owner of record must be submitted with this application.

☐ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application (for City Commission variances only).

☐ **Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.

☐ **Current Survey** *(12 months or less)* showing existing conditions prepared, signed and sealed by a Florida registered surveyor of the subject property.

☐ **Site Plan** showing proposal for the variance being sought. Examples of acceptable site plans include sketches (to scale) on a current survey, drawings prepared by a licensed architect, engineer, or landscape architect, etc.

☐ **Photographs** (a minimum of 2) showing the existing conditions of the property taken from different perspectives where the development is proposed.

☐ **One (1) Digital CD** of required submittals listed above must be provided.

☐ **Other Information** may be required as determined by staff (e.g. architectural elevations, floor plans, site plan etc.)

Any party to a proceeding before the Special Master may appeal the decision of the Special Master by a writ of certiorari as provided by the Florida Rules of Appellate Procedure. In order to appeal the decision of the Special Master, a verbatim transcript of the proceeding is necessary.

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

PROPOSED VARIANCE

1. State the Code Section(s) and the Land Development Regulation standard(s) required for the proposed variance (*i.e. setbacks, height, etc.*):

   Code Section and Land Development Regulations standard required for proposed variance: *Section 98-61, Schedule of dimensional regulations for RM-25 zoning district minimum front yard requirement.*

2. Describe the variance(s) requested (*e.g. 20' front yard setback, etc.*)**:**

   Variance from Section 98-61 to allow a minimum twenty-foot (20') front yard in lieu of the required twenty-five (25') foot front yard ("Variance").

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

A. DEMONSTRATION OF COMPLIANCE WITH VARIANCE CRITERIA

(Attach additional page(s) if more space is needed)

Section 98-116(f)(2) of the Deerfield Beach Land Development states: *all of the following requirements must be met to secure approval for a variance. The burden of proving that all requirements are met shall be on the applicant who shall be required to affirmatively demonstrate on the record, satisfaction of the necessary requirements set forth below.*

This application will not be accepted without a specific statement in response to each of the requirements on the following pages.

a. That special conditions and circumstances exist which are peculiar to the land, structure, or buildings involved and which are not applicable to other lands, structures in the same zoning district:
Please see justification narrative attached.

b. That the special conditions and circumstances do not result from the actions of the applicant:
Please see justification narrative attached.

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district:

Please see justification narrative attached.

d. That the literal interpretation of the provisions of this Code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district under the terms of this Code and would work unnecessary and undue hardship on the applicant**:**

Please see justification narrative attached.

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure:

Please see justification narrative attached.

f. That the grant of the variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

Please see justification narrative attached.

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

DUNAY MISKEL BACKMAN LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman
Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott
Christina Bilenki
Lauren G. Odom
Nicole Jaeger
Rachael Bond Palmer

325 NE 20th Avenue
Variance Justification

FMO of Boca Raton Inc. ("Petitioner") is the owner of the +/- 0.245 acre parcel located at 325 NE 20th Avenue, which is generally located at the northwest corner of NE 3rd Street and NE 20th Avenue ("Property") in the City of Deerfield Beach ("City"). The Property is designated Residential High (25du/acre) on the City's Future Land Use Map and is zoned RM-25. The Property is currently developed with a single story +/- 2,584 square foot apartment building approved for three (3) units. Petitioner proposes to demolish the existing building and redevelop the Property with four (4) townhouses ("Project"). Each of the proposed two-story townhouses will feature three (3) bedrooms per unit, an active rooftop deck, and an oversized one (1) car garage. Pursuant to Section 98-49 of the City's Code of Ordinances ("Code"), townhouse uses are permitted by right in the RM-25 zoning district. The Project will be compatible with the adjacent Silsar Hotel development immediately south of the Property, as well as the high-density multi-family building to the east and medium density residential buildings to the north and west. The Project will add to the character of this area by redeveloping an old apartment building with a new and vibrant use that will enhance this area of the City and provide an appropriate transition from the higher density to medium density residential areas. In order to develop the Project, Petitioner is requesting the following variance:

Code Section and Land Development Regulations standard required for proposed variance: *Section 98-61, Schedule of dimensional regulations for RM-25 zoning district minimum front yard requirement.*

Description of Variance requested: *Variance from Section 98-61 to allow a minimum twenty-foot (20') front yard in lieu of the required twenty-five (25') foot front yard ("Variance").*

Variance Criteria:

In support of the proposed Variance and pursuant to City Code Section 98-116(f)(2), Petitioner will demonstrate that: (a) special conditions and circumstances exist which are peculiar to the land, structure or buildings involved and which are not applicable to other lands, structures or businesses in the same zoning district; (b) the special conditions and circumstances do not result from the actions of Petitioner; (c) granting the Variance does not confer any special privilege on Petitioner that is denied by the Code to other lands, buildings or structures in the same zoning district; (d)the literal interpretation of the provisions of the Code deprives Petitioner of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on Petitioner; (e) the Variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and (f) the grant of the Variance is in harmony with the general intent and purpose of the Code and the Variance is not injurious to the area involved or otherwise detrimental to the public welfare.

14 S.E. 4th Street, Suite 36, Boca Raton, FL 33432 | Tel: (561) 405-3300 | Fax: (561) 409-2341 | www.dmbblaw.com

(a) Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved and which are not applicable to other lands, structures or businesses in the same zoning district.

Special conditions exist which are peculiar to the land. As noted above, the Property is only 0.24 acres in size. It also narrows significantly as the property approaches NE 3rd Street. Towards the NE 3rd Street right-of-way, the Property becomes only approximately seventy feet (70') wide. As such, adhering to a twenty-five-foot (25') setback along the NE 20th Avenue frontage severely impacts any development of the site, leaving only thirty-five feet (35') of developable area when considering the required side yard setback. At its widest point, the Property is only about eighty-eight feet (88'), again, leaving only about fifty-three feet (53') of developable area at the largest point when considering the setback requirements. As such, any development of the Property is severely constrained, especially as the site narrows.

The Property is zoned RM-25 residence, multifamily. The purpose and intent of this district is to delineate those areas identified by the land use element of the city's comprehensive plan as suitable for tourist accommodations development and high-density residential development up to a maximum of twenty-five (25) dwelling units per acre. As such, the Property has been identified as an ideal location for the proposed use, especially considering its proximity to the beach. Given its significant dimensional constraints, in order to develop the Property with the intended uses, as delineated in the City's Code for the RM-25 district, a variance is required. Petitioner is respectfully requesting the Variance from the front setback requirement along NE 20th Avenue in order to maintain a significant buffer adjacent to neighboring residential uses. The setback proposed along NE 20th Avenue is consistent with the adjacent Silsar hotel development south of NE 3rd Street and will provide for a consistent development pattern along this street frontage.

(b) The special conditions and circumstances do not result from the actions of Petitioner.

The significant size constraints attributable to the Property do not result from the actions of Petitioner. The Property was platted around 1923 as part of the Ocean Vue Plat, recorded in Plat Book 3, Page 35 of the Public Records of Broward County, Florida. The recorded plat reflects the current size and dimensions of the Property. As such, the Property was subdivided when the plat was recorded over ninety-five (95) years ago. Petitioner only purchased the Property in 2021 and is not responsible for the subdivision of the lots that created the significant dimensional constraints that impact development of the Property. At this time, Petitioner is simply requesting to redevelop the Property with a desirable use, as identified in the City's Code for the RM-25 zoning district. As such, the special conditions do not result from the actions of Petitioner.

(c) Granting the Variance does not confer any special privilege on Petitioner that is denied by the Code to other lands, buildings or structures in the same zoning district.

Granting the Variance does not confer any special privilege on Petitioner that is denied by the Code to other lands in the same zoning district. As previously noted, the purpose and intent of this district is to delineate those areas identified by the land use element of the city's comprehensive plan as suitable for tourist accommodations development and high-density residential development up to a maximum of

twenty-five (25) dwelling units per acre. Petitioner is proposing to redevelop the Property with a desirable use, as identified by the City's Code. However, many other parcels within the RM-25 zoning district are larger, do not narrow in width, and do not have the same size constraints that would impact development of the parcel with an intended use for this district. The setback proposed along NE 20th Avenue will provide for a consistent development pattern along this street frontage. As such, granting the Variance will not confer any special privilege on Petitioner that is denied to others within the same zoning district.

(d) The literal interpretation of the provisions of the Code deprives Petitioner of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on Petitioner.

Literal interpretation of Section 98-61 would deprive Petitioner of rights commonly enjoyed by other parcels in the same zoning district and would work unnecessary and undue hardship on Petitioner. As previously noted, the Property is only 0.24 acres in size. It also narrows significantly as the property approaches NE 3rd Street. Towards the NE 3rd Street right-of-way, the Property becomes only approximately seventy feet (70') wide. As such, adhering to a twenty-five-foot (25') setback along the NE 20th Avenue frontage severely impacts any development of the site, leaving only thirty-five feet (35') of developable area when considering the required side yard setback. At its widest point, the Property is only about eighty-eight feet (88'), again, leaving only about fifty-three feet (53') of developable area at the largest point when considering the setback requirements. As such, the width of any developable area ranges from only thirty-five feet (35') to fifty-three feet (53'), making any redevelopment of the Property extremely difficult. As most other parcels in this zoning district do not have the unique shape and size constraints that are attributable to the Property, the literal interpretation of the Code would deprive Petitioner of rights commonly enjoyed by other parcels and would create an undue hardship on Petitioner.

(e) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The Variance is the minimum variance that will make possible the reasonable use of the land. The Project proposes to adhere to all dimensional and setback requirements of the RM-25 zoning district, with the exception of the setback along NE 20th Street. In lieu of the twenty-five-foot (25') setback required, Petitioner is proposing a minimum setback of twenty feet (20'). The additional square footage will allow for the additional building area required to make the building function and allow for the required parking areas, drive aisle widths, ADA accessibility and similar elements required for redevelopment. As such, the Variance is the minimum necessary.

(f) The grant of the variance is in harmony with the general intent and purpose of the Code and the Variance is not injurious to the area involved or otherwise detrimental to the public welfare.

Granting the Variance is in harmony with the general intent and purpose of the Code. As previously indicated, the purpose and intent of the RM-25 zoning district is to delineate those areas identified by the land use element of the city's comprehensive plan as suitable for tourist accommodations development and high-density residential development up to a maximum of twenty-five (25) dwelling units per acre. The Variance will provide the additional developable area along NE 20th Street necessary for the

redevelopment of the Property with four (4) two-story townhomes, as intended in the RM-25 zoning district. It will also allow for sufficient space to provide necessary ADA accessibility, safe vehicular circulation in the parking areas, and similar elements to ensure the safety of residents and visitors to the Project. As such, the Variance is not injurious to the area or otherwise detrimental to the public welfare.

ISLAND ESTATES

James D Bushouse

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Date: 2022.08.29 14:09:39 -04'00'

James Bushouse, State of Florida, Professional Engineer, License No. 20311

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NE 20TH AVE.

FRONT EAST ELEVATION
SCALE: 3/16"=1'-0"

DRAWINGS INDEX

A-0 COVER SHEET

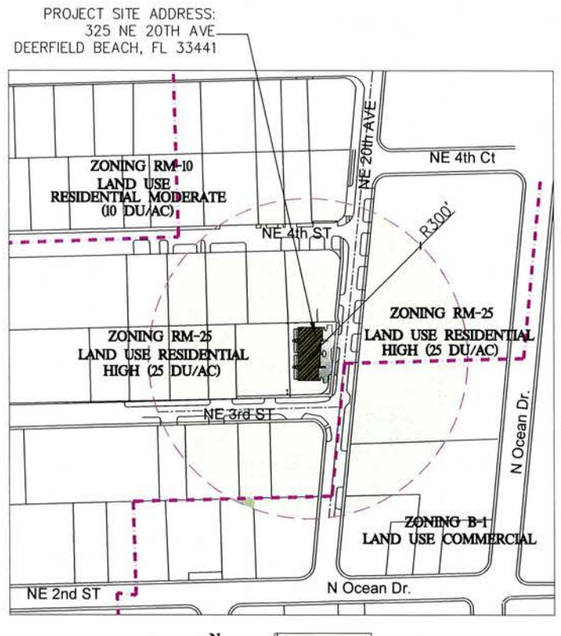
SURVEY
BOUNDARY SURVEY

ARCHITECTURAL
SP SITE PLAN
SP-1 DETAILS
SP-2 DEMOLITION PLAN
A-1 ELEVATIONS W/ MATERIAL & COLOR LEGEND
A-2 ELEVATIONS W/ MATERIAL & COLOR LEGEND
A-3 COLOR ELEVATIONS/ RENDERING
A-4 NEW FLOOR PLAN/ FIRST FLOOR
A-5 NEW FLOOR PLAN/ 2ND FLOOR
A-6 NEW FLOOR PLAN/ ACTIVE ROOF DECK

LANDSCAPE PLAN
TD-1 TREE DISPOSITION PLAN
L-1 LANDSCAPE PLAN

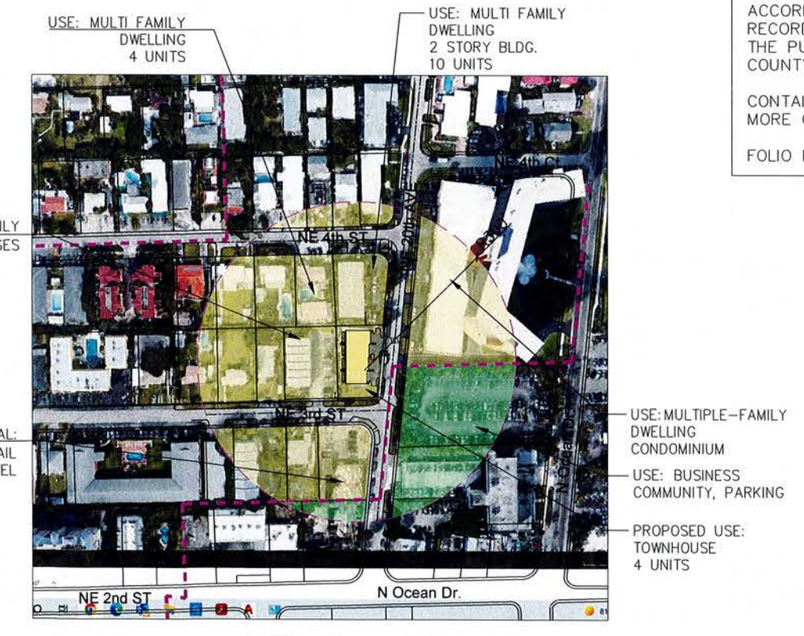
IRRIGATION PLAN
IR-1 IRRIGATION PLAN
IR-2 IRRIGATION LEGEND, NOTES, AND DETAILS

PHOTOMETRIC PLAN
EI-1 SITE LIGHTING PLAN



LOCATION MAP N
N.T.S

ZONING RM-25
ZONING B-1



EXISTING USES MAP N
N.T.S

ZONING RM-25
ZONING B-1

PROPERTY OWNER:
FMO OF BOCA RATON LLC.
1761 W HILLSBORO BLVD. STE.409
DEERFIELD BEACH, FLORIDA 33442
561-441-4734

ENGINEER
JAMES BUSHOUSE INC.
CONSULTING ENGINEERS
3140 Wedgwood Blvd.
DELRAY BEACH, FL 33445
PH.: 954.956.2203

DESIGNER
TOBI AYCOCK
PERFORMAQNCE SHELL CONSTRUCTION INC.
611 SE 18 AVENUE
POMPANO BEACH, FL 33060

SURVEY
PAUL A. DAVIS, INC
4710 NE 17TH AVE.
POMPANO BEACH, FL 33064

LANDSCAPE ARCHITECTURE
KIMBERLY MOYER, RLA
PH: (954) 592-3695

CIVIL ENGINEERING
HALEY ENGINEERING, INC.
1680 SE 4TH STREET
DEERFIELD BEACH, FL. 33441
PH.: (954) 260-6194

JOB DESCRIPTION:
4 NEW C.B.S TWO STORY TOWNHOUSES WITH ACTIVE ROOF DECK & SINGLE CAR GARAGE. THE EXISTING BUILDING(S) WILL BE DEMOLISHED.

LEGAL DESCRIPTION::
LOT 35, BLOCK 10, OCEAN VUE, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 34 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CONTAINING 10,605.21 SQUARE FEET, MORE OR LESS.

FOLIO NO: 484305021860

James Bushouse, INC.
CONSULTING ENGINEERS
C.A. #27565
3140 WEDGWOOD BLVD. DELRAY BEACH, FL. 33445 (954)956-2203
P.O. BOX 1237 ARCADIA, FLORIDA 34265 (863) 491-8242

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James Bushouse, P.E. Professional Engineer #20311 State of Florida

Revisions

PERFORMANCE SHELL CONSTRUCTION INC.
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611 S.E. 18 AVENUE, POMPANO BEACH, FL 33060
Tobi Aycock Phone 954 914 5022
CBC 1256482

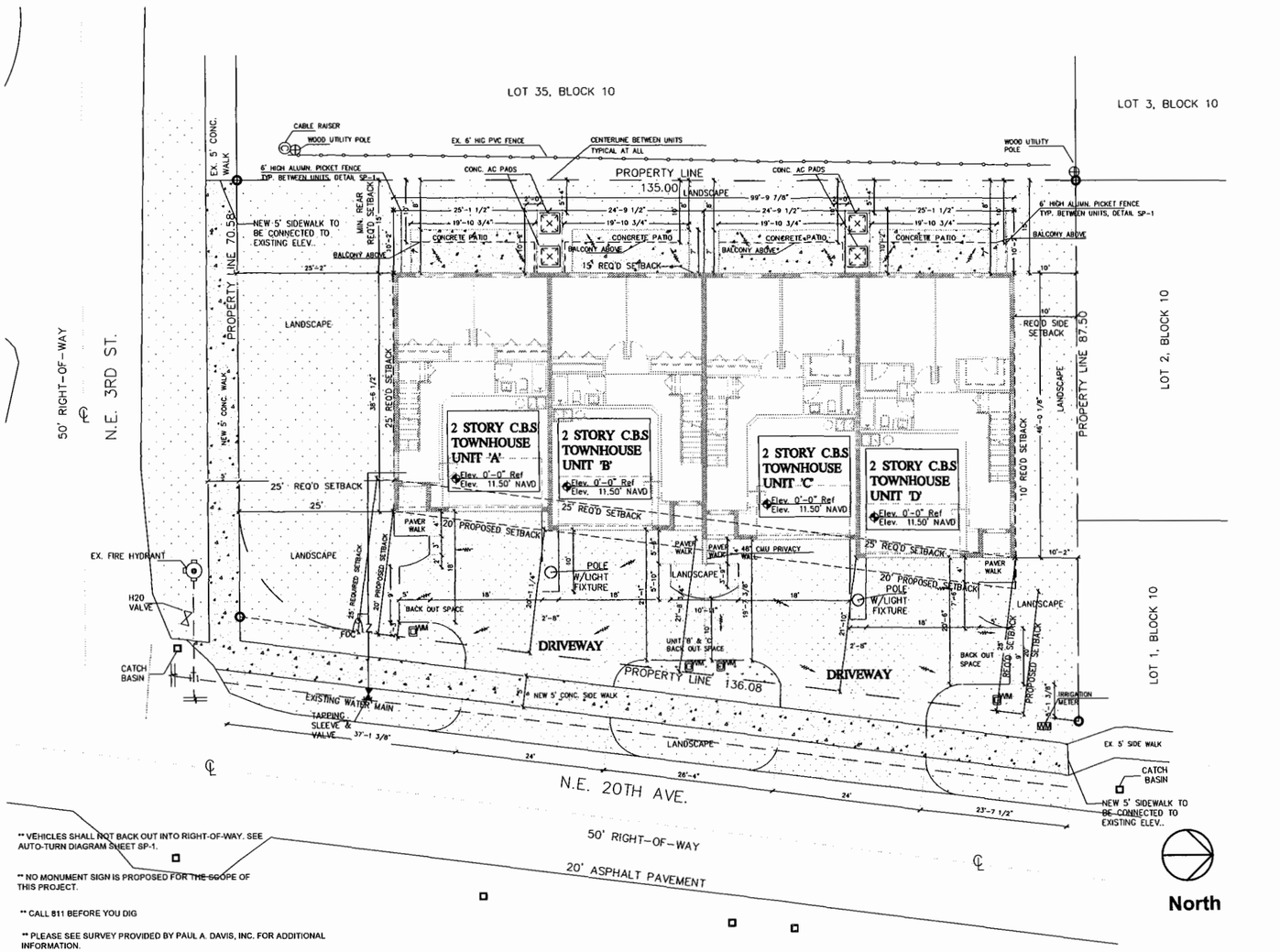
ISLAND ESTATES
NEW TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No:	Date:	Drawn by:	Checked
ISLAN2021	09-01-21	TA, JG	JB

Drawing No.
A-0
COVER SHEET

LEGEND

- PROPOSED BUILDING
- PAVER SURFACE
- LANDSCAPED AREAS
- CONCRETE AREAS
- PROPERTY LINE
- SETBACK LINE



SITE PLAN
SCALE 1"=10'-0"

** VEHICLES SHALL NOT BACK OUT INTO RIGHT-OF-WAY. SEE AUTO-TURN DIAGRAM SHEET SP-1.

** NO MONUMENT SIGN IS PROPOSED FOR THE SCOPE OF THIS PROJECT.

** CALL 811 BEFORE YOU DIG

** PLEASE SEE SURVEY PROVIDED BY PAUL A. DAVIS, INC. FOR ADDITIONAL INFORMATION.

** ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOR ELEVATION (B.F.E.) PLUS 1'.

** NOTE: ALL MECHANICAL EQUIPMENT MOUNTED ON OR NEAR GROUND LEVEL SHALL BE SCREENED BY ADJACENT BUILDINGS, OR DENSE CONTINUOUS HEDGES INSTALLED IN ACCORDANCE WITH LOCAL ORDINANCES, OR DECORATIVE WALLS OR FENCES INCORPORATING AT LEAST ONE OF THE PRIMARY MATERIALS OR COLORS OF THE NEAREST WALL OF THE PRIMARY STRUCTURE ON THE LOT. EQUIPMENT TO BE SCREENED A MIN. OF 6" ABOVE THE HEIGHT OF THE EQUIPMENT BEING SCREENED. MECHANICAL EQUIPMENT MAY BE LOCATED IN A REAR OR SIDE REQUIRED YARD, LOCATED A MIN. OF 3' FROM ADJACENT PROPERTY LINE AND SHALL BE SCREENED FROM PUBLIC VIEW.

FIRE NOTE:
** NOTE: A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED UNTIL THE AJH DETERMINES THAT THE BUILDING IS IN COMPLIANCE W/ SECTION 118 (TWO WAY RADIO ENHANCEMENT SYSTEM) WITH BROWARD COUNTY LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE 6TH ED., NFPA 1-FIRE CODE, FLORIDA EDITION 2015, NFPA 101-LIFE SAFETY CODE, FLORIDA EDITION 2015.

** PLEASE SEE CIVIL ENGINEERING PLANS FOR ADDITIONAL INFORMATION ON FDC CONNECTION. FDC LOCATION IS LOCATED ON SOUTH END OF BUILDING, AND IS SHOWN SCHEMATICALLY ON SITE PLAN.

James Bushouse, State of Florida, Professional Engineer, License No. 20311

This item has been electronically signed and sealed by James Bushouse, P.E. on May 4, 2022 using a Digital Signature.

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SITE DEVELOPMENT DATA

1. SURVEY: SURVEY BY PAUL A. DAVIS , INC LAND SURVEYORS		
2. OWNER:	FMO OF BOCA RATON, LLC	
3. AGENT:	DWAYNE L. DICKERSON, ESQ., DUANY MISKEL BACKMAN, LLP.	
4. DATA TABLE:		
CURRENT ZONING:	RM-25 MULTIFAMILY SEC. 98-49(4)	
PROPOSED ZONING:	RM-25 MULTIFAMILY SEC. 98-49(4)	
CURRENT LAND USE DESIGNATION:	RESIDENTIAL HIGH (25 DU/AC)	
PROPOSED LAND USE DESIGNATION:	RESIDENTIAL HIGH (25 DU/AC)	
CURRENT USE:	RESIDENTIAL, (3) DWELLING UNITS	
PROPOSED USE:	RESIDENTIAL, (4) TOWNHOUSES	
5. NET & GROSS AREAS		
NET AREA =	10,605.21 SF (MORE OR LESS 0.24 ACRE)	
GROSS AREA =	16,425.59 SF	
6-SITE AREAS		
UNITS COVERED AREA	4223 SQ FT	
DRIVEWAY AREA/WALK	1930 SQ FT	
CONCRETE PATIO AREA	557 SQ FT	
CONCRETE A/C PAD	44 1/2 SQ FT	
TOTAL SITE AREAS	6844.5 SQ FT	
LANDSCAPE AREAS	3,814 SQ FT	
7-PERVIOUS & IMPERVIOUS AREAS	REQUIRED	PROVIDED
MAX. IMPERVOUS =	70 %	64 % (6,754.5 SQ FT)
MIN PERVIOUS =	30 %	36 % (3,814 SQ FT)
MIN. LANDSCAPE AREA	30 %	36 % (3,814 SQ FT)
BUILDING HEIGHT:	55 FT	19'-10" FT
	REQUIRED	PROVIDED
MAX LOT COVERAGE	40 %	40% (4223/10605 SQ FT)
MAX FLOOR AREA RATIO (FAR)	0.80	79% (8,338/ 10605 SQ FT)
8-MINIMUM BUILDING SETBACK	REQUIRED	PROVIDED
EAST-FRONT	25'	20' SEE VARIANCE
WEST-REAR	15'	15'-0"
SOUTH- CORNER SIDE	25'	25'
NORTH-INTERIOR SIDE	10'	10'
9-PARKING DATA	REQUIRED	PROVIDED
PARKING (SEE NOTE 2 BELOW)	2 PER UNIT (4 UNITS)	8 SPACES
10-DWELLING	MAX DWELLING	PROPOSED
MAX DWELLING PER ACRE	6 UNITS (SEE A-3)	4 UNITS
TOTAL BEDROOMS	12 BEDROOMS (3 BEDROOMS PER UNIT)	
UNIT 'A' GROSS FLOOR AREA	1909 SQ FT	
UNIT 'B' GROSS FLOOR AREA	2035 SQ FT	
UNIT 'C' GROSS FLOOR AREA	2107 SQ FT	
UNIT 'D' GROSS FLOOR AREA	2287 SQ FT	
TOTAL GROSS FLOOR AREA	8338 SQ FT	
11-FRONT YARD AREA	REQUIRED MAX IMPERVIOUS	PROVIDED
TOTAL FRONT YARD 2,989 SQ FT	80% MAX.	68%

NOTE 1
SECTION 98-61 A - PLUS ONE FOOT FOR EACH TWO FEET OF BUILDING HEIGHT ABOVE 20 FEET.

NOTE 2
SCHEDULE B
(2) PARKING SPACES REQUIRED FOR EACH UNIT.

NOTE 3
Sec. 98-49. - RM-25 residence, multifamily.
(a) Purpose and intent. The purpose of this district is to delineate those areas defined by the land use element of the city's comprehensive plan as suitable for tourist accommodations development and high-density residential development up to a maximum of 25 dwelling units per acre.

FLOOD ZONE INFORMATION
2014
FLOOD ZONE: X
NAVD 88 ELEVATION: N/A
FLOOD PANEL: 12011C0179J
2014 BFE: NA
2019
PROPOSED FLOOD ZONE: X
2019 PROPOSED BFE: NA
EXISTING F.F.E: 11.24' NAVD
PROPOSED F.F.E: 11.50' NAVD
C.O.R. ELEVATION: 9.70' NAVD

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James Bushouse, P.E.
Professional Engineer #20311
State of Florida

Revisions

PERFORMANCE SHELL CONSTRUCTION INC.
DESIGN, PROJECT MANAGEMENT AND CUSTOM CONSTRUCTION
611 S.E. 18 AVENUE, POMPANO BEACH, FL 33060
Phone 954 914 5022
Tobi Aycock
CBC 1256482

ISLAND ESTATES
NEW TOWNHOUSE PROJECT
325 NE 20 AVE.
DEERFIELD BEACH, FL. 33441

Job No:	Date:	Drawn by:	Checked
ISLAN2021	09-01-21	TA, JG	JB

Drawing No.

SP
SITE PLAN

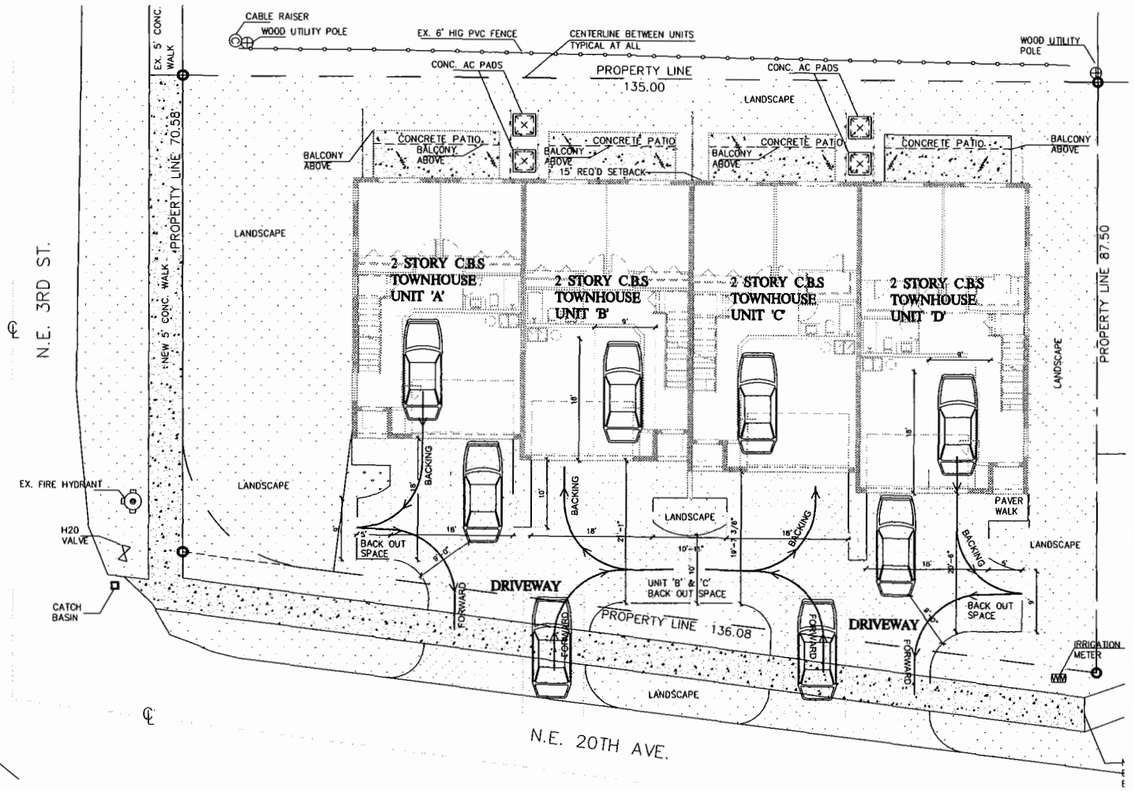
James D Bushouse

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Date: 2022.05.04 12:52:44 -04'00'

James Bushouse, State of Florida, Professional Engineer, License No. 20311

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VEHICLE AUTO-TURN DIAGRAM

SCALE 1"=10'-0"

James Bushouse, INC.
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325 NE 20 AVE.
DEERFIELD BEACH, FL. 33441

Job No: ISLAN2021	Drawn by: TA, JG
Date: 09-01-21	Checked JB

Drawing No.

SP-1

SITE PLAN DETAILS

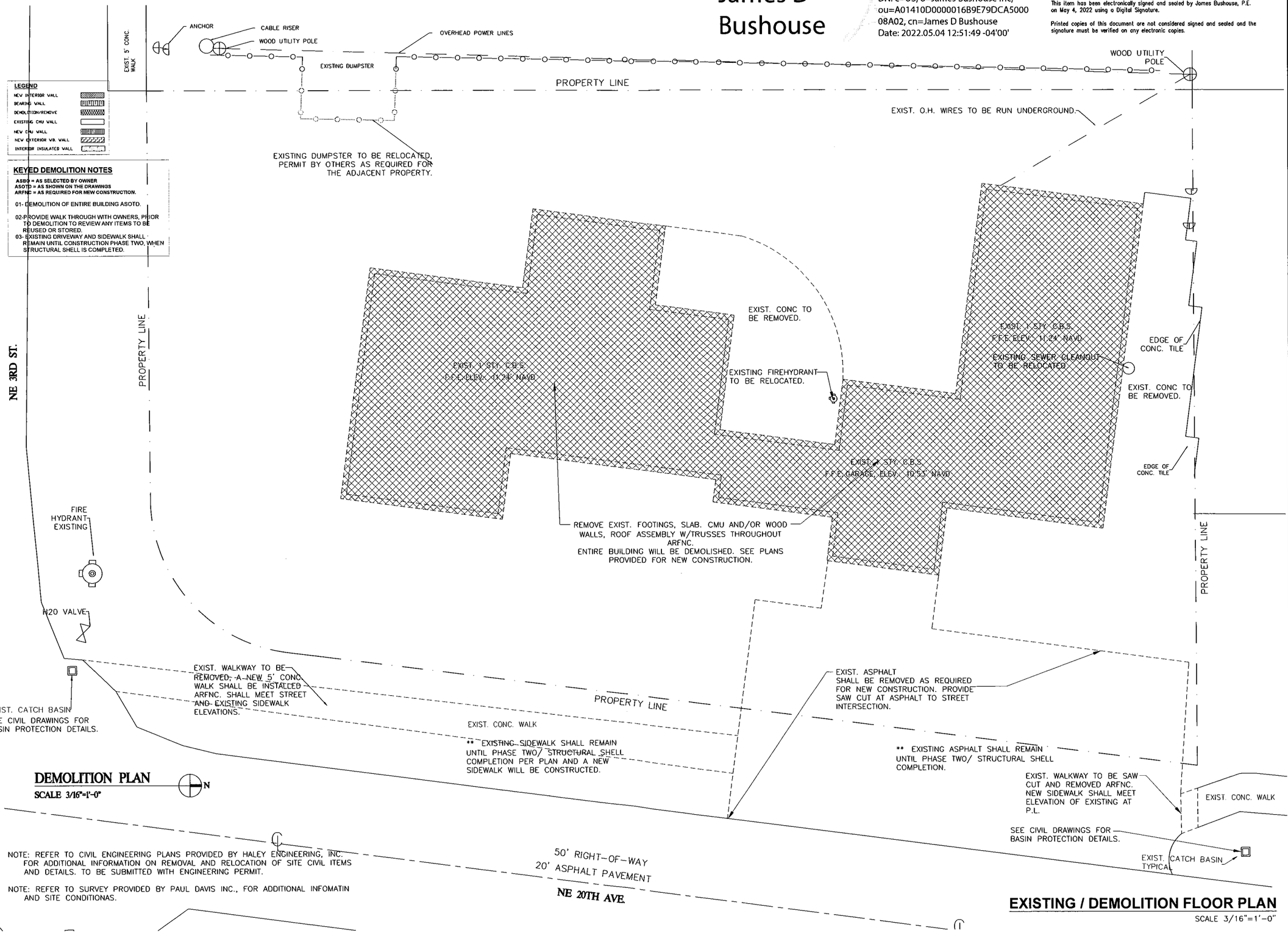
James D Bushouse

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DEMOLITION PLAN

SCALE 3/16"=1'-0"

EXISTING / DEMOLITION FLOOR PLAN

SCALE 3/16"=1'-0"

NOTE: REFER TO CIVIL ENGINEERING PLANS PROVIDED BY HALEY ENGINEERING, INC. FOR ADDITIONAL INFORMATION ON REMOVAL AND RELOCATION OF SITE CIVIL ITEMS AND DETAILS. TO BE SUBMITTED WITH ENGINEERING PERMIT.

NOTE: REFER TO SURVEY PROVIDED BY PAUL DAVIS INC., FOR ADDITIONAL INFOMATIN AND SITE CONDITIONAS.

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ISLAND ESTATES TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL 33441

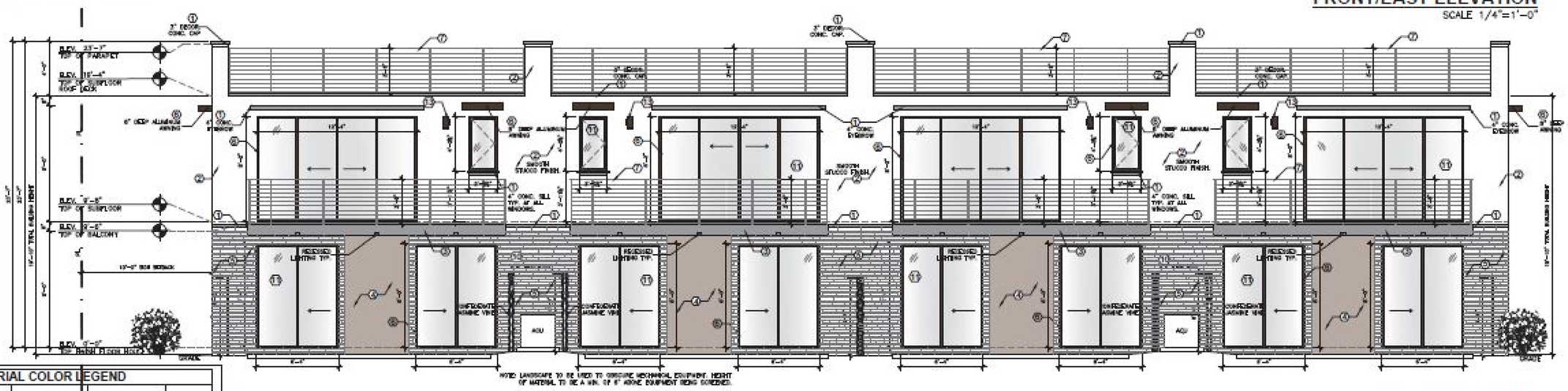
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Drawing No.

SP-2
EXIST DEMOLITION



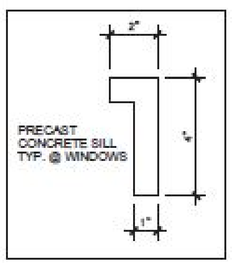
FRONT/EAST ELEVATION
SCALE 1/4"=1'-0"

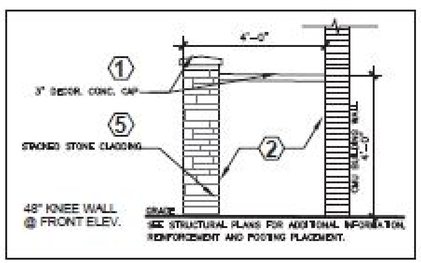


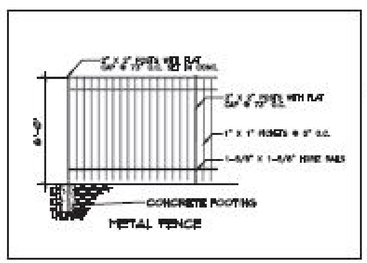
REAR/WEST ELEVATION
SCALE 1/4"=1'-0"

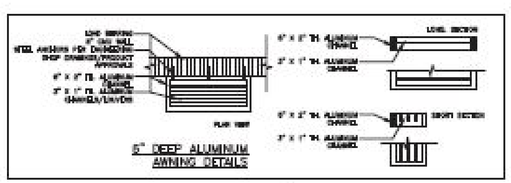
MATERIAL COLOR LEGEND

CODE	MATERIAL	MANUFACTURER COLOR	SAMPLE
1	PRECAST CONC.	BENJAMIN MOORE STORM AF-700	
2	EXTERIOR STUCCO FIELD 1	BENJAMIN MOORE FROSTINE AF-5	
3	EXTERIOR STUCCO FIELD 2	BENJAMIN MOORE STORM AF-700	
4	EXTERIOR STUCCO FIELD 3	BENJAMIN MOORE WISH AF-660	
5	STONE CLADDING/ SPLIT FACE STONE TILE	HURON MARBLE 2 MODEL/SIERRA MIX	
6	ALUMINUM WINDOWS/DOORS FRAMES	BRONZE FINISH	
7	EXTERIOR METAL RAILINGS	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
8	SPIRAL STAIR	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
9	EXTERIOR LIGHT FIXTURES	BRONZE FINISH	
10	6' FENCE	BRONZE FINISH	
11	WINDOW/DOOR GLAZING	CLEAR GLASS W/ LOW 'E' GLAZING COATING/GREY TINT.	
12	GARAGE DOOR GLAZING	WHITE/OBSCURE GLASS.	
13	WALL MOUNT LIGHT FIXTURES	DOWN LIGHT ONLY/ BRONZE FINISH.	









EXTERIOR FINISH LEGEND

MARK	ITEM	DESCRIPTION	COLOR		GENERAL NOTES
(1)	PRECAST CONCRETE- CLADDING	SMOOTH PRECAST CONCRETE (WALL CAP, COLUMNS CAPS AND SILLS, 4" EYEBROW)	STORM AF-700	BENJAMIN MOORE	1. ALL FINAL FINISH COLORS AND FINISHES TO BE SELECTED BY DESIGNER/ENGINEER AND APPROVED BY OWNER.
(2)	EXTERIOR STUCCO – FIELD 1	STUCCO – SAND SMOOTH FINISH	FROSTINE AF-5	BENJAMIN MOORE	2. PROPOSED FINISHES ARE INTENDED TO BE LOW MAINTENANCE AND COMMERCIAL GRADE.
(3)	EXTERIOR STUCCO – FIELD 2	STUCCO – SAND SMOOTH FINISH	STORM AF-700	BENJAMIN MOORE	3. ALL EXTERIOR OPENING PROTECTIVES TO MEET APPLICABLE CODE REQUIREMENTS FOR HURRICANE IMPACT RESISTANCE.
(4)	EXTERIOR STUCCO – FIELD 3	STUCCO – SAND SMOOTH FINISH	WISH AF-660	BENJAMIN MOORE	4. ALL EXTERIOR MOUNTED SYSTEMS, ACCENTS, ETC. ARE TO BE DESIGNED TO MEET APPLICABLE EXTERIOR LOADING REQUIREMENTS.
(5)	SPLIT FACE STONE CLADDING	STACKED STONE/SPLIT FACE STONE TILE FINISH	2 MODEL/ SILVER MIX MARBLE TILES BY HURON MARBLE		
(6)	WINDOW/DOOR FRAMES	ALUMINUM – HURRICANE IMPACT RESISTANT	ALUMINUM W/ BRONZE FINISH		
(7)	METAL RAILING	ALUMINUM	CLEAR ANODIZED BRUSHED ALUMINUM FINISH		
(8)	SPIRAL STAIR	ALUMINUM	CLEAR ANODIZED BRUSHED ALUMINUM FINISH		
(9)	8' AT POLES EXTERIOR LIGHT FIXTURES	ALUMINUM – POLE LIGHT FIXTURES / SEE PHOTOMETRIC PLAN PH-1.	PRE-PAINTED IN BRONZE (SEE SPECS), POLE PAINTED TO MATCH		
(10)	6' FENCE	ALUMINUM	POWDER COAT PRE-PAINTED ALUMINUM IN BRONZE COLOR.		
(11)	WINDOW/DOOR GLAZING	INSULATED GLASS – IMPACT RESISTANT	[illegible]		
(12)	GARAGE DOOR GLAZING	ALUMINUM	WHITE OBSCURED GLASS AT GARAGE DOOR		
(13)	WALL MOUNT FIXTURES AT BUILDING	ALUMINUM	WALL MOUNT LIGHTS, BRONZE FINISH, DOWN LIGHT ONLY		

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C.A. #27565
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Revisions

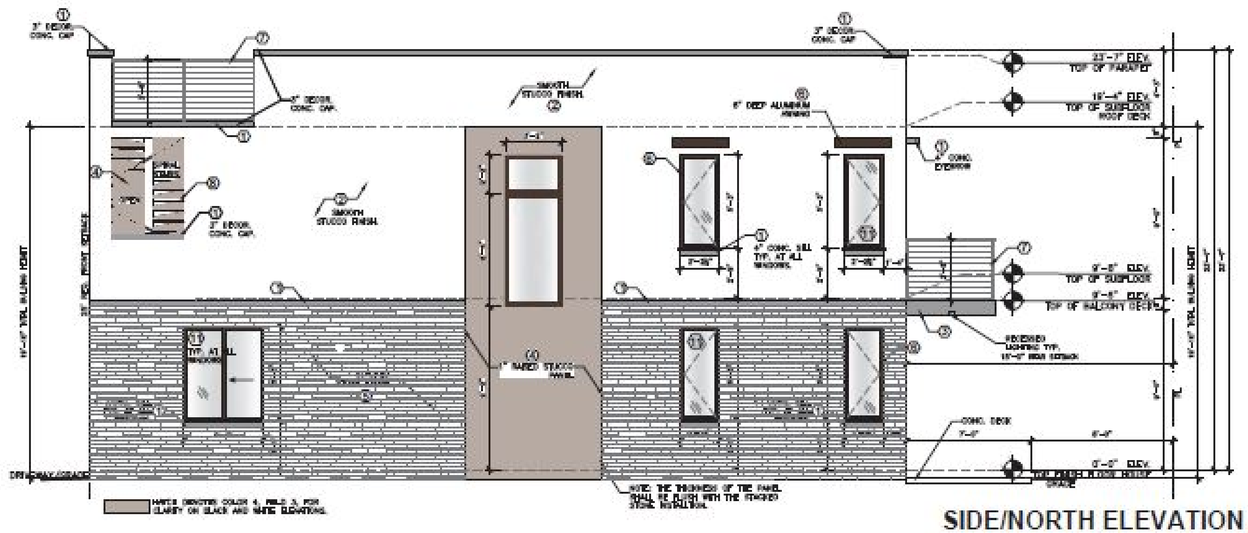
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611 S.E. 18 AVENUE, POMPANO BEACH, FL 33060
Tobi Aycock Phone 954 914 5022
CBC 1256482

ISLAND ESTATES
TOWNHOUSE PROJECT
335 NE 20 AVE
DEERFIELD BEACH, FL 33441

Job No: ISLAN2021	Date: 09-01-21	Drawn by: TA, JG	Checked by: JB

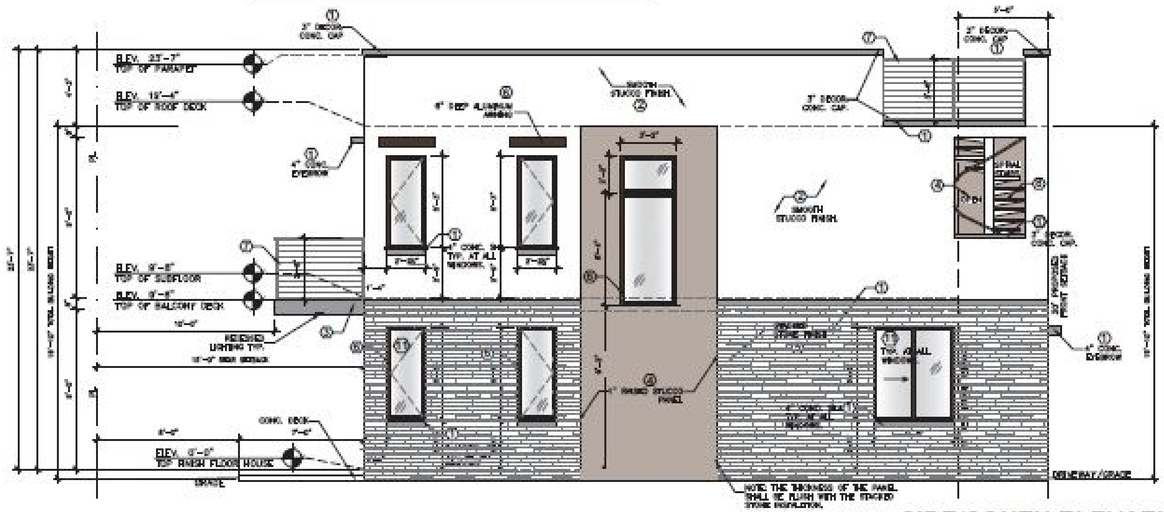
Drawing No.

A1
ELEVATIONS W/ MATERIAL AND COLOR LEGEND



SIDE/NORTH ELEVATION

SCALE 1/4"=1'-0"



SIDE/SOUTH ELEVATION

SCALE 1/4"=1'-0"

MATERIAL COLOR LEGEND

CODE	MATERIAL	MANUFACTURER COLOR	SAMPLE
1	PRECAST CONC.	BENJAMIN MOORE STORM AF-700	
2	EXTERIOR STUCCO FIELD 1	BENJAMIN MOORE PRISTINE AF-5	
3	EXTERIOR STUCCO FIELD 2	BENJAMIN MOORE STORM AF-700	
4	EXTERIOR STUCCO FIELD 3	BENJAMIN MOORE WISH AF-680	
5	STONE CLADDING/ SPLIT FACE STONE TILE	HURON MARBLE 2 MODEL/SILVER MIX	
6	ALUMINUM WINDOWS/DOORS FRAMES	BRONZE FINISH	
7	EXTERIOR METAL RAILINGS	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
8	SPIRAL STAIR	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
9	EXTERIOR LIGHT FIXTURES	BRONZE FINISH	
10	6' FENCE	BRONZE FINISH	
11	WINDOW/DOOR GLAZING	CLEAR GLASS W/ LOW 'E' GLAZING COATING/GREY TINT.	
12	GARAGE DOOR GLAZING	WHITE/OBSCURE GLASS.	
13	WALL MOUNT LIGHT FIXTURES	DOWN LIGHT ONLY/ BRONZE FINISH.	

EXTERIOR FINISH LEGEND

MARK	ITEM	DESCRIPTION	COLOR	GENERAL NOTES
(1)	PRECAST CONCRETE- CLADDING	SMOOTH PRECAST CONCRETE (WALL CAP, COLUMNS CAPS AND SILLS, 4" EYEBROW)	STORM AF-700 BENJAMIN MOORE	1. ALL FINAL FINISH COLORS AND FINISHES TO BE SELECTED BY DESIGNER/ENGINEER AND APPROVED BY OWNER.
(2)	EXTERIOR STUCCO - FIELD 1	STUCCO - SAND SMOOTH FINISH	PRISTINE AF-5 BENJAMIN MOORE	2. PROPOSED FINISHES ARE INTENDED TO BE LOW MAINTENANCE AND COMMERCIAL GRADE.
(3)	EXTERIOR STUCCO - FIELD 2	STUCCO - SAND SMOOTH FINISH	STORM AF-700 BENJAMIN MOORE	3. ALL EXTERIOR OPENING PROTECTIVES TO MEET APPLICABLE CODE REQUIREMENTS FOR HURRICANE IMPACT RESISTANCE.
(4)	EXTERIOR STUCCO - FIELD 3	STUCCO - SAND SMOOTH FINISH	WISH AF-680 BENJAMIN MOORE	4. ALL EXTERIOR MOUNTED SYSTEMS, ACCENTS, ETC. ARE TO BE DESIGNED TO MEET APPLICABLE EXTERIOR LOADING REQUIREMENTS.
(5)	SPLIT FACE STONE CLADDING	STACKED STONE/SPLIT FACE STONE TILE FINISH	2 MODEL/ SILVER MIX MARBLE TILES BY HURON MARBLE	
(6)	WINDOW/DOOR: FRAMES	ALUMINUM - HURRICANE IMPACT RESISTANT	ALUMINUM W/ BRONZE FINISH	
(7)	METAL RAILING	ALUMINUM	CLEAR ANODIZED BRUSHED ALUMINUM FINISH	
(8)	SPIRAL STAIR	ALUMINUM	CLEAR ANODIZED BRUSHED ALUMINUM FINISH	
(9)	6' AT POLES EXTERIOR LIGHT FIXTURES	ALUMINUM - POLE LIGHT FIXTURES / SEE PHOTOMETRIC PLAN PH-1.	PRE-FINISHED IN BRONZE (SEE SPECS), POLE PAINTED TO MATCH	
(10)	6' FENCE	ALUMINUM	POWDER COAT PRE-FINISHED ALUMINUM IN BRONZE COLOR.	
(11)	WINDOW/DOOR: GLAZING	INSULATED GLASS - IMPACT RESISTANT	CLEAR GLASS W/ LOW 'E' GLAZING COATING/GREY TINT.	
(12)	GARAGE DOOR GLAZING	ALUMINUM	WHITE OBSCURE GLASS AT GARAGE DOOR	
(13)	WALL MOUNT FIXTURES AT BUILDING	ALUMINUM	WALL MOUNT LIGHTING, BRONZE FINISH, DOWN LIGHT ONLY	

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Revisions

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Tobi Aycock Phone 954 914 5022
CBC 125482

ISLAND ESTATES
TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No. ISLAND2021
Date: 09-01-21
Drawn by: TA, SD
Checked JB

Drawing No.
A2
ELEVATIONS W/ MATERIAL AND COLOR LEGEND

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SOUTH/EAST CORNER VIEW



FRONT/EAST ELEVATION

SCALE 1/4"=1'-0"

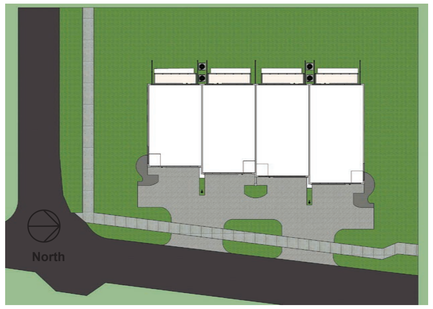


NORTH/EAST CORNER VIEW



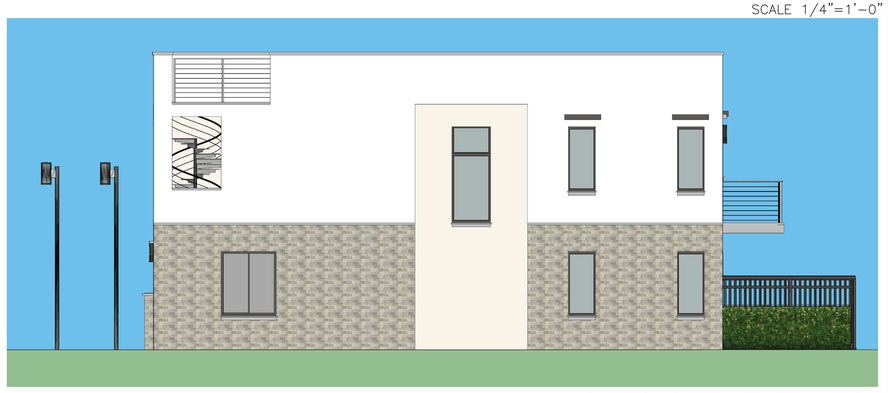
REAR/WEST ELEVATION

SCALE 1/4"=1'-0"





NORTH/WEST CORNER VIEW

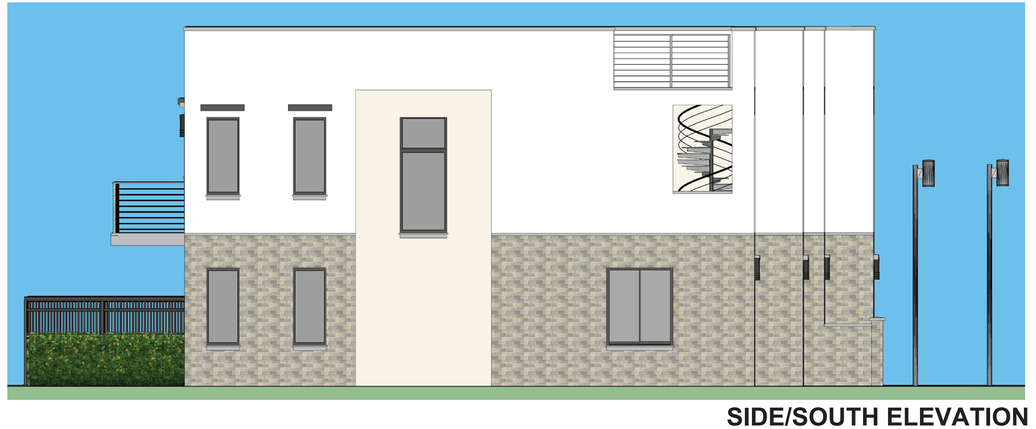


SIDE/NORTH ELEVATION

SCALE 1/4"=1'-0"



SOUTH/WEST CORNER VIEW



SIDE/SOUTH ELEVATION

SCALE 1/4"=1'-0"

MATERIAL COLOR LEGEND

CODE	MATERIAL	MANUFACTURER COLOR	SAMPLE
1	PRECAST CONC.	BENJAMIN MOORE STORM AF-700	
2	EXTERIOR STUCCO FIELD 1	BENJAMIN MOORE FROSTINE AF-5	
3	EXTERIOR STUCCO FIELD 2	BENJAMIN MOORE STORM AF-700	
4	EXTERIOR STUCCO FIELD 3	BENJAMIN MOORE WISH AF-680	
5	STONE CLADDING/ SPLIT FACE STONE TILE	HUROK MARBLE Z MODEL/SILVER MIX	
6	ALUMINUM WINDOWS/DOORS FRAMES	BRONZE FINISH	
7	EXTERIOR METAL RAILINGS	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
8	SPIRAL STAIR	SILVER/CLEAR ANODIZED ALUMINUM BRUSHED	
9	EXTERIOR LIGHT FIXTURES	BRONZE FINISH	
10	6' FENCE	BRONZE FINISH	
11	WINDOW/DOOR: GLAZING	CLEAR GLASS W/ LOW "E" GLAZING COATING/GREY TINT.	
12	GARAGE DOOR GLAZING	WHITE/OBSCURE GLASS.	
13	WALL MOUNT LIGHT FIXTURES	DOWN LIGHT ONLY/ BRONZE FINISH.	

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Tobi Aycock Phone 954 914 5022
CBC 1256482

ISLAND ESTATES
TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No:	Date:	Drawn by:	Checked
ISLAN2021	09-01-21	TA, JG	JB

Drawing No.

A3

COLOR ELEVATIONS / RENDERING

James D Bushouse

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Date: 2022.05.04 12:50:06 -04'00'

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LEGEND
- NEW INTERIOR WALL
- BEARING WALL
- DEMOLITION/REMOVE
- EXISTING CMU WALL
- NEW CMU WALL
- NEW EXTERIOR W.D. WALL
- INTERIOR INSULATED WALL

99'-10"

15' REQ'D SETBACK

25' REQ'D SETBACK

35'-9"

ACU 'A' CONCRETE

ACU 'B' CONCRETE

ACU 'C' CONCRETE

ACU 'D' CONCRETE

LINE OF BALCONY ABOVE

CONCRETE PATIO

BEDROOM 3 C.H. 9'-0"

BEDROOM 2 C.H. 9'-0"

CLO. C.H. 8'-0"

W.I.C. C.H. 8'-0"

LINEN SHELVES

HALL C.H. 9'-0"

BATH 2 C.H. 8'-0"

TUB

VAN.

W/C

W/D BELOW

EWH

AHU

UNIT 'A' FIRST FLOOR
PROPOSED F.F.E. = 11.50 NAVD RESIDENCE

SQUARE FEET OF UNIT 'A':
LEVEL ONE A/C: 603 SQ FT.
GARAGE: 341 SQ. FT.
COV. ENTRY: 24 SQ. FT.
LEVEL TWO AC: 782 SQ. FT.
COVERED BALCONY: 159 SQ. FT.
UNCOVERED REAR BALCONY: 99 SQ. FT.
ACTIVE ROOF DECK: 932 SQ. FT.

UNIT 'B' FIRST FLOOR
PROPOSED F.F.E. = 11.50 NAVD RESIDENCE

SQUARE FEET OF UNIT 'B':
LEVEL ONE A/C: 649 SQ FT.
GARAGE: 359 SQ. FT.
COV. ENTRY: 23 SQ. FT.
LEVEL TWO AC: 846 SQ. FT.
COVERED BALCONY: 158 SQ. FT.
UNCOVERED REAR BALCONY: 99 SQ. FT.
ACTIVE ROOF DECK: 997 SQ. FT.

UNIT 'C' FIRST FLOOR
PROPOSED F.F.E. = 11.50 NAVD RESIDENCE

SQUARE FEET OF UNIT 'C':
LEVEL ONE A/C: 685 SQ FT.
GARAGE: 359 SQ. FT.
COV. ENTRY: 23 SQ. FT.
LEVEL TWO AC: 883 SQ. FT.
COVERED BALCONY: 157 SQ. FT.
UNCOVERED REAR BALCONY: 99 SQ. FT.
ACTIVE ROOF DECK: 1025 SQ. FT.

UNIT 'D' FIRST FLOOR
PROPOSED F.F.E. = 11.50 NAVD RESIDENCE

SQUARE FEET OF UNIT 'D':
LEVEL ONE A/C: 764 SQ FT.
GARAGE: 359 SQ. FT.
COV. ENTRY: 24 SQ. FT.
LEVEL TWO AC: 970 SQ. FT.
COVERED BALCONY: 160 SQ. FT.
UNCOVERED REAR BALCONY: 99 SQ. FT.
ACTIVE ROOF DECK: 1127 SQ. FT.

42" RAILING/HAND RAIL BY PRODUCT APPROVAL

17" RISERS @ 8.82" ECH. - 10" THREADS

UP

FOYER C.H. 9'-0"

GARAGE C.H. 9'-4"

COV. ENTRY C.H. 9'-0"

10' REQ'D SETBACK

20' PROPOSED SETBACK

LANDSCAPE

PAVER DRIVE

POLE W/ LIGHT FIXTURES

48" HIGH CMU PRIVACY WALL

TOTAL FRONT YARD AREA: 2,989 SF
IMPERVIOUS AREA: 2120 SF, 68%, MAX PERMITTED = 80%
PERVIOUS AREA: 969 SF, 32%

NEW 5' SIDE WALK

IRRIGATION METER

WM

NEW FLOOR PLAN 1ST LEVEL

SCALE 1/4"=1'-0"

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Tobi Aycock Phone 954 914 5022
CBC 1256482

ISLAND ESTATES TOWNHOUSE PROJECT
335 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No: ISLAN2021 | Date: 09-01-21 | Drawn by: TA, JG | Checked JB

Drawing No.

A4
NEW FLOOR PLAN

James D Bushouse

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Date: 2022.05.04 12:50:39 -04'00'

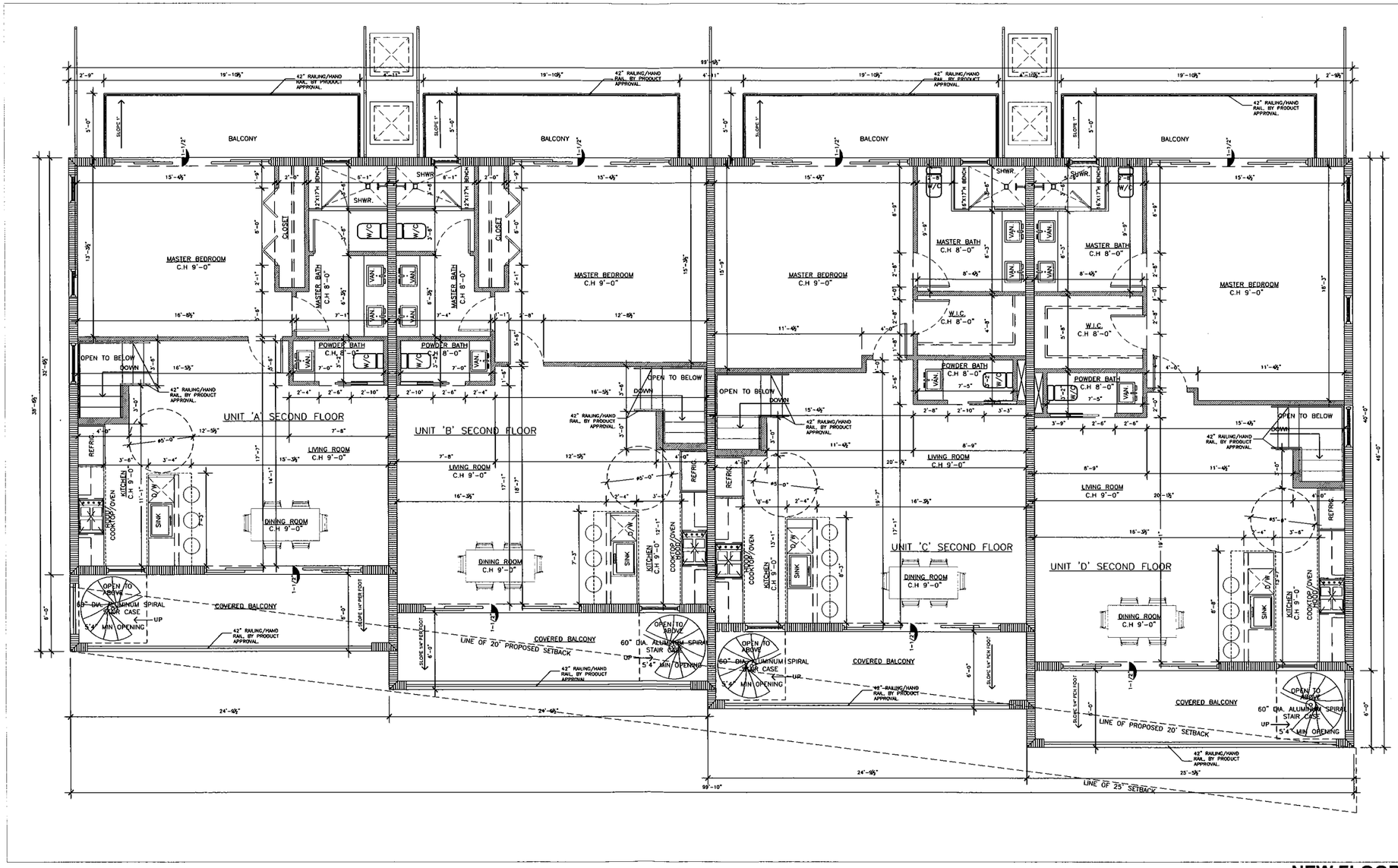
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LEGEND

- NEW INTERIOR WALL
- BEARING WALL
- DEMOLITION/REMOVE
- EXISTING CMU WALL
- NEW CMU WALL
- NEW EXTERIOR W.D. WALL
- INTERIOR INSULATED WALL



NEW FLOOR PLAN
2ND LEVEL
SCALE 1/4"=1'-0"

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DEERFIELD BEACH, FL. 33441

Job No: ISLAN2021	Date: 09-01-21	Drawn by: TA, JG	Checked JB

Drawing No.

A5

NEW FLOOR PLAN LEVEL TWO

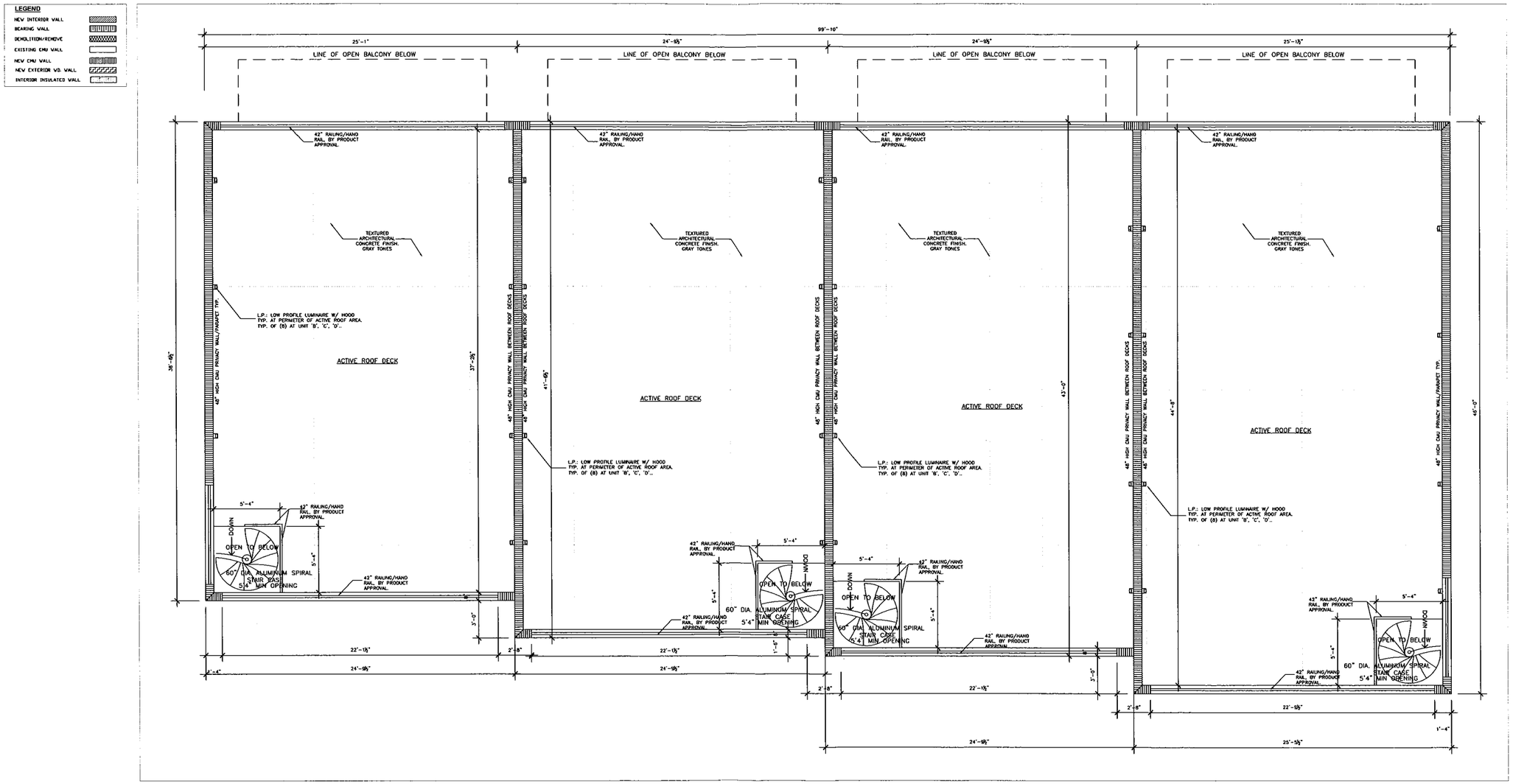
James D Bushouse

Digitally signed by James D Bushouse
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Date: 2022.05.04 12:51:01 -04'00'

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ACTIVE ROOF DECK FLOOR PLAN
3RD LEVEL

SCALE 1/4"=1'-0"

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325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No: ISLAN2021	Date: 09-01-21	Drawn by: TA, JG	Checked JB

Drawing No.

A6

NEW ROOF PLAN

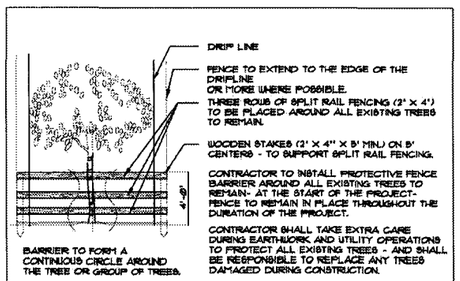
Note: A tree removal permit is required by the City prior to the removal of any trees on site.

Existing Tree Disposition

Existing tree number	Botanical/ Common Name	Size (Trees: Ht, Spr, DBH Palms: GW, DBH)	Disposition	Mitigation (1.5 times square feet canopy)
1	Lonchocarpus violaceus/ Lilac Tree	14' x 8', 7" dbh	Remain	
2A	Sabal palmetto/ Cabbage Palm	12', 12" dbh	Remain	
2B	Sabal palmetto/ Cabbage Palm	14', 12" dbh	Remain	
2C	Sabal palmetto/ Cabbage Palm w/ Ptychosperma elegans/ Solitaire Palm	14', 12" dbh, 14', 4" dbh	Remain on Adjacent prop	
2D	Sabal palmetto/ Cabbage Palm	14', 12" dbh	Remain on Adjacent prop	
2E	Sabal palmetto/ Cabbage Palm	16', 12" dbh	Remain on Adjacent prop	
2F	Sabal palmetto/ Cabbage Palm	12', 12" dbh	Remain on Adjacent prop	
2G	Sabal palmetto/ Cabbage Palm	16', 12" dbh	Remain on Adjacent prop	
2H	Sabal palmetto/ Cabbage Palm	16', 12" dbh	Remain on Adjacent prop	
2I	Sabal palmetto/ Cabbage Palm	6', 12" dbh	Remain on Adjacent prop	
2J	Sabal palmetto/ Cabbage Palm	18", 12" dbh	Remain on Adjacent prop	
2K	Sabal palmetto/ Cabbage Palm	18', 12" dbh	Remain on Adjacent prop	
2L	Sabal palmetto/ Cabbage Palm	12', 12" dbh	Remain on Adjacent prop	
2M	Sabal palmetto/ Cabbage Palm	16', 12" dbh	Remain on Adjacent prop	
3	Hyophorbe lagenicaulis/ Bottle Palm	3' GW, 10" dbh	Remove	
4	Sabal palmetto/ Cabbage Palm	20', 8" dbh	Transplant	
5	Bourreria succulenta/ Bahama Strongbark	10' x 8', 3" dbh	Remove	75 sf
6	Cycas sp/ Queen Sago Palm	36" GW	Remove	
7	Sabal palmetto/ Cabbage Palm	16', 12" dbh	Transplant	
8	Sabal palmetto/ Cabbage Palm	12', 12"dbh	Remain	
9	Thrinax radiata/ Thatch Palm	12', 4" dbh	Remain	
10	Conocarpus erectus / Green Buttonwood	14' x 20', multi trunk	Remain	
11	Sabal palmetto/ Cabbage Palm	16', 8" dbh	Transplant	
12	Cordia sebestena/ Orange Geiger	12' x 5', 3" dbh	Remain	
13	Sabal palmetto/ Cabbage Palm	12', 10" dbh	Remain	
14	Sabal palmetto/ Cabbage Palm	18', 12" dbh	Remain	
15	Simarouba glauca/ Paradise Tree	24' x 20', 8"dbh	Remove	471 sf
16	Sabal palmetto/ Sabal Palm	16', 12" dbh	Remove	170 sf
17	Bursera simaruba/ Gumbo limbo	26' x 24', 14" dbh	Remove	678 sf
18	Lonchocarpus violaceus/ Lilac Tree	20' x 20', 10" dbh	Remain	
19	Bursera simaruba/ Gumbo Limbo	12' x 8', 6" dbh	Remove	75 sf
20	Simarouba glauca/ Paradise Tree	24' x 20', 8" dbh	Remove	471 sf
21	Cocos nucifera/ Coconut Palm	4' GW	Remove	0
22	Conocarpus erectus sericeus/ Silver Buttonwood	15' x 15', 6" dbh	Remove	265 sf
23	Cordia sebestena/ Orange Geiger	12' x 7', 3" dbh	Remain	

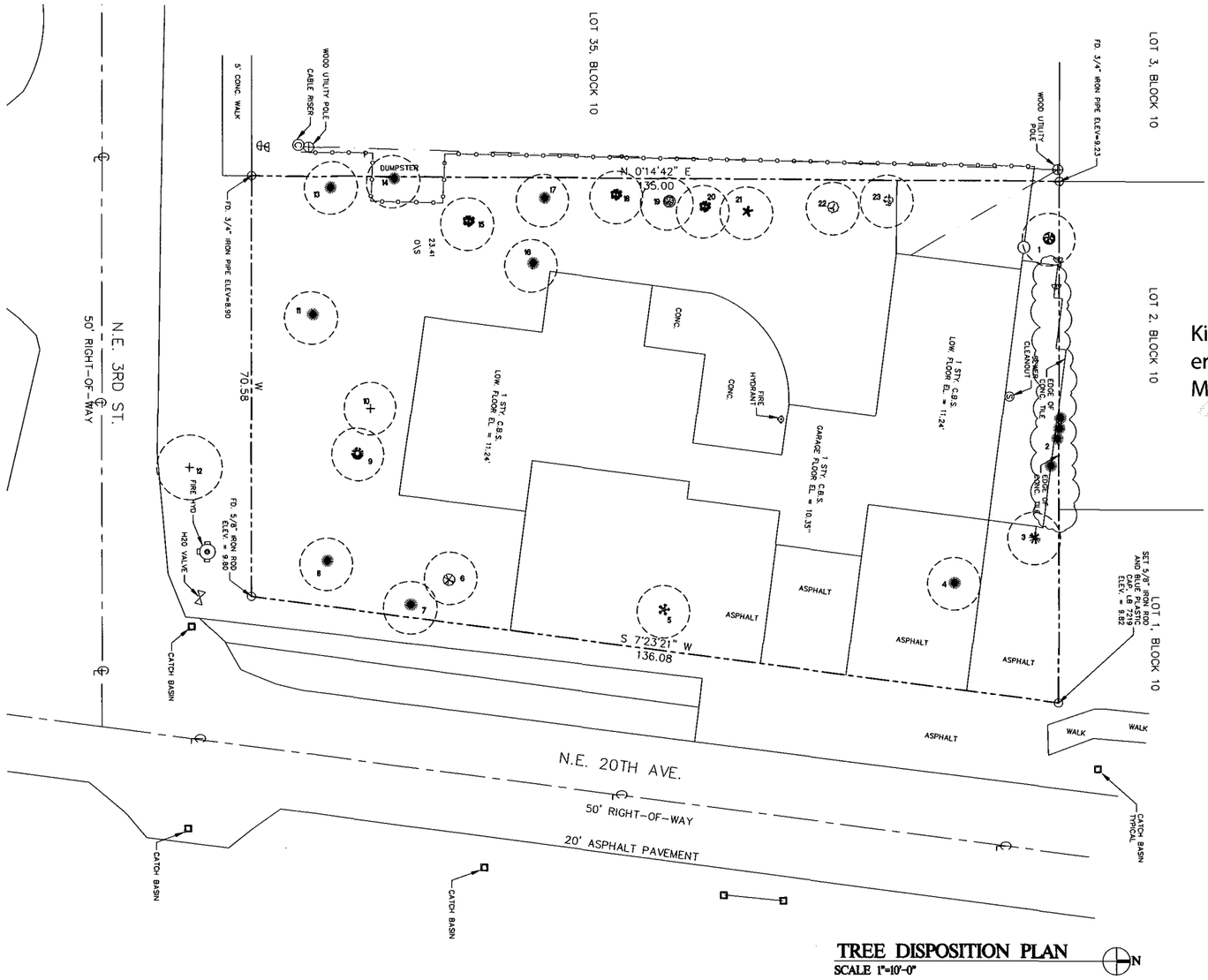
Mitigation required = 57" DBH (not able to plant on site)

Mitigation provided = 57 inches/ 3 inches = 19 inches x $200 = $3800 to be paid into City Tree Trust



TREE PROTECTION DETAIL

N.T.S.



TREE DISPOSITION PLAN

SCALE 1"=10'-0"

N

Kimberly Moyer

Digitally signed by Kimberly Moyer
Date: 2022.08.19 14:12:49 -04'00'

James Bushouse, INC.
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Revisions
07-15-2022

PERFORMANCE SHELL CONSTRUCTION INC.
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Tobi Aycock Phone 954 914 5022
CBC 1256482

ISLAND ESTATES
NEW TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No:	Date:	Drawn by:	Checked
ISLAN2021	09-01-21		

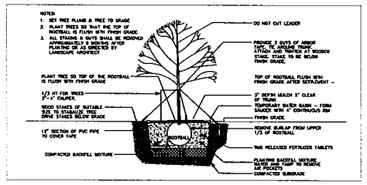
Drawing No.

TD-1

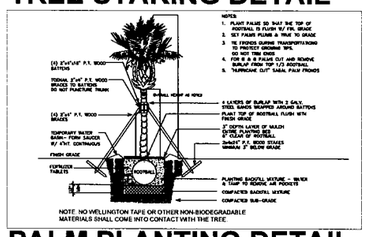
TREE DISPOSITION PLAN

LANDSCAPE NOTES

1. All plant material shall be Florida No. 1 or better as given in the current Florida Grades and Standards for Nursery Plants, 2015, Florida Department of Agriculture and Consumer Services.
2. All plant materials shall be subject to inspection and approval by the Landscape Architect at place of growth and upon delivery for conformity to specification.
3. All plants shall be true to species and variety and shall conform to measurements specified. All substitutions shall be submitted to the City and Landscape Architect for final approval.
4. All plants shall be exceptionally heavy, symmetrical, tight knit and so trained in appearance as to be superior to form, branching and symmetry.
5. Contractor shall notify Sunshine 811 (call 811) for locations of existing utility lines 48 hours prior to beginning work. Contractor shall verify location of all utility lines and easements prior to commencing any work. Excavation in the vicinity of underground utilities shall be undertaken with care and by hand, if necessary. The Contractor bears full responsibility for this work and disruption or damage to utilities shall be repaired immediately at no expense to Owner.
6. Grade B+, shredded sterilized Melaleuca or Eucalyptus mulch shall be used in all mass planting beds and for individual tree pits. All trees shall have a mulch ring with a depth of 3" and a diameter of 3'- 4' around their base. All mulch shall be kept 4" from base of all plant material. Mulch beds shall be a minimum of 12" wider than plants measured from outside edge of foliage.
7. Sod shall be St Augustine and free of weeds, insects, fungus and disease, laid with alternating and abutting joints.
8. All road rock, concrete, asphalt and all other unnatural materials shall be removed from all landscape areas and replaced with approved planting soil prior to installation.
9. All trees and shrubs shall be backfilled with a suitable planting soil consisting of 50 percent sand and 50 percent muck. All plant materials shall be planted with a minimum of 6 to 18 inches of planting soil around the root ball. Refer to planting details. Planting soil to be backfilled into plant pits by washing in. Planting beds shall be free from road, pea, egg or colored rock, building materials, debris, weeds, noxious pests and disease.
10. All sodded areas to have a minimum of 2" of planting soil as described in note #9.
11. All trees shall be warranted by the Contractor and will be healthy and in flourishing condition of active growth one year from date of final acceptance.
12. All shrubs, groundcovers, vines and sod shall be fully warranted for 90 days under same condition as above.
13. All synthetic burlap, synthetic string or cords or wire baskets shall be removed before any trees are planted. All synthetic tape shall be removed from trunks, branches, etc before inspection. The top 1/3 of any natural burlap shall be removed or tucked into the planting hole before trees are backfilled. Planting soil to be backfilled into pits by washing in.
14. Only bio-degradable material can be attached to the trunks of trees.
15. All trees and palms shall be planted with the top of their rootballs 1"-2" above finished grade. All other plants shall be planted with top of their rootballs no deeper than the final grade surrounding the planting area. If trees are containerized ,the rootballs shall be shaved at the periphery and radial slices made to correct all circling roots and rootball deficiencies.
16. In areas where paved surfaces abut sod or mulch, the final level of both surfaces should be even.
17. All planting shall be installed with fertilizer at time of planting.
18. All planting shall be installed in a sound, workmanlike manner and according to good planting procedures. Installation shall include watering, weeding, fertilizing, mulching, selective pruning and removal of refuse and debris on a regular basis so as to present a neat and well kept appearance at all times.
19. All landscape and sod areas shall have an automatic irrigation system installed. Coverage should be 100% with 50% minimum overlap using rust free water to all landscape and sod areas. Spray upon public sidewalks, streets and adjacent properties should be minimized. Sodded areas and shrub/ groundcover beds should be on separate irrigation zones for a more efficient system. Irrigation system shall be installed with a rainswitch device.
20. All landscape and irrigation shall be installed in compliance with all local codes.
21. The plan shall take precedence over the plant list, should there be any discrepancy between the two.
22. A pre-construction meeting with the City Urban Forestry Department is required prior to the installation of any plant material.
23. All tree work shall be permitted and performed by a Broward County Tree Trimmer.
24. No landscape other than sod is allowed within 5 feet of any portion of City owned utilities within the public street right of way including meters, hydrants, service lines, etc. No street trees shall be placed on top of or within 5 feet of either side of any City owned utility infrastructure. No trees, shrubs or obstruction shall be placed within a 3 foot radius of a City owned sewer lateral cleanout or water and/ or reuse meter.
25. All hedges abutting City Right of Ways shall be maintained at a height no greater than 24"

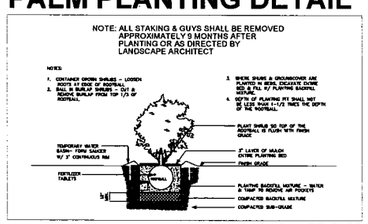


TREE STAKING DETAIL

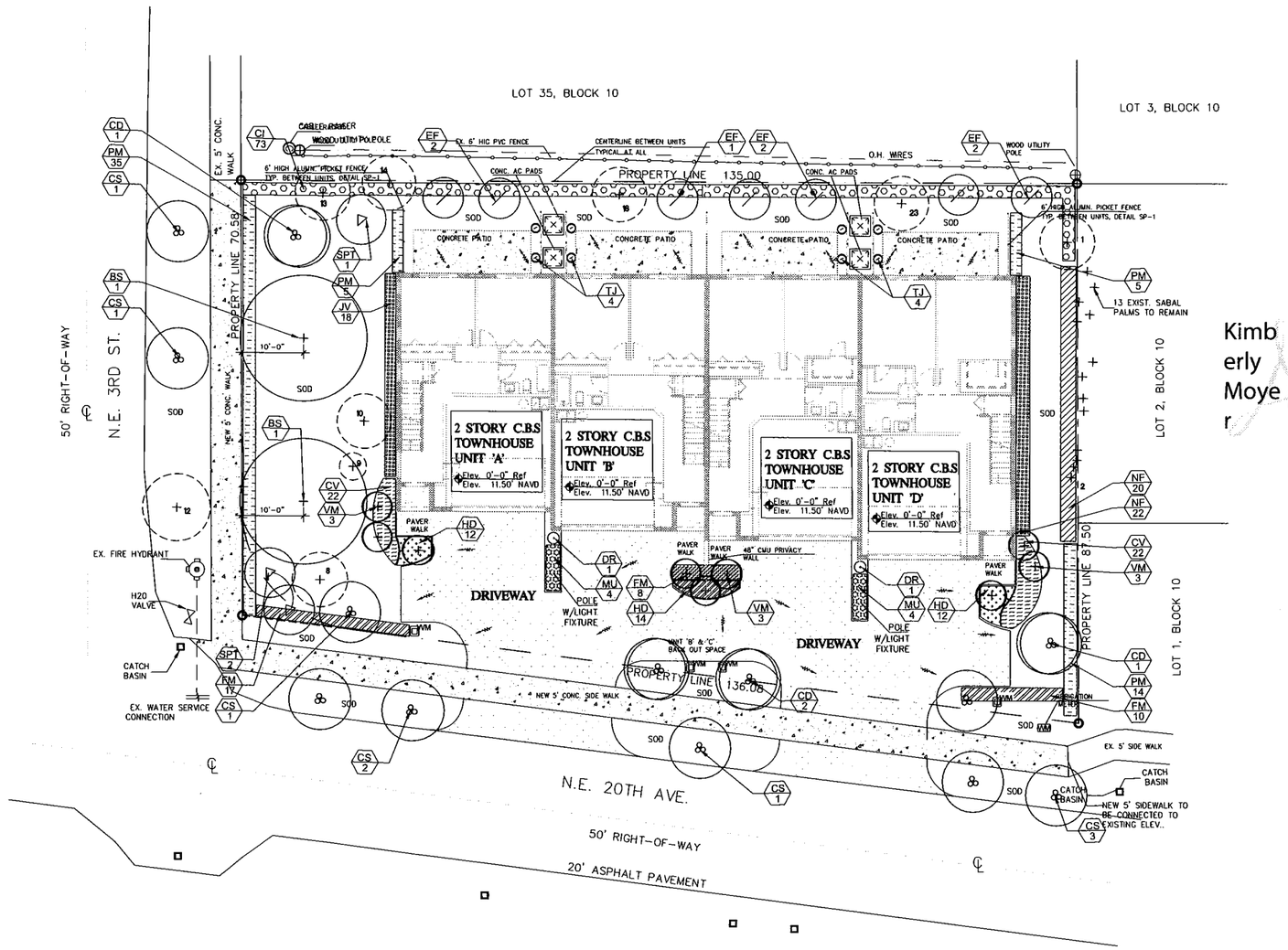


PALM PLANTING DETAIL

NOTE: ALL STAKING & GUYS SHALL BE REMOVED APPROXIMATELY 9 MONTHS AFTER PLANTING OR AS DIRECTED BY LANDSCAPE ARCHITECT



SHRUB PLANTING DETAIL



LANDSCAPE PLAN

SCALE 1"=10'-0"

N

Plant List

Trees/ Palms					
Sym	Qty	Botanical / Common Name	Size	Native	Drought Tolerance
EF	7	Eugenia foetida/ Spanish Stopper	10' Ht x 5' Spr, 2" dbh	Yes	High
BS	2	Bursera simaruba/ Gumbo Limbo	14'-16' Ht x 5' Spr, 3" dbh	Yes	High
VM	9	Veitchia montgomeryana / Montgomery Palm	16' GW	No	Medium
CS	9	Cordia sebestena/ Orange Geiger Tree	10' Ht x 5' Spr, 2" dbh	Yes	High
CD	4	Coccoloba diversifolia/ Pigeon Plum	14'-16' Ht x 5' Spr, 3" dbh	Yes	High
SPT	3	Transplanted sabal palms			
Shrubs/Groundcovers					
CI	73	Chrysobalanus icaco / Cocoplum	24" x 24", 24" O.C.	Yes	Medium
HD	38	Helianthus debilis/ Beach Sunflower	5" x 10", 18" O.C.	Yes	High
NF	42	Nephrolepis falcata/ Macho Fern	20" x 20", 24" O.C.	no	Medium
FM	35	Ficus microcarpa 'Green Island'/ Green Island Ficus	14" x 14", 24" O.C.	No	High
CV	44	Codiaeum variegatum 'Eleanor Roosevelt'/ Croton	24" x 24", 24" O.C.	Yes	High
PM	59	Podocarpus macrophyllus / Podocarpus	24" x 24", 24" O.C.	No	Medium
MU	20	Muhlenbergia capillaris/ Muhly Grass	24" x 24", 24" O.C.	Yes	High
JV	18	Jasminum volubile/ Wax Jasmine	24" x 24", 24" O.C.	No	High
DR	2	Draceana marginata/ Red Edged Dracaena	5' Ht, 5 stem min	No	Medium
TJ	8	Trachelospermum jasminoides/ Confederate Jasmine	3- 36" runner min trellis	no	High
Sod		St. Augustine			
Mulch		Shredded Melaleuca or Eucalyptus			

Landscape Code Requirements

Description	Application	Calculation	Qty. Required	Qty. Provided
Site Trees	1 tree/ 1500 sf pervious	3814 sf/ 1500	3	6
Site Shrubs	10/ 1500 sf pervious area	3814 sf/ 1500 x 10	26	78
Site Groundcover	10/ 1500 sf pervious area	3814 sf/ 1500 x 10	26	38
Swale Trees	1 tree / 30 LF		5	5
NE 20th Ave		136.08'/ 30		
NE 3rd Street		70.58'/ 30	3	3
Perimeter Buffer Trees Adjacent to Residential	1 tree / 20 LF			
North		88'/ 20	5	3
West		135'/ 20	7	7
Perimeter Buffer Adjacent to Right of Way	1 tree/ 40 LF 1 small tree/ 100 LF			
East (Right of Way)	NE 20th Avenue	136.08'/40	4 lg + 2 small	6
South(Right of Way)	NE 3rd Street	70.58'/ 40	2 lg + 1 small	3
Perimeter Shrubs				
North		88'/2	44	44
West		135'/ 2	68	68
South		70.58'/2	35	35
East		136.08'/2	68	68
Flowering Trees	20%	32 (.20)	7	8
Native Trees	50%	32 (.50)	16	22

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Digitally signed by Kimberly Moyer
Date: 2022.03.31 14:56:58 -04'00'

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Revisions
03-22-2022

PERFORMANCE SHELL CONSTRUCTION INC.
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Tobi Aycock Phone 954 914 5022
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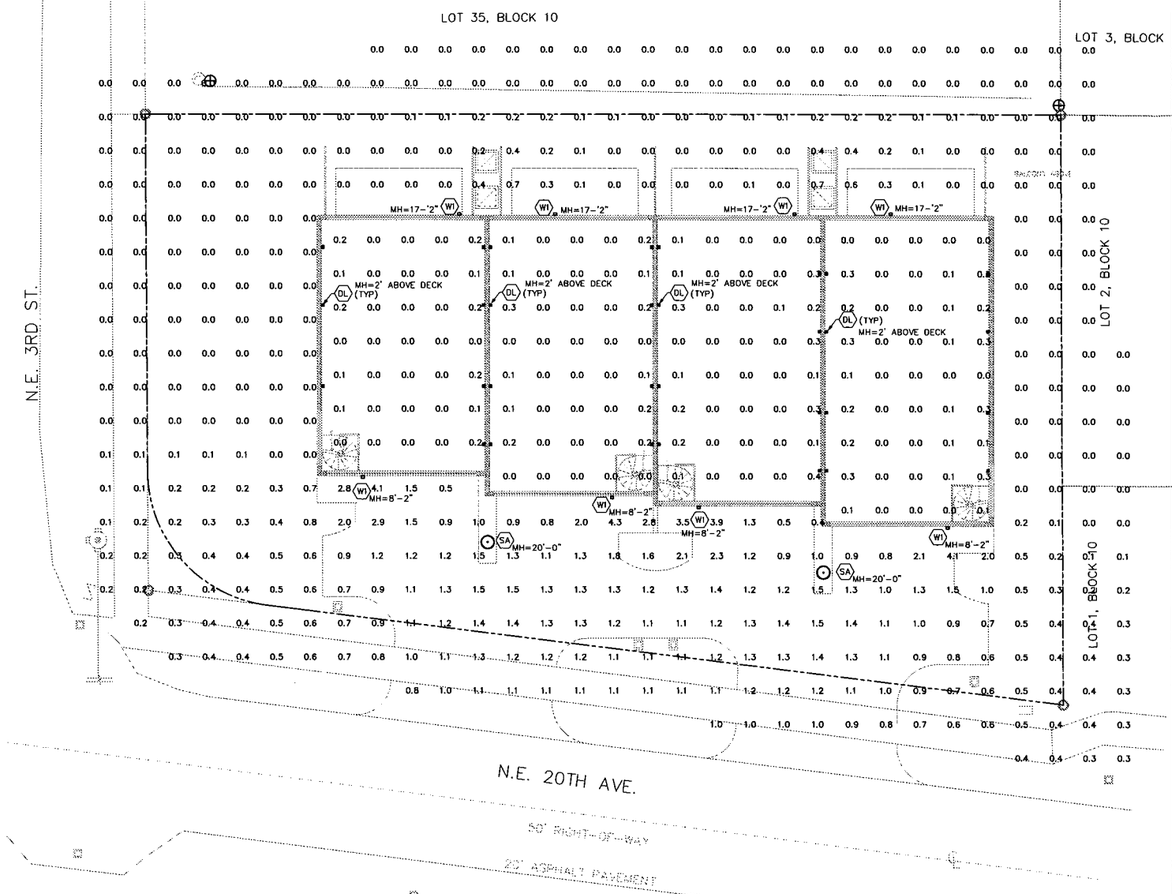
ISLAND ESTATES
NEW TOWNHOUSE PROJECT
325 NE 20 AVE
DEERFIELD BEACH, FL. 33441

Job No: ISLAN2021	Drawn by: J.G.
Date: 09-01-21	Checked K.M.

Drawing No.

L-1

LANDSCAPE PLAN



SITE AND ROOF PHOTOMETRIC PLAN

1"=10'-0" NORTH

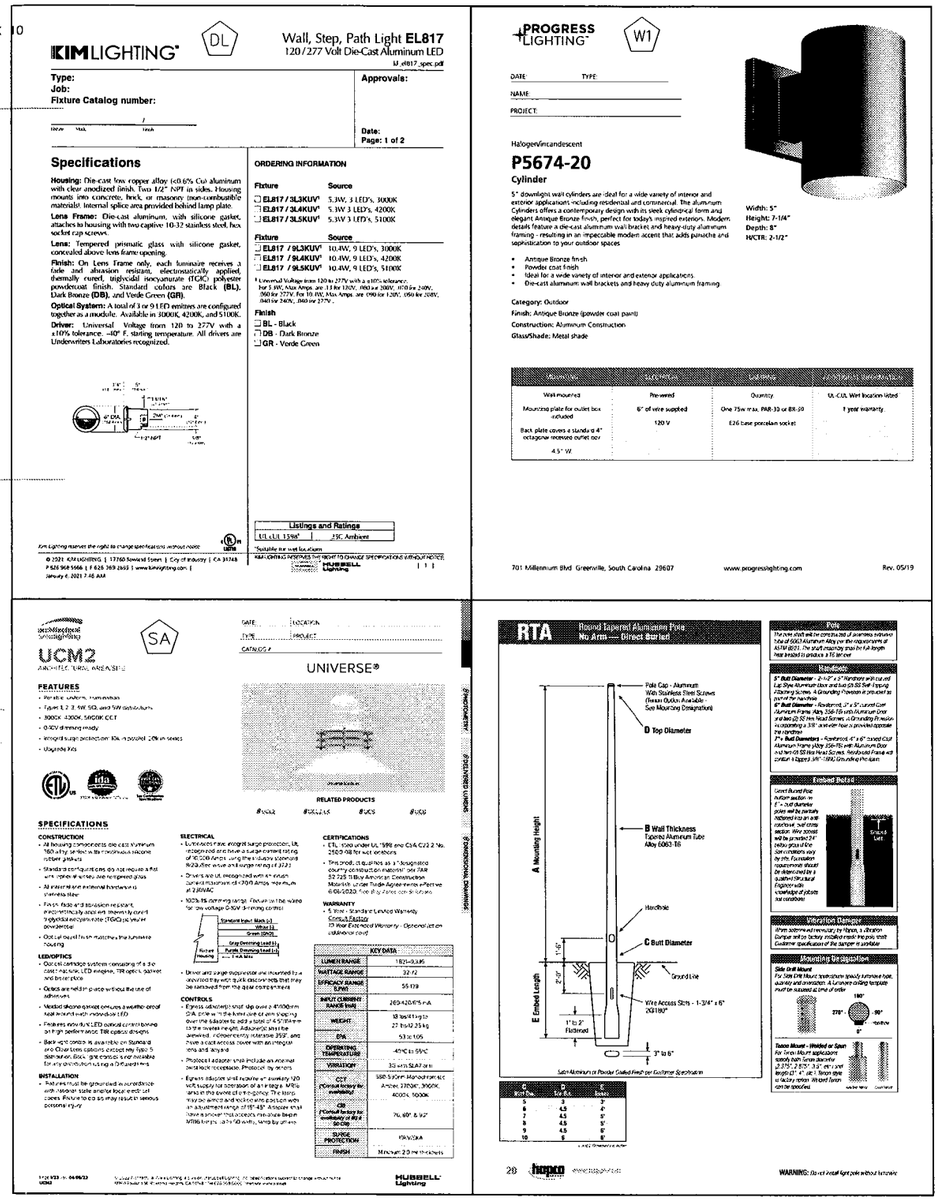
Luminaire Schedule									
Symbol	Label	[MANUFAC]	Description	Qty	Arrangement	Total Lamp Lumens	LLF	Lum. Watts	Total Watts
▣	DL	KIM LIGHTING	EL817/3L3K/UNV	31	SINGLE	N.A.	0.840	5.3	164.3
⊙	SA	ARCHITECTURAL AREA L	UCM2-ANG-36L-260-3K7-3-CL	2	SINGLE	N.A.	0.840	31.52	63.04
□	W1	PROGRESS	P5674-2030K	8	SINGLE	N.A.	1.000	16.9	135.2

LUMINAIRES BRONZE FINISH AS PER ELEVATION MATERIAL LEGEND.
AT POLE LIGHTS, POLE TO BE PAINTED BRONZE TO MATCH LUMINAIRES

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
DECK	Illuminance	Fc	0.07	0.4	0.0	N.A.	N.A.
DRIVEWAY	Illuminance	Fc	1.44	4.3	0.5	2.88	8.60
PROPERTY LINE BACK (WEST)	Illuminance	Fc	0.03	0.2	0.0	N.A.	N.A.
PROPERTY LINE FRONT (EAST)	Illuminance	Fc	0.80	1.3	0.2	4.00	6.50
PROPERTY LINE LEFT (NORTH)	Illuminance	Fc	0.05	0.2	0.0	N.A.	N.A.
PROPERTY LINE RIGHT (SOUTH)	Illuminance	Fc	0.10	0.4	0.0	N.A.	N.A.

KEY NOTES

1. FLOODLIGHTS ARE PROHIBITED. WALL MOUNTED LIGHT FIXTURES SHALL BE FITTED WITH HOODS SO THAT NO LIGHTS ILLUMINATE THE BEACH.
2. POLE LIGHTING SHALL BE SHIELDED IN SUCH A WAY THAT LIGHT WILL BE CONTAINED WITHIN AN AREA OF THREE TO 73 DEGREES ON THE SEAWARD SIDE OF THE POLE. OUTDOOR LIGHTING SHALL BE HELD TO THE MINIMUM NECESSARY FOR SECURITY AND CONVENIENCE.
3. LOW PROFILE LUMINAIRES SHALL BE USED IN PARKING LOTS AND SUCH LIGHTING SHALL BE POSITIONED SO THAT NO LIGHT ILLUMINATES THE BEACH.
4. LIGHTS ON BALCONIES SHALL BE FITTED WITH HOODS SO THAT LIGHTS WILL NOT ILLUMINATE THE BEACH.
5. TINTED OR FILMED GLASS SHALL BE USED IN WINDOWS FACING THE OCEAN ABOVE THE FIRST FLOOR IN MULTISTORY STRUCTURES. SHADE SCREENS CAN BE SUBSTITUTED FOR FOR THIS REQUIREMENT.
6. TEMPORARY SECURITY LIGHTS AT CONSTRUCTION SITES SHALL NOT BE MOUNTED MORE THAN 15 FT ABOVE THE GROUND. ILLUMINATION FROM THE LIGHTS SHALL NOT BE SPREAD BEYOND THE BOUNDARY OF THE PROPERTY BEING DEVELOPED, AND IN NO CASE SHALL THOSE LIGHTS ILLUMINATE THE BEACH.
7. FINISH OF THE LUMINAIRES TO MATCH LIGHT POLE PAINT.



KIM LIGHTING — DL

Wall, Step, Path Light **EL817**
120/277 Volt Die-Cast Aluminum LED
kl_el817_spec.pdf

Type:
Job:
Fixture Catalog number:
Approvals:
Date:
Page: 1 of 2

Specifications

Housing: Die-cast low copper alloy (<0.6% Cu) aluminum with clear anodized finish. Two 1/2" NPT in sides. Housing mounts into concrete, brick, or masonry (non-combustible materials). Internal splice area provided behind lamp plate.

Lens Frame: Die-cast aluminum, with silicone gasket, attaches to housing with two captive 10-32 stainless steel, hex socket cap screws.

Lens: Tempered prismatic glass with silicone gasket, concealed above lens frame opening.

Finish: On Lens Frame only, each luminaire receives a fade and abrasion resistant, electrostatically applied, thermally cured, triglycidal isocyanurate (TGIC) polyester powdercoat finish. Standard colors are Black (BL), Dark Bronze (DB), and Verde Green (GR).

Optical System: A total of 3 or 9 LED emitters are configured together as a module. Available in 3000K, 4200K, and 5100K.

Driver: Universal Voltage from 120 to 277V with a ±10% tolerance. -40° F. starting temperature. All drivers are Underwriters Laboratories recognized.

ORDERING INFORMATION

Fixture	Source
☐ EL817 / 3L3KUV¹	5.3W, 3 LED's, 3000K
☐ EL817 / 3L4KUV¹	5.3W 3 LED's, 4200K
☐ EL817 / 3L5KUV¹	5.3W 3 LED's, 5100K

Fixture	Source
☐ EL817 / 9L3KUV¹	10.4W, 9 LED's, 3000K
☐ EL817 / 9L4KUV¹	10.4W, 9 LED's, 4200K
☐ EL817 / 9L5KUV¹	10.4W, 9 LED's, 5100K

¹ Universal Voltage from 120 to 277V with a ±10% tolerance. For 5.3W, Max Amps are: 1.8 for 120V, .880 for 240V, .910 for 240V, .760 for 277V. For 10.4W, Max Amps are: 1.90 for 120V, .956 for 208V, .940 for 240V, .860 for 277V.

Finish
☐ BL - Black
☐ DB - Dark Bronze
☐ GR - Verde Green

Listings and Ratings
cULus Listed | ETL Ambient

*Suitable for wet location

KIM Lighting reserves the right to change specifications without notice

© 2021 KIM LIGHTING | 13760 Seventeen Lane | City of Industry | CA 91746
P 626 968 5666 | F 626 369 2663 | www.kimlighting.com |
January 6, 2021 7:46 AM

HUBBELL Lighting

ARCHITECTURAL AREA LIGHTING — SA

UCM2

UNIVERSE®

FEATURES
- Per site conditions, mast arm/pole
- Types 1, 2, 3, 4W, 5SQ, and 5W distributions
- 3000K, 4200K, 5700K CCT
- 0-10V dimming ready
- Integral surge protection 10kA rebounded 20kA on select
- Upgrading Kits

RELATED PRODUCTS

SPECIFICATIONS

CONSTRUCTION
- All housing components are die-cast Aluminum 360 alloy, or fabricated from corrosion resistant rubber gaskets
- Standard configurations do not require a flat lens. Optional flat, clear tempered glass
- All external screws are tamper resistant stainless alloy
- Finish: Rigid architectural polyester powder coat, electrostatically applied and thermally cured. Super durable TGIC polyester powdercoat
- Color of paint finish matches the luminaire housing

LED OPTICS
- One LED cartridge system consisting of a 3 or 6 count replicable LED engine, TIR optics, gasket and locking plate
- Optics are held in place without the use of adhesives
- Molded silicone gasket ensures a weather and heat resistant seal between LED and housing
- Features non-field LED optical current binning and high gasket versus TIR optical designs
- Back-light control is available on Standard and Clear Lens options except with Type 5 Short-wide. Back-light control is not available for any luminaire utilizing a Type 5 distribution

INSTALLATION
- Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury

ELECTRICAL
- Luminaires have integral surge protection, UL recognized and feature a surge current rating of 10,000 Amps using the standard combination wave and ring wave of 2.0 Ω
- Drivers are UL recognized with a Class A sound rating and meet all -40°F/-40°C starting requirements at 120VAC
- 100% full current draw at 120VAC, 277VAC, or 347VAC (+/- 10%)

CONTROLS
- 0-10V dimming: Input signal over a shielded two (2) conductor cable. Fixtures are to be wired one of every 3 luminaires to the nearest neighbor. Additional zones can be achieved, independently, wired as 2nd, and 3rd as a total across a zone with an integral relay and ballast
- Photocell ready: Shall include an external photocell receptacle. Photocell by others
- Bi-level operation shall operate on standard 120 volt supply for combination of 4 of 6 stages. While in this bi-level dimming mode, the fixture shall operate at full output when a person with an activation range of 15'-45' passes within the sensor's range. Upon no motion detected, the fixture shall dim to 50% output for a user programmable time delay of 1 to 30 minutes, adjustable in 1 minute increments. Fixture shall return to full output when motion is detected within the programmed dimmed period. Sensor shall be mounted at a height of 8' to 40' AFG. Sensor shall be rated for 1000 mA output. Sensor shall be suitable for operation in ambient temperatures from -40°C to 50°C (-40°F to 122°F). Sensor shall be rated for 10,000 cycles minimum. Sensor shall be rated for 50,000 hours minimum. Sensor shall be UL 773 listed for wet locations. Sensor shall be rated for IP65 ingress protection. Sensor shall be rated for 5 kV surge protection. Sensor shall be rated for 5 VA load minimum. Sensor shall be rated for 0.5 mA off-state current draw maximum. Sensor shall be rated for 0.5 mA on-state current draw maxim

HALEY ENGINEERING, INC.
1680 SE 4th Street
Deerfield Beach, FL. 33441
Phone (954) 260-6194
johnjhaley@comcast.net
www.haleyeng.com

June 1, 2021

City of Deerfield Beach
Planning and Development Services
150 NE 2nd Ave.
Deerfield Beach, FL 33441

Re: Traffic Statement for Island Estates
Address: 305 NE 20th Avenue
Project No. 21-2773

To Whom It May Concern,
The subject site is a 0.24 acre lot located in the northwest corner of NE 20th Avenue and NE 3rd Street in the City of Deerfield Beach, Broward County, Florida. The purpose of this letter is to formally document trip generation for the current and future uses.

The current use of the subject lot is a single family home. Current zoning is RM-25 Multifamily. Proposed is four low rise 2-story 4,626 square foot townhome units.

The trip generations for each land use have been calculated utilizing the rates consistent with the ITE Trip Generation, 10th Edition. The trip generation calculations are summarized in Table 1 attached to this letter and are summarized as follows:

Current Land Use Traffic Generation

Daily Traffic Generation = 10 TPD
AM Peak Hour Traffic Generation (In/Out) = 1 TPD
PM Peak Hour Traffic Generation (In/Out) = 2 TPD

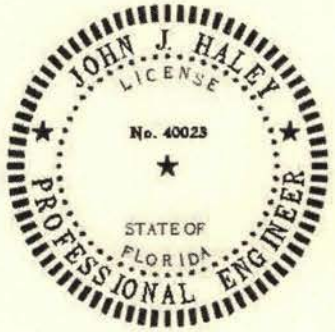
Total Future Land Use Traffic Generation

Daily Traffic Generation = 29 TPD
AM Peak Hour Traffic Generation (In/Out) = 2 TPD
PM Peak Hour Traffic Generation (In/Out) = 2 TPD

If you should have any questions with the above, please feel free to contact our office.

Sincerely,

John J. Haley, P.E. - President
HALEY ENGINEERING, INC.
Florida Registration # 40023



This item has been digitally signed and sealed by John J. Haley, P.E. on this date using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

John J. Haley, PE

Haley Engineering, Inc.

FL Reg No. 40023

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

City of Deerfield Beach

Face Sheet
File Number: I.D. 2023-1785

Agenda Date: 4/4/2023

Status: PUBLIC HEARING - FIRST READINGS

In Control: City Commission

Title
ORDINANCE 2023/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 2.968 GROSS ACRES LOCATED AT 641 NE 40TH STREET FROM INSTITUTIONAL AND EDUCATIONAL DISTRICT (I-1c) AND ONE-FAMILY DETACHED DWELLING DISTRICT (RS-4c) TO COMMUNITY FACILITIES DISTRICT (CF) (APPLICATION 20-CF-41); PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Recommended Action
Commission to vote on Ordinance and set public hearing for April 25, 2023

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Background/History
The project site is located on the north side of NE 40th Street, approximately 400 feet west of the NE 40th Street and Dixie Highway intersection. This site is currently developed with two one-story, residential type structures and a one-story sanctuary building. The applicant intends to renovate the existing sanctuary building into a fellowship hall and construct a new worship facility. The new, two-story building will comprise 23,149 square feet and will contain a sanctuary, prayer room, Sunday school room, conference room, fitness center, restrooms, kitchen, and childcare facilities. The applicant intends to demolish one of the existing, one-story residential types structures to the rear of the property and provide façade improvements to the other, located near the existing worship building, to harmonize with the exterior of the new construction.

A traffic impact analysis was submitted with the site plan application and reviewed by the City's traffic consultant. Since the analysis of the proposed development resulted in less than 500 daily trips, a trip impact analysis was not required. The site meets all setback, bulk, parking, lighting, landscape and appearance requirements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

On February 8, 2023, the site plan item was heard and approved by the Community Appearance Board. The Board stipulated that the picket fence on the south side of the site be switched from white to anodized bronze. The appropriate sheets have been updated and are included in the packet.

On March 3, 2023, the item was heard and approved by the Planning & Zoning Board.

ORDINANCE NO. 2023/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 2.968 GROSS ACRES LOCATED AT 641 NE 40TH STREET FROM INSTITUTIONAL AND EDUCATIONAL DISTRICT (I-1c) AND ONE-FAMILY DETACHED DWELLING DISTRICT (RS-4c) TO COMMUNITY FACILITIES DISTRICT (CF) (APPLICATION 20-CF-41); PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission, as the governing body of the City of Deerfield Beach, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the City of Deerfield Beach Code of Ordinances, is authorized and empowered to consider applications related to zoning and land development orders; and

WHEREAS, Bethesda Christian Center, Inc. (the "Applicant") has applied for a rezoning of approximately 2.968 acres of land (Application #20-CF-41) located at 641 NE 40th Street from Institutional and Educational District (I-1c) and One-Family Detached Dwelling District (RS-4c) to Community Facilities District (CF) (the "Rezoning"); and

WHEREAS, the Rezoning site is an approximately 2.968 acre parcel of land legally described as BETHESDA CHRISTIAN CENTER 183-470 B PARCEL A, and located at 641 NE 40th Street, Deerfield Beach, Florida (the "Property"); and

WHEREAS, the Property currently includes two one-story, residential type structures and a one-story sanctuary building; and

WHEREAS, the Applicant is proposing to rezone the Property for the renovation of the existing sanctuary building into a new, two-story worship facility; and

WHEREAS, the Deerfield Beach Planning and Zoning Board reviewed the Rezoning application on March 3, 2023, as required by Florida Statutes, and recommended approval; and

WHEREAS, the notice and hearing requirements have been satisfied; and

WHEREAS, the City Commission has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various City of Deerfield Beach review agencies and staff; and

WHEREAS, the City Commission has determined that the proposed Rezoning is consistent with the City of Deerfield Beach Comprehensive Plan; and

WHEREAS, the City Commission of the City of Deerfield Beach finds it in the best interest of the City to Rezone the Property to Community Facilities District (CF).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above "WHEREAS" clauses are true and correct and are incorporated herein.

Section 2. The Rezoning of the Property from Institutional and Educational District (I-1c) and One-Family Detached Dwelling District (RS-4c) to Community Facilities District (CF) is hereby approved, subject to the conditions set forth in the DRC report, dated February 22, 2023, which shall be satisfied by the Applicant.

Section 3. All sections or parts of the City Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5. This Ordinance shall be in full force and effect immediately upon its passage and adoption on second reading.

PASSED 1ST READING ON THIS _____ DAY OF _____, 2023

PASSED 2ND READING ON THIS _____ DAY OF _____, 2023

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK



Public Hearing Notice Map

20-R-193 and 20-CF-41

641 NE 40 ST

N
W E
S

0 180 360

Feet

For additional information
call the Planning Department at 954-480-4206
or visit www.deerfield-beach/boardagendas

Deerfield Beach
Florida

PUBLIC NOTICE

APPLICATION
20-R-193
20-CF-41

February 15, 2022

Dear Property Owner:

This is to notify you that the **PLANNING AND ZONING BOARD** of the City of Deerfield Beach, a municipal corporation of Florida, shall hear an application for:

Bethesda Christian Center Inc.

Seeking rezoning approval from I-1c, Institutional and Educational District and RS-4c, One-family detached dwelling District to CF, Community Facilities District, and seeking major site plan approval for a proposed two-story expansion and associated site improvements, on an approximate 3.0-acre site described as BETHESDA CHRISTIAN CENTER 183-470 B PARCEL A, more particularly described in the file, and located at **41 NE 40th Street.**

A public hearing will be held on **THURSDAY, March 2, 2022,** at **7:00 P.M.** in the **City Hall Commission Chambers, located at 150 NE 2nd Avenue**, **Deerfield Beach, FL 33441**. All interested parties may appear in person to offer evidence in support of or against the proposal. Further information may be obtained at www.deerfield-beach.com/boardagendas or you may contact the Planning Office during business hours in City Hall, 150 N.E. 2nd Avenue, Deerfield Beach, FL 33441, phone: (954) 480-4206.

Any person wishing to appeal any decision made by the Planning and Zoning Board with respect to any of the above, will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The above notice is required by State Law (FS 286.0105.) **Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed in order to appeal any decision of the Board. If anyone requires auxiliary aids for communication, please call (954) 480-4206.

Eric M. Power
Director of Planning & Development Services

Development Review Committee
Summary Report
Development Plan Application Review

General Information

Application No.	20-CF-41
Project Name:	Bethesda Christian Center
Applicant:	Bethesda Christian Center, Inc.
Agent:	Ralph Tait
Requested Action/Description:	Rezoning application seeking approval to rezone from I-1c, Institutional and Educational District and RS-4c, One-family detached dwelling District to CF, Community Facilities District.
Location:	641 NE 40th Street.
Legal Description:	Generally described BETHESDA CHRISTIAN CENTER 183-470 B PARCEL A, more particularly described in the file.
Size:	2.968 acres
Existing Zoning:	I-1c, Institutional and Educational District and RS-4c, One-family detached dwelling District
Existing Land Use:	Community Facility
Future Land Use Plan Designation:	Residential Low (5 DU/AC)

Surrounding Land Use and Zoning:

	Existing Land Use	Zoning
North:	Apartment buildings	RM-25 Residence, Multifamily
East:	Single family residences	RM-5c Multiple-family dwelling
South:	Single family residences	RS-4c One-family detached dwelling
West:	Single family residences	RS-4c One-family detached dwelling

Applicable Regulations:	Deerfield Beach Land Development Code
Plat Restrictions:	None

Department Comments & Requirements

REQUEST:

The Applicant, Bethesda Christian Center, is requesting approval to rezone from I-1c, Institutional and Educational District and RS-4c, One-family detached dwelling District under the Broward County Land Development Code to CF, Community Facilities District under the Deerfield Beach Land Development Code.

BACKGROUND:

The applicant is proposing to rezone the subject parcel for the development of new, two-story worship facility. The subject property requires two applications in order to facilitate applicant's request.

The applicant has submitted a major site plan application (Site Plan Application No 20-CF-41) demonstrating the proposed two-story worship facility is consistent with the proposed CF, Community Facilities District zoning requirements.

The applicant has submitted a traffic impact analysis with the site plan application and reviewed by the City's traffic consultant. Since the analysis of the proposed development resulted in less than 500 daily trips, a trip impact analysis was not required. The site meets all setback, bulk, parking, lighting, landscape and appearance requirements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

On February 8, 2023, the Site Plan Application was heard and approved by the Community Appearance Board. The Board stipulated that the picket fence on the south side of the site be switched from white to anodized bronze. The appropriate sheets have been updated and are included in the packet.

SUMMARY OF DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The application has been reviewed by the Development Review Committee (Planning & Zoning, Landscape, Environmental Services, Sanitation, Traffic). Staff comments have been addressed and the application is considered to be in compliance with the Land Development Code. Staff DRC comments are attached to this report.

PLANNING CONSIDERATIONS:

1. Compliance with the Comprehensive Plan. Per Section 98-9, no permit or approval for development of land shall be approved which does not comply with the goals, objectives and policies (GOPs) of the Deerfield Beach Comprehensive Plan. The Future Land Use (FLU) Map designation identifies the site as Residential Low (5 DU/AC), and the Plan indicates churches/houses of worship to be appropriate in this land use category.

2. Finding of compatibility of a proposed development with adjacent and neighboring (500 feet) uses and zoning.

   The property is proposed to be rezoned to CF, Community Facilities District, and development thereon will be subject to the approval of the Site Plan No. 20-CF-41.

The predominant land use of the surrounding area, specifically within 500 feet of the subject parcel, includes a mix of single and multi-family residential development to the north, east, south, and west.

SUMMARY & REQUIREMENTS

Staff's review of application 20-R-193 has found that the proposed project is consistent with the goals, objectives and policies of the Future Land Use Element of the Deerfield Beach Comprehensive Plan and Land Development Code.

This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Bethesda Christian Center (Rezoning)**	**Application No.:**	**20-R-193**
Reviewer Name:	**Jenna Lane**	**Project Address:**	**641 NE 40th St**
Department/Division:	**Planning & Zoning**		
Position:	**Planner**		
Date of Review:	**5-17-2021**		
Submittal No.:	**3**		

A.	**APPLICATION / GENERAL COMMENTS:**
1.	Per Section 98-13(b)(5), provide disclosure affidavit for listed agent, Ralph Tait.
1.a.	Comment addressed.
2.	Provide updated survey including net and gross site area calculations. (Refer to Site Plan DRC comments.)
2.a.	Comment not addressed. Approved Plat Application No. 20-P-226 associated with this development plan demonstrates dedication of a five (5) ft. right of way parcel. Provide an updated survey reflective of the 5 ft. right of way dedication.
2.b.	Comment addressed.
3.	Justification provided in the application should be similar to the below to be ensure compliance with the City's direction. The City's Comprehensive Plan includes the goal of creating a functional mix of residential, commercial, industrial, and recreational land uses. An objective to achieve that goal supports implementing land use programs encouraging the elimination and reduction of land uses that are inconsistent with the community's character and Future Land Use. Some inconsistencies in the community's character are found within the remaining areas classified as Broward County Zoning districts, which are regulated through the Broward County Land Development Code. Rezoning of the subject site to a zoning district regulated through the Deerfield Beach Land Development Code would achieve the Comprehensive Plan's Goals and Objectives by eliminating inconsistent land uses and provide consistency with the City's Land Use patterns and regulations.
3.a.	Comment not addressed. No changes to the application were made.
3.b.	Comment addressed.

DEVELOPMENT REVIEW COMMITTEE

Project Name:	**Bethesda Christian Ctr. Rezoning**	**Application No.:**	**20-R-193**
Reviewer Name:	**Alfonso Orellana**	**Project Address:**	**641 NE 40th Street**
Department/Division:	**Environmental**		
Position:	**Plans Reviewer**		
Date of Review:	**04-03-2020**		
Submittal No.:	**1**		

A. **APPLICATION / GENERAL COMMENTS:**

1.	The Environmental Services Division has no comments relating to this the Rezoning Application

Deerfield Beach
Florida

DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

- [x] New Site Plan / Site Plan Modification (See Attachment A)
- [ ] Plat or Plat Note Amendment (See Attachment F)
- [ ] Community Appearance Board (See Attachment B)
- [ ] Conditional Use (See Attachment G)
- [ ] Variance (See Attachment C)
- [ ] Vacation & Abandonment (See Attachment H)
- [ ] Technical Deviation (See Attachment D)
- [ ] ROW Variance (See Attachment I)
- [x] Rezoning (See Attachment E)
- [ ] Sign Variance (See Attachment J)

Project Name: Bethesda Christian Center Expansion

Property Owner: Bethesda Christian Center Inc

Applicant (if different from Owner):

Agent (if different from Owner/Applicant):

Address of Property: 641 N.E. 40th Street, Deerfield Beach Florida

Legal Description of Property (lot, block, tract, subdivision):

See atatched Survey

Description of Project: Proposed two story expansion to Bethesda Christian Center.

New Development (Y/N):	No	Modification to Existing Development (Y/N):	Yes
Zoning District:	I1-C/ RS-4C	Future Land Use Category:	Residential Low
Existing Use:	Religious	Proposed Use:	Religious
Lot Area (acres):	131,079 sf (3 ac)	Number of Dwelling Units (proposed):	N/A
Sq. Ft. of Structure (existing):	+/-3,708 sf	Sq. Ft. of Structure (proposed):	23,149 sf

Agent Signature:

Name Printed: Ralph Tait

Address: 11820 Miramar Pkwy S 121 Miramar, Fl.

Telephone: 954-592-2841

Email: rtait@rtarchitectinc.com

Owner Signature:

Name Printed: Odany Augustin

Address:

Telephone: 954-254-3724

Email: odany2@hotmail.com

INTERNAL USE ONLY:

SUBMITTAL DATE: _____

REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided	REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided
Site Plan - Residential		$2000 + $10/unit + $100 (Fire)		**Site Plan Modification - Major**		$2000 + $100 (Fire)	
Site Plan - Nonresidential		$2000 + $20 / 1000 GFA + $100 (Fire)		**Site Plan Modification - Minor**		$500 + $100 (Fire)	
Community Appearance Board (CAB)		$50		**Plat or Note Amendment**		$1000 + $50/acre (Nonres) $1000 + $40/acre + $10/unit (Res) $550 (Note)	
Variance (Site Plan)		$1000		**Conditional Use**		$1000 / $300	
Variance (ZASM)		$300					
Sign Variance		$550					
Technical Deviation		$500		**ROW Vacation / Abandonment**		$1,350	
Rezoning		$2000		**Easement Vacation / Abandonment**		$1,350	

Total Fees Paid: _____

Cost Recovery

Account No.	Project No.	Project Name	Service	Deposit Amount	Date Received	Check No.	Receipt No.

For Office Use Only
Application No.: _____
Submittal Date: _____

Deerfield Beach
Florida

ATTACHMENT E
APPLICATION FOR REZONING

Pursuant to Code Section 98-12.

COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

An application must be deemed complete and in compliance with the Land Development Code by Staff prior to the items being scheduled for public hearing.

REQUIRED SUBMITTALS

All of the following must be submitted to be deemed a complete application (*documentation may be provided with the development plan application requirements in Attachment A)*:

☐ **Complete Application** *(Including Development Plan Application Form)*

☐ **Application Processing Fee** (*See fee schedule*)

☐ **Proof of Ownership** from the property owner. If the owner cannot be verified through the Broward County Tax Roll, a copy of either the recorded warranty deed, valid purchase contract, or a signed and notarized letter from the owner of record must be submitted with this application.

☐ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.

☐ **Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.

☐ **(2) 24"x 36" and (1) 11"x 17" Copies of Current & Up-to-Date Boundary Survey** meeting the requirements of Code Section 98-13(8)(b).

☐ **One (1) Digital CD** of required submittals listed above must be provided.

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

Public Notice and Advertising Requirements

Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.

City of Deerfield Beach • Planning & Zoning Division
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Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT A SPECIFIC STATEMENT IN RESPONSE TO EACH OF THE REQUIREMENTS ON THE FOLLOWING PAGES

A. PROPOSED REZONING

Current Zoning District(s):_____ Proposed Zoning District(s): _____

Site Area (Gross Acres): _____

Is this request in connection to a Development Plan Application? ☐ Yes ☐ No

Reason for the requested rezoning: _____

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B. DEMONSTRATION OF COMPLIANCE WITH REZONING CRITERIA

(Attach additional page(s) if more space is needed).

The burden of proving that all of the requirements are met shall be on the applicant who shall be required to affirmatively demonstrate on the record, satisfaction of the necessary requirements set forth below.

1. That the petition for a change of zoning will not result in spot zoning or contract zoning:

2. That the proposed change is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan:

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3. That conditions have substantially changed from the date the present zoning district classification was placed on the property, which make the passage of the proposed change necessary:

4. That the proposed change will not adversely influence residential living conditions in the adjacent and neighboring (500 feet) communities:

5. That the proposed change is compatible with the development(s) in the adjacent and neighboring (500 feet) uses and zoning*:*

_____

_____

_____

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_____

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150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

RALPH TAIT
ARCHITECT, INC.

March 4, 2020

City of Deerfield Beach
Planning & Zoning Division
150 NE 2nd Avenue
Deerfield Beach, Florida 33441

Re: Site plan approval process for parcel located at 641 NE 40th Street
Deerfield Beach, Florida 33064

A.K.A.: PLAT OF SEC'S 13,24,25&26,T48 R42 S & E 1-8 PB,TRANSCRIBED AS 1-26 B POR TR 22 DESC AS BEG 840 E OF NW COR TR 22,E 295,S 295.33,W 295,N 295.33,TOG/W TALLMAN PINES 40-39 B LOT 1,2 BLK 4 & W1/2 OF VAC,ST ADJ TO LOT 2,LOT 5 BLK 3 & E1/2 OF VAC ST ADJ TO LOT 5

Sir or Madam.

I, Odany Augustin, Pastor of Bethesda Christian Center Inc, authorize my architect, Ralph E Tait to act as my authorized agent for any submissions and approval processes in regard to the referenced Expansion project.

Respectfully.

*Odany Augustin 03-06-2020
Odany Augustin Date:

Signed and notarized before me this 5 day of March 2020 by Odany Augustin

Notary public

NOTARY PUBLIC
GEORGETTE MOISE
Notary Public, State of Florida
Commission# GG 953087
My comm. expires Nov. 2, 2020

For Office Use Only
Date: _____
Application Nos.: _____

DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.

B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

N/A

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

N/A

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

N/A.

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Odany Augustin, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

*Odany Augustin
Signature

3-5-2020
Date

Sworn to and subscribed before me this 5 day of March, 2020.

By: Odany Augustin

Produced as ID: FLDL# A223-640-61-064-0

Notary Public, State of Florida

NOTARY PUBLIC
GEORGETTE MOISE
Notary Public, State of Florida
Commission# GG 953087
My comm. expires Nov. 2, 2020

LEGEND

	CONCRETE
	ASPHALT PAVEMENT
40.0'	ELEVATION
OHW	OVERHEAD WIRES
STM	UNDERGROUND STORM SEWER LINE
SAN	UNDERGROUND SANITARY SEWER LINE
℄	CENTERLINE
O.R.B.	OFFICIAL RECORDS BOOK
P.B.	PLAT BOOK
PG.	PAGE
R/W	RIGHT-OF-WAY
F.D.O.T.	FLORIDA DEPT. OF TRANSPORTATION
M.D.C.R.	MIAMI-DADE COUNTY RECORDS
TP	TRAVERSE POINT (FOR FIELD INFORMATION ONLY)
LB	LICENSED BUSINESS
	PALM TREE
	OAK TREE
	MANGO TREE
	UNIDENTIFIED TREE

LEGAL DESCRIPTION:

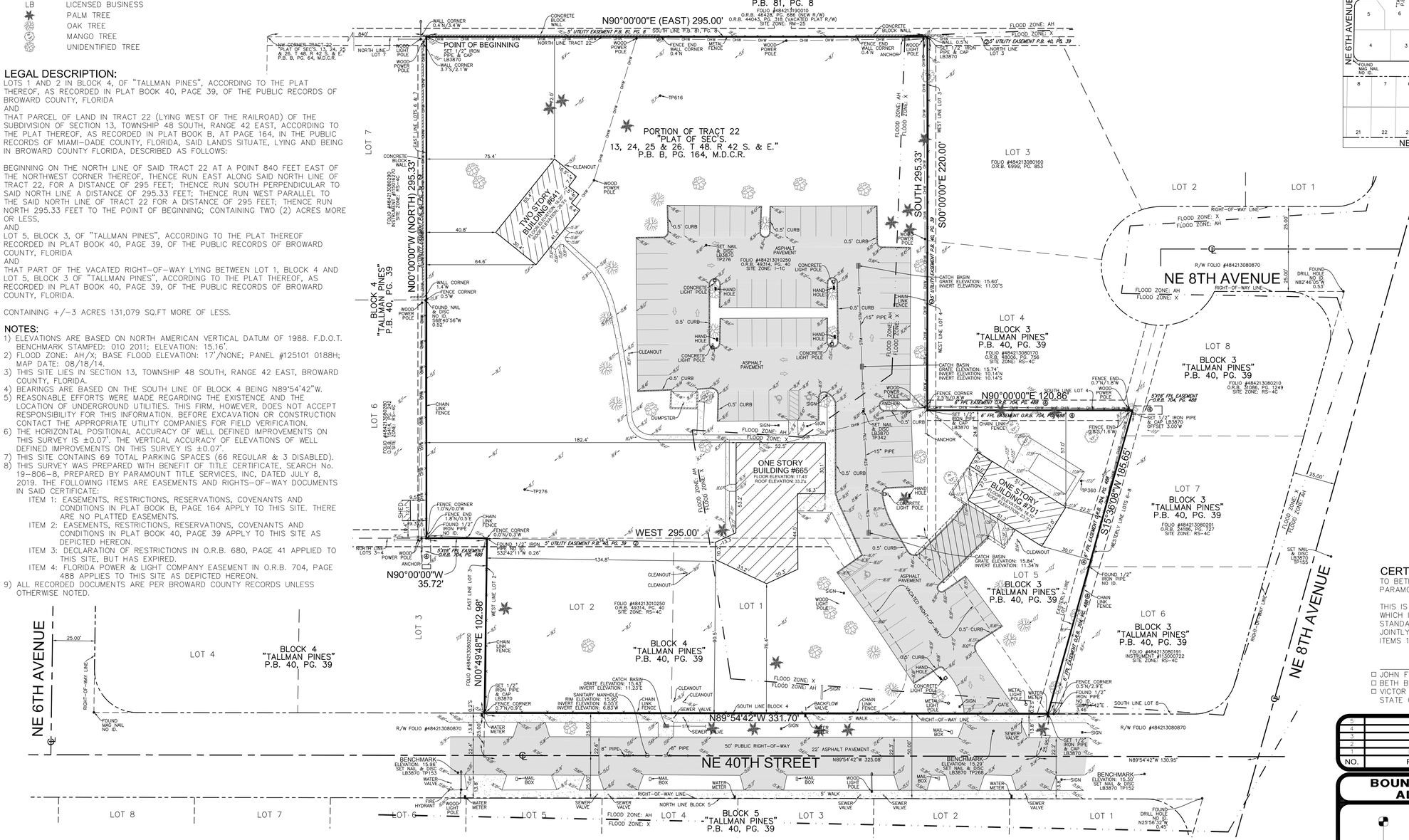
LOTS 1 AND 2 IN BLOCK 4, OF "TALLMAN PINES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
AND
THAT PARCEL OF LAND IN TRACT 22 (LYING WEST OF THE RAILROAD) OF THE SUBDIVISION OF SECTION 13, TOWNSHIP 48 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK B, AT PAGE 164, IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

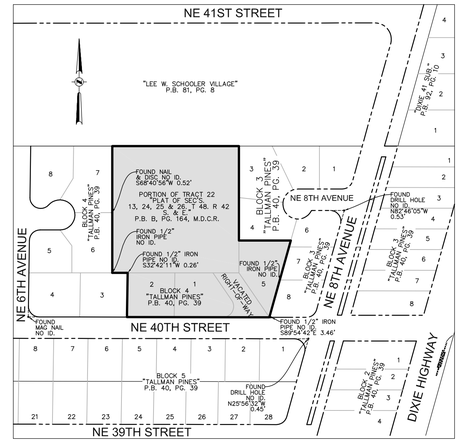
BEGINNING ON THE NORTH LINE OF SAID TRACT 22 AT A POINT 840 FEET EAST OF THE NORTHWEST CORNER THEREOF, THENCE RUN EAST ALONG SAID NORTH LINE OF TRACT 22, FOR A DISTANCE OF 295 FEET; THENCE RUN SOUTH PERPENDICULAR TO SAID NORTH LINE A DISTANCE OF 295.33 FEET; THENCE RUN WEST PARALLEL TO THE SAID NORTH LINE OF TRACT 22 FOR A DISTANCE OF 295 FEET; THENCE RUN NORTH 295.33 FEET TO THE POINT OF BEGINNING; CONTAINING TWO (2) ACRES MORE OR LESS;
AND
LOT 5, BLOCK 3, OF "TALLMAN PINES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 40, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
AND
THAT PART OF THE VACATED RIGHT-OF-WAY LYING BETWEEN LOT 1, BLOCK 4 AND LOT 5, BLOCK 3 OF "TALLMAN PINES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CONTAINING +/-3 ACRES 131,079 SQ.FT MORE OF LESS.

NOTES:

1) ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988. F.D.O.T. BENCHMARK STAMPED: 010 2011; ELEVATION: 15.16'.
2) FLOOD ZONE: AH/X; BASE FLOOD ELEVATION: 17'/NONE; PANEL #125101 0188H; MAP DATE: 08/18/14.
3) THIS SITE LIES IN SECTION 13, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.
4) BEARINGS ARE BASED ON THE SOUTH LINE OF BLOCK 4 BEING N89°54'42"W.
5) REASONABLE EFFORTS WERE MADE REGARDING THE EXISTENCE AND THE LOCATION OF UNDERGROUND UTILITIES. THIS FIRM, HOWEVER, DOES NOT ACCEPT RESPONSIBILITY FOR THIS INFORMATION. BEFORE EXCAVATION OR CONSTRUCTION CONTACT THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION.
6) THE HORIZONTAL POSITIONAL ACCURACY OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.07'. THE VERTICAL ACCURACY OF ELEVATIONS OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS ±0.07'.
7) THIS SITE CONTAINS 69 TOTAL PARKING SPACES (66 REGULAR & 3 DISABLED).
8) THIS SURVEY WAS PREPARED WITH BENEFIT OF TITLE CERTIFICATE, SEARCH No. 19-806-8, PREPARED BY PARAMOUNT TITLE SERVICES, INC, DATED JULY 8, 2019. THE FOLLOWING ITEMS ARE EASEMENTS AND RIGHTS-OF-WAY DOCUMENTS IN SAID CERTIFICATE:
   - ITEM 1: EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND CONDITIONS IN PLAT BOOK B, PAGE 164 APPLY TO THIS SITE. THERE ARE NO PLATTED EASEMENTS.
   - ITEM 2: EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND CONDITIONS IN PLAT BOOK 40, PAGE 39 APPLY TO THIS SITE AS DEPICTED HEREON.
   - ITEM 3: DECLARATION OF RESTRICTIONS IN O.R.B. 680, PAGE 41 APPLIED TO THIS SITE, BUT HAS EXPIRED.
   - ITEM 4: FLORIDA POWER & LIGHT COMPANY EASEMENT IN O.R.B. 704, PAGE 488 APPLIES TO THIS SITE AS DEPICTED HEREON.
9) ALL RECORDED DOCUMENTS ARE PER BROWARD COUNTY RECORDS UNLESS OTHERWISE NOTED.





VICINITY MAP
NOT TO SCALE

CERTIFICATION:

TO BETHESDA CHRISTIAN CENTER, INC., A FLORIDA CORPORATION; PARAMOUNT TITLE SERVICES, INC.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, & 11 OF TABLE A THEREOF.

☐ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
☐ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
☐ VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
STATE OF FLORIDA

NO.	REVISIONS	BY
5		
4		
3		
2		
1	REVIEW TITLE	LS

BETHESDA CHRISTIAN CENTER
641 NE 40TH STREET
DEERFIELD BEACH, BROWARD COUNTY
FLORIDA 33064

BOUNDARY AND TOPOGRAPHIC SURVEY
ALTA/NSPS LAND TITLE SURVEY

PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351
TELEPHONE: (954) 572-1777
FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com
WEBSITE: www.pulicelandsurveyors.com
CERTIFICATE OF AUTHORIZATION LB#3870

DRAWN BY: B.E.	SCALE: 1" = 30'	FILE: BETHESDA CHRISTIAN CENTER
CHECKED BY: J.F.P.	SURVEY DATE: 07/01/19	ORDER NO.: 66130

COPYRIGHT 2019 BY PULICE LAND SURVEYORS, INC. ALL RIGHTS RESERVED. NO PART OF THIS SURVEY MAY BE REPRODUCED, IN ANY FORM OR BY ANY MEANS, WITHOUT PERMISSION IN WRITING FROM AN OFFICER OF PULICE LAND SURVEYORS, INC.

City of Deerfield Beach

Face Sheet
File Number: I.D. 2023-1777

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Agenda Date: 4/4/2023

Status: PUBLIC HEARING - FIRST READINGS

In Control: City Commission

Title
ORDINANCE 2023/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING TWO (2) TWENTY-FOOT WIDE UTILITY EASEMENTS AND ONE FIFTEEN FOOT ROAD AND MAINTENANCE EASEMENT LOCATED IN THE VICINITY OF 414, 430, 454 & 480 N.E. 1ST AVENUE, 240 N.E. 5TH STREET, 412, 424, 430, 446, 450 & 458 N. RIVER DRIVE AND 409 N. RIVER AVENUE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action
Commission to vote on Ordinance and set public hearing for April 25, 2023

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Background/History
Abandonment Application No. 22-A-199 is a request to abandon three existing easements on the subject parcels related to the Vista Clara Apartments Project. The Applicant has submitted letters of no objection from all franchise utilities as part of their submittal to the City. The following existing platted easements conflict with the proposed site plan and are included as part of the abandonment request.

	Instrument	Existing Easement included in Abandonment
1.	ORB 7684 PG 155	20 foot wide utility easement
2.	ORB 7684 PG 156	20 foot wide utility easement
3.	ORB 5631 PG 855	15 foot road and maintenance easement

Copies of the sketch and legal for the easements and proposed site plan (showing the location of the proposed abandonments) are attached for reference.

On August 4, 2020, the City Commission voted to approve multiple items related to the Vista Clara apartment complex. Among those, was application 19-A-195, which abandoned seven easements that would not be needed with the new proposed development. Upon a new title search, the applicant has discovered three additional easements which are required to be abandoned prior to development of the parcels. Section 98-12(b)(6) requires that the City Commission approve all vacations and abandonments of public lands or utility and other platted easements.

ORDINANCE NO. 2023/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING TWO (2) TWENTY-FOOT WIDE UTILITY EASEMENTS AND ONE FIFTEEN FOOT WIDE ROAD AND MAINTENANCE EASEMENT LOCATED IN THE VICINTY OF 414, 430, 454 & 480 N.E. 1ST AVENUE, 240 N.E. 5TH STREET, 412, 424 430, 446, 450 & 458 N. RIVER DRIVE AND 409 N. RIVER AVENUE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach received an application (Application 22-A-199) (the "Application") from Deerfield Development Resources, LLC (the "Applicant") to vacate and abandon two (2) 20-foot wide utility easements (recorded in O.R.B. 7684, PG. 155 and O.R.B. 7684, Page 156) and a 15-foot road and maintenance easement (recorded in O.R.B. 5631, Page 855) (the "Easements") located in Deerfield Beach, Florida, as more particularly described on Composite Exhibit "A"; and

WHEREAS, on August 4, 2020, the City approved the rezoning of twelve parcels, site plan, plat and abandonment of seven easements related to the Vista Clara multi-family residential planned development, which is located at 414, 430, 454 & 480 N.E. 1st Avenue, 240 N.E. 5th Street, 412, 424 430, 446, 450 & 458 N. River Drive and 409 N. River Avenue (the "Development"); and

WHEREAS, subsequent to the Development approvals and the Applicant moving forward with the Development, a new title search was completed and the Applicant discovered the existence of three additional easements; and

WHEREAS, the Application has been submitted to enable the redevelopment of the twelve parcels, and the following three existing easements, as more particularly described in Composite Exhibit "A", conflict with the site plan approved on August 4, 2020 for the Development and are included in the Applicant's abandonment request:

1. ORB 7684, PG 155 - 20 foot wide utility easement
2. ORB 7684, PG 156 - 20 foot wide utility easement
3. ORB 5631, PG 855 - 15 foot road and maintenance easement (collectively, the "Easements"); and

WHEREAS, the Applicant has submitted letters of no objection from all affected franchise utilities as part of the Application to the City; and

WHEREAS, Staff's review of the Application has found that the proposed abandonment of the Easements is consistent with the Future Land Use Element of the Comprehensive Plan, the City's Official Zoning Map and Land Development Code; and

WHEREAS, City staff finds that there is no public purpose and use in retaining the Easements as utility easements.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The legal descriptions of the Easements to be abandoned are as set forth on the attached Composite Exhibit "A", which is incorporated herein by reference.

Section 3. The City Commission hereby finds that there is no public purpose and use in retaining the Easements as utility easements and does hereby find that the Easements, as set forth on Composite Exhibit "A", should be vacated and abandoned. The Easements, attached as Exhibit "A", are hereby vacated and abandoned.

Section 4. All sections or parts of the City Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence 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 thereof other than the part declared to be invalid.

Section 6. The appropriate City officials are authorized to do all things necessary and expedient to carry out the aims of this Ordinance.

Section 7. This Ordinance shall take effect immediately upon adoption on Second Reading.

PASSED 1ST READING ON THIS _____ DAY OF _____, 2023.

PASSED 2ND READING ON THIS _____ DAY OF _____, 2023.

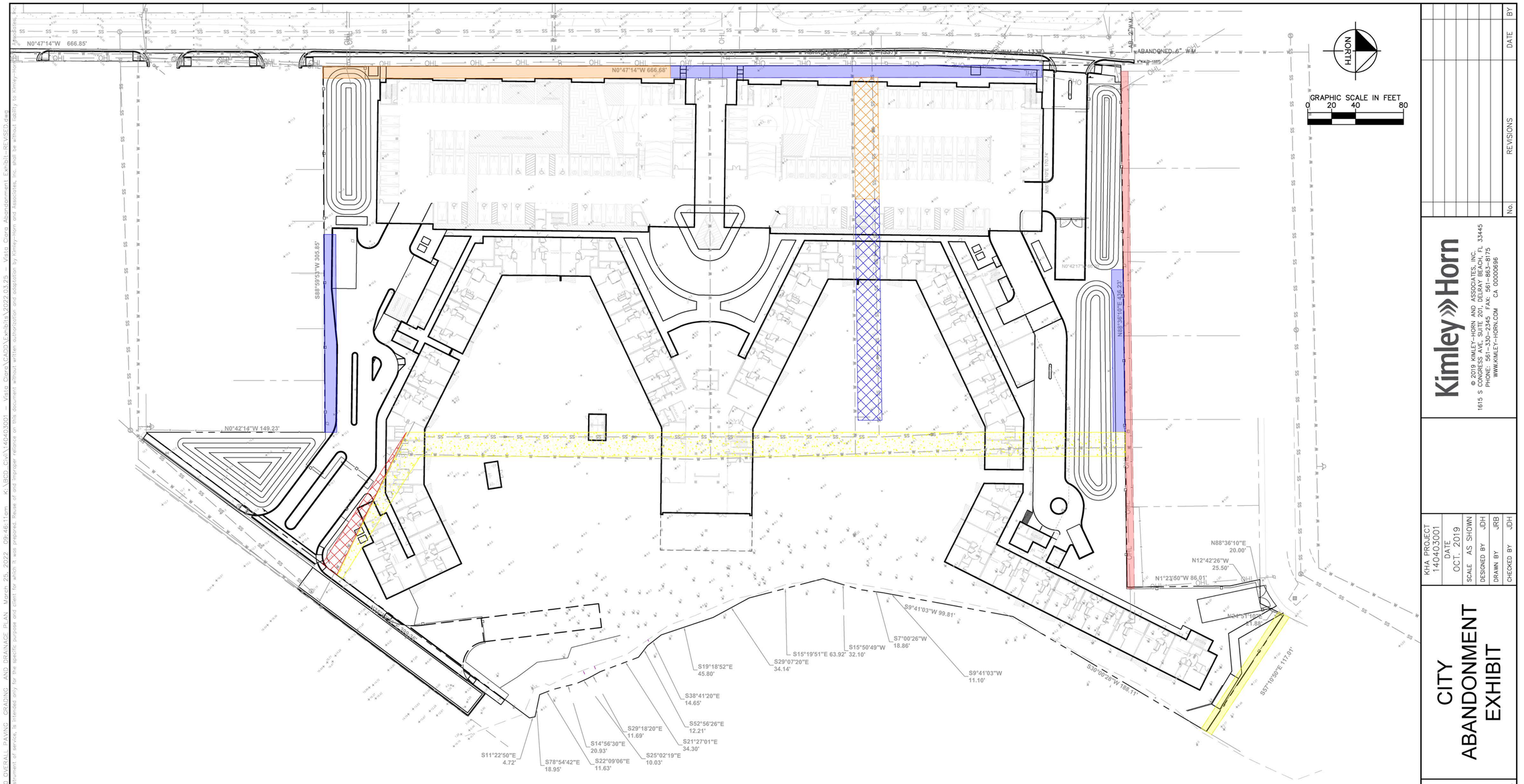
CITY OF DEERFIELD BEACH

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

COMPOSITE EXHIBIT A



EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
2. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
3. 15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

VERTICAL DATUM:
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

Kimley»Horn

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.
1615 S CONGRESS AVE., SUITE 201, DELRAY BEACH, FL 33445
PHONE: 561-330-2345 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

CITY ABANDONMENT EXHIBIT

VISTA CLARA

PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC

DEERFIELD BEACH FL

SHEET NUMBER
EX

Plotted By:Mavencio, Michael Sheet Set:VISTA CLARA Layout:C5.00 OVERALL PAVING GRADING AND DRAINAGE PLAN March 25, 2022 09:46:11am K:\BRD_Civil\140403001 — Vista Clara\CAD\Exhibits\2022.03.25 — Vista Clara Abandonment Exhibit—REVISED.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP
Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174345FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of Broward County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **December 18, 2002,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRECKNE'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13, RUN THENCE SOUTH 35 DEGREES 59'30" WEST ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET; THENCE NORTH 58 DEGREES 11'44" WEST (DEPARTING FROM SAID EAST LINE), A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE SOUTH 64 DEGREES 40'28" EAST ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 132.58 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 5631, Page 855

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**
2. **Assignment of Leases and Rents by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951780.**
3. **UCC-1 Financing Statement given by Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, to Amerant Bank, NA, secured party, recorded in Official Records Instrument No. 116951781.**

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: Abuts public right-of-way "North River Avenue" along easterly 15' boundary.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

By: _____
Thomas F. Coyle, Jr., Esq.

NOTICE

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP
Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174273FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of Broward County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **July 19, 1978,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160 , PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL B, RUN THENCE SOUTH 88°36'10" WEST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°42'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°36'1O" WEST, A DISTANCE OF 185.01 FEET; THENCE NORTH 00°42'14" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°36'10" EAST, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 7684, page 155

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**
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3. **UCC-1 Financing Statement given by Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, to Amerant Bank, NA, secured party, recorded in Official Records Instrument No. 116951781.**

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: NONE.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

By: _____
Thomas F. Coyle, Jr., Esq.

NOTICE

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IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP

Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174340FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of **Broward** County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **July 19, 1978,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160, PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL B, RUN THENCE NORTH 88 DEGREES 36'10" EAST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 47'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 36'10" EAST, A DISTANCE OF 101.53 FEET; THENCE SOUTH 00 DEGREES 42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88 DEGREES 36'10" WEST, A DISTANCE OF 101.50 FEET; THENCE NORTH 00 DEGREES 47'14" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 7684, Page 156

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**

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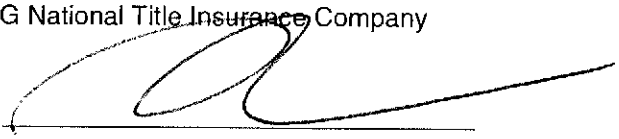
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As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: NONE.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

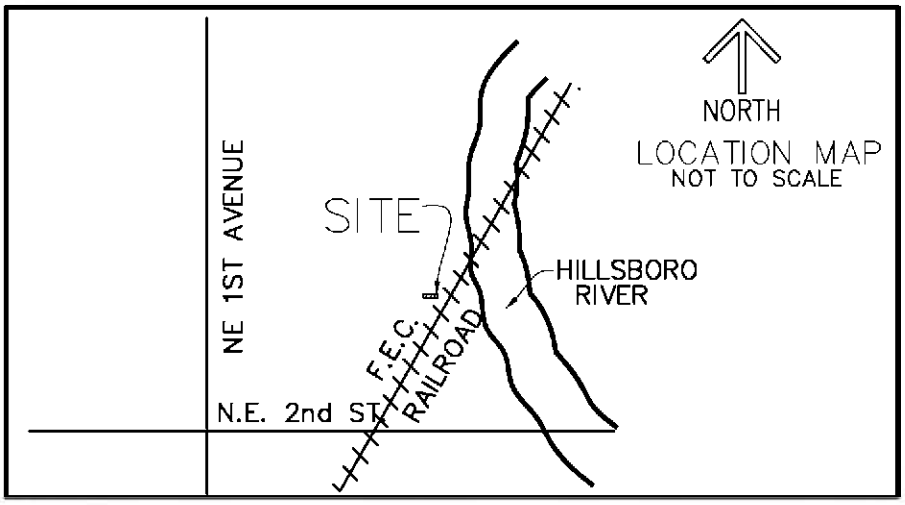
By: 

Thomas F. Coyle, Jr., Esq.

NOTICE

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.



NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN ORIGINAL SURVEYOR'S SEAL.
2. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
3. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF SOUTH 39°59'30" WEST ALONG THE EAST LINE OF LOT 13, COSDEN AND BRACKNELL'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

DESCRIPTION

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRECKNE;;'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9 PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13, RUN THENCE SOUTH 35°59'30" WEST ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET; THENCE NORTH 58°11'44" WEST (DEPARTING FROM SAID EAST LINE), A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE SOUTH 64°40'28" EAST ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 132.58 FET TO THE POINT OF BEGINNING.

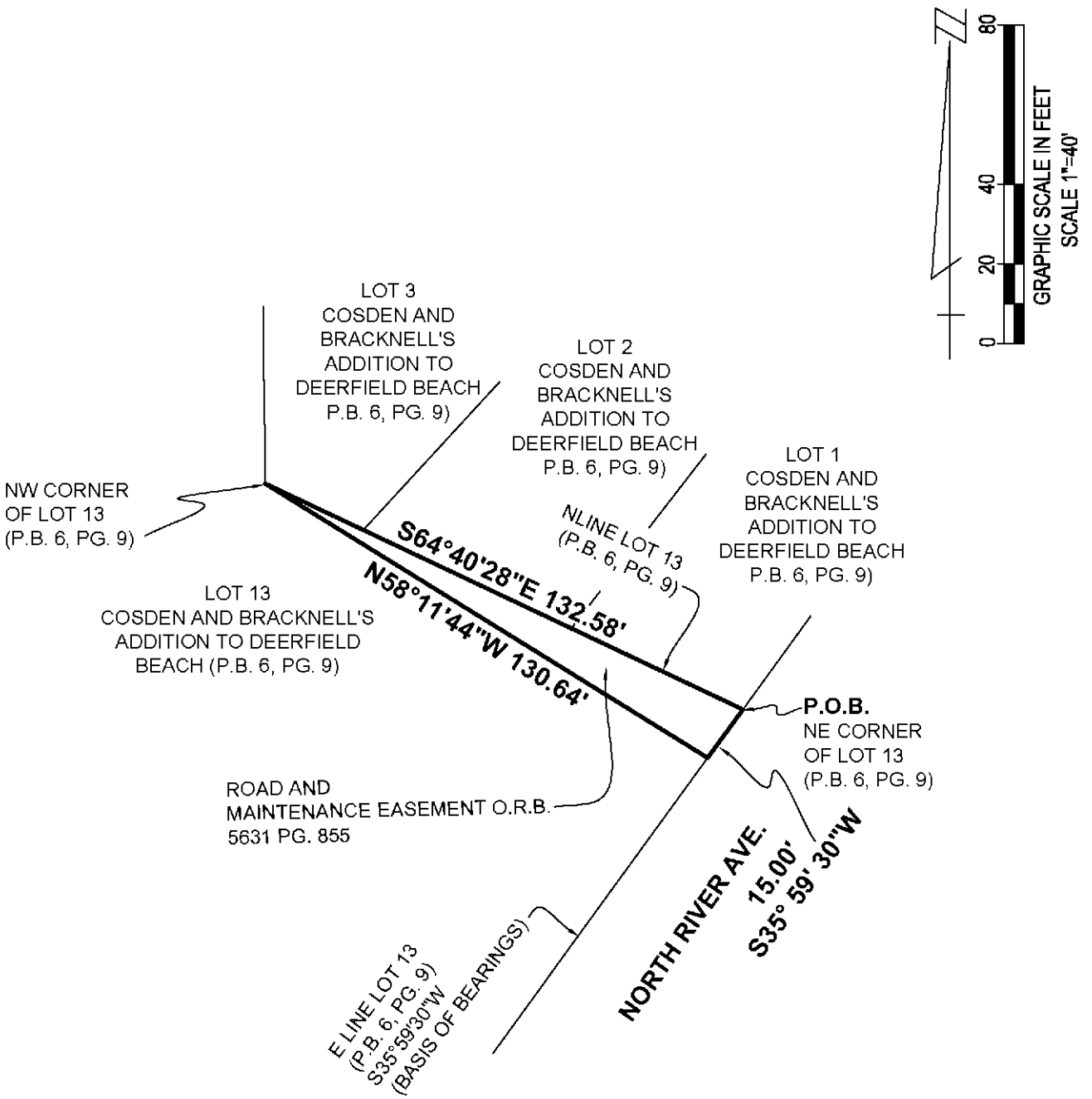
CAUFVIST2 SK14.DWG

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	7954-3



LEGEND

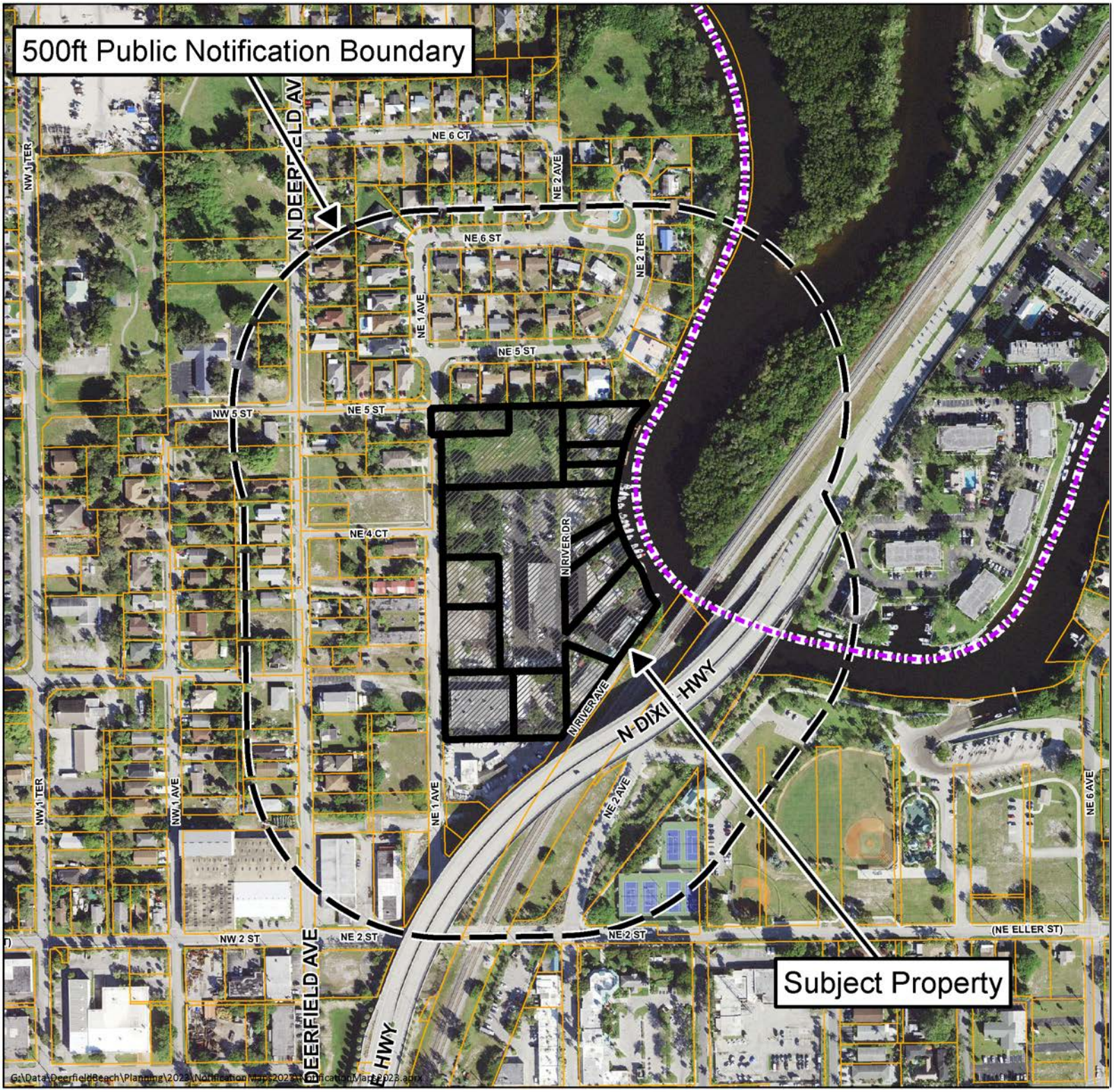
PG. – PAGE
P.B. – PLAT BOOK
P.O.B. – POINT OF BEGINNING
R/W – RIGHT–OF–WAY
O.R.B. – OFFICIAL RECORDS BOOK

THIS IS NOT A SURVEY

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7954



Public Hearing Notice Map

Abandonment Application 22-A-199

414, 430, 454 & 480 NE 1 AVE;
240 NE 5 ST; 409 N RIVER AVE;
424, 430, 446, 450 & 458 N RIVER DR

N
W E
S

0 210 420
Feet

For additional information
call the Planning Department at 954-480-4206
or visit www.deerfield-beach/boardagendas

Deerfield Beach
Florida

Development Review Committee
Summary Report
Development Plan Application Review

General Information

Application No.	22-A-199
Project Name:	Vista Clara Deerfield Beach
Applicant:	Deerfield Development Resources, LLC
Agent:	Liam Sargent/Joshua Horning of Kimley-Horn
Requested Action/Description:	Abandonment application seeking approval to abandon 3 additional easements not originally abandoned by application 19-A-195
Location:	414, 430, 454 & 480 N.E. 1st Avenue, 240 N.E. 5th Street, 412, 424, 430, 446, 450 & 458 N. River Drive, and 409 N. River Avenue
Legal Description:	Generally described as several parcels of land in SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST, BROWARD COUNTY
Size:	+/- 8.4 acres (gross)
Existing Zoning:	PDD (Planned Development District)
Existing Land Use:	Residential Irregular (39 du / ac)

Surrounding Land Use and Zoning:

	Existing Land Use	Zoning
North:	Single Family Residential	RS-5 (Residence, Single Family)
East:	Waterbody	N/A
South:	Warehouse / Storage	B-3 (Business, General)
West:	Multi-Family Residential, Duplex, Single Family Residential, Vacant	RS-5 (Residence, Single Family)

Applicable Regulations:	City of Deerfield Beach Land Development Code

Department Comments & Requirements

REQUEST:

Abandonment Application No. 22-A-199 is a request to abandon three easements on the subject parcels. The applicant has submitted letters of no objection from all franchise utilities as part of their submittal to the City. The following existing easements conflict with the proposed site plan and are included as part of the abandonment request.

	Instrument	Existing Easement included in Abandonment
1.	ORB 7684 PG 155	20 foot wide utility easement
2.	ORB 7684 PG 156	20 foot wide utility easement
3.	ORB 5631 PG 855	15 foot road and maintenance easement

Copies of the sketch and legal for the easements and proposed site plan (showing the location of the proposed abandonments) are attached for reference.

BACKGROUND:

On August 4, 2020 the City Commission voted to approve multiple items related to the Vista Clara apartment complex. Among those, was application 19-A-195, which abandoned seven easements that would not be needed with the new proposed development. Upon a new title search, the applicant has discovered three additional easements which are required to be abandoned prior to development of the parcel. Section 98-12(6) requires that the City Commission approve all vacations and abandonments of public lands or utility and other platted easements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

PLANNING CONSIDERATIONS:

None

ENVIRONMENTAL SERVICES COMMENTS:

None

This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.

DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

☐ New Site Plan / Site Plan Modification (See Attachment A)	☐ Plat or Plat Note Amendment (See Attachment F)
☐ Community Appearance Board (See Attachment B)	☐ Conditional Use (See Attachment G)
☐ Variance (See Attachment C)	☑ Vacation & Abandonment (See Attachment H)
☐ Technical Deviation (See Attachment D)	☐ ROW Variance (See Attachment I)
☐ Rezoning (See Attachment E)	☐ Sign Variance (See Attachment J)

Project Name: Vista Clara Deerfield Beach

Property Owner: Christopher Partridge on behalf of Deerfield Development Resources, LLC

Applicant (if different from Owner):

Agent (if different from Owner/Applicant): Liam Sargent / Joshua Horning

Address of Property: 418 NE River Drive, Deerfield Beach, FL 33441

Legal Description of Property (lot, block, tract, subdivision):

See attached description.

Description of Project: Applicant is seeking to abandon dedicated easements that were missed during original abandonment. (19-A-195)

20' U.E. ORB 7684 PG 155, 20' U.E. ORB 7684 PG 156, 15' Road and Maintenance Easement ORB 5631 PG 855

New Development (Y/N):	No	Modification to Existing Development (Y/N):	No
Zoning District:		Future Land Use Category:	
Existing Use:		Proposed Use:	
Lot Area (acres):		Number of Dwelling Units (proposed):	
Sq. Ft. of Structure (existing):		Sq. Ft. of Structure (proposed):	

Agent Signature:	Liam Sargent	Owner Signature:	Christopher Partridge
Name Printed:	Liam Sargent	Name Printed:	Christopher Partridge
Address:	1615 South Congress Avenue, Suite 201, Delray Beach, FL 33445	Address:	1769 NE 33rd Street, Pompano Beach, FL 33064
Telephone:	561.484.5257	Telephone:	954.906.9621
Email:	liam.sargent@kimley-horn.com	Email:	chp@PartridgeEquities.com

INTERNAL USE ONLY:

SUBMITTAL DATE: _____

REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided	REQUEST SUBMITTED	APPLICATION NO:	FEES Required	FEES Provided
Site Plan - Residential		$2000 + $10/unit + $100 (Fire)		**Site Plan Modification - Major**		$2000 + $100 (Fire)	
Site Plan - Nonresidential		$2000 + $20 / 1000 GFA + $100 (Fire)		**Site Plan Modification - Minor**		$500 + $100 (Fire)	
Community Appearance Board (CAB)		$50		**Plat or Note Amendment**		$1000 + $50/acre (Nonres) $1000 + $40/acre + $10/unit (Res) $550 (Note)	
Variance (Site Plan)		$1000		**Conditional Use**		$1000 / $300	
Variance (ZASM)		$300					
Sign Variance		$550					
Technical Deviation		$500		**ROW Vacation / Abandonment**		$1,350	
Rezoning		$2000		**Easement Vacation / Abandonment**		$1,350	

Total Fees Paid: _____

Cost Recovery

Account No.	Project No.	Project Name	Service	Deposit Amount	Date Received	Check No.	Receipt No.

Deerfield Beach
Florida

For Office Use Only
Application No. _____
Submittal Date: _____

ATTACHMENT H

APPLICATION FOR ABANDONMENT & VACATION

Pursuant to Code Section 98-13(k).- *Vacation Or Abandonment Of Property, Etc. Applications.*

COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

Check applicable box:

■ Dedicated or Platted Easement ☐ Dedicated Street, Alley or Right-of-Way

REQUIRED SUBMITTALS

All of the following must be submitted to be deemed a complete application (*documentation may be provided with the development plan application requirements in Attachment A*):

■ **Complete Application** (Including Development Application Form)

■ **Application Processing Fee** (See fee schedule)

■ **Certificate of Title** listing all adjacent owners and persons with recorded mortgages thereon.

■ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.

■ **Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.

■ **(5) 24" x 36" and (1) 11" x 17" copies of a Current Survey** *(12 months or less)* signed and sealed by a Florida registered surveyor of the subject property, containing the information required by Code Section 98-13(b)(8)(b).

■ **(5) 24" x 36" and (1) 11" x 17" copies of a Signed and Sealed Survey** (12 months or less) of the area to be abandoned, including all property adjacent thereto, and the certified legal description of the area to be abandoned/ vacated.

■ **One (1) Digital CD** of required submittals listed above must be provided.

☐ **Other Information** may be required as determined by staff (e.g. architectural elevations, floor plans, site plan etc.).

Public Notice and Advertising Requirements

Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

A. VACATION AND ABANDONMENT INFORMATION

The undersigned desires the vacation and abandonment of the following portion of a dedicated or platted easement, to wit:

Applicant seeking to abandon entire dedicated easement. Please see attached easements.

20' Utility Easement ORB 7684 Page 155

20' Utility Easement ORB 7684 Page 156

15' Road and Maintenance Easement ORB 5631 Page 855

Reason for vacation and abandonment:

The abandonments are being requested to complete the previously requested abandonments on site. Updated Title work had indicated three (3) additional easements that were not originally abandoned by Application 19-A-195 (Vista Clara Apartments Abandonment) AKA Resolution 2020-097. The existing easements are in conflict with what is proposed on site.

B. APPLICANT INFORMATION (Name and legal description of all abutting property owners. Please be aware that approval must be obtained from all abutting property owners with signatures provided herewith. Use additional pages if necessary.)

PROPERTY OWNER:

Name (Print): Christopher Partridge on behalf of Deerfield Development Resources, LLC
Property Address: 1769 NE 33rd Street, Pompano Beach, FL 33064
Legal Description of Property: See attached warranty deed.
Home/Mobile Phone: 954.906.9621
Email: chp@PartridgeEquities.com
Signature: Christopher Partridge

PROPERTY OWNER:

Name (Print): _____
Property Address: _____
Legal Description of Property: _____
Home/Mobile Phone: _____
Email: _____
Signature: _____

PROPERTY OWNER:

Name (Print): _____
Property Address: _____
Legal Description of Property: _____
Home/Mobile Phone: _____
Email: _____
Signature: _____

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com

Agent Authorization for Vista Clara

To Whom It May Concern:

This is to certify that I, Christopher Partridge, Managing Member for Deerfield Development Resources, LLC, hereby authorize Joshua D. Horning, P.E. of Kimley-Horn and Associates, Inc. as an agent of Deerfield Development Resources, LLC to present any and all pertinent information to the appropriate authorities on my behalf in an effort to obtain approvals as required.

Please feel free to call me at (954) 906-9621, if you need to contact me personally.

Sincerely yours,

Christopher Partridge
Managing Member
Deerfield Development Resources, LLC
1769 NE 33rd Street
Pompano Beach, FL 33064

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 17th day of June 2022, by Christopher Partridge He/She is personally known to me or has produced Drivers License as identification.

Notary Public, State of Florida

My Commission Expires:

MONICA DIAZ
MY COMMISSION EXPIRES APR 11, 2026
#HH251701
Bonded through 1st State Insurance
NOTARY PUBLIC, STATE OF FLORIDA

For Office Use Only
Date: _____
Application Nos.: _____

Deerfield Beach
Florida

DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. **Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.**

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.

B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

_____

_____

_____

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

_____

_____

_____

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

_____

_____

_____

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, LIAM SARGENT, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Signature _____ 08/16/2022 Date

SWORN TO AND SUBSCRIBED Before me by means of ☒ physical presence or ☐ online notarization, this 16th day of August, 202__ by Liam Sargent (Affiant), who is personally known to me or has produced N/A identification.

My commission expires: 5/7/23

Commission No.: GG 331881

_____
(Signature of Notary Public - State of Florida)

Notary Public State of Florida
Rafael Andres Botero
My Commission GG 331881
Expires 05/07/2023

Rafael A. Botero
(Print, Type, or Stamp Commissioned Name of Notary Public)

For Office Use Only
Date: _____
Application Nos.: _____



DISCLOSURE AFFIDAVIT

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(Attach additional sheets as needed for each item.)

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_____

_____

_____

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

_____

_____

_____

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.

5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.

6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Chris Partridge have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Signature 6/17/2022

Date

SWORN TO AND SUBSCRIBED Before me by means of ☑ physical presence or ☐ online notarization, this 17th day of June, 2022 by Christopher Partridge (Affiant), who is personally known to me or has produced Drivers License identification.

My commission expires: 04/11/24.

Commission No.: _____

(Signature of Notary Public - State of Florida)

Monica Diaz.

(Print, Type, or Stamp Commissioned Name of Notary Public)

MONICA DIAZ
MY COMMISSION EXPIRES APR 11, 2026
#HH251701
Bonded through 1st State Insurance
NOTARY PUBLIC, STATE OF FLORIDA

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP
Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174345FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of Broward County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **December 18, 2002,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRECKNE'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13, RUN THENCE SOUTH 35 DEGREES 59'30" WEST ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET; THENCE NORTH 58 DEGREES 11'44" WEST (DEPARTING FROM SAID EAST LINE), A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE SOUTH 64 DEGREES 40'28" EAST ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 132.58 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 5631, Page 855

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**
2. **Assignment of Leases and Rents by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951780.**
3. **UCC-1 Financing Statement given by Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, to Amerant Bank, NA, secured party, recorded in Official Records Instrument No. 116951781.**

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: Abuts public right-of-way "North River Avenue" along easterly 15' boundary.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

By: _____
Thomas F. Coyle, Jr., Esq.

NOTICE

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP
Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174273FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of Broward County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **July 19, 1978,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160 , PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL B, RUN THENCE SOUTH 88°36'10" WEST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°42'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°36'1O" WEST, A DISTANCE OF 185.01 FEET; THENCE NORTH 00°42'14" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°36'10" EAST, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 7684, page 155

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**
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Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: NONE.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

By: _____
Thomas F. Coyle, Jr., Esq.

NOTICE

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.

WFG National Title Insurance Company
a Williston Financial Group company

CERTIFICATE OF TITLE

Client: Greenspoon Marder LLP

Address: 200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Order No.: 2174340FL-A

This will serve to certify that WFG National Title Insurance Company has caused to be made a search of the Public Records of **Broward** County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from **July 19, 1978,** through **July 15, 2022 at 8:00 A.M.**, as to the following described real property lying and being in the aforesaid County, to-wit:

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160, PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL B, RUN THENCE NORTH 88 DEGREES 36'10" EAST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 47'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 36'10" EAST, A DISTANCE OF 101.53 FEET; THENCE SOUTH 00 DEGREES 42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88 DEGREES 36'10" WEST, A DISTANCE OF 101.50 FEET; THENCE NORTH 00 DEGREES 47'14" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

City of Deerfield Beach, a Florida municipal corporation, as to Easement Interest set forth in Easement Deed recorded in Official Records Book 7684, Page 156

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. **Mortgage, Security Agreement and Fixture Filing by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, Lender, in the principal amount of $8,400,000.00, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951779.**
2. **Assignment of Leases and Rents by and between Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, and Amerant Bank, NA, dated December 21, 2020 and recorded December 28, 2020 at Official Records Instrument No. 116951780.**
3. **UCC-1 Financing Statement given by Deerfield Development Resources, LLC and Marina First, LLC, Borrowers, to Amerant Bank, NA, secured party, recorded in Official Records Instrument No. 116951781.**

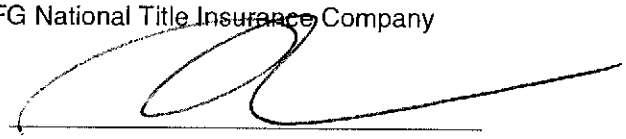
Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

As of the effective date of this Report, based upon review of the Broward County Property Appraiser's website, the above described real property has the following adjacent owners: NONE.

The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a WFG National Title Insurance Company agent for the purpose of issuing a WFG National Title Insurance Company title insurance commitment or policy.

GREENSPOON MARDER LLP, as agent for
WFG National Title Insurance Company

By: 

Thomas F. Coyle, Jr., Esq.

NOTICE

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

IN WITNESS WHEREOF, WFG National Title Insurance Company has caused this Report to be issued.

TITLE EXCEPTIONS

5. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

6. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

7. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

8. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 160, PAGE 23, AS AFFECTED BY THAT CERTAIN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

9. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

10. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188775, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS,
COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS.(DOES AFFECT ENTIRE PROPERTY. BLANKET IN NATURE. NOT PLOTTED).

11. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2954, DATED JUNE 24, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 187, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 242, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

12. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2970, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 208, AND CORRECTIVE DEED, DATED OCTOBER 22, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 243, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

13. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2987, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 228 AND CORRECTIVE DEED, DATED JUNE 28, 1955, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED
IN OFFICIAL RECORDS BOOK 413, PAGE 68, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 241 AND IN OFFICIAL RECORDS BOOK 6067, PAGE 527, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

14. RESERVATIONS, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN DEED BOOK 519, PAGE 472, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

15. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

16. EASEMENTS FOR UTILITIES AND DRAINAGE GRANTED TO THE CITY OF DEERFIELD BEACH BY EASEMENT DEEDS RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 857, OFFICIAL RECORDS BOOK 7255, PAGE 70, OFFICIAL RECORDS BOOK 7255, PAGE 71, OFFICIAL RECORDS BOOK 7255, PAGE 72, AND OFFICIAL RECORDS BOOK 7255, PAGE 73, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

17. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

18. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

19. CITY OF DEERFIELD BEACH, FLORIDA ORDINANCE NO. 1990/045, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 17657, PAGE 573, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.. (AFFECTS LOT 6, 7 AND 8, PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.BLANKET ION NATURE. NOT P[LOTTED).

20. DECLARATION OF UNITY OF TITLE, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 24743, PAGE 119, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

21. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27771, PAGE 73, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

22. NOTICE OF PERMIT, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27919, PAGE 884, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED)

23. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329 AND RELATED AGENT OF RECORD FOR NOTICE OF EXPIRATION OF ADEQUACY RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1336, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS, COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS. (DOES AFFECT PARCEL 8. BLANKET IN NATURE. NOT PLOTTED).

24. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2002-61, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 34145, PAGE 1891, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

25. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49510, PAGE 562, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

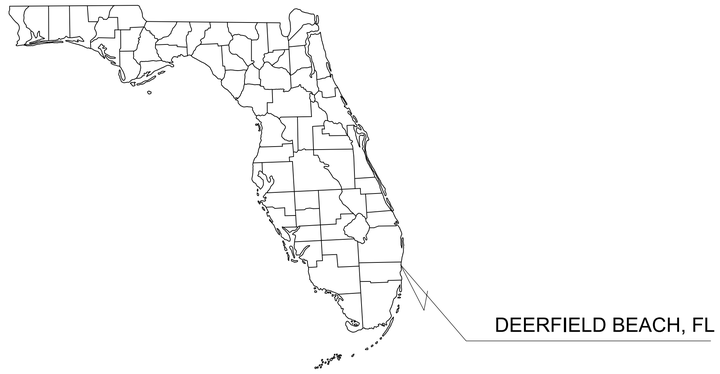
26. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49885, PAGE 466 AND RELATED COVER PAGE FOR EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION RECORDED IN OFFICIAL RECORDS BOOK 50264, PAGE 1803, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (UNSURE OF AFFECT AS TO SPECIFIC PARCELS AS THE ENCUMBERED PROPERTY (IES) ARE IDENTIFIED BY AD VALOREM TAX PARCEL NUMBERS BUT UNSURE FOR WHICH SPECIFIC TAX YEAR/PROPERTY) (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

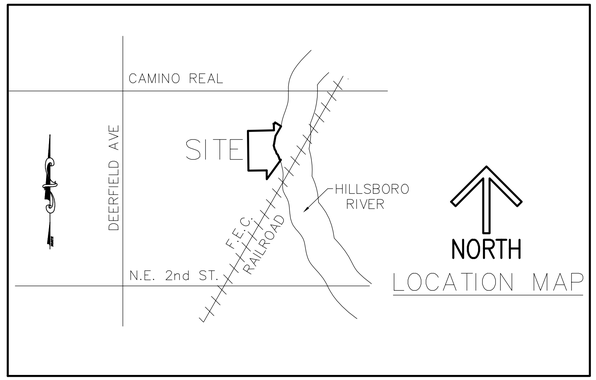
27. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 50355, PAGE 1901, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

28. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2018-40, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115360446, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. BNALKET IN NATURE. NOT PLOTTED).

29. GRANT OF TELECOMMUNICATIONS EASEMENT GRANTED TO HOTWIRE COMMUNICATIONS, LTD, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115607490, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTTED)

30. CITY OF DEERFIELD BEACH, FLORIDA RESOLUTION NO. 2020/098, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188774, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT POTTED).





LEGAL DESCRIPTION

PARCEL 1:

ALL OF ANTIBES DEVELOPMENT PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 2:

ALL OF ANTIBES DEVELOPMENT PLAT II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 66 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 136 FEET THEREOF, AND FURTHER LESS THE RIGHT-OF-WAY OF NE 1ST AVENUE AS LAID OUT AND IN USE, IN SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 4:

LOTS 1, 2, 3, 4, 5, 7, 8, 9, AND 10 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, ALL OF SAID LOTS NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 5:

LOT 6 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN LOT 6. SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 6:

LOTS 11 AND 12 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 7:

LOTS 13, 14 AND 15, OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 8:

PARCELS A AND B OF PENNELL FAMILY PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 160, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 9:

LOT 7, BLOCK 1, OF RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CONTAINING A TOTAL OF 334,972 SQUARE FEET OR 7.6899 ACRES MORE OR LESS.

GROSS AREA AS HATCHED IS 8.3674 ACRES, MORE OR LESS

SURVEYOR'S NOTES:

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

2 BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°47'14" WEST ALONG THE WEST LINE OF THE PLAT OF ANTIBES DEVELOPMENT PLAT, AS RECORDED IN PLAT BOOK 150, PAGES 11 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).

3 ALL FIELD MEASURED ANGLES AND DISTANCES ARE CONSISTENT WITH THE INSTRUMENTS OF RECORD.

4. THE SURVEYOR HAS REVIEWED AMERICAN LAND TITLE ASSOCIATION COMPANY INSURANCE COMPANY TITLE COMMITMENT NUMBER 170763330 , WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2021 AND ALL EASEMENTS CONTAINED THEREIN ARE PLOTTED HEREON.

5. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 AND ARE BASED ON BENCHMARK "PIONEER" WITH A PUBLISHED ELEVATION OF 9.26.

6. FLOOD ZONE: "X", "AH" (ELEV. 13'), "AE" (ELEV. 5'), COMMUNITY PANEL NO. 125101 0178 H, DATED: AUGUST 18, 2014.

7. LEGAL DESCRIPTIONS BOUNDARIES SHOWN HEREON ARE CONTIGUOUS WITHOUT GAP OR GORE.

SURVEY CERTIFICATION

CERTIFIED TO: STEWART TITLE GUARANTY COMPANY

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON 9-23-2021. I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRPAHIC SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

DATE OF MAP: 1-3-2022

DAVID P. LINDLEY, P.L.S.
REG. LAND SURVEYOR #5005
STATE OF FLORIDA - LB #3591

UPDATE SURVEY 4 9-28-21 TMS

REVISIONS	DATE	BY
CORRECTED PARCEL 2 LEGAL TYPO	8/1/19	TKM
UPDATE SURVEY	7/17/19	
UPDATE SURVEY	6/28/19	TMS
REVISED GROSS ACREAGE	12/26/17	ACE
ADDED FLOOD ZONE INFORMATION	12/13/17	ACE

FILE NAME 7954-3 sur 1-3-2022

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTS SURVEYING
7900 GLADES ROAD SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

BOUNDARY AND TOPOGRAPHIC SURVEY PENNELL MARINA DEERFIELD BEACH, FL

DATE AUG 2017
DRAWN BY TMS
F.B./ PG. N/A
SCALE 1"=30'

JOB # 7954-3
SHT.NO. 1
OF 2 SHEETS

BY	DATE	REVISIONS
TKM	7/17/19	UPDATE SURVEY
TMS	6/28/19	UPDATE SURVEY
ACE	12/26/17	REVISED GROSS ACREAGE
ACE	12/13/17	ADDED FLOOD ZONE INFORMATION

FILE NAME: 7954-3 sur 1-3-2022

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

DATE	AUG 2017
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=30'

JOB #	7954-3
SHT.NO.	2
OF	3 SHEETS

GRAPHIC SCALE (IN FEET)
30 0 15 30 60
INTENDED DISPLAY SCALE 1 INCH = 30 FEET

POINT OF BEGINNING
SW CORNER PLAT OF ANTIBES PLAT BOOK 150 PAGE 11 FOUND 4"X4" CONCRETE MONUMENT KEITH AND SCHNARS

W LINE OF THE PLAT OF ANTIBES PLAT BOOK 150 PAGE 11 (BASIS OF BEARINGS)

N0°47'14"W 666.68'

NE 1ST AVENUE

25.00' WIDE RIGHT-OF-WAY PLAT BOOK 150 PAGE 26

25.00' WIDE RIGHT-OF-WAY PLAT BOOK 160 PAGE 23

30.00' WIDE RIGHT-OF-WAY PLAT BOOK 59 PAGE 34

CENTERLINE OF 40.00' WIDE RIGHT-OF-WAY PLAT BOOK 150 PAGE 11 FDOT R/W MAP SECTION # 86170-2502

35.00' WIDE RIGHT-OF-WAY PLAT BOOK 150 PAGE 11

E RIGHT-OF-WAY LINE NE 1ST AVENUE

EDGE OF PAVEMENT

CENTERLINE

CONCRETE WALK

CONCRETE

MONTGOMERY, CULA MAE EST. # 474331030020

BETHEL AME CHURCH OF DEERFIELD # 474331030010

RADIANT LIVING WORSHIP CTR # 474331060310

TELEPHONE BOOTH

SAN. M/HOLE RIM = 12.05 INV.=7.27(W)8"PVC-DROP INV.=1.19(W)8"PVC INV.=0.79(S)8"PVC INV.=0.72(N)8"PVC

SAN. M/HOLE RIM = 12.31 INV.=0.71(E)8"PVC INV.=0.31(S)8"PVC INV.=0.28(N)8"PVC

SAN. M/HOLE RIM = 10.41 INV.=1.84(S)8"PVC INV.=1.79(N)8"PVC

SAN. M/HOLE RIM = 10.76 INV.=(-)0.32(S)8"PVC INV.=(-)0.37(W)8"PVC

FOUND NAIL & DISC IN WALK L.B. # 7219

WATER METER

ASPHALT

FIRE DEPARTMENT CONNECTION

BOLLARDS

FENCE CORNER 1.8 E, 0.8' S OF PROPERTY CORNER

360 NE 1ST LLC PARCEL ID # 474331040130

SET 5/8" IRON ROD WITH LB 3591 CAP

CHAIN LINK FENCE

GATE

FIRE PUMP HOUSE

10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26

10' UTILITY EASEMENT PLAT BOOK 160 PAGE 23

GROSS AREA LIMITS ARE HATCHED 0.383 ACRES

PARCEL 1
ANTIBES DEVELOPMENT PLAT P.B. 150, PG. 11
VACANT

PARCEL 2
ANTIBES DEVELOPMENT PLAT II P.B. 150, PG. 26
VACANT

PARCEL 3
ACREAGE
VACANT

PARCEL 8
PENNEL FAMILY PLAT
PARCEL "B"
PLAT BOOK 160, PAGE 23

PARCEL 8
PENNEL FAMILY PLAT
PARCEL "A"
PLAT BOOK 160, PAGE 23

J R HORNES SUB PLAT BOOK 5, PAGE 30 PALM BEACH COUNTY RECORDS

LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7

OVERHEAD UTILITY LINES

CHAIN LINK FENCE

6' WOOD FENCE

6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34

10' UTILITY EASEMENT PLAT BOOK 160 PAGE 23

20' UTILITY EASEMENT ORB 7684 PAGE 155

20' UTILITY EASEMENT ORB 7684 PAGE 158

CATCH BASIN GRATE = 6.83

SECURITY LIGHT

ISLAND

DUMPSTER

BOAT OR TRAILER STORAGE AREA

OVER HEAD WIRE

FOLIO: 474331050010

CONCRETE BLOCK WALL 1.3' S OF PROPERTY LINE

S88°59'53"W 305.85'

N88°36'10"E 436.23'

N88°36'10"E 170.74'

N0°42'17"W 66.00'

66.00'

FLOOD ZONE "X(0.2%)"

FLOOD ZONE "X"

FLOOD ZONE "AE"(EL.7')

FLOOD ZONE "AE" (ELEV. 5')

RIVERVIEW TERRACE REPLAT PLAT BOOK 60, PAGE 40 BLOCK 1

LOT 1
LOT 2
LOT 3
LOT 4

SET 5/8" IRON ROD WITH LB 3591 CAP SE CORNER LOT 1 PLAT BOOK 5 PAGE 30

SET 5/8" IRON ROD WITH LB 3591 CAP NE CORNER LOT 1 PLAT BOOK 5 PAGE 30

CONCRETE DUMPSTER WALL

N0°42'14"W 149.23'

6' CHAIN LINK FENCE

COSDEM AND BRACKNELL PLAT BOOK 6, PAGE 9 PLAT

LOT 13
LOT 14
LOT 15

PARCEL 7

BRICK PAD

FOUND 5/8" IRON ROD

OVER HEAD WIRE

BRICK

CONCRETE

ASPHALT

GATE

ENTRANCE

C.B.S. 1 STORY

RET. WALL

FENCE

WOOD

CANVAS

TRIPLE DECK COVERED RACK

BOAT RACK

GBS WALL

STEPS

LOWER YARD

PARCEL 4

LOT 1
LOT 2
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12

BOAT RACK TRIPLE DECK

AREA AFFECTED BY EXCEPTION 14 DEED BOOK 519 PAGE 472

SITE BENCHMARK 1 NAIL WITH LB 3591 DISK ELEVATION = 10.14

SITE BENCHMARK 1 NAIL WITH LB 3591 DISK ELEVATION = 12.28

SIAMESE FIRE

SAN. M/HOLE RIM = 10.20

SAN. M/HOLE RIM = 5.12

10' UTILITY EASEMENT PLAT BOOK 160 PAGE 23

20' ACCESS AND UTILITY EASEMENT ORB 27771 PAGE 73

10' UTILITY EASEMENT

20' AUE (W 20' LOT 6) ORB 7255 PAGE 73

20' UTILITY EASEMENT ORB 7255 PAGE 72 (LOTS 3 4 AND 5)

20' UTILITY EASEMENT ORB 7255 PAGE 72 (LOTS 7,8 , 9 AND 10)

15' x 45' AUE ORB 7255 PAGE 71

5' x 45' AUE ORB 7255 PAGE 70

ELEC. SERV. W/METER

1 STORY C.B.S BLDG

BLDG #485 1 AND 2 STORY WOOD FRAME

WOOD DECK

CONC. PAD

RESIDENCE #430

LP TANKS

OFFICE LOT 3

RESIDENCE

A/C PAD

PAVERS

WOOD RETAINING WALL

CANVAS COVERED PAVERS

YARD DRAIN

SCREEN PATIO

C.B.S. SHED

UPPER WOOD DECK

TOP OF BANK

EDGE OF WATER

WOOD DOCK

WOOD RAMP

RAMP

SECURITY POLE

SUBMERGED LAND LEASE ORB 30754 PAGE 1764 ORB 47476 PAGE 496 (RENEWAL)

SUBMERGED LAND LEASE ORB 30754 PAGE 1764 ORB 47476 PAGE 498

FLOOD ZONE "AE"(ELEV. 5')

HILLSBORO RIVER

APPROXIMATE MEAN HIGH WATER LINE

N35°59'30"E 399.36'

NORTH RIVER AVE.

WESTERLY RIGHT-OF-WAY LINE NORTH RIVER AVENUE

30' R/W VARIES UNIMPROVED

F.E.C. RAILROAD 100' TOTAL R/W

LAUNCHES

GROSS AREA LIMITS ARE HATCHED 0.275 ACRES

GROSS AREA LIMITS ARE HATCHED 0.0195 ACRES

SW CORNER LOT 7 PLAT BOOK 59 PAGE 34

FOUND 3/4" IP IN CONCRETE

FOUND 2"x2" METAL POST

W LINE LOT 7

E LINE LOT 7

30' BLDG SETBACK LINE PLAT BOOK 59 PAGE 34

10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34

PARCEL 9
RIVERVIEW TERRACE
PLAT BOOK 59, PAGE 34

N.E. 5TH STREET

N12°42'26"W 25.50'

N1°23'50"W 86.01'

N88°36'10"E 20.00'

N24°51'10"E 21.88'

S9°41'03"W 99.81'

S7°00'26"W 18.86'

S15°50'49"W 32.10'

S15°19'51"E 63.92'

S29°07'20"E 34.14'

S19°18'52"E 45.80'

S38°41'20"E 14.65'

S29°18'20"E 11.69'

S52°56'26"E 12.21'

S14°56'30"E 20.93'

S21°27'01"E 34.30'

S22°09'06"E 11.63'

S25°02'19"E 10.03'

S78°54'42"E 18.95'

S11°22'50"E 4.72'

S9°41'03"W 11.10'

S30°00'28"W 188.11'

S57°10'50"E 117.01'

LEGEND ABBREVIATIONS

CONC. CONCRETE
AUE ACCESS AND UTILITY EASEMENT
ORB OFFICIAL RECORD BOOK
METAL LIGHT POLE
WATER VALVE COVER
FIRE HYDRANT
DRAIN
DRAINAGE STRUCTURE
CHECK VALVE/FIRE DEPARTMENT CONNECTION
U.E. UTILITY EASEMENT PB 116 PAGE 20
UTILITY POLE
STORM MANHOLE
STREET LIGHTING BOX
TRAFFIC SIGNAL BOX
CATCH BASIN
SIGN
W WATER METER
CONCRETE POWER POLE

Instr# 114822478 , Page 1 of 2, Recorded 01/10/2018 at 09:33 AM
Broward County Commission
Deed Doc Stamps: $21000.00

Return to: (enclose self-addressed stamped envelope)

This Instrument Prepared by:
Name: Thomas F. Coyle, Jr., Esquire
Greenspoon Marder P.A.
200 East Broward Blvd., Suite 1800
Fort Lauderdale, Florida 33301

Property Appraisers Parcel I.D. (Folio) Numbers(s):
474331-21-0010. (Parcel 1)
474331-22-0010. (Parcel 2)

SPACE ABOVE THIS LINE FOR PROCESSING DATA | SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed made the 5th day of January, 2018 by 414 N.E. 1ST. AVE. ASSOCIATES, LLC, a Florida limited liability company, whose post office address is 1013 Hillsboro Mile, Hillsboro Beach, FL 33062, hereinafter called the grantor, to **DEERFIELD DEVELOPMENT RESOURCES, LLC**, a Florida limited liability company, whose post office address is 1769 NE 33rd Street, Pompano Beach, FL 33064, hereinafter called the grantee:

(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)

Witnesseth: That the grantor, for and in consideration of the sum of Ten and 00/100 Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Broward County, Florida, viz:

PARCEL 1:
All of ANTIBES DEVELOPMENT PLAT, according to the Plat thereof, as recorded in Plat Book 150, Page 11, of the Public Records of Broward County, Florida.

PARCEL 2:
All of ANTIBES DEVELOPMENT PLAT II, according to the Plat thereof, as recorded in Plat Book 150, Page 26, of the Public Records of Broward County, Florida.

SUBJECT TO:

1. Taxes and Assessments for 2018 and subsequent years.
2. Laws, zoning laws, regulations or ordinances affecting the subject real property.
3. Conditions, restrictions, limitations and easements of record, if any, without any intent to re-impose the same.

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

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

And the grantor hereby covenants with said grantee that it is lawfully seised of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2017.

33010604.1
48079.0013

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness Signature
Print Name: Helen A Terpylak

Witness Signature
Print Name: Karen S Schmidt

414 N.E. 1ST AVE. ASSOCIATES, LLC, a Florida limited liability company

By: _____
Tia S. Winfield, Authorized Member

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

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 Tia S. Winfield as Authorized Member of 414 N.E. 1ST AVE. ASSOCIATES, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me to be the officer described in and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this 5TH day of January, 2018.

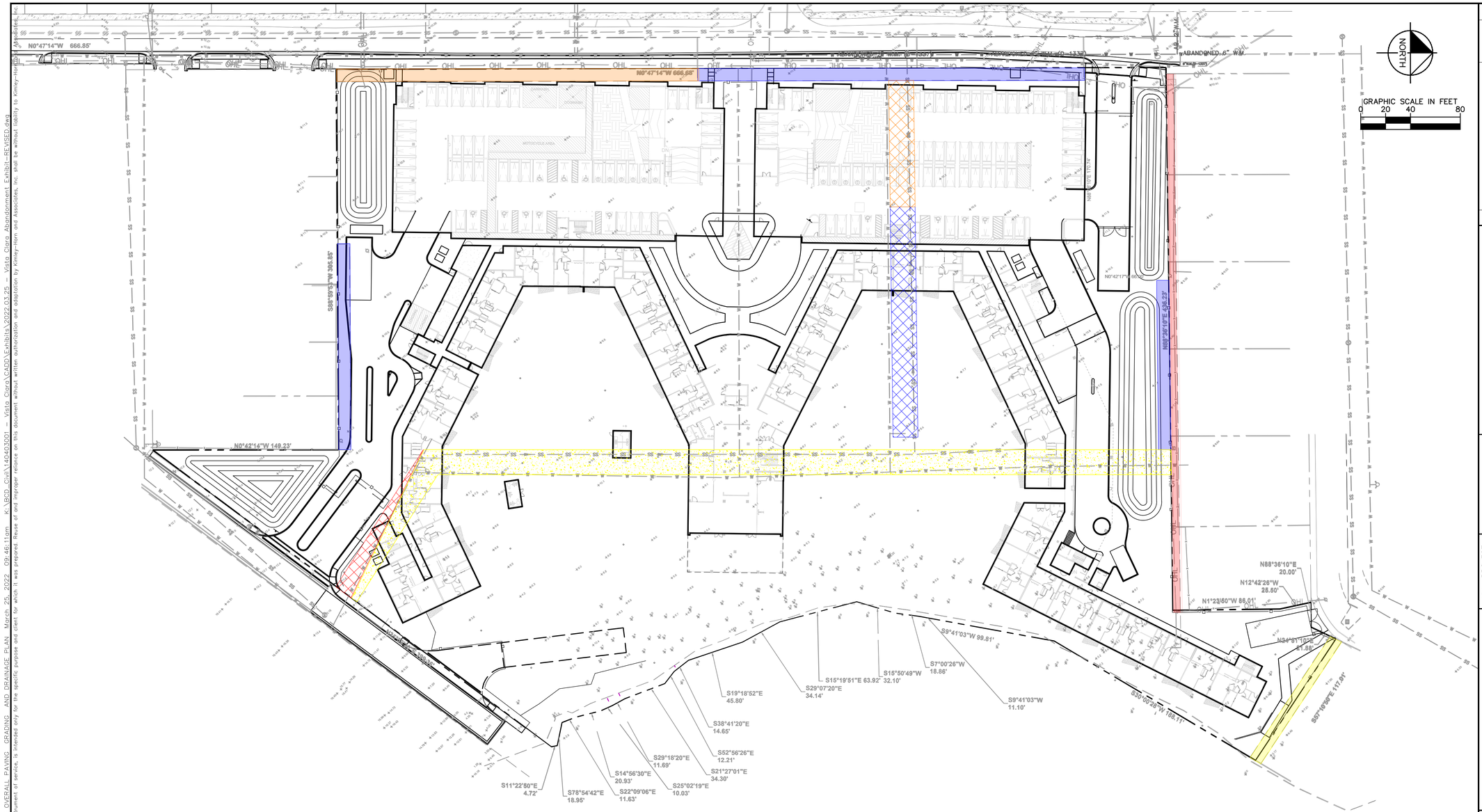
Notary Public, State of Florida at Large
Print Name: Helen A Terpylak

My Commission Expires:

HELEN A. TERPYLAK, Notary Public
State of Ohio, Lorain County
My Commission Expires Aug. 24, 2019

33010604.1
48079.0013

Plotted By:Morenco, Michael Sheet Set:VISTA CLARA Layout:C5.00_OVERALL PAVING GRADING AND DRAINAGE PLAN March 25, 2022 09:46:11am K:\BCD_Civil\140403001 – Vista Clara\CADD\Exhibits\2022.03.25 – Vista Clara Abandonment Exhibit–REVISED.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
2. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
3. 15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

VERTICAL DATUM:
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

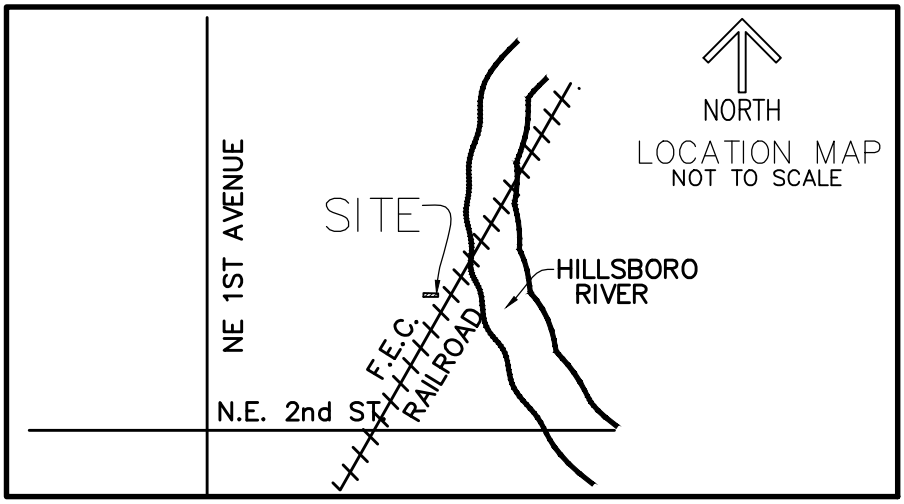
Kimley»Horn
© 2019 KIMLEY-HORN AND ASSOCIATES, INC.
1615 S CONGRESS AVE., SUITE 201, DELRAY BEACH, FL 33445
PHONE: 561-330-2345 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

CITY ABANDONMENT EXHIBIT

VISTA CLARA
PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC
DEERFIELD BEACH FL

SHEET NUMBER
EX



NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN ORIGINAL SURVEYOR'S SEAL.
2. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
3. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF SOUTH 39°59'30" WEST ALONG THE EAST LINE OF LOT 13, COSDEN AND BRACKNELL'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

DESCRIPTION

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRECKNE;;'S ADDITION TO DEERFIELD BEACH, PLAT BOOK 6, PAGE 9 PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13, RUN THENCE SOUTH 35°59'30" WEST ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET; THENCE NORTH 58°11'44" WEST (DEPARTING FROM SAID EAST LINE), A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE SOUTH 64°40'28" EAST ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 132.58 FET TO THE POINT OF BEGINNING.

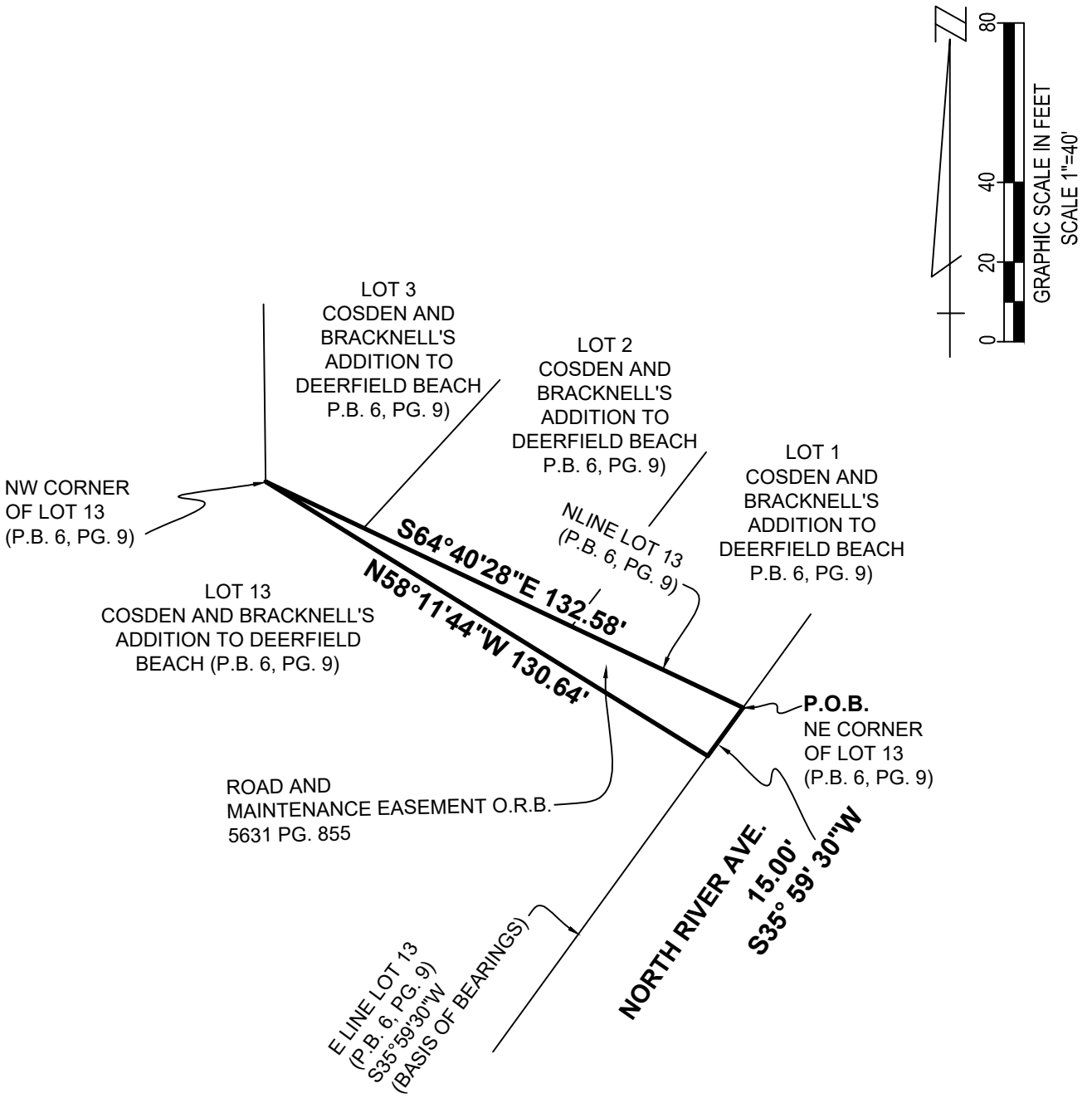
CAUFVIST2 SK14.DWG

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	7954-3



LEGEND

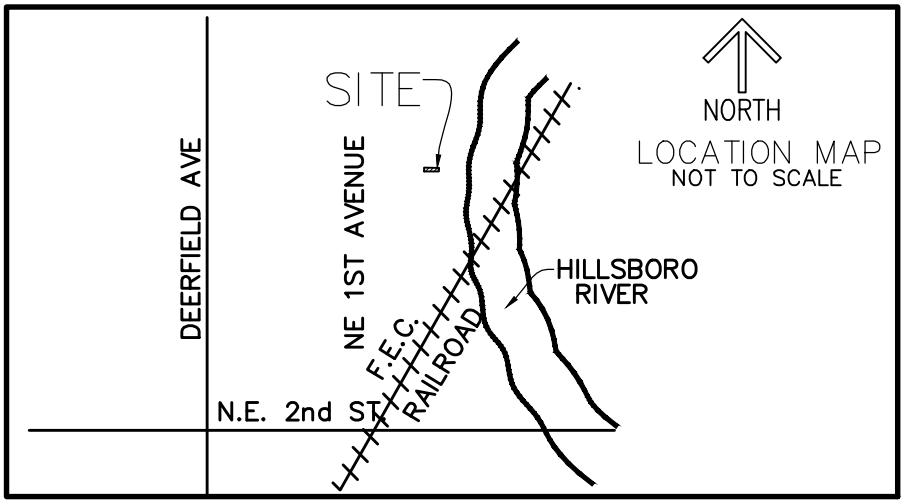
PG. – PAGE
P.B. – PLAT BOOK
P.O.B. – POINT OF BEGINNING
R/W – RIGHT–OF–WAY
O.R.B. – OFFICIAL RECORDS BOOK

THIS IS NOT A SURVEY

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7954



NOTES

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2. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
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4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 88°36'10" EAST ALONG THE NORTH LINE OF PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160, PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
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7. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

DESCRIPTION

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160, PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL B, RUN THENCE SOUTH 88°36'10" WEST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°42'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°36'10" WEST, A DISTANCE OF 185.01 FLEET; THENCE NORTH 00°42'14" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°36'10" EAST, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

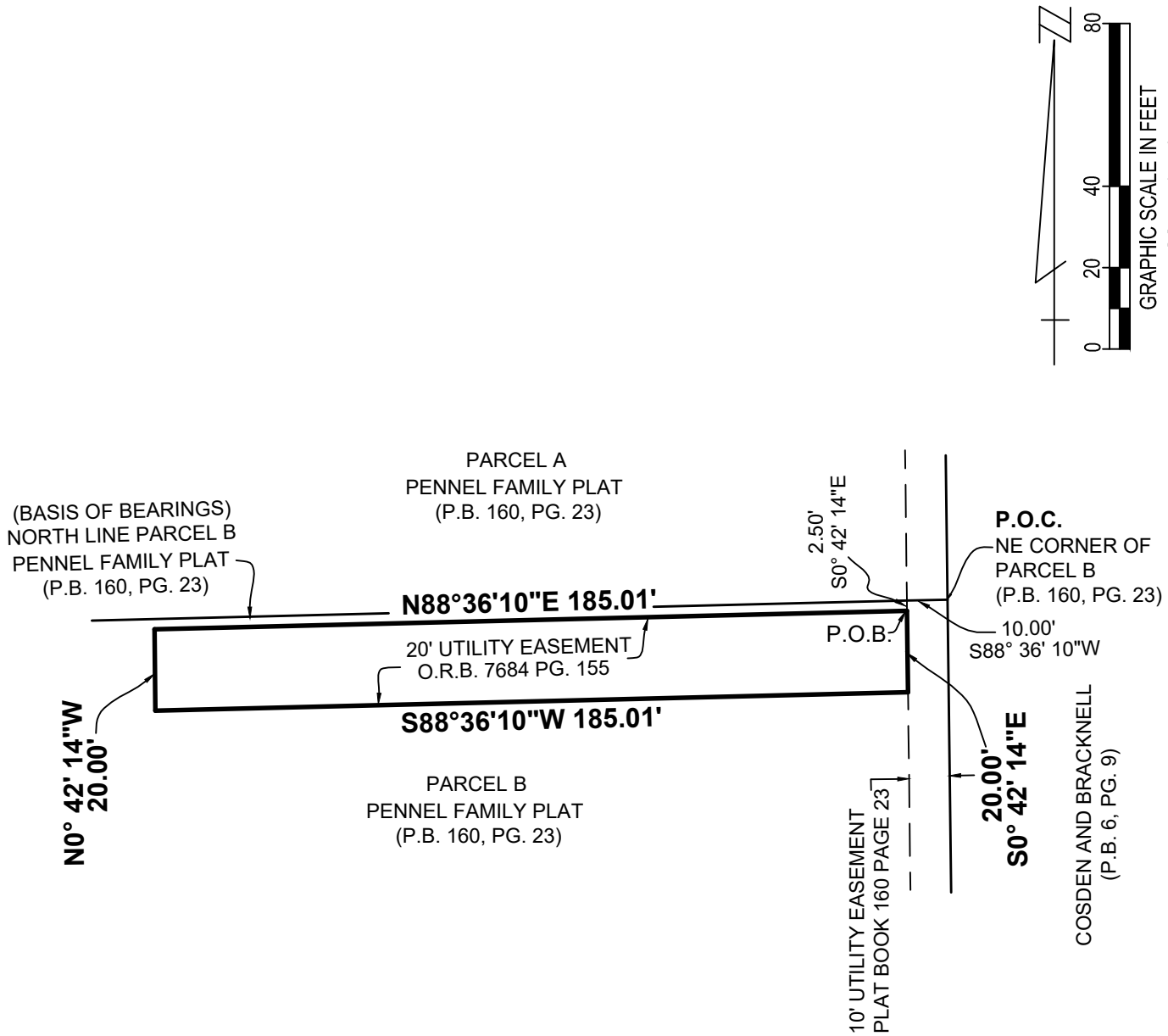
CAUFVIST2 SK12.DWG

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	7954-3



LEGEND

PG. – PAGE
P.B. – PLAT BOOK
P.O.B. – POINT OF BEGINNING
R/W – RIGHT–OF–WAY
O.R.B. – OFFICIAL RECORDS BOOK

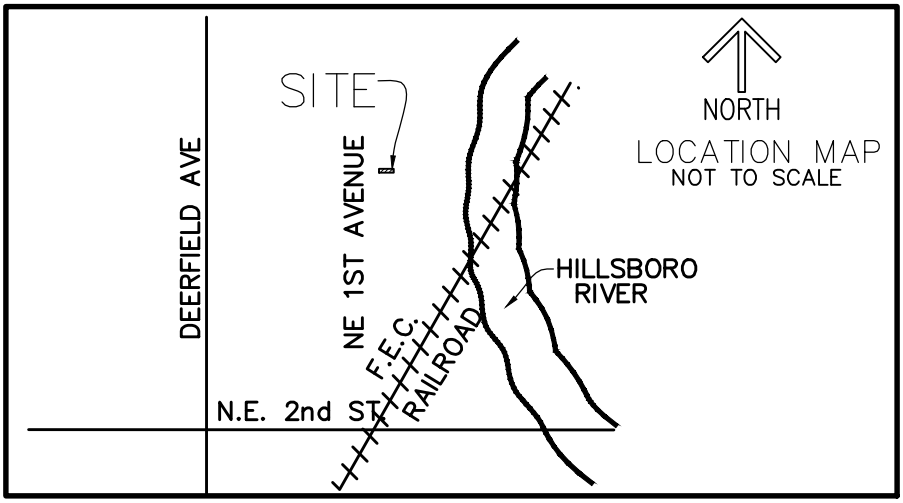
THIS IS NOT A SURVEY

SHEET 2 OF 2

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7954



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DESCRIPTION

BEING ALL OF THAT CERTAIN 20.00 FOOT WIDE UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN PARCEL B, PENNEL FAMILY PLAT, PLAT BOOK 160, PAGE 23, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL B, RUN THENCE NORTH 88°36'10" EAST ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°47'14" EAST (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°36'10" EAST, A DISTANCE OF 101.53 FEET; THENCE SOUTH 00°42'14" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°36'10" WEST, A DISTANCE OF 101.50 FEET; THENCE NORTH 00°47'14" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

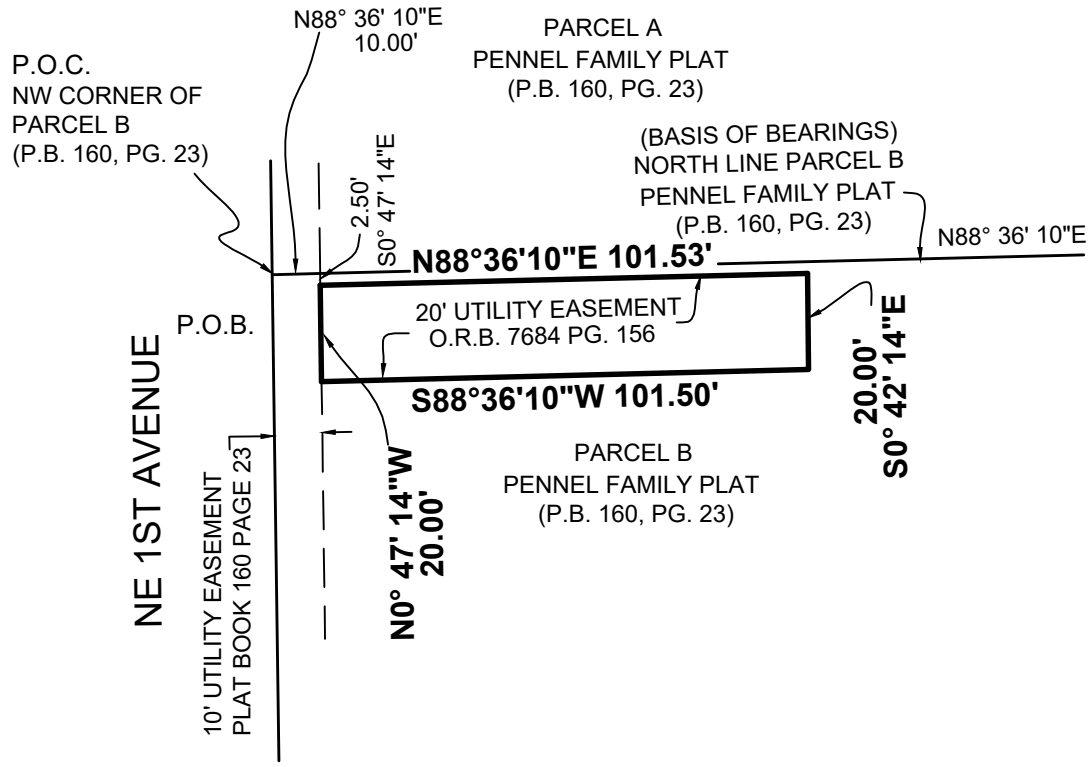
CAUFVIST2 SK13.DWG

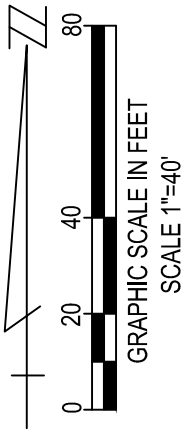
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	7954-3





LEGEND

PG. – PAGE
P.B. – PLAT BOOK
P.O.B. – POINT OF BEGINNING
R/W – RIGHT–OF–WAY
O.R.B. – OFFICIAL RECORDS BOOK

THIS IS NOT A SURVEY

SHEET 2 OF 2

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

EXHIBIT A
UTILITY EASEMENT ABANDONMENT
SKETCH OF LEGAL DESCRIPTION

DATE	MAR 2022
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7954

Deerfield Beach
Florida

Date: June 22, 2022

Liam Sargent
Kimley-Horn
1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445

Re: Letter of No Objection - Easements Vacation
VISTA CLARA APARTMENTS
DEERFIELD DEVELOPMENT RESOURCES, LL

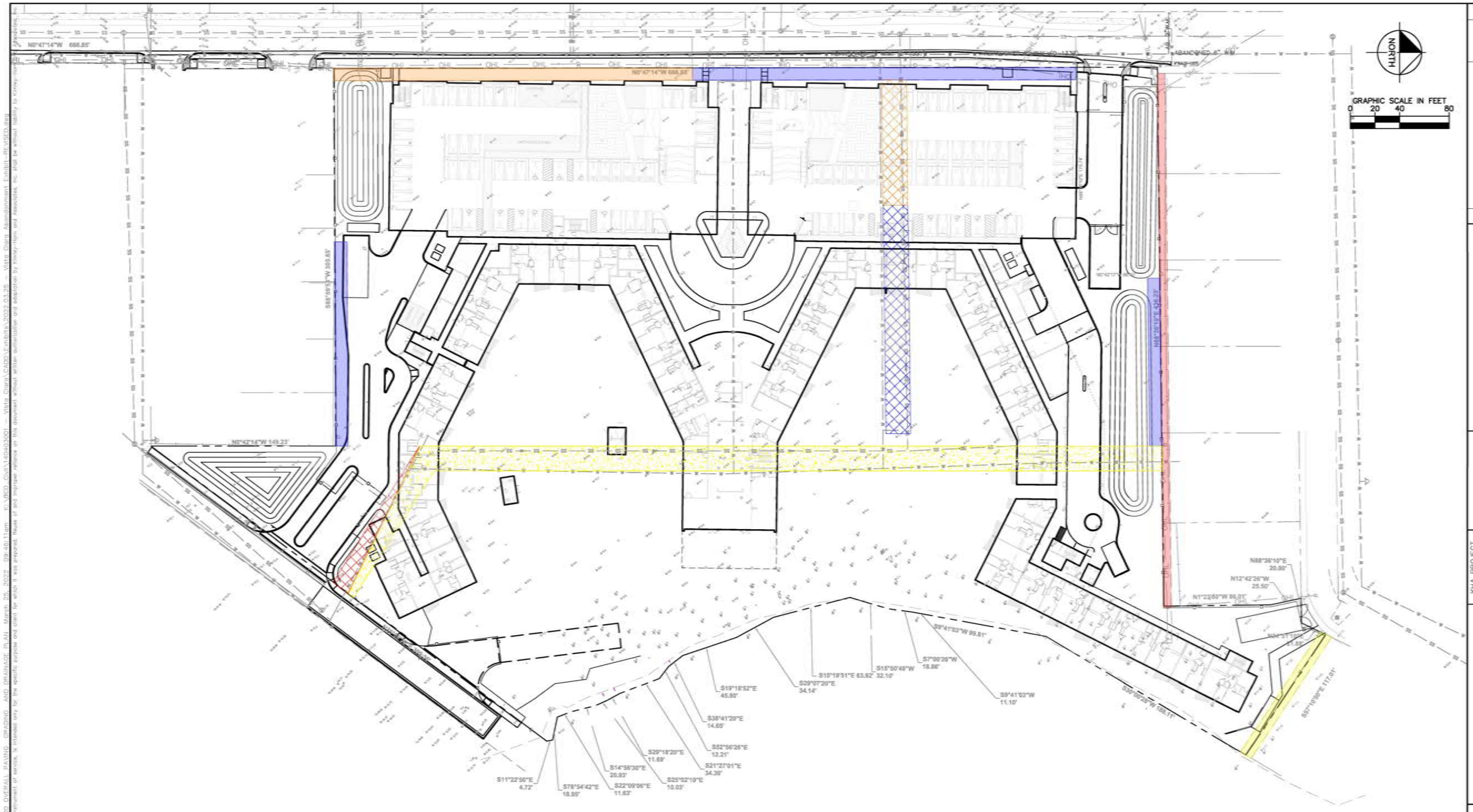
Dear Mr. Sargent:

Please let this letter serve as a notification that the City of Deerfield Beach has no objection to the proposed vacation of certain Utility and Roadway Maintenance Easements of record and portions thereof, selected for vacation and for the removal of existing City of Deerfield Beach infrastructure **(Exhibit A)** contained within said easements and confined to the development property limits as described on the attached Boundary and Topographic Survey dated 1-3-2022 **(Exhibit B)**.

Should you have any questions please call me at (954) 422-5820.

Sincerely,

Alfonso Orellana, CFM
Plans Review Engineer
City of Deerfield Beach, FL
Environmental Services



EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
2. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
3. 15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

EXHIBIT A

VERTICAL DATUM
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2019 KIMLEY-HORN AND ASSOCIATES, INC.
1615 S CONGRESS AVE, SUITE 201, DELRAY BEACH, FL 33445
PHONE: 561-330-1364 FAX: 561-276-1070
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

CITY ABANDONMENT EXHIBIT

VISTA CLARA
PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC
DEERFIELD BEACH FL

SHEET NUMBER
EX

TITLE EXCEPTIONS

5. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

6. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

7. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

8. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 160, PAGE 23, AS AFFECTED BY THAT CERTAIN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

9. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

10. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188775, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS.
COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS.(DOES AFFECT ENTIRE PROPERTY. BLANKET IN NATURE, NOT PLOTTED).

11. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2954, DATED JUNE 24, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 187, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 242, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

12. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2970, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 208, AND CORRECTIVE DEED, DATED OCTOBER 22, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 243, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

13. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2987, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 228 AND CORRECTIVE DEED, DATED JUNE 28, 1955, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED
IN OFFICIAL RECORDS BOOK 413, PAGE 68, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 241 AND IN OFFICIAL RECORDS BOOK 6067, PAGE 527, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

14. RESERVATIONS, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN DEED BOOK 519, PAGE 472, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

15. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT, PLOTTED HEREON).

16. EASEMENTS FOR UTILITIES AND DRAINAGE GRANTED TO THE CITY OF DEERFIELD BEACH BY EASEMENT DEEDS RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 857, OFFICIAL RECORDS BOOK 7255, PAGE 70, OFFICIAL RECORDS BOOK 7255, PAGE 71, OFFICIAL RECORDS BOOK 7255, PAGE 72, AND OFFICIAL RECORDS BOOK 7255, PAGE 73, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT, PLOTTED HEREON).

17. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

18. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

19. CITY OF DEERFIELD BEACH, FLORIDA ORDINANCE NO. 1990/045, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 17657, PAGE 573, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA,. (AFFECTS LOT 6, 7 AND 8, PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.BLANKET ION NATURE. NOT P[LOTTED).

20. DECLARATION OF UNITY OF TITLE, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 24743, PAGE 119, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

21. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27771, PAGE 73, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

22. NOTICE OF PERMIT, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27919, PAGE 884, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED)

23. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329 AND RELATED AGENT OF RECORD FOR NOTICE OF EXPIRATION OF ADEQUACY RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1336, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS, COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS. (DOES AFFECT PARCEL 8, BLANKET IN NATURE, NOT PLOTTED).

24. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2002-61, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 34145, PAGE 1891, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

25. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49510, PAGE 562, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

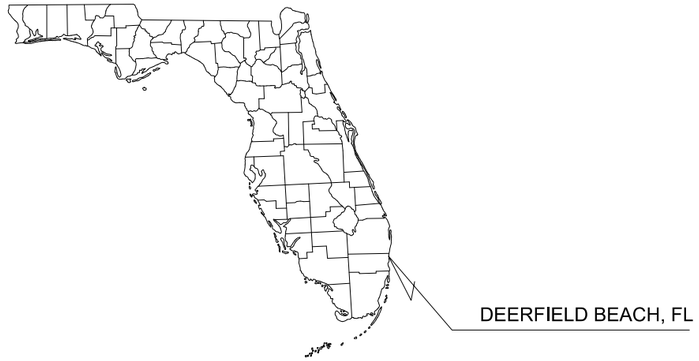
26. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49885, PAGE 466 AND RELATED COVER PAGE FOR EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION RECORDED IN OFFICIAL RECORDS BOOK 50264, PAGE 1803, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (UNSURE OF AFFECT AS TO SPECIFIC PARCELS AS THE ENCUMBERED PROPERTY (IES) ARE IDENTIFIED BY AD VALOREM TAX PARCEL NUMBERS BUT UNSURE FOR WHICH SPECIFIC TAX YEAR/PROPERTY) (DOES AFFECT. BLANKET IN NATURE, NOT PLOTTED).

27. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 50355, PAGE 1901, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE, NOT PLOTTED).

28. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2018-40, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115360446, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. BNALKET IN NATURE, NOT PLOTTED).

29. GRANT OF TELECOMMUNICATIONS EASEMENT GRANTED TO HOTWIRE COMMUNICATIONS, LTD, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115607490, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE, NOT PLOTTTED)

30. CITY OF DEERFIELD BEACH, FLORIDA RESOLUTION NO. 2020/098, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188774, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT POTTED).



LEGAL DESCRIPTION

PARCEL 1:

ALL OF ANTIBES DEVELOPMENT PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 2:

ALL OF ANTIBES DEVELOPMENT PLAT II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 66 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 136 FEET THEREOF, AND FURTHER LESS THE RIGHT-OF-WAY OF NE 1ST AVENUE AS LAID OUT AND IN USE, IN SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 4:

LOTS 1, 2, 3, 4, 5, 7, 8, 9, AND 10 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, ALL OF SAID LOTS NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 5:

LOT 6 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN LOT 6. SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 6:

LOTS 11 AND 12 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 7:

LOTS 13, 14 AND 15, OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 8:

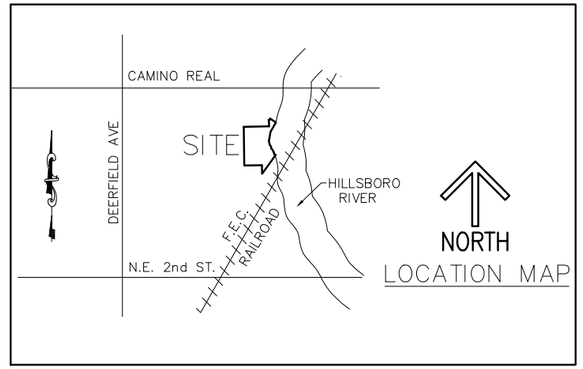
PARCELS A AND B OF PENNELL FAMILY PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 160, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 9:

LOT 7, BLOCK 1, OF RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CONTAINING A TOTAL OF 334,972 SQUARE FEET OR 7.6899 ACRES MORE OR LESS.

GROSS AREA AS HATCHED IS 8.3674 ACRES, MORE OR LESS



SURVEYOR'S NOTES:

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

2 BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°47'14" WEST ALONG THE WEST LINE OF THE PLAT OF ANTIBES DEVELOPMENT PLAT, AS RECORDED IN PLAT BOOK 150, PAGES 11 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).

3 ALL FIELD MEASURED ANGLES AND DISTANCES ARE CONSISTENT WITH THE INSTRUMENTS OF RECORD.

4. THE SURVEYOR HAS REVIEWED AMERICAN LAND TITLE ASSOCIATION COMPANY INSURANCE COMPANY TITLE COMMITMENT NUMBER 17076333O WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2021 AND ALL EASEMENTS CONTAINED THEREIN ARE PLOTTED HEREON.

5. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 AND ARE BASED ON BENCHMARK "PIONEER" WITH A PUBLISHED ELEVATION OF 9.26.

6. FLOOD ZONE: "X", "AH" (ELEV. 13'), "AE" (ELEV. 5'), COMMUNITY PANEL NO. 125101 0178 H, DATED: AUGUST 18, 2014.

7. LEGAL DESCRIPTIONS BOUNDARIES SHOWN HEREON ARE CONTIGUOUS WITHOUT GAP OR GORE.

SURVEY CERTIFICATION

CERTIFIED TO: STEWART TITLE GUARANTY COMPANY

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON 9-23-2021. I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRPAHIC SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

DATE OF MAP: 1-3-2022

David Lindley

Digitally signed by David Lindley
DN: c=US, st=FL, l=Boca Raton, o=Caulfield & Wheeler, Inc., ou=Survey, cn=David Lindley, email=dave@cwinc.com
Date: 2022.01.17 08:45:55 -05'00'

DAVID P. LINDLEY, P.L.S.
REG. LAND SURVEYOR #5005
STATE OF FLORIDA - LB #3591

EXHIBIT B

UPDATE SURVEY 4 — 9-28-21 — TMS

REVISIONS	DATE	BY
CORRECTED PARCEL 2 LEGAL TYPO	8/1/19	
UPDATE SURVEY	7/17/19	TKM
UPDATE SURVEY	6/28/19	TMS
REVISED GROSS ACREAGE	12/26/17	ACE
ADDED FLOOD ZONE INFORMATION	12/13/17	ACE

FILE NAME 7954-3 sur 1-3-2022

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

DATE AUG 2017
DRAWN BY TMS
F.B./ PG. N/A
SCALE 1"=30'

JOB # 7954-3
SHT.NO. 1
OF 2 SHEETS

BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

DATE	AUG 2017
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=30'

JOB #	7954-3
SHT NO.	2
OF	3 SHEETS

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

REVISIONS	DATE	BY
ADDED FLOOD ZONE INFORMATION	12/13/17	ACE
REVISED GROSS ACREAGE	12/26/17	ACE
UPDATE SURVEY	6/28/19	TMS
UPDATE SURVEY	7/17/19	TKM

FILE NAME: 7954-3 sur 1-3-2022

LEGEND ABBREVIATIONS
CONC. CONCRETE
ALIE ACCESS AND UTILITY EASEMENT
ORB OFFICIAL RECORD BOOK
METAL LIGHT POLE
WATER VALVE COVER
FIRE HYDRANT
DRAIN
CATCH BASIN
SIGN
WATER METER
CONCRETE POWER POLE
STORM MANHOLE
STREET LIGHTING BOX
TRAFFIC SIGNAL BOX
CHECK VALVE/FIRE DEPARTMENT CONNECTION
UTILITY EASEMENT PB 116 PAGE 20
DRAINAGE STRUCTURE
UTILITY POLE
UE
FLOOD ZONE "X"
FLOOD ZONE "AE" (ELEV. 5')
FLOOD ZONE "AE"(EL.7')
FLOOD ZONE "X(0.2%)"
NORTH RIVER AVE
NORTH RIVER AVE
NE 1ST AVENUE
HILLSBORO RIVER
PARCEL 1
PARCEL 2
PARCEL 3
PARCEL 4
PARCEL 5
PARCEL 6
PARCEL 7
PARCEL 8
POINT OF BEGINNING
GROSS AREA LIMITS ARE HATCHED 0.275 ACRES
GROSS AREA LIMITS ARE HATCHED 0.383 ACRES
GROSS AREA LIMITS ARE HATCHED 0.0195 ACRES
N.E. 5TH STREET
S88°59'53"W 305.85'
N89°59'30"E 699.36'
N0°42'14"W 149.23'
N0°47'14"W 666.69'
N88°36'10"E 436.23'
S30°00'28"W 188.11'
S9°41'03"W 99.81'
S9°41'03"W 11.10'
S57°00'26"W 18.86'
S15°50'49"W 63.92' 32.10'
S29°07'20"E 34.14'
S19°18'52"E 45.80'
S38°41'20"E 14.65'
S29°18'20"E 11.69'
S52°56'26"E 12.21'
S14°56'30"E 20.93'
S21°27'01"E 34.30'
S25°02'19"E 10.03'
S22°09'06"E 11.63'
S78°54'42"E 18.95'
S11°22'50"E 4.72'
SITE BENCHMARK 1
NAIL WITH LB 3591 DISK
ELEVATION = 12.28
ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855
SET 5/8" IRON ROD WITH LB 3591 CAP
SET 5/8" IRON ROD WITH LB 3591 DISK
FOUND 2"x2" METAL POST
FOUND CONCRETE MONUMENT
SW CORNER PLAT OF ANTIBES PLAT BOOK 150 PAGE 11
SW CORNER PLAT OF ANTIBES (BASIS OF BEARINGS)
POINT OF BEGINNING
W LINE OF THE PLAT OF ANTIBES PLAT BOOK 150 PAGE 11
E LINE OF THE PLAT OF ANTIBES PLAT BOOK 150 PAGE 11
COSDEN AND BRACKNELL PLAT BOOK 6, PAGE 9 PLAT
PLAT BOOK 5 PAGE 30
SET 5/8" IRON ROD WITH LB 3591 CAP
SE CORNER LOT 1
NE CORNER LOT 1
FOUND 5/8" IRON ROD
FOUND NAIL & DISC IN WALK L.B. # 2719
SET 5/8" IRON ROD WITH LB 3591 CAP
SET NAIL & DISC
SET 5/8" IRON ROD WITH LB 3591 CAP
FOUND 2"x2" METAL POST
FOUND 3/4" IP IN CONCRETE
FOUND 4"x4" CONCRETE MONUMENT
SET NAIL & DISC
SET 5/8" IRON ROD WITH LB 3591 CAP
SET 5/8" IRON ROD WITH LB 3591 CAP
SET 5/8" IRON ROD WITH LB 3591 CAP

Arsenio Otero
Manager - OSP Planning & Engineering Design
ATT Florida
5395 NE 14th Ave
Ft Lauderdale, FL 33334
T: 954-328-3908
ao491t@att.com

May 3rd, 2022

Nicole Guinoo
Kimley-Horn
1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445

Subject: No Objection to Abandoning of Utility Easements at site of Vista Clara Apartments as shown on Abandonment Exhibit provided by Kimley-Horn

Ms. Guinoo:

Based on our review of the Abandonment Exhibit provided by you, this letter shall serve as notice that:

1. ✓ AT&T has no objection to the proposed abandonments of utility easements referenced above and shown in the attached Abandonment Exhibit.

2. _____ AT&T has no objection to the proposed abandonments of utility easements above if the following is satisfied:

   _____

3. _____ AT&T has an objection to the proposed abandonments of utility easements referenced above as follows:

   _____

Should you have any questions, please contact me at 954-328-3908.

Sincerely,

Arsenio Otero
Mgr OSP Plng & Engrg Design
Construction & Engineering – SE

Thank you,

Liam Sargent
Kimley-Horn | 1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445
Direct: (561) 484-5257 | Cell: (561) 866-9204
Connect with us: Twitter | LinkedIn | Facebook | Instagram | Kimley-Horn.com
Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

---

From: Blackburn, Heather <Heather.Blackburn@lumen.com>
Sent: Wednesday, March 30, 2022 2:12 PM
To: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Subject: No Facilities: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Date: 3/30/2022
Attn: Nicole Guinoo

Thank you for your project notification. LUMEN has reviewed your utility notice dated 3/278/22 regarding the P-252778 FL | 062200782 - NE 1st Ave f/ NE 5th St to NE 2nd St, Deerfield Beach ("Project"). In response to your inquiry please find the enclosed drawings indicating the approximate location of the LUMEN facilities (the "Facilities").

LUMEN Local/National does not have facilities within your proposed construction area.

LUMEN National has facilities within your proposed construction area. Please find the enclosed drawings indicating the location of the LUMEN facilities. Once you have completed your review, please respond back if LUMEN facilities appear to be in conflict. A LUMEN engineer will be assigned when engineering plans are ready for review.

LUMEN Local/National facilities are under review by our LUMEN Field Engineer. Currently, the estimated completion date of review is [FCD].

LUMEN Local/National is leasing facilities within your proposed construction Zone, which may have potential conflicts. Please verify that you have contacted all communications providers listed on your One Call Ticket.

LUMEN Local/National - The information provided in your initial request is insufficient to determine if the location of your proposed construction will conflict with LUMEN facilities. Please provide additional detailed location maps, drawings (PDF preferred), and description for further conflict review.

LUMEN Local/National has facilities within your proposed construction zone, but it has been determined that no relocation will be necessary. However, due to the proximity of your project to our facilities, a LUMEN representative will be required on-site when construction begins.

Please contact your State One Call prior to construction service (click link for state specific requirements).

Any changes or additions to the project plans or parameters should be submitted to Network Relocations for review of potential new impacts to the LUMEN facilities. **Note**: the location(s) of facilities shown on these drawings you receive from us, are only approximate. LUMEN hereby disclaims any responsibility for the accuracy of this information. Please

contact Network Relocations regarding the above mentioned project if you should have any questions. Please reference the file number **P-252778 FL** with any future communications.

Thank you for your cooperation!

Heather Blackburn
Business Analyst - Relocations
Tulsa, OK
heather.blackburn@lumen.com

We have combined!! To better serve everyone, there is now a single email inbox for LUMEN. One team is monitoring both national and local network relocations & road moves. Please add **relocations@lumen.com to your contacts list for inquiries, updates, and use it for all future notifications.**

From: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Sent: Monday, March 28, 2022 7:45 AM
To: Blackburn, Heather <Heather.Blackburn@lumen.com>
Cc: Sargent, Liam <Liam.Sargent@kimley-horn.com>
Subject: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Good Morning,

Please find attached a letter of No Objection request for Sunshine 811 Ticket Number: 062200782-000

We are hereby requesting a Letter of No Objection for two simultaneous utility easement abandonment requests detailed within the letter. Both requests, one for the City of Deerfield Beach and one for Broward County, require a signed letter of no objection from the affected utility providers. They are located on the same site.

Vista Clara Apartments consists of multiple properties, located at 414, 430, 454, & 480 NE 1st Avenue, 240 NE 5th Street, 412,424,430,446,450& 458 N River Drive, and 409 N River Avenue. See attached survey for the legal description and folio numbers.

Thank you for your response.

Kimley»Horn
Nicole Guinoo
Kimley-Horn | 1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445
Direct: (561) 484-5260
Connect with us: Twitter | LinkedIn | Facebook | Instagram
Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For!

This communication is the property of Lumen Technologies and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

This communication is the property of Lumen Technologies and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Deerfield Beach
Florida

Date: June 22, 2022

Liam Sargent
Kimley-Horn
1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445

Re: Letter of No Objection - Easements Vacation
VISTA CLARA APARTMENTS
DEERFIELD DEVELOPMENT RESOURCES, LL

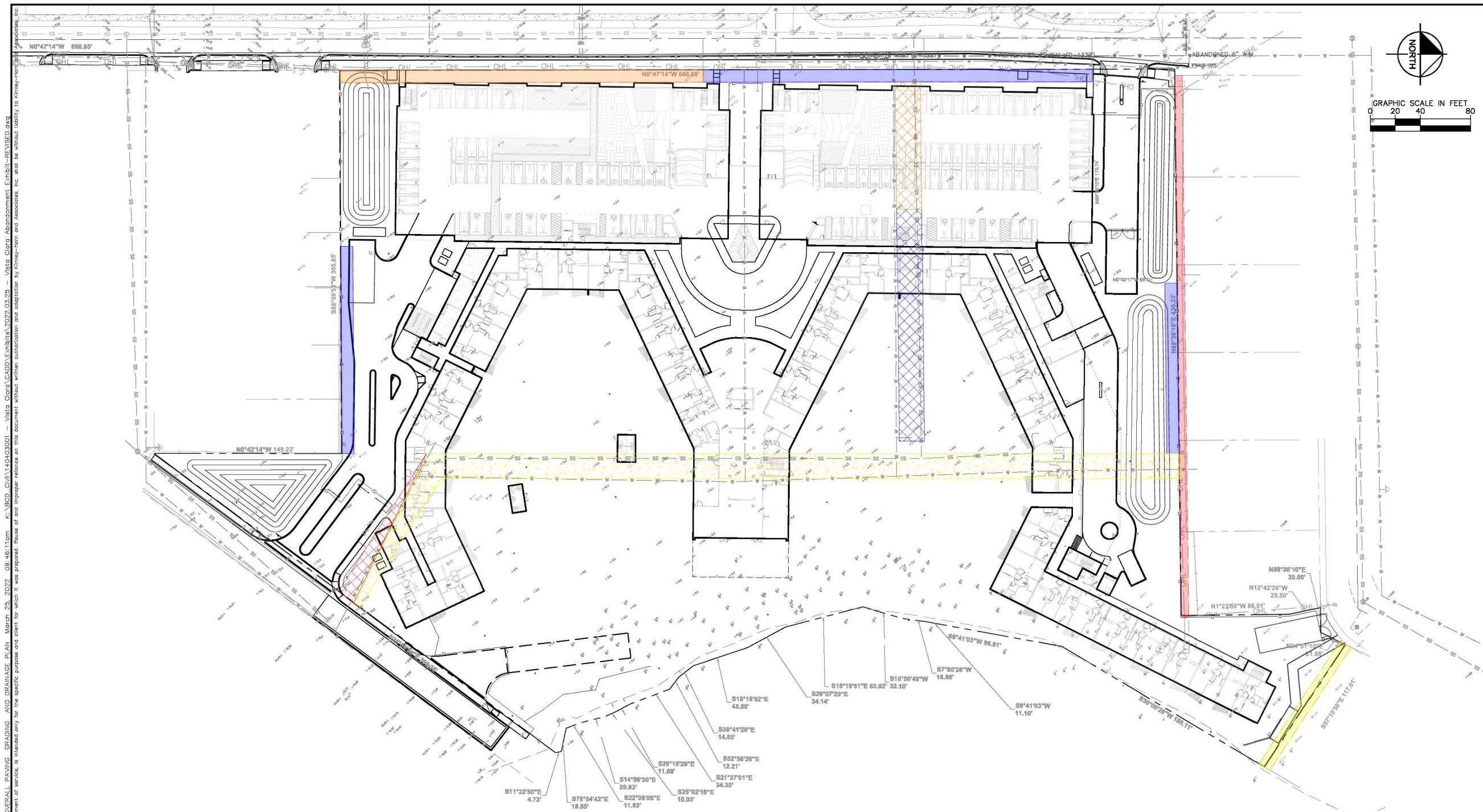
Dear Mr. Sargent:

Please let this letter serve as a notification that the City of Deerfield Beach has no objection to the proposed vacation of certain Utility and Roadway Maintenance Easements of record and portions thereof, selected for vacation and for the removal of existing City of Deerfield Beach infrastructure **(Exhibit A)** contained within said easements and confined to the development property limits as described on the attached Boundary and Topographic Survey dated 1-3-2022 **(Exhibit B)**.

Should you have any questions please call me at (954) 422-5820.

Sincerely,

Alfonso Orellana, CFM
Plans Review Engineer
City of Deerfield Beach, FL
Environmental Services



EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
2. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
3. 15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

EXHIBIT A

VERTICAL DATUM
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
811 Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

Kimley»Horn

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.

1615 S CONGRESS AVE, SUITE 200, DELRAY BEACH, FL 33445
PHONE: 561-330-2145 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

CITY ABANDONMENT EXHIBIT

VISTA CLARA

PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC

DEERFIELD BEACH FL

SHEET NUMBER
EX

Plotted By:Marenco, Michael Sheet Set:VISTA CLARA Layout:C5.00 OVERALL PAVING GRADING AND DRAINAGE PLAN March 25, 2022 08:46:11am K:\WPB_Civil\140403001 — Vista Clara\CADD\Exhibits\2022-03-25 — Vista Clara Abandonment Exhibit-REVISED.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

TITLE EXCEPTIONS

5. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

6. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

7. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

8. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 160, PAGE 23, AS AFFECTED BY THAT CERTAIN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

9. ALL MATTERS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

10. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188775, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS, COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS.(DOES AFFECT ENTIRE PROPERTY. BLANKET IN NATURE. NOT PLOTTED).

11. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2954, DATED JUNE 24, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 187, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 242, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

12. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2970, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 208, AND CORRECTIVE DEED, DATED OCTOBER 22, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 243, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

13. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2987, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 228 AND CORRECTIVE DEED, DATED JUNE 28, 1955, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED IN OFFICIAL RECORDS BOOK 413, PAGE 68, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 6006, PAGE 241 AND IN OFFICIAL RECORDS BOOK 6067, PAGE 527, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

14. RESERVATIONS, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN DEED BOOK 519, PAGE 472, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. PLOTTED HEREON).

15. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

16. EASEMENTS FOR UTILITIES AND DRAINAGE GRANTED TO THE CITY OF DEERFIELD BEACH BY EASEMENT DEEDS RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 857, OFFICIAL RECORDS BOOK 7255, PAGE 70, OFFICIAL RECORDS BOOK 7255, PAGE 71, OFFICIAL RECORDS BOOK 7255, PAGE 72, AND OFFICIAL RECORDS BOOK 7255, PAGE 73, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

17. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 155, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

18. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 7684, PAGE 156, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

19. CITY OF DEERFIELD BEACH, FLORIDA ORDINANCE NO. 1990/045, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 17657, PAGE 573, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA,. (AFFECTS LOT 6, 7 AND 8, PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.BLANKET ION NATURE. NOT P[LOTTED).

20. DECLARATION OF UNITY OF TITLE, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 24743, PAGE 119, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

21. EASEMENT GRANTED TO CITY OF DEERFIELD BEACH, FLORIDA, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27771, PAGE 73, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. PLOTTED HEREON).

22. NOTICE OF PERMIT, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 27919, PAGE 884, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED)

23. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1329 AND RELATED AGENT OF RECORD FOR NOTICE OF EXPIRATION OF ADEQUACY RECORDED IN OFFICIAL RECORDS BOOK 31395, PAGE 1336, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL AMENDMENTS THERETO, WHICH MAY PROVIDE FOR ASSOCIATION DUES, FEES AND/OR ASSESSMENTS, PRIOR APPROVAL OF SALE, IN ADDITION TO ANY EASEMENTS, RESERVATIONS, COVENANTS, BUILDING SET BACK REQUIREMENTS, OPTION TO PURCHASE, RIGHT OF FIRST REFUSAL, AND ANY SPECIAL ASSESSMENTS WHICH MAY COME DUE BUT OMITTING ANY SUCH COVENANT BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS. (DOES AFFECT PARCEL 8, BLANKET IN NATURE. NOT PLOTTED).

24. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2002-61, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 34145, PAGE 1891, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT PLOTTED).

25. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49510, PAGE 562, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

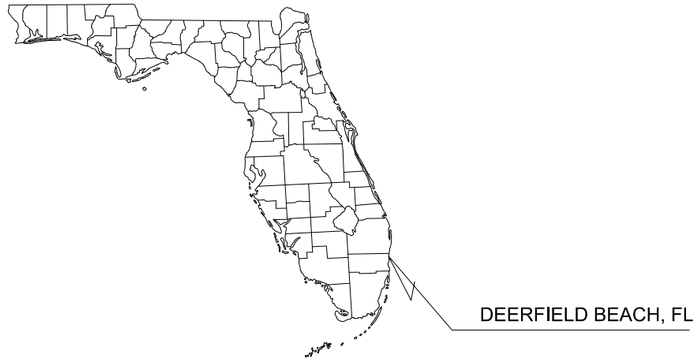
26. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 49885, PAGE 466 AND RELATED COVER PAGE FOR EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION RECORDED IN OFFICIAL RECORDS BOOK 50264, PAGE 1803, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (UNSURE OF AFFECT AS TO SPECIFIC PARCELS AS THE ENCUMBERED PROPERTY (IES) ARE IDENTIFIED BY AD VALOREM TAX PARCEL NUMBERS BUT UNSURE FOR WHICH SPECIFIC TAX YEAR/PROPERTY) (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

27. AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 50355, PAGE 1901, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTED).

28. BROWARD COUNTY, FLORIDA ORDINANCE NO. 2018-40, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115360446, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.(DOES AFFECT. BNALKET IN NATURE. NOT PLOTTED).

29. GRANT OF TELECOMMUNICATIONS EASEMENT GRANTED TO HOTWIRE COMMUNICATIONS, LTD, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 115607490, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. BLANKET IN NATURE. NOT PLOTTTED)

30. CITY OF DEERFIELD BEACH, FLORIDA RESOLUTION NO. 2020/098, AS MORE FULLY SET FORTH IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS INSTRUMENT 117188774, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (DOES AFFECT. NOT POTTED).



LEGAL DESCRIPTION

PARCEL 1:

ALL OF ANTIBES DEVELOPMENT PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 2:

ALL OF ANTIBES DEVELOPMENT PLAT II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 66 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 136 FEET THEREOF, AND FURTHER LESS THE RIGHT-OF-WAY OF NE 1ST AVENUE AS LAID OUT AND IN USE, IN SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 4:

LOTS 1, 2, 3, 4, 5, 7, 8, 9, AND 10 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, ALL OF SAID LOTS NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 5:

LOT 6 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN LOT 6. SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 6:

LOTS 11 AND 12 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 7:

LOTS 13, 14 AND 15, OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 8:

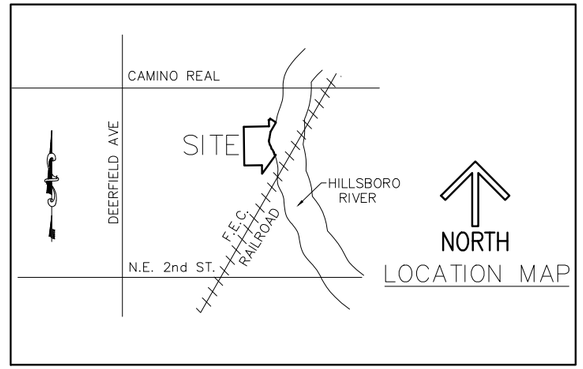
PARCELS A AND B OF PENNELL FAMILY PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 160, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 9:

LOT 7, BLOCK 1, OF RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CONTAINING A TOTAL OF 334,972 SQUARE FEET OR 7.6899 ACRES MORE OR LESS.

GROSS AREA AS HATCHED IS 8.3674 ACRES, MORE OR LESS



SURVEYOR'S NOTES:

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

2 BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°47'14" WEST ALONG THE WEST LINE OF THE PLAT OF ANTIBES DEVELOPMENT PLAT, AS RECORDED IN PLAT BOOK 150, PAGES 11 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).

3 ALL FIELD MEASURED ANGLES AND DISTANCES ARE CONSISTENT WITH THE INSTRUMENTS OF RECORD.

4. THE SURVEYOR HAS REVIEWED AMERICAN LAND TITLE ASSOCIATION COMPANY INSURANCE COMPANY TITLE COMMITMENT NUMBER 17076333O WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2021 AND ALL EASEMENTS CONTAINED THEREIN ARE PLOTTED HEREON.

5. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 AND ARE BASED ON BENCHMARK "PIONEER" WITH A PUBLISHED ELEVATION OF 9.26.

6. FLOOD ZONE: "X", "AH" (ELEV. 13'), "AE" (ELEV. 5'), COMMUNITY PANEL NO. 125101 0178 H, DATED: AUGUST 18, 2014.

7. LEGAL DESCRIPTIONS BOUNDARIES SHOWN HEREON ARE CONTIGUOUS WITHOUT GAP OR GORE.

SURVEY CERTIFICATION

CERTIFIED TO: STEWART TITLE GUARANTY COMPANY

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON 9-23-2021. I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRPAHIC SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

DATE OF MAP: 1-3-2022

David Lindley

Digitally signed by David Lindley
DN: c=US, st=FL, l=Boca Raton, o=Caulfield & Wheeler, Inc., ou=Survey, cn=David Lindley, email=dave@cwinc.com
Date: 2022.01.17 08:45:55 -05'00'

DAVID P. LINDLEY, P.L.S.
REG. LAND SURVEYOR #5005
STATE OF FLORIDA - LB #3591

EXHIBIT B

UPDATE SURVEY 4 — 9-28-21 — TMS

REVISIONS	DATE	BY
CORRECTED PARCEL 2 LEGAL TYPO	8/1/19	
UPDATE SURVEY	7/17/19	TKM
UPDATE SURVEY	6/28/19	TMS
REVISED GROSS ACREAGE	12/26/17	ACE
ADDED FLOOD ZONE INFORMATION	12/13/17	ACE

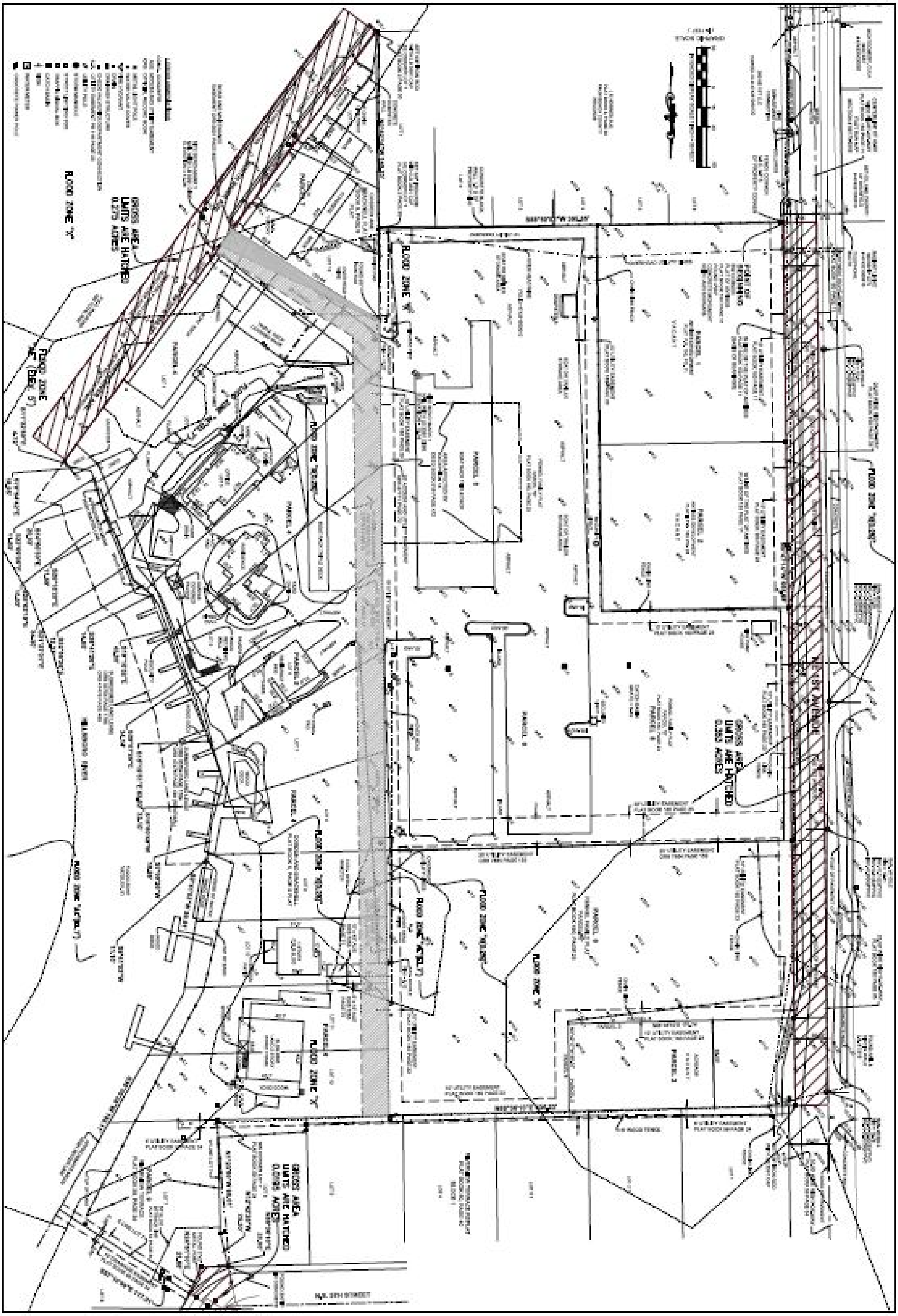
FILE NAME 7954-3 sur 1-3-2022

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

DATE AUG 2017
DRAWN BY TMS
F.B./ PG. N/A
SCALE 1"=30'

JOB # 7954-3
SHT.NO. 1
OF 2 SHEETS



BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

CALLFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING

Apr 19,2022

Please consider this as Comcast Cable Communications No Conflict letter. We do not foresee any conflict on proposed marked plans @ the location of **(Design ticket No. 062200782)**. Please contact me at Daniel_Tiburcio2@Comcast.com if you have any questions or concerns.

Thank you,

Daniel Tiburcio

Daniel Tiburcio

Construction Specl 2

3960 RCA Blvd ste 6002,

Palm Beach Gardens, FL 33410

Office 561-815-6659

Florida Power & Light Company

June 14, 2022

Deerfield Development Resources, LLC
1769 NE 33rd Street
Pompano Beach, FL 33064

ATTN: Christopher Partridge

RE: No Objection to Release of Utility Easements:

5' WIDE UTILITY EASEMENT ORB 7255 PAGE 70
15' WIDE UTILITY EASEMENT ORB 7255 PAGE 71
20' WIDE UTILITY EASEMENT ORB 7255 PAGE 72
20' WIDE UTILITY EASEMENT ORB 7255 PAGE 73
INGRESS AND UTILITY EASEMENT ORB 27771 PAGE 73
6' WIDE UTILITY EASEMENT ORB 59 PAGE 34
UTILITY EASEMENT PLAT BOOK 160 PAGE 23
20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

FPL has no objection to the abandonment of above reference utility easement lying Vista Clara Property and illustrated on attached Exhibit "A" and Exhibit "B" showing location of utility easements to be abandoned.

If you require any further information or assistance, please do not hesitate to contact me at (954) 956-2029.

Sincerely,

James Lockett
Engineering Lead

Attachment

NE 1ST AVE

NE 4TH CT

NE 1ST AVE

NE 1ST ST

N0°47'14"W 666.65'

N0°42'14"W 149.23'

S89°59'53"W 395.65'

N89°26'10"E 20.00'

N12°42'26"W 25.50'

N1°23'50"W 86.01'

S27°09'26"W 18.86'

S15°50'49"W 32.10'

S15°19'51"E 63.92'

S29°07'20"E 34.14'

S9°41'03"W 11.10'

S43°18'52"E 45.80'

S38°41'20"E 14.65'

S52°56'28"E 12.21'

S21°27'01"E 24.36'

S25°02'19"E 10.03'

S22°09'06"E 11.63'

S29°18'20"E 11.69'

S14°56'30"E 20.83'

S78°54'42"E 18.95'

S11°22'50"E 4.72'

S37°16'59"E 117.61'

NORTH

GRAPHIC SCALE IN FEET
0 20 40 80

EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 5' WIDE UTILITY EASEMENT ORB 7255 PAGE 70
2. 15' WIDE UTILITY EASEMENT ORB 7255 PAGE 71
3. 20' WIDE UTILITY EASEMENT ORB 7255 PAGE 72
4. 20' WIDE UTILITY EASEMENT ORB 7255 PAGE 73
5. INGRESS AND UTILITY EASEMENT ORB 27771 PAGE 73
6. 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
7. UTILITY EASEMENT PLAT BOOK 160 PAGE 23

Exhibit "A"

VERTICAL DATUM
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2019 KIMLEY-HORN AND ASSOCIATES, INC.
1615 S CONGRESS AVE., SUITE 201, DELRAY BEACH, FL 33445
PHONE: 561-540-1445 FAX: 561-540-1475
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

ABANDONMENT EXHIBIT

VISTA CLARA
PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC
DEERFIELD BEACH FL

SHEET NUMBER
EX

Plotted By: Nhi Sheet Set: VISTA CLARA Layout: C5.00 OVERALL PAVING GRADING AND DRAINAGE PLAN November 15, 2019 12:41:08pm K:\BOO_Civil\140403001 – Vista Clara\CADD\Exhibits\2019.11.15 – Vista Clara Abandonment Exhibit.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

NE 1ST AVE

NE 4TH CT

NE 1ST AVE

NE 4TH ST

N0°47'14"W 666.65'

N0°42'14"W 149.23'

S89°56'53"W 305.65'

N89°38'10"E 20.00'

N12°42'26"W 25.50'

N1°23'50"W 86.01'

S9°41'03"W 99.81'

S7°00'26"W 16.86'

S15°50'49"W 32.10'

S16°19'61"E 63.92'

S29°07'20"E 34.14'

S19°18'52"E 45.89'

S38°41'20"E 14.65'

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S21°27'01"E 24.30'

S25°02'19"E 10.03'

S22°09'06"E 11.63'

S78°54'42"E 18.55'

S11°22'50"E 4.72'

S9°41'03"W 11.10'

S30°48'28"W 188.11'

S57°16'09"E 117.64'

"ABANDONED 6" WM

NORTH

GRAPHIC SCALE IN FEET
0 20 40 80

EXISTING EASEMENTS TO REMAIN

- 10' UTILITY EASEMENT PLAT BOOK 150 PAGE 26
- UTILITY EASEMENT PLAT BOOK 160 PAGE 23
- 6' UTILITY EASEMENT PLAT BOOK 59 PAGE 34
- 10' DRAINAGE EASEMENT PLAT BOOK 59 PAGE 34

EXISTING EASEMENTS TO BE ABANDONED

1. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 155
2. 20' WIDE UTILITY EASEMENT ORB 7684 PAGE 156
3. 15' WIDE ROAD AND MAINTENANCE EASEMENT ORB 5631 PAGE 855

Exhibit "B"

VERTICAL DATUM
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

No.	REVISIONS	DATE	BY

Kimley»Horn

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.
1615 S CONGRESS AVE., SUITE 201, DELRAY BEACH, FL 33445
PHONE: 561-274-2324 FAX: 561-864-0475
WWW.KIMLEY-HORN.COM CA 00000696

KHA PROJECT 140403001
DATE OCT. 2019
SCALE AS SHOWN
DESIGNED BY JDH
DRAWN BY JRB
CHECKED BY JDH

CITY ABANDONMENT EXHIBIT

VISTA CLARA
PREPARED FOR
DEERFIELD DEVELOPMENT RESOURCES, LLC
DEERFIELD BEACH FL

SHEET NUMBER
EX

Plotted By: Marenco, Michael Sheet Set: VISTA CLARA Layout: C5.00 OVERALL PAVING GRADING AND DRAINAGE PLAN March 25, 2022 09:46:11am K:\BCD_CW\140403001 - Vista Clara\CADD\Exhibits\2022.03.25 - Vista Clara Abandonment Exhibit-REVISED.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purposes and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

9250 W Flagler Street
Miami, FL 33174

April 5, 2022

Broward County Planning and
Development Management Division
1 N. University Drive, Suite 102A
Plantation, Florida 33324

Request for No Objection Letter
Vista Clara Apartments Easement Abandonment
414, 430, 454 & 480 NE 1st Avenue, 240 NE 5th Street,
412, 424, 430, 446, 450 & 458 N River Drive,
409 N River Avenue
Deerfield Beach, FL

To Whom It May Concern:

Based on the information provided by Kimley-Horn, copies of which I have enclosed, there appears to be no Crown Castle Fiber facilities within the specific limits of the above-referenced locations at the Vista Clara Apartment parcels in Deerfield Beach.

As such, Crown Castle Fiber, LLC has no objection to the abandonment of the utility easements referenced. If the information provided is erroneous in any way, please notify us immediately and consider this letter of no objection rescinded.

Sincerely,
Danny Haskett

Operations Manager

March 28nd, 2022

City of Deerfield Beach

Re: Vista Clara Apartments consists of multiple properties, located at 414, 430, 454, & 480 NE 1st Avenue, 240 NE 5th Street, 412,424,430,446,450& 458 N River Drive, and 409 N River Avenue

---

To whom concern:

On behalf of Hotwire Communications this letter shall serve as a notice of "no objection" to the Following:

a. Two (2) 20' Utility Easements, ORB 7684 PG 155 and ORB 7684 PG 156 that are granted to the City of Deerfield Beach. A previous abandonment request for the overlying platted easement, PB 160 PG 23, was approved by the City but did not considered the overlayed, older easements described above. The applicant is requesting a letter of no objection to the release of these two easements, aligned with the prior approved release of the overlying Platted easement.

b. One (1) Road and Maintenance Easement ORB 5631 PG 855 which is no longer of use to the proposed development on site.

If you have any questions, please contact me at (954) 248-7396 or via email at walter.sancho-davila@hotwirecommunication.com

Sincerely,

Walter Sancho-Davila

Walter Sancho-Davila
Project Manager - OSP Engineering

From:	Guinoo, Nicole
To:	Sargent, Liam
Subject:	FW: Investigations Ticket#4330-2022 URGENT: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request
Date:	Tuesday, April 5, 2022 11:08:30 AM

From: Travis Van Wyk <TWyk@asginc.us>
Sent: Tuesday, April 5, 2022 11:06 AM
To: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Subject: Investigations Ticket#4330-2022 URGENT: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Hello, Nicole

Investigations Ticket#4330-2022

Verizon business (MCI) has no facilities in the project area.

Call Before You Dig!

Regards,

Travis Van Wyk
GIS Technician I
ASG
3301 Matrix Drive Suite 100
Richardson, TX 75082

Plan, Design, Build, Service.

From: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Sent: Tuesday, April 5, 2022 9:52 AM
To: Travis Van Wyk <TWyk@asginc.us>
Cc: Sargent, Liam <Liam.Sargent@kimley-horn.com>
Subject: URGENT: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Hi Travis,

I wanted to follow up on the information requested for the projects below. We need this ASAP. Let us know if you have any questions.

Thank you.

Nicole Guinoo
Kimley-Horn | 1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445
Direct: (561) 484-5260
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From: Guinoo, Nicole
Sent: Monday, March 28, 2022 8:43 AM
To: Travis Van Wyk <TWyk@asginc.us>
Cc: Sargent, Liam <Liam.Sargent@kimley-horn.com>
Subject: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Good Morning,

Please find attached a letter of No Objection request for Sunshine 811 Ticket Number: 062200782-000

We are hereby requesting a Letter of No Objection for two simultaneous utility easement abandonment requests detailed within the letter. Both requests, one for the City of Deerfield Beach and one for Broward County, require a signed letter of no objection from the affected utility providers. They are located on the same site.

Vista Clara Apartments consists of multiple properties, located at 414, 430, 454, & 480 NE 1st Avenue, 240 NE 5th Street, 412,424,430,446,450& 458 N River Drive, and 409 N River Avenue. See attached survey for the legal description and folio numbers.

Thank you for your response.

Nicole Guinoo
Kimley-Horn | 1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445
Direct: (561) 484-5260
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From:	Guinoo, Nicole
To:	Sargent, Liam
Subject:	FW: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request
Date:	Wednesday, April 13, 2022 8:50:25 AM
Attachments:	image002.png 2022.03.25 - Vista Clara Abandonment Broward County Exhibit.pdf 2022.03.25 - Vista Clara Abandonment City Exhibit.pdf Sunshine 811 Ticket.pdf Survey.pdf Sprint Letter of No Objection Base.doc image004.png

---

From: Klinkenberg, Mark E [CB Richard Ellis Contractor for Sprint] <Mark.Klinkenberg@t-mobile.com>
Sent: Wednesday, April 13, 2022 8:46 AM
To: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Cc: Baker, Jon <Jon.Baker@t-mobile.com>
Subject: FW: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

> You don't often get email from mark.klinkenberg@t-mobile.com. Learn why this is important

Nicole,

We have determined there is no conflict with SCCLP wireline with this notification and have no objections to the abandonment of easements. Please let me know if you need anything further.

Thank you,

Mark Klinkenberg
O: (913) 315-5209
M: (816) 309-5773 (Primary)
mark.klinkenberg@t-mobile.com
T-Mobile
T-Mobile.com | Follow T-Mobile on Twitter, Facebook and Instagram

---

From: Baker, Jon <Jon.Baker@t-mobile.com>
Sent: Tuesday, April 12, 2022 3:28 PM
To: Klinkenberg, Mark E [CB Richard Ellis Contractor for Sprint] <Mark.Klinkenberg@t-mobile.com>
Subject: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Mark,

She is requesting a no objection letter from me but doesn't a no objection letter need to come from CBRE.

Jon Baker
OSP Network Engineer - East

T-Mobile
Direct 321.280.9596 | Mobile 352.409.5095 | jon.baker@t-mobile.com
T-Mobile.com | Follow T-Mobile on Twitter, Facebook and Instagram

---

From: Guinoo, Nicole <Nicole.Guinoo@kimley-horn.com>
Sent: Tuesday, April 5, 2022 10:51 AM
To: Jon.Baker@sprint.com
Cc: Sargent, Liam <Liam.Sargent@kimley-horn.com>
Subject: URGENT: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Notice: This message was sent to your Sprint.com email address. Please notify the sender to begin using your T-Mobile.com email address.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jon,

I wanted to follow up on the information requested for the projects below. We need this ASAP. Let us know if you have any questions.

Thank you.

Nicole Guinoo
Kimley-Horn | 1615 South Congress Avenue, Suite 201
Delray Beach, FL 33445
Direct: (561) 484-5260
Connect with us: Twitter | LinkedIn | Facebook | Instagram
Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For!

From: Guinoo, Nicole
Sent: Monday, March 28, 2022 8:47 AM
To: Jon.Baker@sprint.com
Cc: Sargent, Liam <Liam.Sargent@kimley-horn.com>
Subject: Sunshine 811 Design ticket No. 062200782 | Letter of No Objection Request

Good Morning,

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providers. They are located on the same site.

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Thank you for your response.

Nicole Guinoo
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Delray Beach, FL 33445
Direct: (561) 484-5260
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City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet
File Number: I.D. 2023-13

Agenda Date: 4/4/2023

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title
Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of a community participation grant to the Deerfield Beach Economic Development Council in the amount of $20,000; providing for in-kind services; authorizing execution of the Grant Agreement; providing for an effective date. *(Funds from #001-1500-552-32-64 - Business, Recruitment and Retention)*

Recommended Action
Commission to vote on Resolution

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Fiscal Impact
Costs: $20,000
Account Name: Business Recruitment and Retention
Account Number: 001-1500-552-32-64

Background/History
As part of the approved FY 2023 Budget, the City Commission approved Community Participation Grant funding in the amount of $20,000 (the "Grant") for the Deerfield Beach Economic Development Council ("DBEDC"). The Grant is to support the DBEDC in their mission of promoting the City of Deerfield Beach to inward investment in the field of advanced industries and high-wage employers to advance the goal of creating jobs for residents and expanding the tax base. The goal of marketing the City of Deerfield Beach is contained in the City's Economic Development Strategy. The DBEDC is a community-based not-for-profit organization whose mission includes advancing these goals.

Current Activity
The DBEDC has submitted an application to the City for $20,000 in funding. Staff recommends awarding the DBEDC a Community Participation Grant in the amount of $20,000. The grant funding will be subject to the conditions set forth in City Resolution No. 2020/115, which authorizes financial contributions to local charitable and public purpose organizations. In addition to grant funding, the EDC has also requested in-kind contributions including the use of the Hillsboro Community Center for monthly meetings and Economic Development Department administrative support to schedule and take meeting minutes in the amount of $1,710.

This is a budgeted item.

Recommendation
Staff recommends approval of the item.

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF A COMMUNITY PARTICIPATION GRANT TO THE DEERFIELD BEACH ECONOMIC DEVELOPMENT COUNCIL IN THE AMOUNT OF $20,000; PROVIDING FOR IN-KIND SERVICES; AUTHORIZING EXECUTION OF THE GRANT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach ("City") believes that charitable and public purpose organizations contribute to the public welfare of the community and should be supported by the City financially to the extent these organizations assist the City in serving a valid public purpose; and

WHEREAS, Resolution 2020/115 authorizes the City Commission to make financial contributions to local charitable and public purpose organizations through a Community Participation Grant program (the "CPG Program") and provides guidelines for applying for and approval of such grants, including the authorization of City staff to review grant applications and make a funding allocation recommendation to the City Commission; and

WHEREAS, on February 23, 2023, the Deerfield Beach Economic Development Council ("DBEDC") applied for a Community Participation Grant for fiscal year 2023 in the amount of twenty thousand dollars ($20,000) to execute marketing strategies to promote the City as a prime destination for business relocation ("Grant"); and

WHEREAS, in 2021 and 2022, the City Commission awarded DBEDC a grant in the amount of $40,000 for each respective fiscal year; and

WHEREAS, during the City's fiscal year 2023 budget process, the City Commission approved a budgeted item for a CPG Program grant to DBEDC in the amount of twenty thousand dollars ($20,000) for fiscal year 2023; and

WHEREAS, in addition to the twenty thousand dollars ($20,000) in grant funding, DBEDC has requested, and City Staff supports, in-kind use of the City's Hillsboro Community Center for monthly meetings for no additional cost, and in-kind use of the City's administrative support staff to assist with scheduling DBEDC meetings, take minutes during those meetings, and distribute minutes related to those meetings at no additional cost (the "In-Kind Services"); and

WHEREAS, the grant to the DBEDC shall be subject to the terms and conditions set forth in Resolution 2020/115, and the terms and conditions of the grant agreement between the City and DBEDC, which is incorporated and attached as Exhibit "1" (the "Agreement"); and

WHEREAS, City Staff recommends the City Commission approve the DBEDC's Community Participation Grant application and the attached Agreement; and

WHEREAS, the City Commission finds that the DBEDC contributes to a valid public purpose and services the public interests of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves DBEDC's Community Participation grant application and awarding a Grant to the DBEDC in the amount of twenty thousand dollars ($20,000).

Section 3. The City Commission hereby approves DBEDC's In-Kind Services request to use the City's Hillsboro Community Center for monthly meetings and to utilize the City's administrative support staff to assist with the scheduling and taking minutes of those monthly meetings.

Section 4. The City Commission hereby approves the Agreement with the DBEDC, attached as Exhibit "1."

Section 5. The City Manager is hereby authorized to execute the Agreement with DBEDC, attached as Exhibit "1," together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 6. The appropriate City officials are authorized to take all necessary steps to implement the aims of this Resolution.

Section 7. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2023.

CITY OF DEERFIELD BEACH

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

GRANT AGREEMENT BETWEEN THE CITY OF DEERFIELD BEACH AND THE DEERFIELD BEACH ECONOMIC DEVELOPMENT COUNCIL

This grant agreement ("Agreement") is made and entered into this ____ day of _____ 2023, ("Effective Date") between the City of Deerfield Beach, Florida, (the "CITY") and the Deerfield Beach Economic Development Council (the "GRANTEE"), as follows:

WHEREAS, the GRANTEE submitted to the CITY a community participation grant application in compliance with Resolution No. 2020/115; and

WHEREAS, on April 4, 2023, the Deerfield Beach City Commission passed Resolution No. _____, awarding $20,000 in grant funds (the "Grant Funds") to the GRANTEE and in-kind use of the CITY's Hillsboro Community Center for GRANTEE's monthly meetings as well as in-kind use of the CITY's administrative staff to assist with the scheduling of those meetings; and

WHEREAS, Resolution No. 2020/115 requires the Grantee to enter an agreement with the CITY before receiving the Grant Funds.

NOW THEREFORE, for and in consideration of the mutual covenants and promises as hereinafter set forth and of the faithful performance of all such covenants and conditions, the CITY and the GRANTEE hereby agree as follows:

1. **Recitations.** The above recitations are true and accurate and are hereby made a part of this Agreement.

2. **Scope of Services.** The Grant Funds will be used to market and promote the City of Deerfield Beach for economic development as further detailed in the scope of services attached as **Exhibit A**, which is incorporated herein by reference (the "Scope of Services").

3. **Purpose of this Agreement.** The purpose of this Agreement is to provide financial assistance to the GRANTEE for completion of the Scope of Services, to state the terms and conditions upon which Grant Funds will be provided, and to set forth the manner in which the Scope of Services will be undertaken and completed.

4. **Term.** This Agreement shall commence on the Effective Date and shall continue until September 30, 2023, unless terminated earlier as provided in this Agreement (the "Term"). At the expiration of the Term, any unexpended Grant Funds paid under this Agreement shall be returned to the CITY within ten (10) calendar days from the Term's expiration.

5. **Payment.** The CITY agrees to provide the GRANTEE the Grant Funds in an amount not to exceed $20,000 for the Scope of Services during the Term, to be expended in accordance with **Exhibit A**. The Grant Funds may be used to cover project expenses incurred from October 1, 2022 through the grant Term end date, September 30, 2023.

6. **GRANTEE's Use of Hillsboro Community Center.** At the CITY's discretion and based on availability, GRANTEE may use the Hillsboro Community Center for its monthly meetings during the Term of this Agreement at no additional cost to GRANTEE. GRANTEE shall comply with all CITY rules, regulations and policies regarding the use of CITY facilities.

7. **GRANTEE's Use of Administrative Support Staff.** At the CITY's discretion, the CITY will identify one administrative staff person to assist with and attend GRANTEE's monthly meetings during the Term of this Agreement. Such assistance shall be limited to the following tasks during the Term: (1) scheduling GRANTEE's meetings; (2) attending each meeting; (3) taking minutes during the meeting; and (4) distributing the meeting minutes to GRANTEE's members.

8. **Required Reporting.** The GRANTEE shall submit a Semi-Annual Progress Report and an Exit Report to the CITY's Legislative and Community Affairs Department. The CITY shall provide GRANTEE with the reporting forms. The GRANTEE shall complete the reports in their entirety and provide them to the CITY by the due date specified below. Failure to comply with the reporting requirements shall constitute a breach of this Agreement and may result in GRANTEE repaying the Grant Funds to the CITY and GRANTEE'S disqualification from future grant cycles.

    a) The Semi-Annual Progress Report shall conform to the form attached as **Exhibit B** and is due on or before May 22, 2023. It shall include a project status update, percentage of work completed, and the total amount of project expenditures incurred to date.

    b) The Exit Report shall conform to the form attached as **Exhibit C** and is due on the Agreement end date, September 30, 2023. The report shall include project accomplishments and demonstrate that the Grant Funds were used for its intended purpose. It must include documentation of all expenditures incurred such as paid invoices/receipts, canceled checks, payroll detail, bank statements etc.

9. **Termination.** The CITY shall have the right in its sole discretion to terminate this Agreement with or without cause by giving seven (7) calendar days' notice to GRANTEE. In the event that the CITY gives notice of termination pursuant to this Agreement, GRANTEE shall, upon receipt of said notice, immediately cease all activities that may cause additional funds to be spent, and shall return all unexpended grant funds to the CITY within ten (10) calendar days from the date of termination. If the CITY terminates this Agreement due to GRANTEE'S breach of the Agreement, GRANTEE shall be required to repay the Grant Funds and may be subject to disqualification from future grant cycles.

10. **Scrutinized Companies List.**

    A. GRANTEE certifies that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the CITY

may immediately terminate this Agreement at its sole option if the GRANTEE or its subcontractors are found to have submitted a false certification; or if the GRANTEE, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the Term of the Agreement.

B. If this Agreement is for more than one million dollars, the GRANTEE certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the CITY may immediately terminate this Agreement at its sole option if the GRANTEE, its affiliates, or its subcontractors are found to have submitted a false certification; or if the GRANTEE, its affiliates, or its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the Term of the Agreement.

C. The GRANTEE agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

D. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

11. Coordination of Services. The CITY's primary representative/liaison during the performance of this Agreement shall be the City Manager or designee.

12. Notices. Any notices or documents provided for in this Agreement shall be in writing to the address set forth below:

CITY:	David Santucci, City Manager City of Deerfield Beach 150 NE 2 Street Deerfield Beach, FL 33441
With a copy to:	Anthony Soroka, City Attorney Weiss Serota Helfman Cole & Bierman P.L. 2255 Glades Rd., Suite 200-E Boca Raton, FL 33431
GRANTEE:	Bob Birdsong, Chairperson Deerfield Beach Economic Development Council 10 Fairway Drive Deerfield Beach, FL 33441

13. Prior Agreements. This Agreement terminates any and all prior agreements between the parties, and any such agreements shall be of no further force and effect.

14. Insurance.

A. The GRANTEE shall carry and keep in force, at all times during the Term, an insurance policy affording general liability insurance with combined bodily injury limits of at least two hundred thousand dollars ($200,000) per person and three hundred thousand dollars ($300,000) each occurrence, and property damage insurance of at least two hundred thousand dollars ($200,000) each occurrence. Said insurance policy shall list the CITY as additional insured and shall be issued by companies licensed to do business in the State of Florida.

B. The GRANTEE shall provide to the CITY certificates showing the required coverage to be in effect with endorsements showing the CITY to be an additional insured prior to commencing any work under this Agreement. The certificates and policies shall provide that in the event of any material change in or cancellation of the policies reflecting the required coverage, thirty calendar (30) days' advance notice shall be given to the CITY or as provided in accordance with Florida law.

C. GRANTEE must comply with this section before the CITY will disburse the Grant Funds to GRANTEE.

15. Indemnification. The GRANTEE shall indemnify, defend, and hold harmless the CITY, its directors, commissioners, officers, agents, volunteers and employees from all liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, in connection with or arising directly or indirectly out of the acts or omissions of the GRANTEE and other persons employed or utilized by the GRANTEE, to the fullest extent permitted by law. Nothing in this Agreement shall be deemed or treated as a waiver by the CITY of any immunity to which it is entitled by law, including but not limited to the CITY's sovereign immunity as set forth in Section 768.28, Florida Statutes. This paragraph shall survive termination of this Agreement.

16. Representation Of Authority. Each individual executing this Agreement on behalf of a party hereto represents and warrants that he or she is, on the date he or she signs this Agreement, duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.

17. Governing Law, Venue, and Waiver of Jury Trial. This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any proceedings arising out of this Agreement shall be proper exclusively in Broward County, Florida. IN THE EVENT OF ANY LITIGATION ARISING OUT OF THIS AGREEMENT, EACH PARTY HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVES ITS RIGHT TO TRIAL BY JURY.

18. Audit Right and Retention of Records.

A. During the Term of this Agreement and for three (3) years following the Agreement's expiration, the CITY shall have the right to audit the books, records, and accounts of the GRANTEE and its subcontractors that are related to this Agreement. The GRANTEE and its subcontractors shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to this Agreement. All books, records, and accounts of the GRANTEE and its subcontractors shall be kept in written form, or in a form capable of conversion into written form within a reasonable time, and upon request to do so, the GRANTEE or its subcontractors, as applicable, shall make same available at no cost to the CITY in written form.

B. The GRANTEE and its subcontractors shall preserve and make available, at reasonable times for examination and audit by the CITY, all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for the required retention period of the Florida Public Records Act, Chapter 119, Florida Statutes, as may be amended from time to time but, in any event, for a minimum period of three (3) years after termination of this Agreement. If any audit has been initiated and audit findings have not been resolved at the end of the retention period or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings. If the Florida Public Records Act is determined by the CITY to be applicable to the GRANTEE's and its subcontractors' records, the GRANTEE and its subcontractors shall comply with all requirements thereof; however, no confidentiality or non-disclosure requirement of either federal or state law shall be violated by the GRANTEE or its subcontractors. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for the CITY's disallowance and recovery of any payment upon such entry.

C. The GRANTEE shall:

i. Keep and maintain public records required by the CITY to perform the Scope of Services.

ii. Upon request by the CITY's custodian of public records, provide the CITY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.

iii. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Term and following completion of the Agreement if the GRANTEE does not transfer the records to the CITY.

iv. Upon completion of the Agreement, transfer, at no cost, to the CITY all public records in possession of the GRANTEE or keep and maintain public records required by the CITY to perform the Scope of Services. If the GRANTEE transfers all public records to the CITY upon completion of the Agreement, the GRANTEE shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the GRANTEE keeps and maintains public records upon completion of the Agreement, the GRANTEE shall

meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CITY, upon request from the CITY's custodian of records, in a format that is compatible with the information technology systems of the CITY. No confidentiality or non-disclosure requirement of either federal or state law shall be violated by GRANTEE or its subcontractors. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for OWNER'S disallowance and recovery of any payment upon such entry. GRANTEE shall, by written Agreement, require any of its subcontractors performing under this Agreement to agree to the requirements and obligations of this Section.

D. IF THE GRANTEE HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE GRANTEE'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (954-480-4215, WEB.CLERK@DEERFIELD-BEACH.COM, CITY OF DEERFIELD BEACH, CITY CLERK'S OFFICE, 150 NE 2ND AVENUE, DEERFIELD BEACH, FL 33441).

15. **Assignment.** Neither party to this Agreement nor any interest herein shall be assigned, transferred, or encumbered without the written consent of the other party.

16. **Compliance with Law.** The GRANTEE shall comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to the Scope of Services. Execution of this Agreement constitutes a certification that the GRANTEE is in compliance with all requirements imposed by applicable federal, state, and local laws and regulations.

17. **Materiality and Waiver of Breach.** The CITY and the GRANTEE agree that each requirement, duty, and obligation set forth herein was bargained for at arms-length and is agreed to by the parties in exchange for quid pro quo, that each is substantial and important to the formation of this Agreement and that each is, therefore, a material term hereof. The CITY's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.

18. **Entire Agreement.** The parties agree that this is the entire Agreement between the parties. This Agreement cannot be amended or modified without the express written consent of both parties.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed.

FOR CITY

ATTEST:

CITY OF DEERFIELD BEACH, FLORIDA, a municipal corporation of the State of Florida.

_____
City Clerk

_____
David Santucci, City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Anthony Soroka, City Attorney
Weiss Serota Helfman Cole & Bierman, P.L.

GRANTEE

(CORPORATE SEAL)

ATTEST:

By:

_____

_____

EXHIBIT A
SCOPE OF SERVICES

A. GRANTEE's name, address and federal employer identification number

Deerfield Beach Economic Development Council
PO BOX 11025
Fort Lauderdale, FL 33339
82-2690110

B. Give a detailed description of the services and/or goods sought to be provided with the Grant Funds

Position the City of Deerfield Beach as the region's premier business relocation destination and the EDC as a job growth engine through strategic marketing such as:

- Website design & online tools aimed at business recruitment
- Media Relations: A proactive approach to generating positive media about business climate in Deerfield Beach
- Events: industry and networking events to develop relationships, expand networks, and provide opportunities for media exposure.

C. Give a description of the needs in the community which would be served by the above-described services/goods

Improve cooperation of business visitation and expansion programs with local, county and state entities.
Market Deerfield Beach as a prime destination for business relocation

D. Provide a detailed costs-budget, with costs broken down and itemized as specifically as possible

a. Two Economic Development Events per year at $7,500 each $15,000
b. Website content update $ 5,000
c. In-kind usage of Hillsboro Community Center for monthly Meetings of 1.5 hours, valued at $75 per day for a total of $900
d. In-kind City's administrative support for 12 meeting scheduling and 12 meeting minutes and distribution, valued at 22.50 per hour for a total of $810

EXHIBIT B
SEMI-ANNUAL PROGRESS REPORT FORM

EXHIBIT C
EXIT REPORT FORM

City of Deerfield Beach
Community Participation Grant Application
Fiscal Year 2023 Cycle

Please read the Community Participation Grant Guidelines prior to completing this application. Submit completed applications and required documents electronically by May 31, 2022, to CommunityServices@deerfield-beach.com and anicholas@deerfield-beach.com.

1. Basic Information

Name of Applicant Organization: Deerfield Beach Economic Development Council

Federal Tax ID Number: 82-2690110

Organization Address: 10 FairwDr., #125 Deerfield Beach, FL 33441

Contact Person: Bob Birdsong Title: Chair

Telephone Number: 9545015547 Email Address: bobbirdsong95@gmail.com

Grant Request Information

2. Amount of Grant Request: $20,000.00

Note: *The City of Deerfield Beach reserves the right to award less funds than requested. Applicants should be prepared to discuss what a reduction would look like for the project.*

3. Did the organization apply for and/or receive Community Participation Grant in 2020, 2021, and/or 2022?

- ■ Applied, awarded more than once
- ☐ Applied, awarded once
- ☐ Applied, not awarded
- ☐ Did not apply

4. What is the organization's primary purpose?

PURPOSE: A consensus building platform where the private and public sectors focus resources, energy,and talent on a regional action plan to promote the growth of high skilled and high wage jobs in DFB

MISSION: To advance the economic prosperity of Deerfield Beach through strategic alliance, regional collaboration and planned events

Project Details

5. Provide a summary of the project/program.

   Marketing: Position the City of Deerfied Beach as the region's premier business relocation destination and the EDC as a job growth engine

6. Identify and describe existing needs in the community that the project/program will address.

   Improve cooperation of business visitation and expansion programs with local, county and state entities.

   Market Deerfield Beach as a prime destination for business relocation

7. Describe the goals and objectives of the project/program. Provide performance metrics and explain how each will be measured.

   Facilitiate the relocation of 2-5 medium to large size business entities into Deerfiel

Required Documents

The following documents are required with all applications.

- ☒ Detailed itemized budget (Exhibit 1 – Budget Sheet)
- ☒ Current Copy of IRS W-9 Form
- ☒ Copy of IRS letter or certificate, verifying the tax-exempt status
- ☒ Copy of Tax Returns for the three (3) most recent years
- ☒ List of Board of Directors
- ☒ Articles of Incorporation
- ☒ List of monetary and/or in-kind donations from the City

Additional documents may be required during the application review process, at the City's discretion. Applicants will be notified in such cases.

Awardees will be required to submit an Exit Report at the end of the grant agreement. Visit the Community Participation Grant web page for the Exit Report template.

I certify that the statements and documents submitted herein are true and the funds requested adhere to the Community Participation Grant guidelines.

Bob Birdsong	Chair
Print Name	Title
Robert Birdsong Digitally signed by Robert Birdsong DN: cn=Robert Birdsong, o, ou, email=bobb@okgenerators.com, c=US Date: 2023.02.24 09:40:49 -05'00'	02/23/2023
Signature	Date

EXHIBIT 1:
COMMUNITY PARTICIPATION GRANT
BUDGET SHEET

NAME OF ORGANIZATION:

Please complete the itemized budget sheet below for the Community Participation Grant.

ITEM	ITEM DESCRIPTION	QUANTITY NEEDED	UNIT COST	TOTAL COST
Outreach	Outreach and Marketing	1	$ 20,000.00	$ 20,000.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
			$ 0.00	$ 0.00
GRAND TOTAL				$ 20,000.00

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Deerfield Beach Economic Development Council, Inc

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☑ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
373 N river Ave

Requester's name and address (optional)

6 City, state, and ZIP code
Deerfield Beach, Fl 33441

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

or

Employer identification number
8 2 - 2 6 9 0 1 1 0

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ _____ Date ▶ 1/24/23

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

IRS Department of the Treasury
Internal Revenue Service

CINCINNATI OH 45999-0038

In reply refer to: 0256430001
Oct. 03, 2018 LTR 4168C 0
82-2690110 000000 00
00015472
BODC: TE

DEERFIELD BEACH ECONOMIC
DEVELOPMENT COUNCIL
%DANIELLE
2405 N UNIVERSITY DR
CORAL SPRINGS FL 33065

008398

Employer ID number: 82-2690110
Form 990 required: Yes

Dear Taxpayer:

We're responding to your request dated Sep. 26, 2018, about your tax-exempt status.

We issued you a determination letter in May,2018, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(6).

Because you're not an organization described in IRC Section 170(c), donors can't deduct contributions they make to you. You should advise your contributors that their contributions to you aren't deductible.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific time).

Thank you for your cooperation.

State of Florida
Department of State

I certify from the records of this office that DEERFIELD BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. is a corporation organized under the laws of the State of Florida, filed on September 7, 2017, effective September 5, 2017.

The document number of this corporation is N17000009230.

I further certify that said corporation has paid all fees due this office through December 31, 2023, that its most recent annual report/uniform business report was filed on February 24, 2023, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Twenty-fourth day of February, 2023

Secretary of State

Tracking Number: 3021373717CR

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

2023 FLORIDA NOT FOR PROFIT CORPORATION REINSTATEMENT

FILED
Feb 24, 2023
Secretary of State
3021373717CR

DOCUMENT# N17000009230

Entity Name: DEERFIELD BEACH ECONOMIC DEVELOPMENT COUNCIL, INC.

Current Principal Place of Business:

2664 NE 37 DRIVE
FORT LAUDERDALE, FL 33308

Current Mailing Address:

PO BOX 11025
FORT LAUDERDALE, FL 33339 US

FEI Number: 82-2690110

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BIRDSONG, ROBERT
2664 NE 37TH DR
FT LAUD, FL 33308 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: ROBERT BIRDSONG 02/24/2023

Electronic Signature of Registered Agent — Date

Officer/Director Detail :

Title	D
Name	BIRDSONG, ROBERT W
Address	2664 NE 37TH DR
City-State-Zip:	FT LAUD FL 33308

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: ROBERT BIRDSONG CHAIRMAN 02/24/2023

Electronic Signature of Signing Officer/Director Detail — Date

Form **990-EZ**

Department of the Treasury
Internal Revenue Service

Short Form
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form, as it may be made public.

▶ Go to *www.irs.gov/Form990EZ* for instructions and the latest information.

OMB No. 1545-0047

2020

Open to Public Inspection

A For the 2020 calendar year, or tax year beginning 10/01/20 , and ending 09/30/21

B Check if applicable:
- ☐ Address change
- ☐ Name change
- ☐ Initial return
- ☐ Final return/terminated
- ☐ Amended return
- ☐ Application pending

C Name of organization
Deerfield Beach Economic Development Council Inc

Number and street (or P.O. box, if mail is not delivered to street address) | Room/suite
10 Fairway Dr STE 125

City or town, state or province, country, and ZIP or foreign postal code
DEERFIELD BEACH FL 33441

D Employer identification number
82-2690110

E Telephone number
954-547-5725

F Group Exemption Number ▶

G Accounting Method: ☒ Cash ☐ Accrual Other (specify) ▶

H Check ▶ ☒ if the organization is **not** required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

I **Website:** www.deerfieldbeachedc.com

J **Tax-exempt status** (check only one) — ☐ 501(c)(3) ☒ 501(c) (6) ◀ (insert no.) ☐ 4947(a)(1) or ☐ 527

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other

L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are $200,000 or more, or if total assets (Part II, column (B)) are $500,000 or more, file Form 990 instead of Form 990-EZ ▶ $ 85,998

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)

Check if the organization used Schedule O to respond to any question in this Part I ☒

Revenue	1	Contributions, gifts, grants, and similar amounts received			1 85,998
	2	Program service revenue including government fees and contracts			2
	3	Membership dues and assessments			3
	4	Investment income			4
	5a	Gross amount from sale of assets other than inventory	5a		
	b	Less: cost or other basis and sales expenses	5b		
	c	Gain or (loss) from sale of assets other than inventory (subtract line 5b from line 5a)			5c
	6	Gaming and fundraising events:			
	a	Gross income from gaming (attach Schedule G if greater than $15,000)	6a		
	b	Gross income from fundraising events (not including $ _____ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds $15,000)	6b		
	c	Less: direct expenses from gaming and fundraising events	6c		
	d	Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)			6d
	7a	Gross sales of inventory, less returns and allowances	7a		
	b	Less: cost of goods sold	7b		
	c	Gross profit or (loss) from sales of inventory (subtract line 7b from line 7a)			7c
	8	Other revenue (describe in Schedule O)			8
	9	**Total revenue.** Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8 ▶			9 85,998
Expenses	10	Grants and similar amounts paid (list in Schedule O)			10
	11	Benefits paid to or for members			11
	12	Salaries, other compensation, and employee benefits			12 87,771
	13	Professional fees and other payments to independent contractors			13
	14	Occupancy, rent, utilities, and maintenance			14 5,762
	15	Printing, publications, postage, and shipping			15 56
	16	Other expenses (describe in Schedule O)			16 30,148
	17	**Total expenses.** Add lines 10 through 16 ▶			17 123,737
Net Assets	18	Excess or (deficit) for the year (subtract line 17 from line 9)			18 -37,739
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)			19 21,497
	20	Other changes in net assets or fund balances (explain in Schedule O)			20
	21	Net assets or fund balances at end of year. Combine lines 18 through 20 ▶			21 -16,242

FOR CLIENT REVIEW

For Paperwork Reduction Act Notice, see the separate instructions. Form **990-EZ** (2020)

DAA

Part II Balance Sheets (see the instructions for Part II)
Check if the organization used Schedule O to respond to any question in this Part II ..... [X]

	(A) Beginning of year		(B) End of year
22 Cash, savings, and investments	73,994	22	36,255
23 Land and buildings	0	23	
24 Other assets (describe in Schedule O)	0	24	
25 **Total assets**	73,994	25	36,255
26 **Total liabilities** (describe in Schedule O)	52,497	26	52,497
27 **Net assets or fund balances** (line 27 of column (B) **must** agree with line 21)	21,497	27	-16,242

Part III Statement of Program Service Accomplishments (see the instructions for Part III)
Check if the organization used Schedule O to respond to any question in this Part III ..... [ ]

Expenses (Required for section 501(c)(3) and 501(c)(4) organizations; optional for others.)

What is the organization's primary exempt purpose?
To promote the city of Deerfield Beach as a business destination.

Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. In a clear and concise manner, describe the services provided, the number of persons benefited, and other relevant information for each program title.

28 A non-profit private public partnership to promote the city of Deerfield Beach as a business destination.

(Grants $) If this amount includes foreign grants, check here ▶ [ ] 28a

29

(Grants $) If this amount includes foreign grants, check here ▶ [ ] 29a

30

(Grants $) If this amount includes foreign grants, check here ▶ [ ] 30a

31 Other program services (describe in Schedule O)
(Grants $) If this amount includes foreign grants, check here ▶ [ ] 31a

32 **Total program service expenses** (add lines 28a through 31a) ▶ 32

FOR CLIENT REVIEW

Part IV List of Officers, Directors, Trustees, and Key Employees (list each one even if not compensated — see the instructions for Part IV)
Check if the organization used Schedule O to respond to any question in this Part IV ..... [ ]

(a) Name and title	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC) (if not paid, enter -0-)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation
David Mirantz Executive Director	50.00	80,000	0	0

Part V Other Information (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V.) Check if the organization used Schedule O to respond to any question in this Part V ☐

			Yes	No
33	Did the organization engage in any significant activity not previously reported to the IRS? If "Yes," provide a detailed description of each activity in Schedule O	33		X
34	Were any significant changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the amended documents if they reflect a change to the organization's name. Otherwise, explain the change on Schedule O. See instructions	34		X
35a	Did the organization have unrelated business gross income of $1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)?	35a		X
b	If "Yes" to line 35a, has the organization filed a Form 990-T for the year? If "No," provide an explanation in Schedule O	35b		
c	Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year? If "Yes," complete Schedule C, Part III	35c		X
36	Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N	36		X
37a	Enter amount of political expenditures, direct or indirect, as described in the instructions ▶ 37a			
b	Did the organization file **Form 1120-POL** for this year?	37b		X
38a	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee; **or** were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return?	38a		X
b	If "Yes," complete Schedule L, Part II, and enter the total amount involved 38b			
39	Section 501(c)(7) organizations. Enter:			
a	Initiation fees and capital contributions included on line 9 39a			
b	Gross receipts, included on line 9, for public use of club facilities 39b			
40a	Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911 ▶ ; section 4912 ▶ ; section 4955 ▶			
b	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I	40b		
c	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 ▶			
d	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization ▶			
e	All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T	40e		X

FOR CLIENT REVIEW

41 List the states with which a copy of this return is filed ▶ None

42a The organization's books are in care of ▶ David Mirantz Telephone no. ▶ 954-547-5725

Located at ▶ 7800 NW 87th Ave Tamarac FL ZIP + 4 ▶ 33321

			Yes	No
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country ▶ See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).	42b		X
c	At any time during the calendar year, did the organization maintain an office outside the United States? If "Yes," enter the name of the foreign country ▶	42c		X
43	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of **Form 1041 —** Check here ▶ ☐ and enter the amount of tax-exempt interest received or accrued during the tax year ▶ 43			

			Yes	No
44a	Did the organization maintain any donor advised funds during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ	44a		X
b	Did the organization operate one or more hospital facilities during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ	44b		X
c	Did the organization receive any payments for indoor tanning services during the year?	44c		X
d	If "Yes" to line 44c, has the organization filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O	44d		
45a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	45a		X
b	Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," Form 990 and Schedule R may need to be completed instead of Form 990-EZ. See instructions	45b		X

			Yes	No
46	Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	46		X

Part VI Section 501(c)(3) Organizations Only

All section 501(c)(3) organizations must answer questions 47–49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI ☐

			Yes	No
47	Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II	47		
48	Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	48		
49a	Did the organization make any transfers to an exempt non-charitable related organization?	49a		
b	If "Yes," was the related organization a section 527 organization?	49b		

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees, and key employees) who each received more than $100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation

f Total number of other employees paid over $100,000 ▶

FOR CLIENT REVIEW

51 Complete this table for the organization's five highest compensated independent contractors who each received more than $100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation

d Total number of other independent contractors each receiving over $100,000 ▶

52 Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations must attach a completed Schedule A ▶ ☐ Yes ☐ No

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer Date

David Mirantz Executive Director

Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Kenneth Josephy, CPA	Kenneth Josephy, CPA	07/22/22		P01243108

Firm's name ▶ Josephy & Co, PA CPA Firm's EIN ▶ 26-0368635

Firm's address ▶ 2405 N University Dr
Coral Springs, FL 33065-4006 Phone no. 954-575-7272

May the IRS discuss this return with the preparer shown above? See instructions ▶ ☒ Yes ☐ No

SCHEDULE O (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or 990-EZ.

▶ Go to *www.irs.gov/Form990* for the latest information.

OMB No. 1545-0047

2020

Open to Public Inspection

Name of the organization: Deerfield Beach Economic Development Council Inc

Employer identification number: 82-2690110

Form 990-EZ, Part I, Line 16 - Other Expenses

Description	Amount
Expenses	
Advertising and Promotion	$ 5,000
Office	$ 636
Information Technology	$ 5,909
Insurance	$ 4,749
DUES & SUBSCRIPTIONS	$ 4,382
EVENT EXPENSE	$ 8,643
OTHER	$ 65
PARKING & TOLLS	$ 33
PROFESSIONAL FEES	$ 600
TAXES & LICENSES	$ 131
Total	$ 30,148

FOR CLIENT REVIEW

Form 990-EZ, Part II, Line 26 - Other Liabilities

Description	Beg. of Year	End of Year
DUE TO DM	$ 97	$ 97
SBA EIDL LOAN	$ 52,400	$ 52,400

			Yes	No
46	Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	46		X

Part VI Section 501(c)(3) Organizations Only

All section 501(c)(3) organizations must answer questions 47–49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI ☐

			Yes	No
47	Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II	47		
48	Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	48		
49a	Did the organization make any transfers to an exempt non-charitable related organization?	49a		
b	If "Yes," was the related organization a section 527 organization?	49b		

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees, and key employees) who each received more than $100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation

f Total number of other employees paid over $100,000 ▶

FOR CLIENT REVIEW

51 Complete this table for the organization's five highest compensated independent contractors who each received more than $100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation

d Total number of other independent contractors each receiving over $100,000 ▶

52 Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations must attach a completed Schedule A ▶ ☐ Yes ☐ No

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer

Date

David Mirantz Executive Director

Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Kenneth Josephy, CPA	Kenneth Josephy, CPA	07/22/22		P01243108

Firm's name ▶ Josephy & Co, PA CPA Firm's EIN ▶ 26-0368635

Firm's address ▶ 2405 N University Dr Coral Springs, FL 33065-4006 Phone no. 954-575-7272

May the IRS discuss this return with the preparer shown above? See instructions ▶ ☒ Yes ☐ No

SCHEDULE O (Form 990 or 990-EZ)	Supplemental Information to Form 990 or 990-EZ	OMB No. 1545-0047
Department of the Treasury Internal Revenue Service	Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information. ▶ Attach to Form 990 or 990-EZ. ▶ Go to *www.irs.gov/Form990* for the latest information.	2020 Open to Public Inspection

Name of the organization	Employer identification number
Deerfield Beach Economic Development Council Inc	82-2690110

Form 990-EZ, Part I, Line 16 - Other Expenses

Description	Amount
Expenses	
Advertising and Promotion	$ 5,000
Office	$ 636
Information Technology	$ 5,909
Insurance	$ 4,749
DUES & SUBSCRIPTIONS	$ 4,382
EVENT EXPENSE	$ 8,643
OTHER	$ 65
PARKING & TOLLS	$ 33
PROFESSIONAL FEES	$ 600
TAXES & LICENSES	$ 131
Total	$ 30,148

FOR CLIENT REVIEW

Form 990-EZ, Part II, Line 26 - Other Liabilities

Description	Beg. of Year	End of Year
DUE TO DM	$ 97	$ 97
SBA EIDL LOAN	$ 52,400	$ 52,400

Form **990-EZ**

Department of the Treasury
Internal Revenue Service

Short Form
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form as it may be made public.

▶ Go to *www.irs.gov/Form990EZ* for instructions and the latest information.

OMB No. 1545-1150

2018

Open to Public Inspection

A For the 2018 calendar year, or tax year beginning 10/01/18 , and ending 09/30/19

B Check if applicable:
- ☐ Address change
- ☐ Name change
- ☐ Initial return
- ☐ Final return/terminated
- ☐ Amended return
- ☐ Application pending

C Name of organization
Deerfield Beach Economic Development Council Inc

Number and street (or P.O. box, if mail is not delivered to street address) | Room/suite
10 Fairway Dr STE 125

City or town, state or province, country, and ZIP or foreign postal code
DEERFIELD BEACH FL 33441

D Employer identification number
82-2690110

E Telephone number
954-547-5725

F Group Exemption Number ▶

G Accounting Method: ☐ Cash ☒ Accrual Other (specify) ▶

H Check ▶ ☒ if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

I Website: www.deerfieldbeachedc.com

J Tax-exempt status (check only one) — ☐ 501(c)(3) ☒ 501(c) (6) ◀ (insert no.) ☐ 4947(a)(1) or ☐ 527

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other

L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are $200,000 or more, or if total assets (Part II, column (B)) are $500,000 or more, file Form 990 instead of Form 990-EZ ▶ $ 115,000

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)

Check if the organization used Schedule O to respond to any question in this Part I ☒

Revenue	1	Contributions, gifts, grants, and similar amounts received	1	115,000
	2	Program service revenue including government fees and contracts	2	
	3	Membership dues and assessments	3	
	4	Investment income	4	
	5a	Gross amount from sale of assets other than inventory — 5a		
	b	Less: cost or other basis and sales expenses — 5b		
	c	Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)	5c	
	6	Gaming and fundraising events:		
	a	Gross income from gaming (attach Schedule G if greater than $15,000) — 6a		
	b	Gross income from fundraising events (not including $ _____ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds $15,000) — 6b		
	c	Less: direct expenses from gaming and fundraising events — 6c		
	d	Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)	6d	
	7a	Gross sales of inventory, less returns and allowances — 7a		
	b	Less: cost of goods sold — 7b		
	c	Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)	7c	
	8	Other revenue (describe in Schedule O)	8	
	9	**Total revenue.** Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8 ▶	9	115,000
Expenses	10	Grants and similar amounts paid (list in Schedule O)	10	
	11	Benefits paid to or for members	11	
	12	Salaries, other compensation, and employee benefits	12	87,771
	13	Professional fees and other payments to independent contractors	13	
	14	Occupancy, rent, utilities, and maintenance	14	4,069
	15	Printing, publications, postage, and shipping	15	370
	16	Other expenses (describe in Schedule O)	16	13,378
	17	**Total expenses.** Add lines 10 through 16 ▶	17	105,588
Net Assets	18	Excess or (deficit) for the year (Subtract line 17 from line 9)	18	9,412
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19	32,955
	20	Other changes in net assets or fund balances (explain in Schedule O)	20	
	21	Net assets or fund balances at end of year. Combine lines 18 through 20 ▶	21	42,367

For Paperwork Reduction Act Notice, see the separate instructions. Form **990-EZ** (2018)

DAA

Electronic Articles of Incorporation For

ECONOMIC DEVELOPMENT INC.

N17000009230
FILED
September 07, 2017
Sec. Of State
dlokeefe

The undersigned incorporator, for the purpose of forming a Florida not-for-profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

ECONOMIC DEVELOPMENT INC.

Article II

The principal place of business address:

9841 RIVERSIDE DRIVE
CORAL SPRINGS, FL. 33071

The mailing address of the corporation is:

9841 RIVERSIDE DRIVE
CORAL SPRINGS, FL. 33071

Article III

The specific purpose for which this corporation is organized is:

ECONOMIC DEVELOPMENT

Article IV

The manner in which directors are elected or appointed is:

AS PROVIDED FOR IN THE BYLAWS.

Article V

The name and Florida street address of the registered agent is:

DAVID J MIRANTZ
9841 RIVERSIDE DRIVE
CORAL SPRINGS, FL. 33071

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: DAVID MIRANTZ

N17000009230
FILED
September 07, 2017
Sec. Of State
dlokeefe

Article VI

The name and address of the incorporator is:

DAVID MIRANTZ
9841 RIVERSIDE DRIVE

CORAL SPRINGS, FLORIDA 33071

Electronic Signature of Incorporator: DAVID MIRANTZ

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

Article VII

The initial officer(s) and/or director(s) of the corporation is/are:

Title: D
DAVID J MIRANTZ
9841 RIVERSIDE DRIVE
CORAL SPRINGS, FL. 33071

Article VIII

The effective date for this corporation shall be:

09/05/2017

Economic Development Council

Board of Directors

Rick Jorden, JM Family Enterprises, Inc., Dir of Design & Construction

Danielle Rosse, Oceans 234, Owner

Rick Thill, BankUnited, N.A.SVP, Corporate and Commercial Banking

John Tight, Campbell Property Management, CEO

Dave Noderer, South Florida Technology Alliance, Founding Board Member and Past President

Adam Corin, Niroc Consultants, Owner

Mark Dreyer, United Realty Group, Owner

Michael Daszkal, Daszkal Bolton LLP

Betty Masi, Seawood Builders, Partner, CFO & CIO

Jeanine Mielke, UM Sylvester Comprehensive Cancer Center, Director Satellite Practice, Deerfield Beach

Parish Pansuria, SHL Group, Director of Finance

Brett Malden, BrandStar Studios

Todd Wolf, A&S Total Cleaning, President and EO

Bob Birdsong, Pres, OK Generators

Brett Frankel, Chief legal Officer, People's Trust Insurance

Jeff Anderson, CEO Store-All

City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet
File Number: I.D. 2023-1789

Agenda Date: 4/4/2023

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title
Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled *Danny Hope vs. City of Deerfield Beach*; authorizing execution of documents necessary to effectuate the Settlement; providing for an effective date. *(Funds from Account #606-0900-519-37-70 - Risk Management/General Liability Legal)*

Recommended Action
Commission to vote on Resolution

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Fiscal Impact
Costs: $99,500.00
Account Name: 606-0900-519-37-70
Account Number: Risk Management/General Liability Legal

Background/History
Danny Hope ("Hope") filed a lawsuit against the City of Deerfield Beach styled *Danny Hope vs. City of Deerfield Beach*, Case No. CACE-21-007488, in the Seventeenth Circuit Court in and for Broward County, Florida (the "Lawsuit"). The Lawsuit alleges that, on April 1, 2020, Hope was walking at night on a residential street and got his leg stuck in a pothole allegedly causing Hope to sustain serious injuries to his left hip, back and neck, and seek medical treatment, including hip replacement surgery. Hope is in his 30s.

Current Activity
Hope provided medical bills to the City totaling approximately $36,000.00. Hope is willing to settle all of his claims against the City, including all costs and attorney's fees incurred in this matter, for the total sum of $99,500.00. The enclosed Resolution approves the settlement of the Lawsuit in the total amount of $99,500.00, including attorney's fees and costs, thereby disposing of all claims that were or could have been asserted against the City and its employees by Hope.

Recommendation
Staff recommends approval.

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY IN THE LITIGATION STYLED *DANNY HOPE VS. CITY OF DEERFIELD BEACH;* AUTHORIZING EXECUTION OF DOCUMENTS NECESSARY TO EFFECTUATE THE SETTLEMENT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Danny Hope ("Hope") filed a lawsuit against the City of Deerfield Beach styled *Danny Hope vs. City of Deerfield Beach,* Case No. CACE-21-007488, in the Seventeenth Circuit Court in and for Broward County, Florida (the "Lawsuit"); and

WHEREAS, the Lawsuit alleges that, on April 1, 2020, Hope was walking at night on a residential street and got his leg stuck in a pothole allegedly causing Hope to sustain serious injuries to his left hip, back and neck, and seek medical treatment, including hip replacement surgery; and

WHEREAS, Hope provided medical bills to the City totaling approximately $36,000.00; and

WHEREAS, Hope is willing to settle all of his claims against the City, including all costs and attorney's fees incurred in this matter, for the total sum of $99,500.00; and

WHEREAS, the City Commission desires to approve the settlement of the Lawsuit in the total amount of $99,500.00, including attorney's fees and costs, thereby disposing of all claims that were or could have been asserted against the City and its employees by Hope.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the settlement of the Lawsuit for the total amount of $99,500.00, including attorney's fees and costs, thereby disposing of all claims against the City and its employees that were or could have been asserted by Hope against the City or its employees.

Section 3. That the appropriate City officials are authorized to execute all documents deemed necessary by the City Attorney to implement the intent of this Resolution and to provide for payment as indicated.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2023.

CITY OF DEERFIELD BEACH

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

City of Deerfield Beach

Face Sheet
File Number: I.D. 2023-1784

Agenda Date: 4/4/2023

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title
Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a change order to extend the time for Playmore West, Inc. to complete the Playground Equipment Project for Oveta McKeithen Park by 180 days; providing for execution and an effective date.

Recommended Action
Commission to vote on Resolution

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Background/History
The original contract for the purchase and installation of a new destination playground at Oveta McKeithen Recreational Complex was approved by the Commission on August 2, 2022, for Playmore West, Inc., in an amount of $546,931 with a 10% contingency for the service. On December 6, 2022, the City administratively approved use of the 10% contingency (as previously approved by the Commission) increasing the contract to $601,931. This Although the equipment is now on site, we have not yet received the surface water permit from the South Florida Water Management District. Once all permits are complete, the construction should only take 4-5 weeks. Because of the delay in receipt of the permit, the start of installation and subsequent project completion will be delayed by an estimated 180 days. The request is for approval of a Change Order to extend the number of construction days by 180 days. Commission approval for this change order is required because this project is partially funded CDBG and CDBG requires this change order be approved by the commission.

Recommendation
Staff recommends approval of the change order with Playmore West Inc., which will extend the completion date by 180 days.

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING A CHANGE ORDER TO EXTEND THE TIME FOR PLAYMORE WEST, INC. TO COMPLETE THE PLAYGROUND EQUIPMENT PROJECT FOR OVETA MCKEITHEN PARK BY 180 DAYS; PROVIDING FOR EXECUTION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach (the "City") issued Request for Proposal #22-28-JW for the Design, Supply and Install of Playground Equipment project for Oveta McKeithen Park (the "Services"); and

WHEREAS, on August 2, 2022, the City Commission approved the Evaluation Committee rankings with Playmore West, Inc. ("Playmore") as the top ranked firm, and authorized execution of a contract with Playmore for the Services for an amount not to exceed $546,931.00 with a 10% contingency for the Services; and

WHEREAS, the City entered into an agreement (the "Agreement") with Playmore for the Services in an amount not to exceed $546,931.00 with a 10% contingency for the Services, and subsequently issued Purchase Order PO2204872; and

WHEREAS, on December 6, 2022, the City administratively issued a change order to authorize use of the 10% contingency as previously approved by the City Commission to increase the total Agreement price from $546,931.00 to $601,931.00; and

WHEREAS, Playmore is seeking a change order to extend the final completion date of the Services by an additional 180 days (the "Change Order"); and

WHEREAS, Section 38-120 of the City Code of Ordinance requires the City Commission's approval for change orders to extend the original substantial or final completion date of a project of a City Commission approved contract if the contract does not authorize the City Manager to extend the completion date of the contract; and

WHEREAS, City Staff recommends that the City Commission approve the Change Order to extend the completion date under the Agreement by 180 days.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the Change Order to extend the time for Playmore to complete the Services under the Agreement by 180 days.

Section 3. The appropriate City officials are authorized to execute the Change Order.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2023.

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

RESOLUTION NO. 2022/128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF REQUEST FOR PROPOSALS #22-28-JW FOR THE DESIGN, SUPPLY, AND INSTALL OF PLAYGROUND EQUIPMENT FOR OVETA MCKEITHEN PARK; AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE TOP RANKED, RESPONSIVE AND RESPONSIBLE PROPOSER PLAYMORE WEST, INC. FOR THE SERVICES IN AN AMOUNT NOT TO EXCEED $546,931.00 WITH A 10% CONTINGENCY; APPROVING THE USE OF TARGET AREA TRUST FUNDS IN AN AMOUNT NOT TO EXCEED $300,000.00; PROVIDING FOR APPROPRIATION OF FUNDS, IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City is seeking a contractor to provide the design, supply, and installation of playground equipment for Oveta McKeithen Park (the "Services"); and

WHEREAS, the City issued Request for Proposals No. 22-28-JW (the "RFP") for Design, Supply, and Install Playground Equipment for Oveta McKeithen Park (the "Project"); and

WHEREAS, the RFP was advertised in the legal notices section of the Sun-Sentinel on May 18, 2022, and the notice was also sent to 41 prospective respondents via the e-Procurement Marketplace; and

WHEREAS, ten firms viewed the RFP documents; and

WHEREAS, on June 17, 2022 at 9:00 a.m., the due date and time for the responses, the Purchasing and Contract Division (the "Division") closed and unsealed the three proposals that were timely received, and reviewed the proposals to ensure it met the RFP requirements; and

WHEREAS, one proposer was deemed nonresponsive due to not submitting the required bid bond prior to the RFP closing date and time; and

WHEREAS, the evaluation committee independently reviewed and scored the two responsive proposals in accordance with the weighted criteria stated in the RFP prior to the first evaluation committee meeting; and

WHEREAS, the evaluation meeting was held on July 11, 2022, to score the proposals based on the weighted criteria stated in the RFP; and

WHEREAS, the evaluation committee was unanimous in their decision to recommend award of the RFP to Playmore West, Inc. ("Playmore"), as the top ranked responsive and responsible proposer; and

WHEREAS, Playmore submitted a proposal for the Services in an amount not to exceed $496,931.00; and

WHEREAS, the evaluation committee recommends that the City Commission approve the award of the RFP to the top ranked, responsive and responsible proposer, Playmore and authorize execution of an agreement with Playmore for the Services; and

WHEREAS, Playmore's proposal included an option for the design and installation of an elevated, concrete ramp structure to the playground area (the "Concrete Ramp") in an amount of $50,000.00; and

WHEREAS, City staff including the Concrete Ramp in the Project, for a total amount not to exceed $546,931.00 with a 10% contingency for the Services; and

WHEREAS, the playground at Oveta McKeithen Park is located within the target area designated pursuant to City Code Section 2-344 for use of City target area trust funds; and

WHEREAS, pursuant to City Code Section 2-344, the City Commission may approve such projects and expenditures within the target area for use of target area trust fund moneys that it believes will aid in the redevelopment and improve the quality of life in the target area; and

WHEREAS, City staff is recommending the use of $300,000 in target area trust funds to help fund the Services and playground project at Oveta McKeithen Park (the "Project").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the award of the RFP to Playmore for the Services.

Section 3. The City Manager is hereby authorized to execute an agreement with Playmore for the Services for in an amount not to exceed $546,931.00 with a 10% contingency, consistent with the terms of the RFP, together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The City Commission hereby finds that the Services and Project will aid in the redevelopment and improve the quality of life in the target area, and hereby approves the Services and Project for use of target area trust funds in an amount not to exceed $300,000.

Section 5. The appropriate City officials are authorized to make the necessary appropriations from the target area trust fund to fund expenditures for the Services and Project and to do all things necessary to carry out the aims of this Resolution.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 2ND DAY OF AUGUST, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

Agreement Between
Owner and Contractor

This Agreement ("Agreement") is entered into between the City of Deerfield Beach, 150 NE 2nd Avenue, Deerfield Beach, Florida, 33441 as OWNER, and

Playmore West, Inc.

10271 Deer Run Farms Road, Fort Myers, FL 33966

as CONTRACTOR, made as of the 2nd day of August, 2022.

Design, Supply and Install Playground Equipment for Oveta McKeithen Park, RFP #22-28-JW ("Project")

1. This Agreement shall consist of the Agreement Documents, of which this is a part. The Agreement Documents shall consist of this Agreement, the entire Proposal packet and all documents contained therein, including, but not limited to, the instructions to Proposers, the General Conditions, the supplementary General Conditions, any special conditions (as revised), any supplementary conditions, all Construction Plans, plans and technical specifications and the Proposal and all Proposal Forms submitted by the CONTRACTOR (except those provisions of the Proposal not accepted by the OWNER) and any addendum issued by the OWNER. All said documents and provisions contained therein shall be binding Agreement provisions.

2. The total Agreement price shall not exceed $546,931.00 (In Numbers) and Five Hundred Forty-Six Thousand Nine Hundred Thirty-One Dollars and Zero Cents (In Words) with a ten percent (10) % contingency.

3. The work to be completed under the terms, conditions, scope of work and exhibits of the Agreement documents shall be substantially completed within one hundred twenty (120) calendar days and final completion within one hundred eighty (180) calendar days from the receipt of a Purchase Order and Notice to Proceed.

4. CONTRACTOR shall ensure that all subcontractors laborers, or other providers of goods and services are paid in full for services properly rendered. This shall be the full responsibility of the CONTRACTOR and a requirement for payment.

5. Based upon application for payment submitted to the OWNER, by CONTRACTOR, the OWNER shall make progress payments on account of the Agreement sum as set forth below or elsewhere in the Agreement documents.

   5.1 No progress payments shall be made more often than thirty (30) calendar day cycles. The first thirty (30) calendar day cycle shall begin thirty (30) calendar days after Commencement of construction and continue thereafter in thirty (30) calendar day intervals provided that application for payment be made within three (3) calendar days of the commencement of each period. The OWNER shall then have seven (7) calendar days to review the application for payment and either approve or deny the application or authorize a payment of a lesser amount. The OWNER shall, within twenty (20) calendar days, make the payment set forth in the application for payment, less retain age, if applicable per the Agreement documents, which shall be retained by the OWNER to assure final completion of the work according to the Agreement documents.

   5.2 Each application for payment shall be based upon the schedule of values submitted by the

CONTRATOR in accordance with the Agreement documents. The schedule of values shall fairly allocate the Agreement sum among the various portions of the work and be prepared by the CONTRACTOR, but must be approved in writing by the OWNER. In case the OWNER and CONTRACTOR cannot agree on a schedule of values, the OWNER shall determine the schedule of values to be used.

5.3 Applications for payment shall indicate the percentage of completion of each portion of the work as of the end of the period covered by the application for payment. The OWNER may require additional substantiation with regard to said percentage of completion, which shall be immediately provided by the CONTRACTOR.

5.4 The OWNER may subtract from the certificate of payment any amounts which the OWNER deems to represent, work not completed in strict compliance with the Agreement documents.

5.5 Ten percent (10%) retainage shall be withheld from each payment. Upon completion of fifty percent (50%) of all work as determined by the OWNER, the percent retainage can be reduced to five percent (5%) as per Florida Statutes. However, OWNER may still withhold amounts representing work, which OWNER deems incomplete or inconsistent with the Agreement documents or unsatisfactory, or the amount of any unsettled claims or withhold amounts.

5.6 All applications for payment shall contain an affidavit from CONTRACTOR that all subcontractors, laborers, material men, and other providers of services have been paid in full for services to date. The OWNER may also request other assurances from the CONTRACTOR, including, but not limited to full or partial releases or waiver of liens.

6. Payment upon substantial completion shall be made by the OWNER to the CONTRACTOR when substantial completion has been achieved and the CONTRACTOR has executed an affidavit that all subcontractors, material men, laborers, suppliers of goods and services and any other agents or employees engaged by subcontractors have been fully paid and no sums are due and owing to any other parties on account of work performed, and that work is substantially complete in accordance with the Agreement documents indicating that substantial completion has been achieved. As a prerequisite to payment, the CONTRACTOR shall supply the necessary releases and waivers of liens to assure the Owner that all subcontractors, laborers, providers of goods and services and all other persons engaged in the project have been paid in full.

7. Final payment shall be made upon execution of a certificate for payment which reaffirms (by affidavit) the fact that all subcontractors, laborers, laborers, suppliers of goods and services and any other agents or employees engaged by subcontractors have been fully paid and no sums are due and owing to any other parties on account of performed and that there are no valid claims of liens by any parties participating in the work in any way and that the work is complete in all respects in accordance with the Agreement documents. The OWNER shall make final payment upon receipt of a certificate for payment, which concludes that the applications for final payment are correct and that final completion has been achieved. All necessary releases and waivers of liens as specified above must be submitted to the satisfaction of the OWNER.

8. The OWNER shall not be liable for any prejudgment interest for any amounts not paid to contractors for amounts in excess of those amounts contained in the application for payment.

9. Debarment and Suspension – CONTRACTOR certifies that neither the firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, subcontractor and/or position involving the administration of federal funds:

a) is not listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive

Orders 12549 and 12689; and

b) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any government entity;

10. HUD Compliance: because this project will be funded with Community Development Block Grant ("CDBG") funds from the U.S. Department of Housing and Urban Development ("HUD"), the CONTRACTOR shall comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the HUD regulations concerning CDBG including subpart K of these regulations, except that (1) the CONTRACTOR does not assume the OWNER's environmental responsibilities described in 24 CFR 570.604 and (2) the CONTRACTOR does not assume the OWNER's responsibility for initiating the review process under the provisions of 24 CFR Part 52. The CONTRACTOR also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this Agreement. The CONTRACTOR further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available

11. AUDIT RIGHT AND RETENTION OF RECORDS: OWNER shall have the right to audit the books, records, and accounts of CONTRACTOR and its subcontractors that are related to this Project. CONTRACTOR and its subcontractors shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to the Project. All books, records, and accounts of CONTRACTOR and its subcontractors shall be kept in written form, or in a form capable of conversion into written form within a reasonable time, and upon request to do so, CONTRACTOR or its subcontractor, as applicable, shall make same available at no cost to OWNER in written form.

CONTRACTOR and its subcontractors shall preserve and make available, at reasonable times for examination and audit by OWNER, all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for the required retention period of the Florida Public Records Act, Chapter 119, Florida Statutes, as may be amended from time to time, if applicable, or, if the Florida Public Records Act is not applicable, for a minimum period of three (3) years after termination of this Agreement. If any audit has been initiated and audit findings have not been resolved at the end of the retention period or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings. If the Florida Public Records Act is applicable to CONTRACTOR's and its subcontractors' records, CONTRACTOR and its subcontractors shall comply with all requirements thereof; specifically, to:

a. Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.

b. Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in Chapter 119 or as otherwise provided by law.

c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

d. Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the CONTRACTOR upon termination of the Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

e. If CONTRACTOR does not comply with this section, the OWNER shall enforce the Agreement provisions in accordance with the Agreement and may unilaterally cancel this Agreement in accordance with state law.

No confidentiality or non-disclosure requirement of either federal or state law shall be violated by CONTRACTOR or its subcontractors. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for OWNER's disallowance and recovery of any payment upon such entry.

CONTRACTOR shall, by written Agreement, require its subcontractors to agree to the requirements and obligations of this Section 9.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (954-480-4215, WEB.CLERK@DEERFIELD-BEACH.COM, CITY OF DEERFIELD BEACH, CITY CLERK'S OFFICE, 150 NE 2ND AVENUE, DEERFIELD BEACH, FL 33441).

12. In addition, the enumeration of the Agreement documents contained in Section #1 above, the Agreement documents shall also include the following documents (plans and specifications):

Pricing shall be based on the CONTRACTOR'S response to the Request for Proposal, RFP #22-28-JW, Design, Supply and Install Playground Equipment for Oveta McKeithen Park.

13. Records to be Maintained – The CONTRACTOR shall maintain all records required by the Federal regulations specified in 24 CFR 570.506, that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

a) Records providing a full description of each activity undertaken;
b) Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
c) Records required to determine the eligibility of activities;
d) Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
e) Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
f) Financial records as required by 24 CFR 570.502, and 24 CFR 84.21 - 28; and
g) Other records necessary to document compliance with Subpart K of 24 CFR Part 570.

13.1 Retention – The CONTRACTOR shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the Agreement for a period of three (3) years. The retention period begins on the later of: the date of the submission of the CITY's annual performance and evaluation report to HUD in which the activities assisted under the Agreement are reported on for the final time, as prescribed in 24 CFR 91.520; or the date the Agreement expires or is terminated. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the three-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the three-year period, whichever occurs later.

13.2 Close-outs – The CONTRACTOR's obligation to the CITY shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the CITY), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the CONTRACTOR has control over CDBG funds, including program income.

14. AUDITS & INSPECTIONS

14.1 CITY shall have the right to audit the books, records, and accounts of CONTRACTOR and its subcontractors that are related to this Project. CONTRACTOR and its subcontractors shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to the Project. All books, records, and accounts of CONTRACTOR and its subcontractors shall be kept in written form, or in a form capable of conversion into written form within a reasonable time, and upon request to do so, CONTRACTOR or its subcontractor, as applicable, shall make same available at no cost to CITY in written form. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for CITY'S disallowance and/or recovery of any payment upon such entry.

14.2 All CONTRACTOR records with respect to any matters covered by this Agreement shall be made available to the CITY, HUD, and the Comptroller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the CONTRACTOR within 30 calendar days after receipt by the CONTRACTOR. Failure of the CONTRACTOR to comply with the above audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments. The CONTRACTOR hereby agrees to have an annual agency audit conducted in accordance with current CITY policy concerning CONTRACTOR audits and OMB Circular A-133.

14.3 Further, the CONTRACTOR shall furnish and cause each of its subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the CITY, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

15. PROGRAM INCOME: The CONTRACTOR shall report monthly all program income (as defined at 24 CFR 570.500(a)) generated by activities carried out with CDBG funds made available under this Agreement. The use of program income by the CONTRACTOR shall comply with the requirements set forth at 24 CFR 570.504. By way of further limitations, the CONTRACTOR may use such income during the Agreement period for activities permitted under this Agreement and shall reduce requests for additional funds by the amount of any such program income balances on hand. All unexpended program income shall be returned to the CITY at the end of the Agreement period. Any interest earned on cash advances from the U.S. Treasury and from funds held in a revolving fund account is not program income and shall be remitted promptly to the CITY.

16. USE AND REVERSION OF ASSETS: the use and disposition of real property and equipment under this Agreement shall be in compliance with the requirements of 24 CFR 570.502, 570.503, and 570.504, as applicable, which include but are not limited to the following:

a) The CONTRACTOR shall transfer to the CITY any CDBG funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.

b) In all cases in which equipment acquired, in whole or in part, with funds under this Agreement is sold, the proceeds shall be program income (prorated to reflect the extent to which funds received under this Agreement were used to acquire the equipment). Equipment not needed by the CONTRACTOR for activities under this Agreement shall be (a) transferred to the CITY or (b) retained after compensating the CITY an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment].

17. WOMEN AND MINORITY OWNED BUSINESSES

17.1 The CONTRACTOR will use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Agreement. As used in this Agreement, the terms "small business" means a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and "minority and women's business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro- Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian- Americans, and American Indians. The CONTRACTOR may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

17.2 The CONTRACTOR agrees to take the following affirmative steps to carry out the assurance given in paragraph 15.1:

a) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

b) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

d) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and

e) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce;

18. LABOR STANDARDS

18.1 The CONTRACTOR agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended (40 U.S.C. 3141-3148), the provisions

of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. In accordance with the Davis-Bacon Act, CONTRACTOR must pay wages to laborers and mechanics at a rate not lets than the prevailing wages specified in a wage determination made by the Secretary of Labor. CONTRACTOR acknowledges that it has received from CITY a copy of the current prevailing wage determination with the proposal solicitation. The CONTRACTOR accepts said wage determination as the prevailing rate to be paid to its laborers in performing the work herein contemplated. The CONTRACTOR shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the CITY or other government agency for review upon request.

18.2 The CONTRACTOR agrees to comply with the Copeland Anti- Kick Back Act (18 U.S.C. 874 *et seq.*) and supplemental regulations of the U.S. Department of Labor at 29 CFR Part 3. Said Act provides that each contractor or subcontractor must be prohibited from inducing, by any means, any person employed in the construction, completion or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled.

19. AIR AND WATER: The CONTRACTOR agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:

a) Clean Air Act, 42 U.S.C., 7401, *et seq.*;

b) Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;

c) Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

20. HATCH ACT: the CONTRACTOR agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

21. LOBBYING:

21.1 The CONTRACTOR hereby certifies that:

a) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c) It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all CONTRACTORs shall certify and disclose accordingly:

21.2 The certification in paragraph 22.1 is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

22. EQUAL EMPLOYMENT OPPORTUNITY CLAUSE: during the performance of this Agreement, the CONTRACTOR agrees as follows:

(1) The CONTRACTOR will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The CONTRACTOR will, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(3) The CONTRACTOR will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the CONTRACTOR 's legal duty to furnish information.

(4) The CONTRACTOR will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the CONTRACTOR 's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The CONTRACTOR will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The CONTRACTOR will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering

agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the CONTRACTOR 's noncompliance with the nondiscrimination clauses of this Agreement or with any of the said rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended in whole or in part and the CONTRACTOR may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The CONTRACTOR will include the portion of the sentence immediately preceding paragraph (1) in 41 CFR 60-1.4 and the above provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The CONTRACTOR will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance.

23. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. 3701-3708) COMPLIANCE: CONTRACTOR must compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. CONTRACTOR must also comply with 40 U.S.C. 3704 by ensuring that no mechanic or laborer works in surroundings or under working conditions which are unsanitary, hazardous or dangerous.

24. SECTION 6002 SOLID WASTE DISPOSAL ACT: CONTRACTOR agrees to comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

25. SECTION 3 COMPLIANCE

25.1 Purpose - The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance for HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

25.2 The work to be performed under this Agreement is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

25.3 CONTRACTOR agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this Agreement, the CONTRACTOR certifies that it is under no contractual or other impediment that would prevent them from

complying with the part 135 regulations.

25.4 The CONTRACTOR agrees to send to each labor organization or representative of workers with which the CONTRACTOR has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the CONTRACTOR's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

25.5 The CONTRACTOR agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The CONTRACTOR will not subcontract with any subcontractor where the CONTRACTOR has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

25.6 The CONTRACTOR will certify that any vacant employment positions, including training positions, that are filled (1) after the CONTRACTOR is selected but before the Agreement is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the CONTRACTOR's obligations under 24 CFR part 135.

25.7 Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

25.8 With respect to work performed in connection with section 3-covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and sub contracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

26. MISCELLANEOUS

26.1 Rights to Documents and Work: Any and all reports, photographs, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of CITY; and, if a copyright is claimed, CONTRACTOR grants to CITY a non-exclusive license to use the copyrighted item(s) indefinitely, to prepare derivative works, and to make and distribute copies to the public. In the event of termination of this Agreement, any reports, photographs, surveys, and other data and documents prepared by CONTRACTOR, whether finished or unfinished, shall become the property of CITY and shall be delivered by CONTRACTOR to the Contract Administrator within seven (7) calendar days of termination of this Agreement by either party. Any compensation due to CONTRACTOR shall be withheld until all documents are received as provided herein.

26.2 Third Party Beneficiaries: Neither CONTRACTOR nor CITY intends to directly or substantially benefit a third party by this Agreement. Therefore, the parties agree that there

are no third-party beneficiaries to this Agreement and that no third party shall be entitled to assert a right or claim against either of them based upon this Agreement.

26.3 Notices: Whenever either party desires to give notice to the other pursuant to this Agreement, such notice must be in writing, sent by e-mail (effective when sent), certified United States Mail, postage prepaid, return receipt requested (effective when mailed), or by hand delivery with a request for a written receipt of acknowledgment of delivery (effective when delivered). The address for giving notice shall remain the same as set forth herein until changed in writing in the manner provided in this section. For the present, the parties designate the following:

FOR CITY:

David Santucci, City Manager
City of Deerfield Beach
150 NE 2nd Avenue
Deerfield Beach, FL 33441

FOR CONTRACTOR:

_____

_____

_____

_____

26.4 Materiality and Waiver of Breach: CITY and CONTRACTOR agree that each requirement, duty, and obligation set forth herein was bargained for at arms-length and is agreed to by the parties in exchange for quid pro quo, that each is substantial and important to the formation of this Agreement and that each is, therefore, a material term hereof. CITY's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.

26.5 Severance: In the event a portion of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless CITY or CONTRACTOR elects to terminate this Agreement. An election to terminate this Agreement based upon this provision shall be made within seven (7) calendar days after the finding by the court becomes final.

26.6 Joint Preparation: Each party and its counsel have participated fully in the review and revision of this Agreement and acknowledge that the preparation of this Agreement has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any party.

26.7 Amendments: No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or

similar formality as this Agreement and executed by the Board and CONTRACTOR or others delegated authority to or otherwise authorized to execute same on their behalf.

26.8 Prior Contracts: This document represents the final and complete understanding of the parties and incorporates or supersedes all prior negotiations, correspondence, conversations, contracts, and understandings applicable to the matters contained herein. The parties agree that there is no commitment, contract, or understanding concerning the subject matter of this Agreement that is not contained in this written document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representation or contract, whether oral or written.

26.9 Representation of Authority: Each individual executing this Agreement on behalf of a party hereto hereby represents and warrants that he or she is, on the date he or she signs this Agreement, duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.

26.10 Multiple originals: Multiple copies of this Agreement may be executed by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

26.11 Public Entity Crime Act: CONTRACTOR represents that the execution of this Agreement will not violate the Public Entity Crime Act, Section 287.133, Florida Statutes, as may be amended from time to time, which essentially provides that a person or affiliate who is a contractor, consultant, or other provider and who has been placed on the convicted vendor list following a conviction for a public entity crime may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with CITY, and may not transact any business with CITY in excess of the threshold amount provided in Section 287.917, Florida Statutes, as may be amended from time to time, for category two purchases for a period of 36 months from the date of being placed on the convicted vendor list. Violation of this section shall result in termination of this Agreement, and may result in debarment from the City's competitive procurement activities.

26.12 Jurisdiction, Venue, Waiver of Jury Trial: Any dispute arising from this Agreement is to be resolved according to Florida law, which controls same, and such disputes may be litigated only in the courts having jurisdiction in and over Broward County Florida. BY ENTERING INTO THIS AGREEMENT, CONTRACTOR AND THE CITY HEREBY EXPRESSLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT. IF A PARTY FAILS TO WITHDRAW A REQUEST FOR A JURY TRIAL IN A LAWSUIT ARISING OUT OF THIS AGREEMENT AFTER WRITTEN NOTICE BY THE OTHER PARTY OF VIOLATION OF THIS SECTION, THE PARTY MAKING THE REQUEST FOR JURY TRIAL SHALL BE LIABLE FOR THE REASONABLE ATTORNEYS' FEES AND COSTS OF THE OTHER PARTY IN CONTESTING THE REQUEST FOR JURY TRIAL, AND SUCH AMOUNTS SHALL BE AWARDED BY THE COURT IN ADJUDICATING THE MOTION.

26.13 Conflict of Interest: The CONTRACTOR agrees to the following: (a) the CONTRACTOR presently has no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of the services hereunder; (b) no person having any such known interest shall be employed or conveyed an interest, directly or indirectly, in the Contract; (c) the CONTRACTOR has no CITY elected officials, officers or employees affiliated with it, unless the CONTRACOTR has fully complied with current Florida State Statutes and City Ordinances relating to this issue; (d) CONTRACTOR must disclose any such affiliation and failure to do so may result in the CONTRACTOR's debarment from competitively bidding or from entering contracts with the CITY.

26.14 Time is of the Essence: Time is of the essence of the Agreement and each of its terms.

26.15 Scrutinized Companies:

a. Broker certifies that it and its subconsultants are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the CITY may immediately terminate this Agreement at its sole option if the Broker or its subconsultants are found to have submitted a false certification; or if Broker, or its subconsultants are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

b. If this Agreement is for more than one million dollars, Broker certifies that it and its subconsultants are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the CITY may immediately terminate this Agreement at its sole option if Broker, its affiliates, or its subconsultants are found to have submitted a false certification; or if Broker, its affiliates, or its subconsultants are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

c. Broker agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

d. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

26.16 No Waiver of Sovereign Immunity: Nothing herein is intended to serve as a waiver of sovereign immunity by any agency or political subdivision to which sovereign immunity may be applicable or of any rights or limits to liability existing under Section 768.28, Florida Statutes. This section shall survive the termination of all performance or obligations under this Agreement and shall be fully binding until such time as any proceeding brought on account of this Agreement is barred by any applicable statute of limitations.

[REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF the parties have caused these presents to be executed.

Witnesses:

CITY OF DEERFIELD BEACH

By: DocuSigned by: David Santucci
6E00D88DCB45419...
DAVID SANTUCCI, CITY MANAGER

Date: 9/7/2022

ATTEST:

DocuSigned by: Samantha Gillyard
23C8CBAC382D4C4...
SAMANTHA GILLYARD, CMC, CITY CLERK

APPROVED AS TO FORM:

DocuSigned by: Anthony Soroka
5CAA0437C59A4C4...
ANTHONY C. SOROKA, CITY ATTORNEY

CONTRACTOR MUST EXECUTE THIS CONTRACT AS INDICATED BELOW.

CONTRACTOR

ATTEST:

Playmore West, Inc.
(Name of Corporation)

By DocuSigned by: Daniel Boop
DF98C60BD927450...
(Signature)

(Secretary)

Daniel Boop Sales Manager
(Type Name/Title Signed Above)

(Corporate Seal, if applicable)

Date: 9/1/2022

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

City of Deerfield Beach

Face Sheet
File Number: I.D. 2023-1803

Agenda Date: 4/4/2023 **Status:** ADDENDUM

In Control: City Commission

Title
Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the special event permit application submitted by Deerfield Beach Christian Ministerial Association for the Easter Sunrise Service Special Event taking place on the beach sand north of the pier in front of the main beach parking lot at 149 SE 21st Avenue on April 9, 2023 from 6:00 am to 8:00 am; approving a waiver of fees; providing for an effective date. *(Funds from Account #001-7015-579-35-74 - Special Events)*

Recommended Action
Commission to vote on Resolution

Voting Requirement
Adoption requires a 3/5 vote of the City Commission

Fiscal Impact
Costs: $525.20
Account Name: Special Events
Account Number:001-7015-579-35-74

Background/History
The Deerfield Beach Christian Ministries Association is planning the annual Sunrise Service for Sunday, April 9th, on the beach in front of the Main Beach Parking Lot area. This is a church service that is open to the public for free. The Application requests fee waivers for 30 parking spaces, 15 chairs, the stage risers for the sand, staff, and event permit application fee. The total cost for the fee waiver request is $525.20.

Location: Main Beach Parking Lot
Date: 4/9/2023
Time: 6:00 am-8:00 am
Rate: $1.67
# of Spaces: 30
Total: $100.20

Chairs
Date: 4/9/2023
Time: 6:00 am-8:00 am
Rate: $1
# of Chairs: 15
Total:$15

Stage

Date: 4/9/2023
Time: 6:00 am-8:00 am
Rate: $150
Total:$150

2 Staff
Date:4/9/2023
Time: 5:00 am-9:00 am
Rate: $25hr
Total: $200

Special Event Permit
Fee: $60.00

Current Activity
Community Events received a Special Event Application from Deerfield Beach Christian Ministerial Association for the annual Easter Sunrise Service on Sunday, April 9th, from 6:00 AM-8:00 AM on the north side of the Pier in front of the Main Beach Parking lot, 149 SE 21st Ave on the sand. Pastor Bowles requested the stage risers (20x20), 15 chairs, and 30 spaces in the Main Beach Parking Lot. The City Commission has historically approved this request and the fee waiver.

Recommendation
Staff recommends the approval of the fee waiver.

RESOLUTION NO. 2023/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY DEERFIELD BEACH CHRISTIAN MINISTERIAL ASSOCIATION FOR THE EASTER SUNRISE SERVICE SPECIAL EVENT TAKING PLACE ON THE BEACH SAND NORTH OF THE PIER IN FRONT OF THE MAIN BEACH PARKING LOT AT 149 SE 21ST AVENUE ON APRIL 9, 2023 FROM 6:00 AM TO 8:00 AM; APPROVING A WAIVER OF FEES; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Deerfield Beach Christian Ministerial Association (the "Applicant") intends to hold an Easter Sunrise Service event on April 9, 2023 from 6:00 a.m. to 8:00 a.m. on the beach sand north of the Pier in front of the Main Beach Parking Lot (the "Event") in the City of Deerfield Beach (the "City"); and

WHEREAS, according to the Special Event Permit Application submitted by the Applicant (the "Application"), approximately 100 individuals will be participating in the Event, which will include musical instruments and a sound system; and

WHEREAS, the Applicant is requesting a waiver of fees for a total of approximately 30 parking spaces located in the Main Beach Parking Lot and along Ocean Way on April 9, 2023, for a total amount of $100.20 (collectively, the "Parking Fees") and a waiver of fees for the rental of 15 chairs, use of the stage, administrative staff cost and the Special Event Permit Fee in the total amount of $425.00 (the "Incidental Fees"); and

WHEREAS, the City Commission finds that it is in the best interest of the City to approve the Application, including waiver of the Parking Fees and Incidental Fees, subject to the Applicant's compliance with all applicable federal, state, and local laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission of the City of Deerfield Beach hereby approves the Event Application, including the waiver of the Parking Fees and Incidental Fees, subject to Applicant's compliance with all applicable federal, state, and local laws, including compliance with the City's special event regulations and submission of the required proof of insurance and agreement to indemnify, defend and hold the City harmless from all claims related to the Event.

Section 3. The appropriate City Officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2023.

_____
BILL GANZ, MAYOR

ATTEST:

_____
HEATHER MONTEMAYOR, CITY CLERK

Deerfield Beach
Florida

SPECIAL EVENT APPLICATION

Application Information

Organization Name: Deerfield Bch Christian Ministerial Assoc. | Today's Date: 3-21-23

Contact Name: Pastor George Bowles | Email Address: gmbowles@yahoo.com

Contact Phone (Home): 954-658-7547 | Contact Phone (Cell): 954-658-7547

Address: PO BOX 405 | Fax: N/A

City: Deerfield Beach | State: FL | Zip Code: 33443

Is this Organization ☐ For Profit ☑ Nonprofit*

*If Nonprofit, please include a copy of the IRS 501(c) tax exemption letter.

Event Information

Name of Event: Easter Sunrise Service | Event Date: 4-9-23

Event Address: Deerfield (North Beach Area) | City: Deerfield Bch

State: FL | Zip Code: 33441 | Event Category:

Purpose of Event: Church Service to Celebrate the Resurrection of Jesus Christ

Description of Event: Church Service: Scripture Reading, Prayer, Praise & Worship Singing, Preaching

	Date	Day	Start Time	End Time	Anticipated Attendance
Setup	4-9-23	Sunday	6:00	8:00	100+
Event Day 1	"	"	"	"	"
Event Day 2					
Event Day 3					
Break Down					

# of years event has been in existence? 20+ | Past Attendance: 100+ (Approx)

Previous Location(s): Same Location

Property Owner's Permission

I, the undersigned as owner of the property where the event will be located, do hereby grant permission for use of my property for the event described above. City property exempt (no signature necessary).

Signature of Property Owner: | Date: | Phone:

Printed name of Property Owner:

Event Information (Continued from page 1)

Will you require the use of a City park? If yes, please select park. N/A

Will your event require the use of the beach? ☑ Yes ☐ No

If yes, please make sure to follow the Special Events Permit Conditions for Marine Turtle Guidelines.

Will your event need additional sanitation supplies? ☐ Yes ☑ No

Will you require the use of additional City staff/equipment? ☑ Yes ☐ No

Will you require parking spaces in Main Beach Parking Lot? ☑ Yes ☐ No

If yes, how many spaces are you requesting? 25+

Will you require parking spaces along Ocean Way? ☑ Yes ☐ No

If yes, how many spaces are you requesting? 25+

Will you require parking spaces at the Pier Parking Lot? ☐ Yes ☑ No

If yes, how many space are you requesting?

Will your event require use of the City Showmobile?* ☐ Yes ☑ No

*A Showmobile Application must be filled out & submitted if using the City Showmobile.

* Unless He Should!!

Are you requesting any of the above fees to be waived by the city? ☑ Yes ☐ No

If yes, what fees are you requesting waived?

Permit And Parking Fees, Generator Permit

All waiver of fee requests below must be approved by the City Commission.

Vendor Information

Will your event be serving food? ☐ Yes ☑ No Number of Food Vendors: N/A

Where will the food be prepared? N/A Method used for cooking: N/A

Vendor list provided to the City? ☐ Yes ☑ No

Food vendors have all permits/licenses required? N/A ☐ Yes ☑ No

Number of other vendors: N/A Vendor list provided to the City? ☐ Yes ☑ No

Additional BSO/Building Requirements

Will there be alcohol at this event? (Must be approved by City Commission) ☐ Yes ☑ No

If yes, has liquor license been issued? N/A ☐ Yes ☐ No

If you answer yes to any of the below questions, a permit may be required

Will you be using any tents for your event? ☐ Yes ☑ No

Tent Size	# of Tents	Tent Location

Please note: If using tents on City property, the tents must be weighted. Stakes are prohibited

Will you be using a stage for your event? ☑ Yes ☐ No

Will your event require electricity? ☑ Yes ☐ No

Type of electrical power to be used:

Will a generator be used? ☑ Yes ☐ No Size of Generator:

***A generator over 5KW/5000 Watts will require an additional permit.

Will gas equipment be used? ☐ Yes ☑ No

Type of fuel source: N/A

Additional BSO/Building Requirements (Continued from page 2)

Will cooking equipment be used? ☐ Yes ☑ No

Type of cooking equipment (check all that apply):

☐ Charcoal Grills ☐ Food Trucks ☐ Fryers ☐ Propane Grills ☐ Warmers/Sternos

Will the event include amusement rides, inflatables or children's games? ☐ Yes ☑ No

Type of amusement ride: N/A

Will the event include the use of fireworks or other pyrotechnics? (describe below) ☐ Yes ☑ No

Are you requesting any roads to be closed? (Please Note: If yes, please complete the City of Deerfield Beach Temporary Road Closure Request.) ☐ Yes ☑ No

***If closing FDOT roads, approval of the City Commission is required.

Will you be using a licensed professional security company to provide security services for your event?

☐ Yes ☑ No

Company Name: | Contact Person:

Contact Number: | Will safety equipment be used? ☐ Yes ☐ No

Promotion Materials

Is your event listed on the web? ☐ Yes ☑ No | Provide URL address:

How do you plan on marketing your event? (select all that apply)

☐ Outdoor Banners ☐ Radio Ads ☑ Mailings ☑ Newspaper Ads

☐ Outdoor Signs ☐ TV Ads ☑ Flyers ☐ Other

Promotional Signs/Banners:

Location:	Size:	Description:

Directional Signs:

Location:	Size:	Description:

Event Entertainment

Will the event have entertainment? ☑ Yes ☐ No

Will amplified sound equipment be used? ☑ Yes ☐ No

Will musical entertainment be used? ☑ Yes ☐ No

Please describe any type of entertainment and sound equipment below:

Musical Instruments - Keyboard, Drums, Possible Guitars on Sound System

Miscellaneous

Are you charging a fee for the event? ☐ Yes ☑ No

How are the proceeds being used? N/A

Name of benefiting organization: N/A

Contact Person: | Contact Phone Number:

Deerfield Beach
Florida

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Deerfield Bch Christian Min. Association (insert official name of vendor), hereinafter referred to as 'Vendor', agrees through the signing of this document by an authorized party, intending to be legally bound for themselves and their heirs, executors and administrators, covenants and agrees to Indemnify and Hold Harmless and defend the City of Deerfield Beach, the elected and appointed officials of the City of Deerfield Beach, the City Manager, department heads, division heads, supervisors and employees of the foregoing, and their heirs, representatives, successors, executors, administrators and assigns from and against any and all suits and actions including attorneys fees and all costs of litigation and judgments, claims for damages or injuries, including death, to persons or property of whatever kind or character, whether real, personal or mixed, asserted or occurring from every name and description arising out of or incidental to the Vendor's activity at the City of Deerfield Beach, Florida, (describe activity) whether or not due to or caused by the negligence of the City of Deerfield Beach, excluding only the sole negligence of the City of Deerfield Beach. This provision shall also pertain to any claims against the City of Deerfield Beach by any employee of Vendor or anyone directly or indirectly employed by Vendor.

This 21 day of March of 2023

Applicant Signature	Print Name	Title
Pastor George M. Bowles	Pastor George M. Bowles, Pastor	Chairman

Witnesses

Signature	Print Name	Date
Jestina Bowles	Jestina Bowles	3-21-23

Please submit completed application to the Community Events and Outreach Division located at the City of Deerfield Beach, 401A SW 4th St., Deerfield Beach, FL 33441 or email dfbspecialevents@deerfield-beach.com.

From: Pastor Demetric Ford pastor@bmbchurch.org
Subject: Certificate of Insurance
Date: Mar 24, 2023 at 10:16:05 AM
To: George Bowles gmbowles@yahoo.com

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Finney Insurance Corporation 5601 Sheridan Street Hollywood, FL 33021	CONTACT NAME: Dallana Olazabal PHONE (A/C, No, Ext): 954-966-5533 FAX (A/C, No): 954-989-8208 E-MAIL ADDRESS: dallanao@finneyinsurancecorp.com INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Granada Insurance
INSURED Bethlehem Missionary Baptist Church DBA Pastor Ford 1055 SW 2nd Ave Deerfield Beach, FL 33441	INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER: 00004676-87597** **REVISION NUMBER: 2**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR	Y		0185FL00059268	05/06/2022	05/06/2023	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER						GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is listed as additional insured, per written contract on the General Liability policy.

CERTIFICATE HOLDER

City of Deerfield Beach
150 NE 2nd Ave
Deerfield Beach, FL 33441

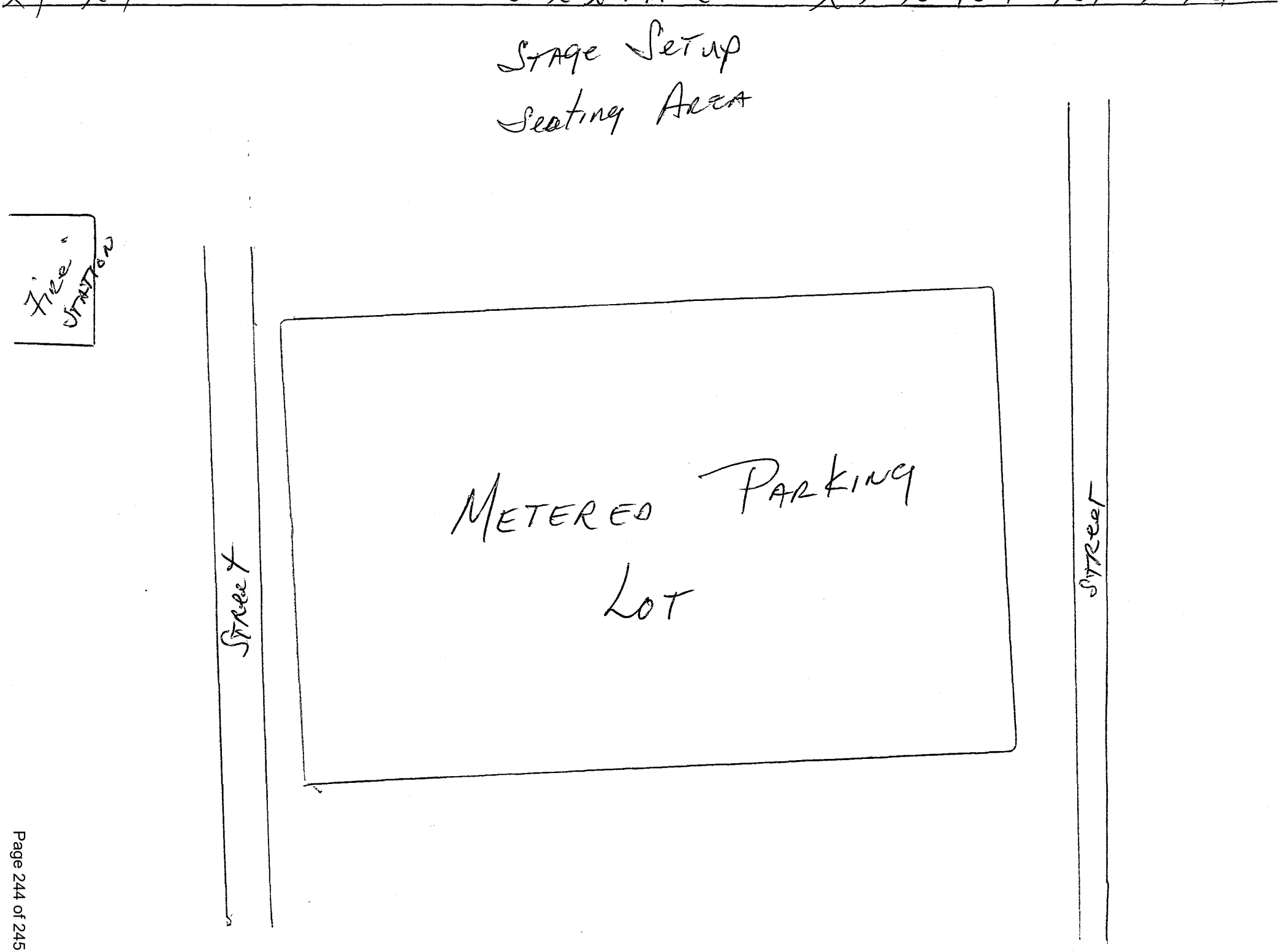
CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(DOO)

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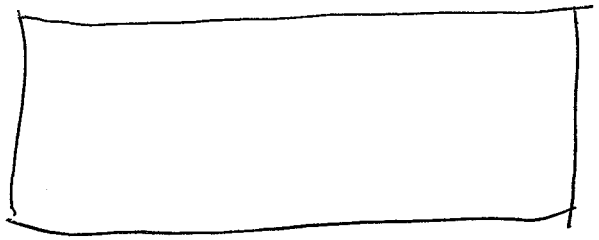

Stage Setup
Seating Area
Fire Station
Street
Metered Parking
Lot
Street

Need:
Podium

10 - 12
Chairs
for
Pastors

4' x 4' Wood ~~Modules~~
w/ Metal Legs

Black Skirt



Sound on Sidewalk

Main Beach Parking Lot

Fine