

Prepared By:

*Heidi Davis Knapik*

Heidi Davis Knapik

**PROJECT NARRATIVE**

**POMPANO AT WEST ATLANTIC BLVD**

**March 15, 2023**

**Applicant:** Alliance West Atlantic, LLC

**Name of Project:** Pompano at West Atlantic Blvd

**Property Owner:** Alliance West Atlantic, LLC  
c/o Eric Carlson, Vice President  
Alliance HP  
40 Morris Ave, Suite 230  
Bryn Mawr, PA 19010  
(757) 560-0853 [ecarlson@alliancehp.com](mailto:ecarlson@alliancehp.com)

**Architect:** Peter Corrales  
Corrales Group  
2300 Corporate Blvd. N.W., Suite 145  
Boca Raton, FL 33431  
(561) 995-6700 [cga2000@bellsouth.net](mailto:cga2000@bellsouth.net)

**Civil Engineer:** Sean McPeak  
Bohler Engineering  
1 SE 3rd Ave., Suite 1760  
Miami, FL 33131  
(786) 681-0800 [smcpeak@bohlereng.com](mailto:smcpeak@bohlereng.com)

**Landscape Architect:** Brett Waldman  
Bohler Engineering  
1900 Corporate Blvd NW Suite 101E,  
Boca Raton, FL 33431  
(786) 681-0800 [bwaldman@bohlereng.com](mailto:bwaldman@bohlereng.com)

**Land Use Attorney:** Heidi Davis Knapik  
GUNSTER  
450 E. Las Olas Blvd., Suite 1400  
Fort Lauderdale, FL 33301  
(954) 468-1391 [hdavis@gunster.com](mailto:hdavis@gunster.com)

**Legal Description:** See attached.

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

## **PROJECT DESCRIPTION**

Pompano at West Atlantic Blvd. is a proposed demolition of the two existing warehouse/industrial buildings and construction of a new warehouse/distribution facility at 1500 W. Atlantic Blvd. (the “Project”).

### **Location**

The Project is located north of W. Atlantic Blvd., south of existing industrial buildings, east of the FEC railroad tracks, and west of the recently completed Wawa at the corner of N. Andrews Ave. and W. Atlantic Blvd. The Project contains approximately 8.6 acres and consists of three parcels, the northwestern parcel (Parcel ID of #484234000590), the southwestern parcel (Parcel ID of #484234000600), and the eastern parcel (Parcel ID of #484234001002) collectively, the “Property”.

### **Development**

The Property will be consolidated (a separate plat application will be submitted) and contain a warehouse/industrial building, parking, landscaping and drainage. The Property is zoned I-1 General Industrial and is designated Industrial on the City of Pompano Beach (the “City”) and Commerce on the Broward County Future Land Use Maps. Warehouse/distribution facilities are permitted uses within the I-1 zoning district. The Property is currently owned by Alliance West Atlantic, LLC (see attached recorded deed), and the two buildings currently on the Property are vacant and will be demolished. The redevelopment of this site is consistent with the zoning and future land use and will enhance and revitalize this old, underutilized Property.

### **Site Plan**

The Project’s site plan is designed to industrial warehouse/distribution standards for multiple tenants. The proposed facility’s footprint consists of approximately 160,000 square feet and meets and/or exceeds all of the requirements of the City’s Code including access, circulation, parking and loading, building design and architectural treatment, and landscape buffer yards. The building has been oriented to respect its closest road frontage, North Andrews Avenue and will be articulated with various architectural details and lush landscaping to break up the mass and scale of the building and soften and frame the building.

### **Access**

The Property provides two ingress and egress points: one will be provided from W. Atlantic Blvd. and the second through an existing platted access easement on the north side of the Wawa property to N. Andrews Ave. These two entrances will provide for multiple access points, which will allow the safe distribution of traffic entering and exiting the site.

Additionally, since at least 1968 and according to historic aerial imagery, the properties to the north of the Property (95, 101 and 105 NW 13<sup>th</sup> Avenue) have accessed West Atlantic Avenue through the Property along a private roadway, known as NW 13<sup>th</sup> Avenue. As such, these properties and their customers/visitors maintain a proscriptive easement across the Property, which

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

will prohibit the Applicant's ability to gate the Property. Lauren Gratzner, Planner for the City of Pompano Beach, has confirmed that NW 13<sup>th</sup> Ave is not a public street, has not been dedicated to the City, nor was the roadway vacated.

### **Restrictive Covenant**

Approximately two thirds of the Property is restricted from certain uses due to its historic industrial uses per Broward County Environmental Protection Department ("EPD"). The EPD Facility Identification Number is 068734833 and the property is subject to a recorded Declaration of Restrictive Covenant for future uses of the site related to prior contaminated soil and/or ground water. The Applicant intends to comply with EPD use provisions/restrictions.

### **Review Standards**

The Project meets all code provisions, and no variances or adjustments are being requested. Per Sec. 155.2407(E), the Project satisfies the City's Site Plan Review Standards as follows:

#### **1. Project is consistent with Comprehensive Plan.**

The Project is consistent with the City's Comprehensive Plan in that the land use and zoning allow for the proposed industrial use as a warehouse/distribution facility. The Property is currently located within an industrial area and is adjacent to W. Atlantic Blvd., the FEC railroad tracks, and existing warehouse/industrial uses. The Project's existing use and location minimizes the impact of the proposed industrial redevelopment on residential and commercial uses as it is a redevelopment of an existing industrial condition. It is also surrounded by a variety of compatible industrial uses (there are no residential uses in the area), so there will be no adverse effects on incompatible uses.

The property is designated Industrial on both the City and Commerce on the County Future Land Use Maps, and the proposed use as a distribution warehouse facility is consistent with the City and County's permitted uses.

The Project meets or exceeds the goals, objectives and policies of the City's Comprehensive Plan including:

***Policy 01.03.01 Eliminate or reduce nonconforming uses which are inconsistent with the land development regulations and designations of the Future Land Use Plan map. Policy 01.03.13 Future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.*** The Property is located adjacent to the Florida East Coast Railroad and W. Atlantic Blvd. Access to Interstate 95, a major connector to airports and seaports is less than ½ a mile away the Project.

***Policy 01.06.12 Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.*** There is sufficient water and wastewater capacity to serve the Property.

*Policy 01.08.03 Continue the construction of facilities such as roadway, drainage, water and sewer facilities and enhanced medians and other street section beautification efforts in the northwest Dr. Martin Luther King Jr. Blvd, NW 31<sup>st</sup> Avenue and Atlantic Boulevard corridors. Encourage auto-oriented and industrial development along these gateway corridor to provide an enhanced roadway frontage for both the building facades and the landscaping visible from the roadway to beautify the corridor.* The industrial development will enhance the roadway frontages it faces and will beautify the W. Atlantic corridor.

*Objective 01.23.00 – Economic Development. Expand the economic base by attracting Class A office space and higher education institutional uses, continuing to support the industrial and manufacturing sectors while protecting tourism as well as the quality of life and delivery of services to local residents.* The Project will expand the economic base of the City.

**2. Project complies with the applicable district, use, and intensity and dimensional standards of the Code (Articles 3, 4 and 5).**

To the best of Applicant’s knowledge: the Project complies with all applicable district, use, intensity and dimensional standards of Articles 3, 4, and 5 of the City’s Zoning Code.

A) Article 3 – Zoning Districts. The Property is located within the I-1 General Industrial zoning district. Permitted uses within the I-1 include light and moderate manufacturing, assembly, fabrication, processing, distribution, warehousing, research and development, and other industrial uses—but not heavy or hazardous manufacturing processes.

B) Article 4 – Use Standards. According to Section 155.4228(C) of the Zoning Code, warehouse, distribution and storage facilities are permitted within the I-1 zoning district. The Project is a distribution / warehouse facility engaged in the distribution and/or storage of manufactured products, supplies, and equipment involving delivery trucks. Additionally, the Project is designed to ensure proper vehicle stacking, circulation and turning movements. Accessory uses of the Project will include less than 20% office.

C) Article 5 – Development Standards.

The Project complies with the dimensional standards set forth in Article 5. For example:

(1) The Project complies with the minimum stacking land distance requirement of 50 feet for parking lot entrances of developments with more than 50 parking spaces.

(2) The Project exceeds the required number of off-street parking required for a warehouse, distribution or storage facility which requires 1 space per 750 sq ft for the first 3,000 sq ft of floor area, then 1 space per 2,500 sq ft for additional floor area. The required parking for the Project is 67 spaces and the provided parking for the Project is 162 spaces.

(3) The Project meets or exceeds the I-1 landscaping requirements.

(4) All vehicular use area landscaping requirements have been satisfied including

landscape islands with a minimum width of 8 feet between every 10 parking spaces.

(5) The Project's building height is 32' – 6", which is under the maximum 45-foot height in the I-1 zoning district.

(6) The Project satisfies all setbacks within the I-1 zoning district.

**3. Project complies with the applicable development standards of this Code (Article 5)**

To the best of Applicant's knowledge, the site plan complies with all applicable Development Standards of Article 5 of the Code including access, circulation, parking and loading, landscaping, lighting and design standards.

For example:

(A) The Project maintains safe, convenient and orderly access and movement of vehicles including firefighting and other emergency vehicles, garbage trucks and delivery trucks, between internal origin and destination points and the external roadway system. The site plan depicts the development's circulation plan.

(B) The Project will maintain an internal pedestrian access.

(C) All plant materials within the Project are Florida Grade #1 or better, in accordance with Grades and Standards for Nursery Plants (Florida Division of Plant Industry).

(D) All landscaping will be installed in a sound, workmanlike manner and in accordance with landscaping BMPs, Florida-friendly landscaping principles, and the standards within the Code.

(E) All mechanical equipment on the Property has been adequately screened. The Project's HVAC and mechanical equipment is located on the roof of the structure screened by a parapet wall.

(F) The Project's architectural style is one which will enhance the character and style of the area. The Project uses many architectural details and elements to break up the mass of the building including distinctive entry features, articulated facades with offsets, variations in roof forms, horizontal banding and vertical accents. The Project's design avoids long, blank wall planes by incorporating wall offsets and changes in color and material. Special attention has been paid to the frontage that faces N. Andrews Ave., as it is the façade closest to the roadway and will serve as the Project's front and primary patron entrance.

(G) The proposed building is set back nearly 250' from W. Atlantic Blvd. due to site constraints. As previously mentioned, the eastern two thirds of the Property contains use restrictions as set forth in a recorded Declaration of Restrictive Covenant that restrict stormwater infiltration. Additionally, the Property's topography falls north to south, so the location of the stormwater basin could only be situated outside of the restricted area and in the lowest area of the site in the southwest corner along W. Atlantic Blvd.

**4. Project complies with all other applicable Code standards.**

To the best of Applicant’s knowledge, the site plan complies with all other applicable development standards of the Code, to the extent necessary and applicable, including the Sustainability Requirements as set forth in Sec. 155.5802. The Project satisfies the following sustainable development options by incorporating several green design features:

	<b>GREEN DESIGN FEATURE</b>	<b>POINTS</b>
1	Hurricane Resistant Structure – 150 mph load minimum	4
2	Infill Development*	4
3	Brownfield Site Redevelopment#	6
4	White Roof	2
	<b>TOTAL POINTS (POINTS REQUIRED)</b>	<b>16 (12)</b>

\*The Project constitutes infill development according to the Zoning Code definition which states, Infill Development is land development or redevelopment of vacant or underutilized sites in locations where the surrounding area is generally developed and supporting infrastructure is already in place. The Project is located in a developed Industrial area within the Community Redevelopment Area along W. Atlantic Blvd., east of the FEC Railroad tracks. The current property is an older underutilized site with existing industrial buildings, but the supporting infrastructure is already in place due to the adjacent railroad, N. Andrews Ave., and W. Atlantic Blvd.

# The Project is located in Pompano Beach’s Northwest CRA and according to Max Wemyss at the City’s Planning Department, all properties in the Northwest CRA are categorized as a Brownfield Site Redevelopment.

**5. Project complies with all requirements or conditions of any prior applicable development orders.**

Not applicable, as there are no prior applicable development orders.

**6. Project is issued a concurrency review certificate in accordance with Chapter 154 (Planning) of the Code.**

Property meets concurrency requirements and is in the process of being platted.

**7. Project is designed to provide safe, adequate, paved vehicular access within the development and streets identified on the Broward County Trafficways Plan.**

The Project will consist of one large warehouse/distribution facility. The site plan is designed to provide safe, adequate and paved vehicular access within the development. The Project’s ingress and egress is from W. Atlantic Blvd. and N. Andrews Ave. The N. Andrews Ave. access point is through an existing platted driveway. The Applicant has worked with FDOT and Wawa, the adjacent property owner on a shared access for both properties along W. Atlantic Blvd. The Project proposes to close Wawa’s existing entrance on W. Atlantic Blvd. and create one

**DRC**

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

shared access point. Please see attached email from Sarah Waski indicating the initial coordination of the shared access point.

**8. The Project complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance.**

The Project does not intend to utilize any hazardous materials, but the Project and its tenants will comply with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance, if applicable.

**9. The Project complies with CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance and activity support.**

The following is the Project's CPTED Security Narrative Plan. *The CPTED Security Drawing Plan is included within the Site Plan package.*

Prepared By:  
Robert B. Barkin, Esq.  
Akerman LLP  
777 South Flagler Drive  
Suite 1100, West Tower  
West Palm Beach, Florida 33401

Return to:  
The Chase Law Group, LLC  
1447 York Road, Suite 505  
Lutherville, MD 21093  
Attn: Todd Chase, Esq.

Parcel ID: 484234000590  
Parcel ID: 484234000600  
Parcel ID: 484234001002

### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of October 4, 2022, by JENARO BUILDING, LLC, a Florida limited liability company, SUGAR BUILDING, LLC, a Florida limited liability company, and S & M DISTRIBUTION CENTER, INC., a Florida corporation, each having an address at 2321 N.E. 32<sup>nd</sup> Court, Lighthouse Point, Florida 33064, hereinafter collectively, called the "Grantor", to ALLIANCE WEST ATLANTIC LLC, a Delaware limited liability company, whose address is 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, 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 \$10.00 and other good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all the right, title, interest, claim and demand that the Grantor has in and to all those certain parcels of land situated in Broward County, Florida (the "Property"), and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO: The covenants, conditions, restrictions, easements, reservations and limitations of record, including without limitation those listed on Exhibit B attached hereto and incorporated herein, it not being the intent of the parties to reimpose same;

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, EXCEPT AS NOTED ABOVE, THE GRANTOR DOES HEREBY SPECIALLY WARRANT the title to said property, and will defend the same against the lawful claims of all persons, claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered  
in our presence:

JENNARO BUILDING, LLC,  
a Florida limited liability company

Signed: RPJ  
Print Name: RENE P. JASATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

Signed: [Signature]  
Print Name: Evelyn Arroyo

SUGAR BUILDING, LLC,  
a Florida limited liability company

Signed: RPJ  
Print Name: RENE P. JASATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

Signed: [Signature]  
Print Name: Evelyn Arroyo

S & M DISTRIBUTION CENTER,  
INC.,  
a Florida corporation

Signed: RPJ  
Print Name: RENE P. JASATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

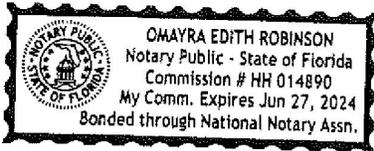
Signed: [Signature]  
Print Name: Evelyn Arroyo

**DRC**

**DRC**

STATE OF FLORIDA  
COUNTY OF BROWARD

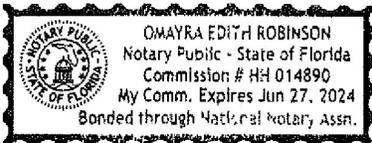
The foregoing instrument was acknowledged before me by means of () physical presence or ( ) online notarization, on October 3, 2022 by, Sharyl Jennaro as an Authorized Signatory of JENNARO BUILDING, LLC, on behalf of the company, who is known to me or provided Driver License for identification.



[Signature]  
Notary Public, Omayra Robinson County, Broward  
My commission expires: June 27, 2024

STATE OF FLORIDA  
COUNTY OF BROWARD

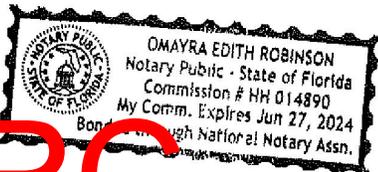
The foregoing instrument was acknowledged before me by means of () physical presence or ( ) online notarization, on October     , 2022 by, Sharyl Jennaro as an Authorized Signatory of SUGAR BUILDING, LLC, on behalf of the company, who is known to me or provided DRIVER License for identification.



[Signature]  
Notary Public, Omayra Robinson County, Broward  
My commission expires: June 27, 2024

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of () physical presence or ( ) online notarization, on October     , 2022 by, Sharyl Jennaro as an Authorized Signatory of S & M DISTRIBUTION CENTER, INC., on behalf of the corporation, who is known to me or provided Driver License for identification.



[Signature]  
Notary Public, Omayra Robinson County, Broward  
My commission expires: June 27, 2024

**DRC**

**DRC**

EXHIBIT A

PROPERTY DESCRIPTION

TRACT 1 (Sugar Building, LLC):

BEGIN AT A POINT IN THE CENTER OF THE MAIN LINE TRACK OF THE SEABOARD AIR LINE RAILROAD COMPANY DISTANT 1,398 FEET SOUTH OF INTERSECTION OF SAID MAIN LINE AND THE CENTER LINE OF THE HAMMONDVILLE HIGHWAY; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACT, 60 FEET TO A POINT OF BEGINNING; BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY SEABOARD AIR LINE RAILROAD COMPANY TO GOLD COAST PRODUCE AND PACKING COMPANY, INCORPORATED, BY DEED DATED FEBRUARY 23, 1955; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK AND ALONG THE SOUTHERLY LINE OF LAND OF GOLD COAST PRODUCE AND PACKING COMPANY, 156 FEET THE WESTERLY EDGE OF A PAVED DRIVEWAY; THENCE SOUTHERLY AND PARALLEL WITH SAID MAIN LINE TRACT, 400 FEET; THENCE WESTERLY AT A RIGHT ANGLE 156 FEET TO A POINT DISTANT 60 FEET MEASURED AT A RIGHT ANGLE FROM THE CENTER OF SEABOARD AIR LINE RAILROAD COMPANY'S MAIN TRACK, THENCE NORTHERLY PARALLEL WITH SAID MAIN TRACK 400 FEET TO THE POINT OF BEGINNING, BEING LOCATED IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST.

TOGETHER WITH:

PARCEL L-46 (PART)

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER, OF SOUTHEAST 1/4 OF SECTION 34; THENCE NORTH 01°24'49" WEST, 639.23 FEET ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 TO THE POINT OF BEGINNING; THENCE SOUTH 88°53'21" WEST, 27.03 FEET ALONG THE EXISTING RIGHT OF WAY LINE OF THE C.S.X. RAILROAD; THENCE NORTH 10°46'50" EAST, 127.96 FEET TO THE INTERSECTION OF THE WEST LINE OF SOUTHEAST 1/4 OF SECTION 34, THENCE SOUTH 01°24'49" EAST, 125.22 FEET ALONG SAID 1/4 SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 1,692 SQUARE FEET, MORE OR LESS.

TRACT 2 (Jennaro Building, LLC):

BEGIN AT A POINT IN THE CENTER OF THE MAIN LINE TRACT OF THE SEABOARD COAST LINE RAILROAD COMPANY DISTANT 1.798 FEET SOUTH OF INTERSECTION OF SAID MAIN LINE WITH THE CENTER LINE OF THE HAMMONDVILLE HIGHWAY; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK 60 FEET TO A POINT OF BEGINNING; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK 156

**DRC**

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

FEET TO THE WESTERLY EDGE OF A PAVED DRIVEWAY; THENCE SOUTHERLY AND PARALLEL WITH SAID MAIN LINE TRACK 500 FEET, MORE OR LESS TO THE NORTHERLY BOUNDARY OF THE RIGHT OF WAY OF THE POMPANO CANAL IN THE SOUTH LINE OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 34, 162 FEET, MORE OR LESS, TO A POINT DISTANT 60 FEET MEASURED AT A RIGHT ANGLE FROM THE CENTER OF SAID COMPANY'S MAIN TRACK; THENCE NORTHERLY AND PARALLEL WITH SAID MAIN TRACK 530 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 1.84 ACRES, MORE OR LESS, AND BEING LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W1/2 OF SW 1/4 OF SE 1/4) AND IN THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (E1/2 OF SE 1/4 OF SW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SAID COMPANY) BY H.W. MERRILL, ET UX., BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

EXCEPTING, HOWEVER, THAT PARCEL OF LAND HERETOFORE DEEDED TO THE CENTRAL AND SOUTH FLORIDA FLOOD CONTROL DISTRICT, RECORDED IN DEED BOOK 874, PAGE 570.

AND

THAT CERTAIN PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 34; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 5.70 FEET; THENCE RUN NORTHEASTERLY MAKING AN ANGLE OF 78° 08' 23" IN THE NORTHEAST QUADRANT FROM THE PRECEDING COURSE A DISTANCE OF 23 SECONDS IN THE NORTHEAST QUADRANT FROM THE PRECEDING COURSE A DISTANCE OF 139.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 271.00 FEET; THENCE RUN SOUTHEASTERLY MAKING AN INCLUDED ANGLE OF 90° 00' 00" A DISTANCE OF 47.15 FEET; THENCE RUN SOUTHWESTERLY MAKING AN INCLUDED ANGLE OF 90° 00' 00" A DISTANCE OF 261.10 FEET; THENCE RUN WEST MAKING AN INCLUDED ANGLE OF 101° 51' 37" A DISTANCE OF 48.18 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND CONTAINING 12,544 SQUARE FEET, MORE OR LESS, AS SHOWN ON PRINT OF SURVEY DATED JULY 13, 1962, REVISED AUGUST 10, 1962, PREPARED BY MCLAUGHLIN ENGINEERING CO., AS EVIDENCED BY ATTACHED DRAWING 1, AND BEING A PORTION OF THE LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SEABOARD COAST LINE RAILROAD COMPANY) BY H. W. MERRILL, ET UX, BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 5.7 FEET; THENCE NORTH WITH AN ANGLE OF 78° 08' 23" IN THE NORTHEAST

**DRC**

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

QUADRANT AND PARALLEL TO SEABOARD COAST LINE RAILROAD COMPANY'S MAIN LINE TRACK A DISTANCE OF 61.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG THE AFORESAID COURSE A DISTANCE OF 78 FEET, THENCE EAST WITH AN INCLUDED ANGLE OF 101° 51' 37" A DISTANCE OF 129.76 FEET; THENCE SOUTH WITH AN INCLUDED ANGLE OF 78° 08' 23" A DISTANCE OF 78 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD; THENCE WEST WITH AN INCLUDED ANGLE OF 101°51'37" ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 129.76 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND BEING SHOWN ON PRINT OF SURVEY DATED DECEMBER 8, 1959, PREPARED BY MCLAUGHLIN ENGINEERING COMPANY, AS EVIDENCED BY ATTACHED DRAWING 2 AND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SAID COMPANY) BY H. W. MERRILL, ET UX, BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

AND

A PORTION OF THE SOUTH ONE-HALF (S1/2) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF SAID SECTION 34; THENCE WEST ALONG THE SOUTH LINE OF THE SAID SOUTHWEST ONE-QUARTER (SW1/4) A DISTANCE OF 5.7 FEET; THENCE NORTHERLY ALONG A LINE THAT IS 156 FEET EAST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF SEABOARD COAST LINE RAILROAD MAKING AN ANGLE OF 78° 08' 23" IN THE NORTHEAST QUADRANT A DISTANCE OF 410.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 89.93 FEET; THENCE SOUTHEASTERLY MAKING AN INCLUDED ANGLE OF 35° 35' 31" A DISTANCE OF 42.95 FEET; THENCE EASTERLY MAKING AN INCLUDED ANGLE OF 234° 24' 29" A DISTANCE OF 22.15 FEET; THENCE SOUTHERLY ALONG A LINE THAT IS 203.15 FEET EAST OF AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE SAID EAST RIGHT-OF-WAY LINE OF THE SEABOARD COAST LINE RAILROAD MAKING AN INCLUDED ANGLE OF 90°, A DISTANCE OF 55 FEET; THENCE WESTERLY MAKING AN INCLUDED ANGLE OF 90°, A DISTANCE OF 47.15 FEET TO THE POINT OF BEGINNING; CONTAINING 3030 SQUARE FEET, MORE OR LESS AND BEING SHOWN OUTLINED IN YELLOW ON PRINT OF SURVEY MADE BY MCLAUGHLIN ENGINEERING CO., DATED MAY 13, 1970.

TRACT 3 (S & M Distribution Center, Inc.):

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER (S.W.1/4) OF THE SOUTHEAST ONE-QUARTER (S.E.1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY FLORIDA AS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTERLINE OF HAMMONDVILLE ROAD, AND THE CENTERLINE OF THE MAIN TRACK OF THE S.A.L. RAILROAD,

THENCE SOUTH-10° 46'-40" WEST, ALONG THE CENTERLINE OF THE MAIN TRACK OF THE S.A.L. RAILROAD 1354.78 FEET,

THENCE SOUTH-79° 13'-20" EAST, 216.0 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUE ON THE LAST DESCRIBED COURSE SOUTH-79° 13' 20" EAST, 351.83 FEET,

THENCE SOUTH-10° 46' 40" WEST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 610.00 FEET,

THENCE SOUTH-89° 01' 10" WEST, 229.76 FEET,

THENCE SOUTH-10° 46' 40" WEST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 120.60 FEET,

THENCE SOUTH-88° 49' 12" WEST, 81.55 FEET,

THENCE NORTH-10° 46' 40" EAST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 316.10 FEET,

THENCE NORTH-79° 13' 20" WEST, 22.15 FEET,

THENCE NORTH-24° 49' 07" WEST, 42.95 FEET,

THENCE NORTH-10° 46' 40" EAST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 443.23 FEET TO THE POINT OF BEGINNING, SAID LAND LYING AND BEING IN THE CITY OF POMPANO BEACH, FLORIDA, CONTAINING 227,046 SQUARE FEET (5.21 ACRES), MORE OR LESS.

EXHIBIT B

As to All Tracts:

Items 1 through 7 have been intentionally deleted.

- Taxes for the year 2022 and subsequent years, which are not yet due and payable.
- Rights of Sun City Produce Company, as tenant in possession only, under an unrecorded lease.

As to Tract 1:

- Easement, granted from K & D Investments, LLP et al to Sprint Communications Company LP et al, recorded in Official Records Book 49885, Page 466, as affected by Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50264, Page 1803, as affected by Notice of Substitution of Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50355, Page 1901.
- This item has been intentionally deleted.

As to Tract 2:

- Easement granted to Florida Power & Light Company by instrument recorded in Official Records Book 11365, Page 267.
- Easement, granted from K & D Investments, LLP et al to Sprint Communications Company LP et al, recorded in Official Records Book 49885, Page 466, as affected by Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50264, Page 1803, as affected by Notice of Substitution of Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50355, Page 1901.

As to Tract 3:

- This item has been intentionally deleted.
- This item has been intentionally deleted.
- This item has been intentionally deleted.
- Terms and conditions of the Right-of-Way Occupancy Agreement between CSX Transportation and MCI Telecommunications Corporation recorded in Official Records Book 15423, Page 859.
- This item has been intentionally deleted.

*Continued on Following Page*

**DRC**

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

- Terms and conditions of the Easement and Right of Occupancy Agreement between CSX Transportation, Inc. and WTG - East, Inc. recorded in Official Records Book 21176, Page 64.
- Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 40112, Page 1721, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
- Terms, conditions and provisions of Ordinance No. 2012-29, recorded in Official Records Book 49209, Page 1925.
- Terms, conditions and provisions of Proceedings before the Zoning Board of Appeals City of Pompano Beach, Florida, recorded as Instrument No. 114343013.
- Terms, conditions and provisions of Order by the City of Pompano Beach, Florida, recorded as Instrument No. 115857044.

Note: All of the recording information contained herein refers to the Public Records of Broward County, Florida, unless otherwise indicated. Any reference herein to a Book and Page is a reference to the Official Record Books of said county, unless indicated to the contrary.

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

Prepared By:  
Robert B. Barkin, Esq.  
Akerman LLP  
777 South Flagler Drive  
Suite 1100, West Tower  
West Palm Beach, Florida 33401

Return to:  
The Chase Law Group, LLC  
1447 York Road, Suite 505  
Lutherville, MD 21093  
Attn: Todd Chase, Esq.

Parcel ID: 484234000590  
Parcel ID: 484234000600  
Parcel ID: 484234001002

### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of October 4, 2022, by JENNARO BUILDING, LLC, a Florida limited liability company, SUGAR BUILDING, LLC, a Florida limited liability company, and S & M DISTRIBUTION CENTER, INC., a Florida corporation, each having an address at 2321 N.E. 32<sup>nd</sup> Court, Lighthouse Point, Florida 33064, hereinafter collectively, called the "Grantor", to ALLIANCE WEST ATLANTIC LLC, a Delaware limited liability company, whose address is 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, 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 \$10.00 and other good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all the right, title, interest, claim and demand that the Grantor has in and to all those certain parcels of land situated in Broward County, Florida (the "Property"), and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO: The covenants, conditions, restrictions, easements, reservations and limitations of record, including without limitation those listed on Exhibit B attached hereto and incorporated herein, it not being the intent of the parties to reimpose same;

TO HAVE AND TO HOLD, the same in fee simple forever.

**DRC**  
6533562

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

AND, EXCEPT AS NOTED ABOVE, THE GRANTOR DOES HEREBY SPECIALLY WARRANT the title to said property, and will defend the same against the lawful claims of all persons, claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered  
in our presence:

JENNARO BUILDING, LLC,  
a Florida limited liability company

Signed: RP S  
Print Name: RENE P. SABATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

Signed: Francette Fra  
Print Name: FRANCETTE FRAU

SUGAR BUILDING, LLC,  
a Florida limited liability company

Signed: RP S  
Print Name: RENE P. SABATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

Signed: Francette Fra  
Print Name: FRANCETTE FRAU

S & M DISTRIBUTION CENTER, INC.,  
a Florida corporation

Signed: RP S  
Print Name: RENE P. SABATINI

By: Sharyl Jennaro  
Name: Sharyl Jennaro  
Title: Authorized Signatory

Signed: Francette Fra  
Print Name: FRANCETTE FRAU

**DRC**  
66533502

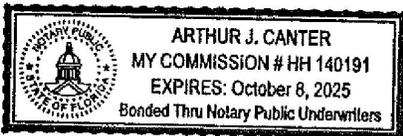
PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

STATE OF FLORIDA  
COUNTY OF PALM BEACH

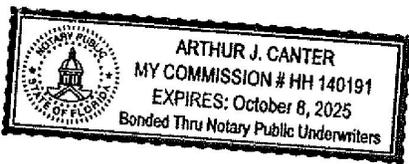
The foregoing instrument was acknowledged before me by means of (  ) physical presence or ( )  
online notarization, on October 4, 2022 by, Sharyl Jennaro as an Authorized Signatory of JENNARO  
BUILDING, LLC, on behalf of the company, who is known to me or provided \_\_\_\_\_  
for identification.



Arthur J Canter  
Notary Public, PALM BEACH County, FLORIDA  
My commission expires: 10/8/2025

STATE OF FLORIDA  
COUNTY OF PALM BEACH

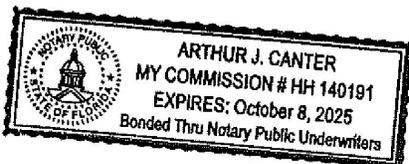
The foregoing instrument was acknowledged before me by means of (  ) physical presence or ( )  
online notarization, on October 4, 2022 by, Sharyl Jennaro as an Authorized Signatory of SUGAR  
BUILDING, LLC, on behalf of the company, who is known to me or provided \_\_\_\_\_  
for identification.



Arthur J Canter  
Notary Public, PALM BEACH County, FLORIDA  
My commission expires: 10/8/2025

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of (  ) physical presence or ( )  
online notarization, on October 4, 2022 by, Sharyl Jennaro as an Authorized Signatory of S & M  
DISTRIBUTION CENTER, INC., on behalf of the corporation, who is known to me or provided  
\_\_\_\_\_ for identification.



Arthur J Canter  
Notary Public, PALM BEACH County, FLORIDA  
My commission expires: 10/8/2025

**DRC**  
665335 3;2

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

EXHIBIT A

PROPERTY DESCRIPTION

TRACT 1 (Sugar Building, LLC):

BEGIN AT A POINT IN THE CENTER OF THE MAIN LINE TRACK OF THE SEABOARD AIR LINE RAILROAD COMPANY DISTANT 1,398 FEET SOUTH OF INTERSECTION OF SAID MAIN LINE AND THE CENTER LINE OF THE HAMMONDVILLE HIGHWAY; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACT, 60 FEET TO A POINT OF BEGINNING; BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY SEABOARD AIR LINE RAILROAD COMPANY TO GOLD COAST PRODUCE AND PACKING COMPANY, INCORPORATED, BY DEED DATED FEBRUARY 23, 1955; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK AND ALONG THE SOUTHERLY LINE OF LAND OF GOLD COAST PRODUCE AND PACKING COMPANY, 156 FEET THE WESTERLY EDGE OF A PAVED DRIVEWAY; THENCE SOUTHERLY AND PARALLEL WITH SAID MAIN LINE TRACT, 400 FEET; THENCE WESTERLY AT A RIGHT ANGLE 156 FEET TO A POINT DISTANT 60 FEET MEASURED AT A RIGHT ANGLE FROM THE CENTER OF SEABOARD AIR LINE RAILROAD COMPANY'S MAIN TRACK, THENCE NORTHERLY PARALLEL WITH SAID MAIN TRACK 400 FEET TO THE POINT OF BEGINNING, BEING LOCATED IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST.

TOGETHER WITH:

PARCEL L-46 (PART)

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER, OF SOUTHWEST 1/4 OF SECTION 34; THENCE NORTH 01°24'49" WEST, 639.23 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE POINT OF BEGINNING; THENCE SOUTH 88°53'21" WEST, 27.03 FEET ALONG THE EXISTING RIGHT OF WAY LINE OF THE C.S.X. RAILROAD; THENCE NORTH 10°46'50" EAST, 127.96 FEET TO THE INTERSECTION OF THE WEST LINE OF SOUTHWEST 1/4 OF SECTION 34, THENCE SOUTH 01°24'49" EAST, 125.22 FEET ALONG SAID 1/4 SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 1,692 SQUARE FEET, MORE OR LESS.

TRACT 2 (Jennaro Building, LLC):

BEGIN AT A POINT IN THE CENTER OF THE MAIN LINE TRACT OF THE SEABOARD COAST LINE RAILROAD COMPANY DISTANT 1.798 FEET SOUTH OF INTERSECTION OF SAID MAIN LINE WITH THE CENTER LINE OF THE HAMMONDVILLE HIGHWAY; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK 60 FEET TO A POINT OF BEGINNING; RUN THENCE EASTERLY AT A RIGHT ANGLE TO SAID MAIN LINE TRACK 156 FEET TO THE WESTERLY EDGE OF A PAVED DRIVEWAY; THENCE SOUTHERLY AND PARALLEL WITH SAID MAIN LINE TRACK 500 FEET, MORE OR LESS TO THE NORTHERLY BOUNDARY OF THE RIGHT OF WAY OF THE POMPANO CANAL IN THE SOUTH LINE OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 34, 162 FEET, MORE OR LESS, TO A POINT DISTANT 60 FEET MEASURED AT A RIGHT ANGLE FROM THE CENTER OF SAID COMPANY'S MAIN TRACK; THENCE NORTHERLY AND PARALLEL WITH SAID MAIN TRACK 530 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 1.84 ACRES, MORE OR LESS, AND BEING LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (W1/2 OF SW 1/4 OF SE 1/4) AND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE

**DRC**  
665335;2

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

SOUTHWEST QUARTER (E1/2 OF SE 1/4 OF SW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SAID COMPANY) BY H.W. MERRILL, ET UX., BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

EXCEPTING, HOWEVER, THAT PARCEL OF LAND HERETOFORE DEEDED TO THE CENTRAL AND SOUTH FLORIDA FLOOD CONTROL DISTRICT, RECORDED IN DEED BOOK 874, PAGE 570.

AND

THAT CERTAIN PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 34; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 5.70 FEET; THENCE RUN NORTHEASTERLY MAKING AN ANGLE OF 78° 08' 23" IN THE NORTHEAST QUADRANT FROM THE PRECEDING COURSE A DISTANCE OF 23 SECONDS IN THE NORTHEAST QUADRANT FROM THE PRECEDING COURSE A DISTANCE OF 139.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 271.00 FEET; THENCE RUN SOUTHEASTERLY MAKING AN INCLUDED ANGLE OF 90° 00' 00" A DISTANCE OF 47.15 FEET; THENCE RUN SOUTHWESTERLY MAKING AN INCLUDED ANGLE OF 90° 00' 00" A DISTANCE OF 261.10 FEET; THENCE RUN WEST MAKING AN INCLUDED ANGLE OF 101° 51' 37" A DISTANCE OF 48.18 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND CONTAINING 12,544 SQUARE FEET, MORE OR LESS, AS SHOWN ON PRINT OF SURVEY DATED JULY 13, 1962, REVISED AUGUST 10, 1962, PREPARED BY MCLAUGHLIN ENGINEERING CO., AS EVIDENCED BY ATTACHED DRAWING 1, AND BEING A PORTION OF THE LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SEABOARD COAST LINE RAILROAD COMPANY) BY H. W. MERRILL, ET UX, BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 5.7 FEET; THENCE NORTH WITH AN ANGLE OF 78° 08' 23" IN THE NORTHEAST QUADRANT AND PARALLEL TO SEABOARD COAST LINE RAILROAD COMPANY'S MAIN LINE TRACK A DISTANCE OF 61.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG THE AFORESAID COURSE A DISTANCE OF 78 FEET, THENCE EAST WITH AN INCLUDED ANGLE OF 101° 51' 37" A DISTANCE OF 129.76 FEET; THENCE SOUTH WITH AN INCLUDED ANGLE OF 78° 08' 23" A DISTANCE OF 78 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD; THENCE WEST WITH AN INCLUDED ANGLE OF 101°51'37" ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 129.76 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND BEING SHOWN ON PRINT OF SURVEY DATED DECEMBER 8, 1959, PREPARED BY MCLAUGHLIN ENGINEERING COMPANY, AS EVIDENCED BY ATTACHED DRAWING 2 AND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND CONVEYED TO SEABOARD-ALL FLORIDA RAILWAY (PREDECESSOR IN RIGHT, TITLE, INTEREST AND ESTATE OF SAID COMPANY) BY H. W. MERRILL, ET UX, BY DEED DATED DECEMBER 10, 1938, RECORDED IN DEED BOOK 323, PAGE 199, PUBLIC RECORDS OF SAID BROWARD COUNTY.

AND

**DRC**  
653350;2

PZ23-1200007  
08/16/2023

**DRC**

PZ23-1200007  
04/19/2023

A PORTION OF THE SOUTH ONE-HALF (S1/2) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF SAID SECTION 34; THENCE WEST ALONG THE SOUTH LINE OF THE SAID SOUTHWEST ONE-QUARTER (SW1/4) A DISTANCE OF 5.7 FEET; THENCE NORTHERLY ALONG A LINE THAT IS 156 FEET EAST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF SEABOARD COAST LINE RAILROAD MAKING AN ANGLE OF 78° 08' 23" IN THE NORTHEAST QUADRANT A DISTANCE OF 410.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 89.93 FEET; THENCE SOUTHEASTERLY MAKING AN INCLUDED ANGLE OF 35° 35' 31" A DISTANCE OF 42.95 FEET; THENCE EASTERLY MAKING AN INCLUDED ANGLE OF 234° 24' 29" A DISTANCE OF 22.15 FEET; THENCE SOUTHERLY ALONG A LINE THAT IS 203.15 FEET EAST OF AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE SAID EAST RIGHT-OF-WAY LINE OF THE SEABOARD COAST LINE RAILROAD MAKING AN INCLUDED ANGLE OF 90°, A DISTANCE OF 55 FEET; THENCE WESTERLY MAKING AN INCLUDED ANGLE OF 90°, A DISTANCE OF 47.15 FEET TO THE POINT OF BEGINNING; CONTAINING 3030 SQUARE FEET, MORE OR LESS AND BEING SHOWN OUTLINED IN YELLOW ON PRINT OF SURVEY MADE BY MCLAUGHLIN ENGINEERING CO., DATED MAY 13, 1970.

TRACT 3 (S & M Distribution Center, Inc.):

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER (S.W.1/4) OF THE SOUTHEAST ONE-QUARTER (S.E.1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY FLORIDA AS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTERLINE OF HAMMONDVILLE ROAD, AND THE CENTERLINE OF THE MAIN TRACK OF THE S.A.L. RAILROAD,

THENCE SOUTH-10° 46'-40" WEST, ALONG THE CENTERLINE OF THE MAIN TRACK OF THE S.A.L. RAILROAD 1354.78 FEET,

THENCE SOUTH-79° 13'-20" EAST, 216.0 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUE ON THE LAST DESCRIBED COURSE SOUTH-79° 13' 20" EAST, 351.83 FEET,

THENCE SOUTH-10° 46' 40" WEST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 610.00 FEET,

THENCE SOUTH-89° 01' 10" WEST, 229.76 FEET,

THENCE SOUTH-10° 46' 40" WEST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 120.60 FEET,

THENCE SOUTH-88° 49' 12" WEST, 81.55 FEET,

THENCE NORTH-10° 46' 40" EAST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 316.10 FEET,

THENCE NORTH-79° 13' 20" WEST, 22.15 FEET,

THENCE NORTH-24° 49' 07" WEST, 42.95 FEET,

THENCE NORTH-10° 46' 40" EAST, PARALLEL WITH THE CENTERLINE OF THE MAINTRACK OF THE S.A.L. RAILROAD, 443.23 FEET TO THE POINT OF BEGINNING, SAID LAND LYING AND BEING IN THE CITY OF POMPANO BEACH, FLORIDA, CONTAINING 227,046 SQUARE FEET (5.21 ACRES), MORE OR LESS.



EXHIBIT B

As to All Tracts:

Items 1 through 7 have been intentionally deleted.

8. Taxes for the year 2022 and subsequent years, which are not yet due and payable.
9. Rights of Sun City Produce Company, as tenant in possession only, under an unrecorded lease.

As to Tract 1:

10. Easement, granted from K & D Investments, LLP et al to Sprint Communications Company LP et al, recorded in Official Records Book 49885, Page 466, as affected by Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50264, Page 1803, as affected by Notice of Substitution of Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50355, Page 1901.
11. This item has been intentionally deleted.

As to Tract 2:

12. Easement granted to Florida Power & Light Company by instrument recorded in Official Records Book 11365, Page 267.
13. Easement, granted from K & D Investments, LLP et al to Sprint Communications Company LP et al, recorded in Official Records Book 49885, Page 466, as affected by Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50264, Page 1803, as affected by Notice of Substitution of Easement Deed by Court Order in Settlement of Landowner Action recorded in Official Records Book 50355, Page 1901.

As to Tract 3:

14. This item has been intentionally deleted.
15. This item has been intentionally deleted.
16. This item has been intentionally deleted.
17. Terms and conditions of the Right-of-Way Occupancy Agreement between CSX Transportation and MCI Telecommunications Corporation recorded in Official Records Book 15423, Page 859.
18. This item has been intentionally deleted.

*Continued on Following Page*

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

19. Terms and conditions of the Easement and Right of Occupancy Agreement between CSX Transportation, Inc. and WTG - East, Inc. recorded in Official Records Book 21176, Page 64.
20. Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 40112, Page 1721, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
21. Terms, conditions and provisions of Ordinance No. 2012-29, recorded in Official Records Book 49209, Page 1925.
22. Terms, conditions and provisions of Proceedings before the Zoning Board of Appeals City of Pompano Beach, Florida, recorded as Instrument No. 114343013.
23. Terms, conditions and provisions of Order by the City of Pompano Beach, Florida, recorded as Instrument No. 115857044.

Note: All of the recording information contained herein refers to the Public Records of Broward County, Florida, unless otherwise indicated. Any reference herein to a Book and Page is a reference to the Official Record Books of said county, unless indicated to the contrary.

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023

**From:** [Waski, Sarah](#)  
**To:** [Eric Carlson](#)  
**Subject:** Wawa Store 5288 1 N Andrews Ave (1 N Andrews Ave, Pompano Beach, Florida 33069) FLDOT  
**Date:** Tuesday, March 7, 2023 1:12:29 PM  
**Attachments:** [image001.png](#)

---

Mr. Eric Carlson,

Please see message to FLDOT in regards to association on this matter.

To whom it may concern:

My name is Sarah Waski and I am the Real Estate Portfolio Manager for the Wawa for 1 N Andrews Ave, Pompano Beach, FL 33069 store. I understand that there is a proposed development from the owner of the property to the west of us on W. Atlantic Avenue, Alliance West Atlantic, LLC. It is my understanding that the owner intends to submit an application that reflects 1) vehicle access through the N. Andrews Ave cross access easement created by Plat Book 183, Page 382, and 2) closure of the Wawa's entrance on W. Atlantic Blvd and the creation of a new common vehicle access on the owners property. I have been in contact with the owner's VP of Construction and Development, Eric Carlson, and Wawa's Ownership throughout the design process of this application and we are working in good faith to memorialize a Reciprocal Easement Agreement to put forth the intentions described. Please note that this is pending full and final approval from all parties mentioned in this email.

Thank you

**Sarah Waski**  
Real Estate Portfolio Manager



Wawa, Inc.

(m): (267)-951-8185

**DRC**

PZ23-12000007  
08/16/2023

**DRC**

PZ23-12000007  
04/19/2023