

Prepared by and return to:

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AMENDMENT TO INGRESS/EGRESS EASEMENTS

THIS AMENDMENT TO INGRESS/EGRESS EASEMENTS (“Amendment”) is made as of this _____ day of February , 2023 (“Effective Date”) by and between CELU DEVELOPMENTS, LLC, a Florida limited liability company (“CELU”), whose address is 650 South Federal Highway, Suite 1, Hollywood, FL 33020, and COOPER COMMERCE CENTER, LLC, a Florida limited liability company (“Cooper”), whose address is 1108 Kane Concourse, Suite 308, Bar Harbor Islands, FL 33154.

WITNESSETH :

WHEREAS, CELU currently owns the parcel of real property legally described on the attached Exhibit “A”, whose terms are incorporated herein by reference (“CELU Property”), and

WHEREAS, Cooper currently owns the parcel of property legally described on the attached Exhibit “B”, whose terms are incorporated herein by reference (“Cooper Property”), and

WHEREAS, the CELU Property and the Cooper Property are adjacent one to one another, and

WHEREAS, there currently exist twenty-two feet (22’) of Cross Access (Ingress/Egress) Easements recorded at OR Book 9523, Page 403, OR Book 9523, Page 411 and OR Book 9523, Page 419, respectively, all in the Public Records of Broward County, Florida (collectively referred to as “Existing Cross Access Easements”), and

WHEREAS, there is also an easement granted by CELU which was recorded at Instrument No. 11790878 of the Public Records of Broward County, Florida (“Supplemental Cross Access Easement”), and

WHEREAS, in order for both the Cooper Property and the CELU Property to operate in compliance with the Code of Ordinances of the City of Pompano Beach both the Existing Cross

Access Easements and Supplemental Cross Access Easement are required to contain a provision which states that neither the Existing Cross Access Easements or the Supplemental Cross Access Easement can be amended or terminated without first obtaining the consent of the City of Pompano Beach through its Development Services Director or his/her designee, which consent shall not be unreasonably withheld, and

WHEREAS, CELU and Cooper wish to amend the Existing Cross Access Easements and the Supplemental Cross Access Easement to include such language.

NOW, THEREFORE, in consideration of the covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CELU and Cooper, on behalf of themselves and their respective successors and assigns, covenant and agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

2. Amendment to Existing Cross Access Easement and Supplemental Cross Access Easement. Subject to any express conditions, limitations and reservations contained herein, neither the Existing Cross Access Easements and the Supplemental Cross Access Easement may be modified or amended, in whole or in part, or terminated, only by the written consent of all of the owners of the CELU Property and the Cooper Property as well as the City of Pompano Beach through its Development Services Director or his designee, as evidenced by a document that has been fully executed and acknowledged by the owners of the CELU Property and the Cooper Property and the Development Services Director, or his designee, of the City of Pompano Beach and recorded in the Public Records of Broward County, Florida.

3. Incorporation and Conflict. The terms and conditions of this Amendment to Ingress/Egress Easements are attached to and form an integral part of the Existing Cross Access Easements and the Supplemental Cross Access Easement and the terms and conditions of the Existing Cross Access Easements and the Supplemental Cross Access Easement are hereby ratified, restated and incorporated herein by reference. If there is any conflict, either express or latent, between the terms and conditions of the Amendment to Ingress/Egress Easements and the Existing Cross Access Easements and the Supplemental Cross Access Easement, then the terms

