

ORDINANCE NO. 2021 - 02

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF RACE TRACK ROAD (SW 3RD ST.), EAST OF S. POWERLINE ROAD (SW 26TH AVE.), WEST OF THE TRI-RAIL RAILROAD TRACK, AND NORTH OF N. CYPRESS BEND DRIVE FROM PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT) TO AMENDED PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT); PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 166.041(3)(c)2, Florida Statutes, advertisements were published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

WHEREAS, two public hearings were held as published and the parties in interest and all other persons desiring to speak had the opportunity to be, and were, in fact, heard; now therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. - FINDINGS: Based upon the application materials, proposed documents to be recorded in the public records, and information provided at the public hearing, and all other publicly available information:

A. The City Commission finds that the rezoning of the property described in Exhibit "A," attached and made part of this Ordinance ("Subject Parcel"), is consistent with the Comprehensive Plan; that the rezoning complies with City Code Section 155.3604, Planned Commercial/Industrial Development District, as well as all other requirements of the Zoning Code; and that rezoning is reasonably related to the public health, safety and welfare.

B. The Subject Parcel consists of approximately 232.05 gross acres in area, and is well suited to the flexibility and diversity envisioned by Section 155.3604 of the Code of Ordinances of the City of Pompano Beach, Florida; and

C. Under the Subject Parcel's current land use designation of Regional Activity Center, the Applicant will be permitted to develop the office space, dwelling units, Commercial Recreation and Commercial entitlements that are reflected on the PCD Master Plan. Once the Land Use Plan is amended, the Applicant will be permitted to develop the 1,500,000 sq. ft. of industrial space shown on the PCD Master Plan.

SECTION 2. – REZONING AND APPROVAL OF MASTER PLAN: The Subject Parcel is rezoned from its present zoning classifications of PCD (Planned Commercial/Industrial District per Ordinance 2019-107 to Amended PCD (Planned Commercial/Industrial District) with all conditions and limitations as provided in Section 155.3604 of the Code of Ordinances of the City of Pompano Beach.

Pursuant to the requirements of Section 155.3604 of the Code of Ordinances of the City of Pompano Beach, Florida, the PCD Master Plan submitted for the Subject Parcel, which is attached and made a part this Ordinance as Exhibit "B," is adopted, subject to any conditions to the proposed development's implementation including, but not limited to, those listed in Exhibit "C," attached and made a part of this Ordinance.

SECTION 3. - DEVELOPMENT STANDARDS AND REQUIREMENTS: Pursuant to the provisions of Section 155.3604 of the Code of Ordinances of the City of Pompano Beach, Florida, all development of the Subject Parcel shall be limited to the uses, intensity and density, configuration and all other elements and conditions set forth in the PCD Master Plan, as approved, and any conditions to the proposed development's implementation including, but not limited to, those listed in Exhibit "C." Any deviations from the PCD Master Plan that would have a material

effect on the character of the approved development shall require amendment of the Planned Development in accordance with Section 155.2308 of the Zoning Code.

SECTION 4. - **EFFECTIVE PERIOD OF APPROVAL:** Approval of this rezoning shall automatically expire if an application for a Site Plan (Major or Minor) for any part of the development shown on the approved PCD Master Plan is not submitted within two years after approval of the Planned Development, or an extension of this time period authorized in accordance with Section 155.2308.B, Extension of Expiration Time Period.

SECTION 5. - **SEVERABILITY:** If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. - **EFFECTIVE DATE:** This Ordinance shall become effective upon passage.

PASSED FIRST READING this 8th day of September , 2020.

PASSED SECOND READING this 27th day of October , 2020.

DocuSigned by:
 Rex Hardin
502CB780EB3F480...
REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
 Asceleta Hammond
775D4290316A490...
ASCELETA HAMMOND, CITY CLERK

:jrm
8/12/2020
L:ord/2020-280



Exhibit "A"
Legal Description

Parcel 1:

All of the following described lands lying in and being a part of Section 3, Township 49 South, Range 42 East, Broward County, Florida:

The South 1/2 of the Northwest 1/4, EXCEPT the West 33 feet thereof for road right-of-way;

AND that part of the South 1/2 of the Northeast 1/4 lying West of the Seaboard Coast Line Railroad;

AND Government Lot 5, EXCEPT the West 33 feet thereof for road right-of-way, and also EXCEPT ARVIDA POMPANO PARK, as recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida;

AND that part of Government Lot 6 lying South of said Plat Book 137, Page 33;

AND that part of Government Lot 7 lying South of said Plat Book 137, Page 33 and West of the Seaboard Coast Line Railroad;

TOGETHER WITH a portion of Tract B, of the aforesaid ARVIDA POMPANO PARK;

SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of the aforementioned Section 3; run

THENCE on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of the aforesaid Government Lot 5;

THENCE South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5

and along the westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet;

THENCE South 00 degrees 09 minutes 21 seconds East a distance of 53.03 feet to a point on the South right-of way line of RACE TRACK ROAD as shown on the aforementioned Plat of ARVIDA POMPANO PARK;

THENCE South 88 degrees 01 minutes 37 seconds East along said South of right-of-way, a distance of 571.42 feet to the Northeast corner of the lands described in Official Records Book 15678 at Page 145, of the aforesaid Public Records;

THENCE continue South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to the POINT OF BEGINNING of the lands herein described;

THENCE continue along said right-of-way the following two courses and distances:

South 88 degrees 01 minutes 37 seconds East, a distance of 100.00 feet;

South 88 degrees 07 minutes 14 seconds East, a distance of 1087.87 feet to the point of the aforementioned Westerly right-of-way line of the Seaboard Coast Line Railroad;

THENCE South 13 degrees 04 minutes 16 seconds West along said Westerly right-of-way line, a distance of 2969.90 feet to a point of the South line of the aforesaid South 1/2 of the Northeast 1/4;

THENCE North 86 degrees 02 minutes 40 seconds West along said South line and the South line of the aforesaid South 1/2 of the Northwest 1/4, a distance of 3078.57 feet to a point on the East right-of-way line of POWERLINE ROAD said point being 33.00 feet by right angle measurement East of the West line of the aforesaid Northwest 1/4 of Section 3;

THENCE North 00 degrees 00 minutes 26 seconds East parallel with said West line of the Northwest 1/4 and along said East right-of-way line, a distance of 2039.93 feet to a point on the boundary on the aforesaid ARVIDA POMPANO PARK;

THENCE along said boundary the following thirteen courses and distances:

South 45 degrees 06 minutes 41 seconds East a distance of 94.55 feet;

North 89 degrees 46 minutes 38 seconds East, a distance of 1025.36 feet;

North 44 degrees 56 minutes 16 seconds East, a distance of 49.49 feet (North 44 degrees 48 minutes 39 seconds East, 49.47 feet per plat);

North 00 degrees 09 minutes 21 seconds West, a distance of 685.69 feet;

North 88 degrees 01 minutes 37 seconds West, a distance of 50.25 feet;

North 00 degrees 09 minutes 21 seconds West, a distance of 71.66 feet (71.60 feet per plat) to a point on the aforementioned South right-of-way line of RACETRACK ROAD;

South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 220.15 feet (220.20 feet per plat);

South 00 degrees 09 minutes 21 seconds East, a distance of 71.66 feet (71.60 feet per plat);

North 88 degrees 01 minutes 37 seconds West, a distance of 49.86 feet;

South 00 degrees 09 minutes 21 seconds East, a distance of 680.94 feet (680.99 feet per plat);

South 45 degrees 11 minutes 21 seconds East, a distance of 49.53 feet;

North 89 degrees 46 minutes 38 seconds East, a distance of 1241.18 feet;

North 51 degrees 23 minutes 55 seconds East, a distance of 43.24 feet;

THENCE North 00 degrees 09 minutes 21 seconds West, a distance of 710.57 feet to the POINT OF BEGINNING.

LESS AND EXCEPT that portion conveyed to the State of Florida Department of Transportation by virtue of Warranty Deed recorded July 13, 2007 in Official Records Book 44327, Page 355, of the Public Records of Broward County, Florida.

ALSO LESS AND EXCEPT that portion located within the plat of POMPANO PARK RECINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 2:

Parcel A of POMPANO PARK RECINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 3:

Tract "A" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida; said lands situate, lying and being in Broward County, Florida.

TOGETHER WITH:

A portion of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida, being more particularly described as follows:

A parcel of land being a portion of Government Lots 5 and 6, Section 3, Township 49 South, Range 42 East, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 3; THENCE on an assumed bearing of South along the West line of said Section 3 a distance of 1707.69 feet to a point on the North line of Government Lots 5 and 6 of said Section 3, said point also being on the Westerly extension of the centerline of Race Track Road; THENCE S 88° 01' 37" E along said North line, and along said centerline and the extension thereof, a distance of 1328.63 feet; THENCE S 00° 09' 21" E a distance of 53.00 feet to a point on a line 53.00 feet South of and parallel with the said North line, said point also being on the South right-of-way line of Race Track Road, said point also being the POINT OF BEGINNING; THENCE S 88° 01' 37" E along said parallel line, along said South right-of-way line a distance of 571.42 feet; THENCE S 00° 09' 21" E a distance of 763.84 feet; THENCE S 89° 46' 38" W a distance of 585.81 feet; THENCE N 45° 11' 21" W a distance of 49.53 feet; THENCE N 00° 09' 21" W a distance of 680.99 feet; THENCE S 88° 01'

37" E a distance of 49.86 feet; THENCE N 00° 09' 21" W a distance of 71.60 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Broward County, Florida.

Parcel 4:

A portion of Government Lot 6 of Section 03, Township 49 South, Range 42 East; said portion also being a part of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof recorded in Plat Book 137, at Page 33, being more particularly described as follows:

Commence at the Northwest corner of the aforementioned Section 3; run thence on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of Government Lot 5 of said Section 3; thence South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5 and along the Westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet; thence South 00 degrees 09 minutes 21 seconds East a distance of 53.04 feet to a point on the South right-of-way line of RACE TRACK ROAD as shown on the aforesaid plat of ARVIDA POMPANO PARK; thence South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 571.42 feet to the Northeast corner of lands described in Official Records Book 15678, at Page 145, of the aforementioned Public Records and the POINT OF BEGINNING of the lands herein described; thence, continuing South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to a point for corner; thence South 00 degrees 09 minutes 21 seconds East a distance of 710.57 feet; thence South 51 degrees 23 minutes 55 seconds West a distance of 43.24 feet to a point on the South line of the aforementioned Tract "B", ARVIDA POMPANO PARK; thence South 89 degrees 46 minutes 38 seconds West along said South line, a distance of 655.37 feet to the Southeast corner of the aforesaid lands described in Official Records Book 15678, Page 145; thence North 00 degrees 09 minutes 21 seconds West along the East line of said lands, a distance of 763.84 feet to the Point of Beginning.

LIVE! Resorts Pompano

Planned Commercial Development (PCD) Amendment

City of Pompano Beach, Florida

July, 2020

**Prepared for
Pompano Park Holdings, LLC & PPI Inc.**

Project Team

Owners

Pompano Park Holdings, LLC
PO Box 543185
Dallas, TX 75354
O: 800-733-5444

PPI Inc.
1800 SW 3rd St.
Pompano Beach, FL 33069
O: 800-733-5444

Developer

Cordish Company
601 East Pratt St., 6th Floor
Baltimore, MD 21202
O: 800.733.5444

Legal/Agent

Debbie M. Orshefsky, Esq.,
Holland & Knight
515 East Las Olas Boulevard, Suite 1200
Ft. Lauderdale, FL 33301
O: 954-468-7871

Master Plan Architect

Elkus Manfredi
25 Dry Dock Avenue
Boston, MA 02210
O: 617-426-1300

Planning, Landscape, Engineering
KEITH
301 East Atlantic Boulevard
Pompano Beach, FL 33060
O: 954-788-3400

Planning and Landscape

EDSA
1512 East Broward Boulevard
Fort Lauderdale, FL 33001
O: 954-524-3330

Traffic Engineering
Kimley-Horn & Associates, Inc.
600 North Pine Island Road #450
Plantation, FL 33324
O: 954-535-5100

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I. LIVE! POMPANO RESORTS - GENERAL INFORMATION

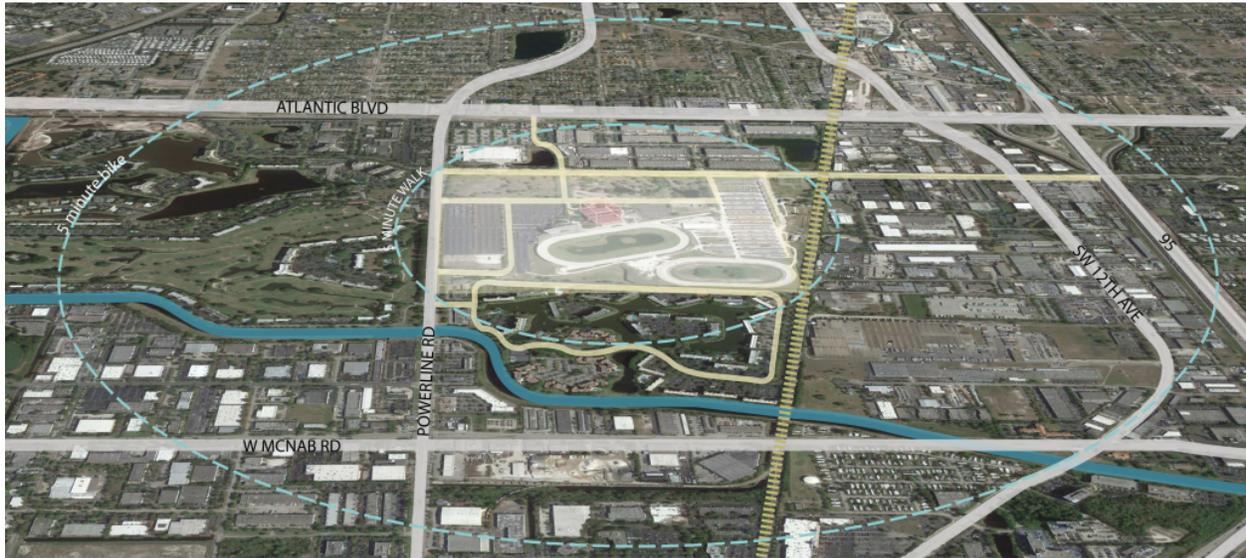
LIVE! Resorts Pompano (LIVE!) is an innovative urban redevelopment project located at the Pompano Park Race Track/Isle Casino property. The proposed master plan will encourage a live-work-play atmosphere within the master planned community site. The Planned Commercial Development (PCD) rezoning is intended to encourage and provide a mix of uses including world class entertainment /retail/restaurant establishments, employment-generating uses, hotel/hospitality uses to support both the entertainment/commercial uses and medium-to-high density residential buildings with neighborhood-oriented retail to complete the live-work-play concept. The project will be buffered on all sides with multi-purpose green/open space which provides for drainage, landscaping, nature, walking and bike trails. Also, centrally located within the LIVE! development is additional active open/green space and crystal lagoon which connects the various districts and mix of uses.

Concurrent with the PCD Amendment, the LIVE! project is processing a Land Use Plan Amendment to modify the intensities found in the existing Pompano South Regional Activity Center (“SRAC”) designation. The proposed LIVE! Resort – Pompano SRAC text amendments encourage multiple modes of transportation including walking, biking, city shuttles, county mass transit and potential rail station, thus reducing the need and demand for individual vehicles and the need to park each individual vehicle though better parking efficiencies in such a missed use district.

Rezoning LIVE! to the PCD district is the most appropriate zoning district for this development. The PCD sets additional development standards beyond those required under traditional zoning code requirements in order to maximize compatibility with the surrounding areas. As such, it is critical to establish the PCD district at this location to create an innovative and dynamic project that is embraced by the community.

The purpose and intent of this document is to establish specific standards and procedures for the development of the subject property as a PCD. This PCD document was developed in accordance with the standards and procedures set forth in Section 155.3602 (General Standards for Planned Development Districts) and Section 155.3604 (Planned Commercial/Industrial - PCD) of the City of Pompano Beach Zoning Code.

The LIVE! project is located on the Southeast corner of Powerline Road and SW 3rd Street (Race Track Road). **Exhibit A** includes an Aerial Site Context Map. The subject site is 221.65 net acres (232.05 gross acres). **Exhibit B** contains the current Legal Description of the subject property being rezoned. **Exhibit C** includes the existing Survey of the property, and **Exhibit D** contains copies of the two existing plats on the site.



Context Aerial

It is the intent of Pompano Park Holdings LLC, and PPI, Inc. to establish a PCD in accordance with the procedures and requirements of Section 155.2405 Planned Development of the Pompano Beach Zoning Code.

This document for the PCD rezoning of LIVE! will address and establish each of the requirements in General Standards for all Planned Development Districts and Section 155.3604 Planned Commercial/Industrial - PCD. The PCD plans/exhibits are a graphical representation of the project site in “bubble” format and other visual vignettes.

II. GENERAL STANDARDS FOR PLANNED COMMERCIAL DEVELOPMENT (PCD)

A. PCD Plan

The LIVE! PCD plan identifies generalized development program/use areas. The PCD document (narrative and exhibits) address the following code requirements:

1. A statement of planning objectives for the district.
 - The planning objective for LIVE! Resorts Pompano is to create an innovative mixed-use redevelopment project within the city of Pompano Beach. The proposed PCD plan will encourage a live-work-play atmosphere within the entire development site. The development will be apportioned into four districts – Entertainment District, Corporate District, Residential/Mixed Use and Open Space/Buffer District. **Exhibit E**
2. Detailed description of the following for the entire PCD District and for each development area:
 - a. Dimensional Standards; **Exhibit O**

- b. Modifications of Development Standards; **Exhibit P**
 - c. Provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development; **Exhibit F & G**
 - d. Provisions related to environmental protection and monitoring; **Not Applicable**
 - e. Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the PCD district;
 - The community benefits and amenities associated with the LIVE! PCD are numerous and substantial. Community benefits and amenities include: world class entertainment/gaming/retail/restaurant establishments, potential large corporate headquarter office space and/or other employment-generating uses, hotel/hospitality uses to support both the entertainment and office uses and medium-to-high density residential buildings with neighborhood-oriented retail to complete the live-work-play concept. Multi-purpose green/open space will provide for drainage, landscaping, nature, walking and bike trails which will be available to the public.
 - f. Development Phasing Plan; **Exhibit M**
 - g. Conversion Schedule;
 - All allowable conversions permitted by the Pompano Beach Comprehensive Plan and Broward County Comprehensive Plan are hereby permitted conversion within the LIVE! Resorts Pompano PCD subject to traffic and concurrency requirements. The permitted square footage for commercial uses in all Districts may be adjusted pursuant to the following exchange rates:
 - The exchange rate between office and commercial use is 1,000 sf of office use for every 474 sf of commercial use.
 - The exchange rate between commercial use and office use is 1,000 sf of commercial use for every 2,112 sf of office use.
 - The exchange rate between office space and industrial space is 1,000 sf of office space for every 2,570 sf of industrial space and
 - The exchange rate between industrial space and office space is 1,000 sf of industrial space for every 389 sf of office space.
 - h. Any other provisions the City Commission determines are relevant and necessary to the development of the planned development in accordance with applicable standards and regulations.
 - Due to the level of development proposed by the LIVE! PCD, a traffic study is provided and included as **Exhibit S**.
3. Identification of the general location of the following:
- a. Individual development areas, intensities and densities; **Exhibits E, N and O**
 - b. Open space; **Exhibit L**
 - c. All public and private streets, existing or projected transit corridors, pedestrian and bicycle pathways, and how they will connect with existing and planned city systems; **Exhibits F & H**

- d. Environmentally sensitive lands, wildlife habitat, wetlands, and floodplains; **Not Applicable**
 - e. On-site potable water and wastewater facilities, and how they will connect to city systems; **Exhibit G**
 - f. On-site stormwater management facilities, and how they will connect to city systems;
 - All Stormwater and drainage will be designed to remain on-site.
 - g. All other on-site public facilities serving the development, including but not limited to parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management.
 - Other than on-site water, sewer and stormwater management facilities and waste management facilities, it is anticipated that no other public facilities will be located on-site.
4. Graphics demonstrating the following:
- a. Projects with structures greater than 35 feet in height, the shadowing on adjacent properties at the following times: two hours after sunrise, noon, and two hours before sunset during the winter solstice, spring equinox, summer solstice, and fall equinox. The shadow study is provided as **Exhibit K**
 - b. The impacts to view corridors of any adjacent properties of natural resources, including but not limited to, beaches, shores, waterways, recreation spaces and conservation spaces.
 - The proposed LIVE! PCD is not anticipated to impact any view corridor. There are no known natural resources and/or conservation spaces. The project does provide an Open Space/Buffer District along existing City roadways.

B. Consistency with City Plans

The LIVE! PCD is and will be consistent with the Comprehensive Plan. As mentioned previously, the developer of the project is processing City and County Land Use Plan Text Amendments to modify the intensities found in the existing SRAC designation. See **Exhibit I** for the Land Use Plan Map. The LIVE! PCD proposes to support the City’s goal of achieving a quality standard of live, work and play environment. The PCD zoning designation and proposed uses of the PCD plan are intended to be consistent and compatible with the land use designation for the property as found on the City of Pompano Beach Future Land Use Map (FLUM) and consistent and compatible with the Goals, Objectives and Policies of the Pompano Beach Comprehensive Plan. In particular:

Goal 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Objective Right of Way Protection and Accessibility 01.02.00 Protect the existing and future right of way from building encroachments and ensure proper accessibility with the roadway and transit network.

Policy 01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

Policy 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezoning.

Policy 01.03.12 The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and.
7. Proximity to mass transit.

Objective Major Corridor Land Use 01.04.00 Support and promote the intermix of residential and commercial uses along major traffic corridors.

Objective Flood Protection 01.05.00 Require all new development and redevelopment to be consistent with Federal Emergency Management Administration’s Flood Elevation Maps.

Policy 01.05.01 Continue to require all development to be consistent with the minimum finished floor elevations as specified in the Federal Emergency Management Administrations Flood Insurance requirements.

Policy 01.07.11 Through ongoing updates to the land development regulations develop new zoning districts that encourage redevelopment, including mixed uses along major highway corridors.

Objective Urban Infill Criteria 01.12.00 Establish criteria which encourage development of urban infill and community redevelopment areas to promote economic development, increase housing opportunities and maximize the use of existing public facilities and services.

Objective Smart Growth Initiative 01.16.00 The City will promote “Smart Growth” type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

Policy 01.16.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

Policy 01.16.02 The City will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.

Objective Mixed Use Residential 1.21.00 Promote mixed use land development patterns which combine residential and nonresidential uses to achieve an attractive, well integrated, and pedestrian and transit friendly environment through the establishment of residential mixed land use categories.

The proposed PCD rezoning is not located on or within one-quarter mile of a City of Pompano Beach Corridor Study Transformation Plan.

C. Compatibility with Surrounding Area / Community Benefits and Amenities

The PCD is compatible with adjacent zoning designations as illustrated on the Pompano Beach Zoning Map, **Exhibit J**. The area to the north is an industrial PCD, with the railroad and more industrial to the east. The areas to the south and west are zoned multi-family RM-45 designations with a maximum density of 45 dwelling units to the acre. The LIVE! PCD proposes a maximum density of only 18.5 dwelling units per net acre (4,100 units / 221.65 acres) and 17.67 dwelling units per gross acre (4,100 units / 232.05 acres). The PCD allows the design flexibility to place a mix of uses adjacent to other compatible uses such as the proposed residential adjacent to the residential to the south, and more intense uses will be centrally located and buffered along the south property line. A shadow study was performed to determine if there are shadow impacts from the proposed uses along the perimeter of the site, see **Exhibit K**.

The PCD will included numerous amenities open to the public such as nature trails, bikeways and extensive pedestrian opportunities and landscape buffer from the Cypress Bend community **Exhibit L**. Road Network, Pedestrian, Bike Trails for an illustration of proposed locations **Exhibit F**. The Open Space illustration demonstrates the extensive buffering along the perimeter to increase compatibility.

Neighborhood Retail will also be a component of the project providing a community amenity for future residents of Live!, as well as existing adjacent communities to shop, eat and enjoy. World class entertainment/gaming/retail/restaurant establishments will be available. Office space to accommodate a large corporate headquarters and/or other employment-generating uses is proposed. Also, hotel and hospitality uses are included to support both the entertainment and office uses.

D. Development Phasing Plan

The development of the proposed project is planned to be three phases as shown on the Phasing Diagram **Exhibit M**. Phase I has been identified as the primary development area; however, in

order to respond to market conditions, development may proceed in any phase so long as the necessary on-site infrastructure is in place to support the uses.

E. Conversion Schedule

All allowable conversions permitted by the Pompano Beach Comprehensive Plan and Broward County Comprehensive Plan are hereby permitted conversion within the LIVE! Resorts Pompano PCD subject to traffic and concurrency requirements. The permitted square footage for commercial uses in all Districts may be adjusted pursuant to the following exchange rates:

- The exchange rate between office and commercial use is 1,000 sf of office use for every 474 sf of commercial use.
- The exchange rate between commercial use and office use is 1,000 sf of commercial use for every 2,112 sf of office use.
- The exchange rate between office space and industrial space is 1,000 sf of office space for every 2,570 sf of industrial space.
- The exchange rate between industrial space and office space is 1,000 sf of industrial space for every 389 sf of office space.

F. On-Site Public Facilities

On-Site Public Facilities will be constructed as part of project and include the major roadways, which at this time, are anticipated to be public together with the main water and sewer lines and required lift stations. The internal roadways depicted on **Exhibit F** are for illustrative purposes and may shift in location as the project develops. The conceptual utility plan is provided in **Exhibit G**.

The mass transit routes with on-site stops include:

- **Red Route (BCT 705)** This community bus service route is provided by both the City of Pompano Beach and Broward County Transit. The route connects the site to Palm Aire and points along Dr. Martin Luther King Jr. Blvd. to the Northeast Transit Center.

Mass Transit Routes which service LIVE! Resorts Pompano off-site include:

- **Route 14** – With stops on Powerline and proceeds north-south through Broward County
- **Route 42** – With stops along Atlantic Boulevard and proceeds east-west through Broward County.

In addition, the on-site roadways will be designed to accommodate an internal shuttle along with potentially autonomous vehicles; and in cooperation with the City, could allow the City's circulator system serving the Palm Aire Community to connect with the future LIVE! On-site circulator. The developer is also in discussions with the South Florida Regional Transportation Authority ("SFRTA") regarding the possibility of constructing and operating a new Tri-Rail station at a located east of the Corporate District adjacent the CSX railroad tracks.

G. Uses

All uses listed as permitted uses, accessory uses and temporary uses are based on the City of Pompano Beach Zoning Code, Appendix A: Consolidated Use Table as of May 2019. The full list of permitted uses, accessory uses and temporary uses are found in **Exhibit Q**. All proposed uses consistent with the Pompano Beach and Broward County Comprehensive Plans. There are no new or additional uses proposed as part of the PCD application other than those currently listed and defined in the Pompano Beach Zoning Code. It is the intent of the PCD to allow permitted uses in any of the proposed sub-districts. In addition, the permitted commercial and entertainment uses shall include an indoor/outdoor sports field and performance/entertainment venue consisting of a technologically advanced golf driving range, a full-service restaurant and bar, event space and entertainment complex in a multi-level building housing the restaurant, bar, entertainment and event space including climate-controlled golf ball hitting bays and an outfield with outdoor lighting and electronic targets for a high-tech golf game.

The following uses shall be allowed as accessory to the permitted sports entertainment venue:

- a. Installation of netting and poles, not to exceed one hundred-seventy (170) feet in height above the finished floor elevation of the building.
- b. Miniature golf operation.
- c. Outdoor patios with seating and dining areas.
- d. Outdoor storage for the outdoor recreation and entertainment facility in containerized bins located in the vicinity of designated loading areas and any facility maintenance building.

H. Densities/Intensities

The PCD rezoning proposes to establish the intensities for each district as shown on **Exhibit O**. The districts include the Open Space/Buffer District, the Entertainment District, the Corporate District and the Residential/Mixed Use District. An illustration of how the intensities may be distributed through the site are graphically shown on **Exhibit E**. Specific allocation of uses and intensities of uses within the PCD will occur at time of site plan approval for a specific portion of the approved PCD development program.

I. Dimensional Standards

The PCD rezoning proposes dimensional standards for each district are shown on **Exhibit O**. Some of the proposed heights within the LIVE! PCD will require review by the Federal Aviation Administration (FAA) and an application for an Airpark Obstruction permit from the City of Pompano Beach. A copy of the FAF case study numbers are available and included in **Exhibit R**. When the FAA determinations become available, those determination will be submitted as supplemental information.

J. Development Standards

The development standards set forth in Article 5 Development Standards of the Pompano Beach Zoning Code will be followed as established, except for specific deviations presented in this PCD Plan. The following development standards within Article 5 of the Pompano Beach Zoning Code are hereby incorporated in the PCD except for those particular sections listed in the deviation table **Exhibit O**.

Access, Circulation, Parking and Loading

The proposed PCD rezoning application shall utilize the requirements established in Article 5; Part 1 Access, Circulation, Parking and Loading of the Pompano Beach Zoning Code except for those deviations specifically listed in **Exhibit O**.

Landscaping and Tree Preservation

The proposed PCD rezoning application shall utilize the requirements established in Article 5; Part 2 Landscaping and Tree Preservation of the Pompano Beach Zoning Code except for those deviations specifically listed in **Exhibit O**.

Screening, Fences and Walls

The proposed PCD rezoning application shall utilize the screening requirements established in Article 5; Part 3 Screening, Fences and Walls of the Pompano Beach Zoning Code. No deviations are anticipated from this section of the code.

Exterior Lighting

The proposed PCD rezoning application shall utilize the lighting requirements established in Article 5; Part 4 Exterior Lighting of the Pompano Beach Zoning Code except for those deviations specifically listed in **Exhibit O**.

Environmental Protection/Infrastructure

The proposed PCD rezoning application shall comply with Article 5; Part 5 Environmental Protection/Infrastructure requirements established in of the Pompano Beach Zoning Code. There are no anticipated deviations to this section.

Design Standards

The entire PCD rezoning application shall comply with the Commercial/Mixed Use Design Guideline requirements established in Article 5; Part 6 Design Standards of the Pompano Beach Zoning Code with no deviations. The LIVE! PCD will also comply with the Parking Deck and Garage Design Standards except for those deviation specifically listed in **Exhibit O**.

Sustainable Development Standards

The proposed LIVE! PCD rezoning application shall meet or exceed the sustainable development standards as established in Article 5; Part 8 Sustainable Development Standards of the Pompano Beach Zoning Code. The entire LIVE! Resorts Pompano project is anticipated to meet the required 12 sustainability points. The point count is as follows:

- Hurricane Resistant Structures 4 points

• Infill or Mixed-Use Development	4 points
• Parking Structure	2 points
• White roofs/Green Roof and/or Energy Star Air Conditioning	2 points
Total	12 points

Performance and Maintenance

The proposed PCD rezoning application shall meet or exceed the performance and maintenance standards as established in Article 5; Part 9 Performance and Maintenance of the Pompano Beach Zoning Code, if applicable.

Signage

Installation of up to two (2) 30’x50’ high-definition digital screens outside of the outfield netting and facing towards the multi-level building will be permitted.

K. Amendments to Approved PCD Plan

Amendments to the approved PCD will be in accordance with the standards in Section 155.2405.I Minor Deviations from the approved PCD Plan and Section 155.2405.J, Amendment of the Pompano Beach Zoning Code.

L. Traffic Study

An analysis of the impacts of the project traffic is included in **Exhibit S**.

EXHIBIT A

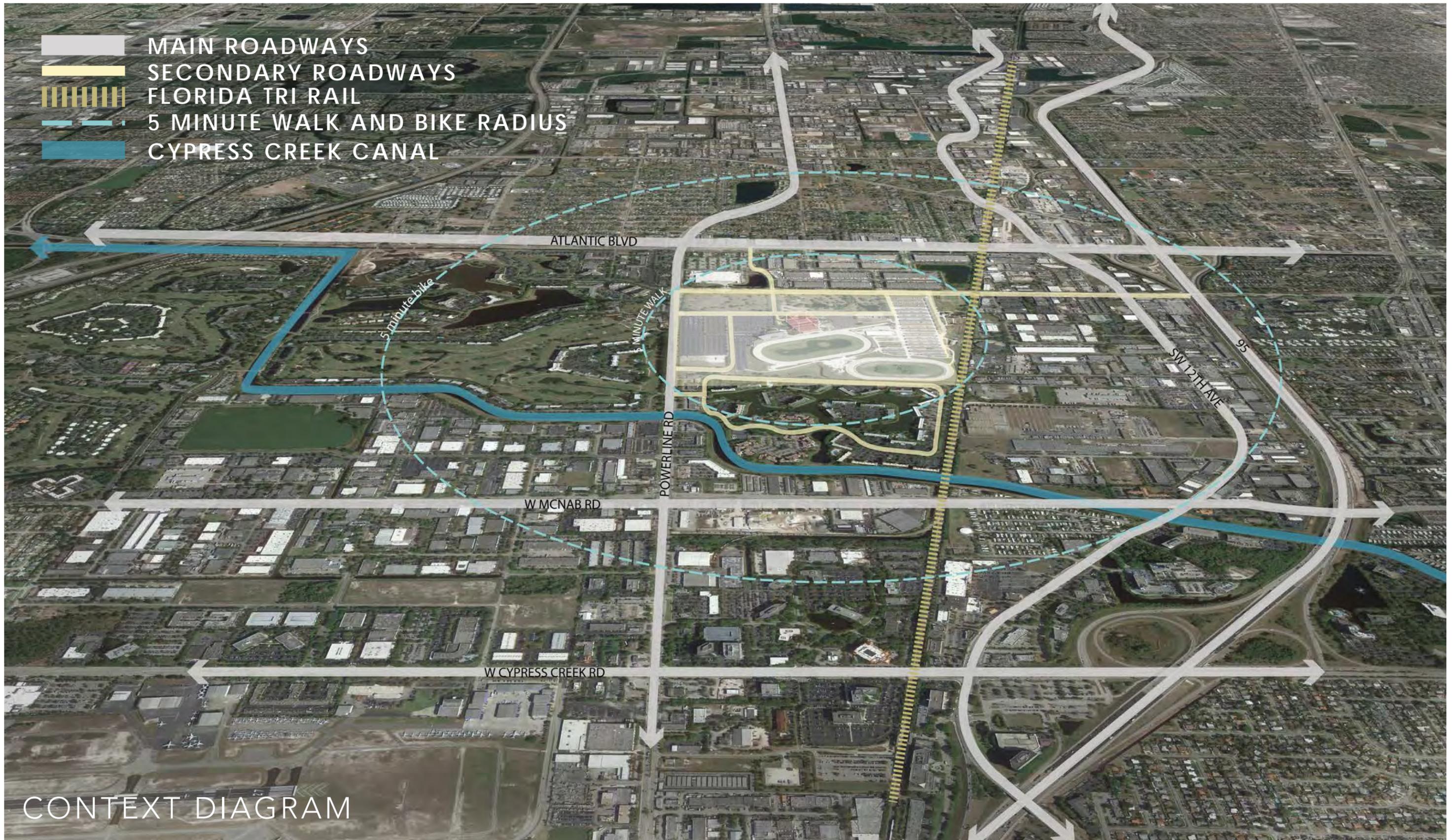


EXHIBIT B

Legal Description

Parcel 1:

All of the following described lands lying in and being a part of Section 3, Township 49 South, Range 42 East, Broward County, Florida:

The South 1/2 of the Northwest 1/4, EXCEPT the West 33 feet thereof for road right-of-way;

AND that part of the South 1/2 of the Northeast 1/4 lying West of the Seaboard Coast Line Railroad;

AND Government Lot 5, EXCEPT the West 33 feet thereof for road right-of-way, and also EXCEPT ARVIDA POMPANO PARK, as recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida;

AND that part of Government Lot 6 lying South of said Plat Book 137, Page 33;

AND that part of Government Lot 7 lying South of said Plat Book 137, Page 33 and West of the Seaboard Coast Line Railroad;

TOGETHER WITH a portion of Tract B, of the aforesaid ARVIDA POMPANO PARK;

SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of the aforementioned Section 3; run

THENCE on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of the aforesaid Government Lot 5;

THENCE South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5 and along the westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet;

THENCE South 00 degrees 09 minutes 21 seconds East a distance of 53.03 feet to a point on the South right-of way line of RACE TRACK ROAD as shown on the aforementioned Plat of ARVIDA POMPANO PARK;

THENCE South 88 degrees 01 minutes 37 seconds East along said South of right-of-way, a distance of 571.42 feet to the Northeast corner of the lands described in Official Records Book 15678 at Page 145, of the aforesaid Public Records;

THENCE continue South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to the POINT OF BEGINNING of the lands herein described;

THENCE continue along said right-of-way the following two courses and distances:

South 88 degrees 01 minutes 37 seconds East, a distance of 100.00 feet;

South 88 degrees 07 minutes 14 seconds East, a distance of 1087.87 feet to the point of the aforementioned Westerly right-of-way line of the Seaboard Coast Line Railroad;

THENCE South 13 degrees 04 minutes 16 seconds West along said Westerly right-of-way line, a distance

of 2969.90 feet to a point of the South line of the aforesaid South 1/2 of the Northeast 1/4;

THENCE North 86 degrees 02 minutes 40 seconds West along said South line and the South line of the aforesaid South 1/2 of the Northwest 1/4, a distance of 3078.57 feet to a point on the East right-of-way line of POWERLINE ROAD said point being 33.00 feet by right angle measurement East of the West line of the aforesaid Northwest 1/4 of Section 3;

THENCE North 00 degrees 00 minutes 26 seconds East parallel with said West line of the Northwest 1/4 and along said East right-of-way line, a distance of 2039.93 feet to a point on the boundary on the aforesaid ARVIDA POMPANO PARK;

THENCE along said boundary the following thirteen courses and distances:

South 45 degrees 06 minutes 41 seconds East a distance of 94.55 feet;
North 89 degrees 46 minutes 38 seconds East, a distance of 1025.36 feet;
North 44 degrees 56 minutes 16 seconds East, a distance of 49.49 feet (North 44 degrees 48 minutes 39 seconds East, 49.47 feet per plat);
North 00 degrees 09 minutes 21 seconds West, a distance of 685.69 feet;
North 88 degrees 01 minutes 37 seconds West, a distance of 50.25 feet;
North 00 degrees 09 minutes 21 seconds West, a distance of 71.66 feet (71.60 feet per plat) to a point on the aforementioned South right-of-way line of RACETRACK ROAD;
South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 220.15 feet (220.20 feet per plat);
South 00 degrees 09 minutes 21 seconds East, a distance of 71.66 feet (71.60 feet per plat);
North 88 degrees 01 minutes 37 seconds West, a distance of 49.86 feet;
South 00 degrees 09 minutes 21 seconds East, a distance of 680.94 feet (680.99 feet per plat);
South 45 degrees 11 minutes 21 seconds East, a distance of 49.53 feet;
North 89 degrees 46 minutes 38 seconds East, a distance of 1241.18 feet;
North 51 degrees 23 minutes 55 seconds East, a distance of 43.24 feet;

THENCE North 00 degrees 09 minutes 21 seconds West, a distance of 710.57 feet to the POINT OF BEGINNING.

LESS AND EXCEPT that portion conveyed to the State of Florida Department of Transportation by virtue of Warranty Deed recorded July 13, 2007 in Official Records Book 44327, Page 355, of the Public Records of Broward County, Florida.

ALSO LESS AND EXCEPT that portion located within the plat of POMPANO PARK RECINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 2:

Parcel A of POMPANO PARK RECINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 3:

Tract "A" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida; said lands situate, lying and being in Broward County, Florida.

TOGETHER WITH:

A portion of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida, being more particularly described as follows:

A parcel of land being a portion of Government Lots 5 and 6, Section 3, Township 49 South, Range 42 East, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 3; THENCE on an assumed bearing of South along the West line of said Section 3 a distance of 1707.69 feet to a point on the North line of Government Lots 5 and 6 of said Section 3, said point also being on the Westerly extension of the centerline of Race Track Road; THENCE S 88° 01' 37" E along said North line, and along said centerline and the extension thereof, a distance of 1328.63 feet; THENCE S 00° 09' 21" E a distance of 53.00 feet to a point on a line 53.00 feet South of and parallel with the said North line, said point also being on the South right-of-way line of Race Track Road, said point also being the POINT OF BEGINNING; THENCE S 88° 01' 37" E along said parallel line, along said South right-of-way line a distance of 571.42 feet; THENCE S 00° 09' 21" E a distance of 763.84 feet; THENCE S 89° 46' 38" W a distance of 585.81 feet; THENCE N 45° 11' 21" W a distance of 49.53 feet; THENCE N 00° 09' 21" W a distance of 680.99 feet; THENCE S 88° 01' 37" E a distance of 49.86 feet; THENCE N 00° 09' 21" W a distance of 71.60 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Broward County, Florida.

Parcel 4:

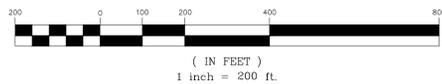
A portion of Government Lot 6 of Section 03, Township 49 South, Range 42 East; said portion also being a part of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof recorded in Plat Book 137, at Page 33, being more particularly described as follows:

Commence at the Northwest corner of the aforementioned Section 3; run thence on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of Government Lot 5 of said Section 3; thence South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5 and along the Westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet; thence South 00 degrees 09 minutes 21 seconds East a distance of 53.04 feet to a point on the South right-of-way line of RACE TRACK ROAD as shown on the aforesaid plat of ARVIDA POMPANO PARK; thence South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 571.42 feet to the Northeast corner of lands described in Official Records Book 15678, at Page 145, of the aforementioned Public Records and the POINT OF BEGINNING of the lands herein described; thence, continuing South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to a point for corner; thence South 00 degrees 09 minutes 21 seconds East a distance of 710.57 feet; thence South 51 degrees 23 minutes 55 seconds West a distance of 43.24 feet to a point on the South line of the aforementioned Tract "B", ARVIDA POMPANO PARK; thence South 89 degrees 46 minutes 38 seconds West along said South line, a distance of 655.37 feet to the Southeast corner of the aforesaid lands described in Official Records Book 15678, Page 145; thence North 00 degrees 09 minutes 21 seconds West along the East line of said lands, a distance of 763.84 feet to the Point of Beginning.



prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

GRAPHIC SCALE



FLOOD ZONE LEGEND:

	= FLOOD ZONE "X" Minimal Chance of Flood Hazard
	= FLOOD ZONE "X" 0.2% Annual Chance of Flood Hazard
	= FLOOD ZONE "AH" Elevation=7.0'
	= FLOOD ZONE "AH" Elevation=8.0'
	= FLOOD ZONE "AH" Elevation=9.0'
	= FLOOD ZONE "AH" Elevation=10.0'
	= FLOOD ZONE "AH" Elevation=11.0'
	= FLOOD ZONE "AE" Elevation=8.0'
	= FLOOD ZONE "AE" Elevation=9.0'
	= FLOOD ZONE "AE" Elevation=10.0'

Legal Description

All of Tracts "A" and "B", ARVIDA POMPANO PARK, according to the plat thereof, as recorded in Plat Book 137, Page 33, of the public records of Broward County, Florida.

TOGETHER WITH:
 Parcel "A", POMPANO PARK RACINO PLAT, according to the plat thereof, as recorded in Plat Book 181, Pages 22-27, of the public records of Broward County, Florida.

AND TOGETHER WITH:
 A portion of the North one-half (1/2) of Section 3, Township 49 South, Range 42 East, Broward County, Florida, more fully described as follows:

Beginning of the Southeast corner of Tract "B", ARVIDA POMPANO PARK, according to the plat thereof, as recorded in Plat Book 137, Page 33, of the public records of Broward County, Florida; thence South 89°33'40" West, on the South line of said Tract "B", a distance of 960.05 feet; thence South 00°12'26" East, on an East line of said Tract "B" and on an East line of Parcel "A", POMPANO PARK RACINO PLAT, according to the plat thereof, as recorded in Plat Book 181, Pages 22 to 27, of the public records of Broward County, Florida, a distance of 633.30 feet; thence North 89°49'15" East, on a North line of said Parcel "A", a distance of 809.43 feet; thence North 13°03'47" East, on the West right-of-way line of the Seaboard Coast Line Railroad, a distance of 656.16 feet to the Point of Beginning.

All Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 9,654,898 square feet or 221,6460 acres more or less.

ALSO KNOWN AS:

Parcel 1:

All of the following described lands lying in and being a part of Section 3, Township 49 South, Range 42 East, Broward County, Florida:

The South 1/2 of the Northwest 1/4, EXCEPT the West 33 feet thereof for road right-of-way

AND that part of the South 1/2 of the Northeast 1/4 lying West of the Seaboard Coast Line Railroad;

AND Government Lot 5, EXCEPT the West 33 feet thereof for road right-of-way, and also EXCEPT ARVIDA POMPANO PARK, as recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida;

AND that part of Government Lot 6 lying South of said Plat Book 137, Page 33;

AND that part of Government Lot 7 lying South of said Plat Book 137, Page 33 and West of the Seaboard Coast Line Railroad;

TOGETHER WITH a portion of Tract B, of the aforesaid ARVIDA POMPANO PARK;

SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of the aforementioned Section 3; run THENCE on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of the aforesaid Government Lot 5; THENCE South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5 and along the Westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet; THENCE South 00 degrees 09 minutes 21 seconds East a distance of 53.03 feet to a point on the South right-of-way line of RACE TRACK ROAD as shown on the aforementioned Plat of ARVIDA POMPANO PARK; THENCE South 88 degrees 01 minutes 37 seconds East along said South right-of-way, a distance of 571.42 feet to the Northeast corner of the lands described in Official Records Book 15678, at Page 145, of the aforesaid Public Records; THENCE continue South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to the POINT OF BEGINNING of the lands herein described; THENCE continue along said right-of-way the following two courses and distances: South 88 degrees 01 minutes 37 seconds East, a distance of 100.00 feet; South 88 degrees 07 minutes 14 seconds East, a distance of 1087.87 feet to the point of the aforementioned Westerly right-of-way line of the Seaboard Coast Line Railroad; THENCE South 13 degrees 04 minutes 16 seconds West along said Westerly right-of-way line, a distance of 2969.90 feet to a point of the South line of the aforesaid South 1/2 of the Northeast 1/4; THENCE North 86 degrees 02 minutes 40 seconds West along said South line and the South line of the aforesaid South 1/2 of the Northwest 1/4, a distance of 3078.57 feet to a point on the East right-of-way line of POWERLINE ROAD said point being 33.00 feet by right angle measurement East of the West line of the aforesaid Northwest 1/4 of Section 3; THENCE North 00 degrees 00 minutes 26 seconds East parallel with said West line of the Northwest 1/4 and along said East right-of-way line, a distance of 2039.93 feet to a point on the boundary on the aforesaid ARVIDA POMPANO PARK; THENCE along said boundary the following thirteen courses and distances: South 45 degrees 06 minutes 41 seconds East a distance of 94.55 feet; North 89 degrees 46 minutes 38 seconds East, a distance of 1025.36 feet; North 44 degrees 56 minutes 16 seconds East, a distance of 49.49 feet (North 44 degrees 48 minutes 39 seconds East, 49.47 feet per plat); North 00 degrees 09 minutes 21 seconds West, a distance of 626.69 feet; North 88 degrees 01 minutes 37 seconds West, a distance of 50.25 feet; North 00 degrees 09 minutes 21 seconds West, a distance of 71.66 feet (71.60 feet per plat) to a point on the aforementioned South right-of-way line of RACE TRACK ROAD; South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 220.15 feet (220.20 feet per plat); South 00 degrees 09 minutes 21 seconds East, a distance of 71.66 feet (71.60 feet per plat); North 88 degrees 01 minutes 37 seconds West, a distance of 49.86 feet; South 00 degrees 09 minutes 21 seconds East, a distance of 680.99 feet (680.99 feet per plat); South 45 degrees 11 minutes 21 seconds East, a distance of 49.53 feet; North 89 degrees 46 minutes 38 seconds East, a distance of 1241.18 feet; North 51 degrees 23 minutes 55 seconds East, a distance of 43.24 feet; THENCE North 00 degrees 09 minutes 21 seconds West, a distance of 710.57 feet to the POINT OF BEGINNING.

LESS AND EXCEPT that portion conveyed to the State of Florida Department of Transportation by virtue of Warranty Deed recorded July 13, 2007 in Official Records Book 44327, Page 355, of the Public Records of Broward County, Florida.

ALSO LESS AND EXCEPT that portion located within the plat of POMPANO PARK RACINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 2:

Parcel A of POMPANO PARK RACINO PLAT, according to the Plat thereof, recorded in Plat Book 181, Page 22, of the Public Records of Broward County, Florida.

Parcel 3:

Tract "A" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida; said lands situate, lying and being in Broward County, Florida.

TOGETHER WITH:

A portion of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida, being more particularly described as follows:

A parcel of land being a portion of Government Lots 5 and 6, Section 3, Township 49 South, Range 42 East, being more particularly described as follows:
 COMMENCE at the Northwest corner of said Section 3; THENCE on an assumed bearing of South along the West line of said Section 3 a distance of 1707.69 feet to a point on the North line of Government Lots 5 and 6 of said Section 3, said point also being on the Westerly extension of the centerline of Race Track Road; THENCE S 88° 01' 37" E along said North line, and along said centerline and the extension thereof, a distance of 1328.63 feet; THENCE S 00° 09' 21" E a distance of 53.00 feet to a point on the South right-of-way line of RACE TRACK ROAD and along said South right-of-way line, a distance of 571.42 feet to the Northeast corner of the lands described in Official Records Book 15678, at Page 145, of the aforementioned Public Records and the POINT OF BEGINNING of the lands herein described; thence, continuing South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to a point for corner; thence South 00 degrees 09 minutes 21 seconds East a distance of 710.57 feet; thence South 51 degrees 23 minutes 55 seconds West a distance of 43.24 feet to a point on the South line of the aforementioned Tract "B", ARVIDA POMPANO PARK; thence South 89 degrees 46 minutes 38 seconds West along said South line, a distance of 656.37 feet to the Southeast corner of the aforesaid lands described in Official Records Book 15678, Page 145; thence North 00 degrees 09 minutes 21 seconds West along the East line of said lands, a distance of 763.84 feet to the Point of Beginning.

Said lands situate, lying and being in Broward County, Florida.

Parcel 4:

A portion of Government Lot 6 of Section 03, Township 49 South, Range 42 East; said portion also being a part of Tract "B" of ARVIDA POMPANO PARK, according to the Plat thereof recorded in Plat Book 137, at Page 33, being more particularly described as follows:

Commence at the Northwest corner of the aforementioned Section 3; run thence on an assumed bearing of South 00 degrees 00 minutes 26 seconds West along the West line of said Section 3, a distance of 1708.26 feet to the Northwest corner of Government Lot 5 of said Section 3; thence South 88 degrees 01 minutes 37 seconds East along the North line of said Government Lot 5 and along the Westerly extension of the centerline of RACE TRACK ROAD and along said centerline, a distance of 1328.63 feet; thence South 00 degrees 09 minutes 21 seconds East a distance of 53.04 feet to a point on the South right-of-way line of RACE TRACK ROAD as shown on the aforesaid plat of ARVIDA POMPANO PARK; thence South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 571.42 feet to the Northeast corner of the lands described in Official Records Book 15678, at Page 145, of the aforementioned Public Records and the POINT OF BEGINNING of the lands herein described; thence, continuing South 88 degrees 01 minutes 37 seconds East along said South right-of-way line, a distance of 689.71 feet to a point for corner; thence South 00 degrees 09 minutes 21 seconds East a distance of 710.57 feet; thence South 51 degrees 23 minutes 55 seconds West a distance of 43.24 feet to a point on the South line of the aforementioned Tract "B", ARVIDA POMPANO PARK; thence South 89 degrees 46 minutes 38 seconds West along said South line, a distance of 656.37 feet to the Southeast corner of the aforesaid lands described in Official Records Book 15678, Page 145; thence North 00 degrees 09 minutes 21 seconds West along the East line of said lands, a distance of 763.84 feet to the Point of Beginning.

ALTA/NSPS LAND TITLE SURVEY

POMPANO PARK

LEGEND

Δ = CENTRAL ANGLE (DELTA)	ELEV. = ELEVATION
R = RADIUS	O/S = OFFSET
A OR L = ARC LENGTH	A/C = AIR CONDITIONING
CH.BRC. = CHORD BEARING	C = CENTERLINE OF RIGHT-OF-WAY
TAN.BRC. = TANGENT BEARING	F.P.L. = FLORIDA POWER AND LIGHT CO.
P.O.C. = POINT OF COMMENCEMENT	S.B.T. = SOUTHERN BELL TELEPHONE
P.O.B. = POINT OF BEGINNING	B.C.R. = BROWARD COUNTY RECORDS
W/McL. CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP	D.C.R. = DADE COUNTY RECORDS
P.R.M. = PERMANENT REFERENCE MONUMENT	P.B.R. = PALM BEACH COUNTY RECORDS
CONC. = CONCRETE	O.R. = OFFICIAL RECORDS BOOK
C.B.S. = CONCRETE, BLOCK AND STUCCO	PG. = PAGE
I.C.V. = IRRIGATION CONTROL VALVE	R/W = RIGHT-OF-WAY
W.M. = WATER METER	C.O. = CLEAN OUT
B.F.P. = BACK FLOW PREVENTOR	C.L.F. = CHAIN LINK FENCE
	P.C.D. = POLLUTION CONTROL DEVICE

Title Notes

- There are no other Easements, Road Reservations or Rights-of-Ways of Record affecting this property per Fidelity National Title Insurance Company, Commitment No. FTA16-36418, effective date December 23, 2016 at 8:00AM.
- Reservations per Deed Book 455, Page 187 of the Public Records of Broward County, Florida; O.R. Book 23833, Page 542 of the Public Records of Broward County, Florida and O.R. Book 23833, Page 546 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Reservations per Deed Book 458, Page 481 of the Public Records of Broward County, Florida; O.R. Book 23833, Page 542 of the Public Records of Broward County, Florida; O.R. Book 23833, Page 546 of the Public Records of Broward County, Florida; and O.R. Book 32234, Page 1865 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Reservations per Deed Book 464, Page 296 of the Public Records of Broward County, Florida and O.R. Book 23818, Page 349 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Reservations per Deed Book 464, Page 395 of the Public Records of Broward County, Florida; O.R. Book 15786, Page 518 of the Public Records of Broward County, Florida; O.R. Book 15786, Page 521 of the Public Records of Broward County, Florida; O.R. Book 15786, Page 529 of the Public Records of Broward County, Florida; and O.R. Book 23818, Page 349 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Reservations per Deed Book 477, Page 336 of the Public Records of Broward County, Florida; O.R. Book 23833, Page 542 of the Public Records of Broward County, Florida and O.R. Book 23833, Page 546 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Matters per Plat Book 137, Page 33 of the Public Records of Broward County, Florida; O.R. Book 30414, Page 563 of the Public Records of Broward County, Florida and O.R. Book 38277, Page 1733 of the Public Records of Broward County, Florida affects this property and as shown.
 - Matters per Plat Book 181, Page 22 of the Public Records of Broward County, Florida affects this property and as shown.
 - Construction Easement per O.R. Book 2290, Page 225 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easement per O.R. Book 2350, Page 537 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easement per O.R. Book 2731, Page 855 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easement per O.R. Book 4236, Page 285 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easement per O.R. Book 6322, Page 523 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easement per O.R. Book 9606, Page 370 of the Public Records of Broward County, Florida affects this property and as shown.
 - Sewer Agreement per O.R. Book 8282, Page 41 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Ordinance per O.R. Book 14661, Page 180 of the Public Records of Broward County, Florida; O.R. Book 14747, Page 485 of the Public Records of Broward County, Florida; O.R. Book 14661, Page 176 of the Public Records of Broward County, Florida; O.R. Book 16252, Page 904 of the Public Records of Broward County, Florida; O.R. Book 27422, Page 515 of the Public Records of Broward County, Florida; and O.R. Book 27521, Page 483 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Resolution per O.R. Book 14699, Page 50 of the Public Records of Broward County, Florida affects this property and as shown (nothing plottable).
 - Ordinance per O.R. Book 14747, Page 157 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Covenant per O.R. Book 23630, Page 774 of the Public Records of Broward County, Florida; O.R. Book 29453, Page 462 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Easement per O.R. Book 27346, Page 908 of the Public Records of Broward County, Florida affects this property and as shown.
 - Covenant per O.R. Book 28599, Page 724 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Ordinance per O.R. Book 34145, Page 1891 of the Public Records of Broward County, Florida may affect this property (no legal description contained in document) (nothing plottable).
 - Agreement per O.R. Book 38233, Page 1622 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Agreement per O.R. Book 38233, Page 1762 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Obligations per O.R. Book 38277, Page 1741 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Declaration per O.R. Book 38953, Page 1879 of the Public Records of Broward County, Florida and O.R. Book 40077, Page 1098 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Easement per O.R. Book 42434, Page 515 of the Public Records of Broward County, Florida affects this property and as shown.
 - Declaration per O.R. Book 45886, Page 1197 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Amendment per O.R. Book 50243, Page 1158 of the Public Records of Broward County, Florida affects this property and as shown.
 - Agreement per O.R. Book 50243, Page 1172 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Declaration per O.R. Book 50243, Page 1188 of the Public Records of Broward County, Florida affects this property and as shown.
 - Easements per O.R. Book 50376, Page 138 of the Public Records of Broward County, Florida and O.R. Book 50376, Page 132 of the Public Records of Broward County, Florida affects this property and as shown.
 - Agreement per O.R. Book 50458, Page 1895 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Obligations per O.R. Book 50458, Page 1910 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Declaration per O.R. Book 51018, Page 943 of the Public Records of Broward County, Florida affects this property (nothing plottable).
 - Agreement per O.R. Book 49851, Page 1225 of the Public Records of Broward County, Florida and O.R. Book 50156, Page 930 of the Public Records of Broward County, Florida not a survey matter.

ZONING NOTES

This property is zoned B-3 (General Business), I-1 (General Industrial), CR (Commercial Recreation)

per report prepared by Murphy La Rocca Consulting Group, Inc. dated June 18, 2018.

Maximum Height B-3=105 feet, I-1=45 feet, CR=105 feet

Front Setback: B-3=0 feet, I-1=25 feet, CR=25 feet

Side Setback Street: B-3=0 feet, I-1=10 feet, CR=25 feet

Side Setback Interior: B-3=0 feet, I-1=10 feet, CR=25 feet

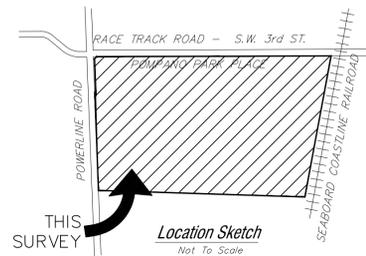
Rear Setback: B-3=30 feet, I-1=10 feet, CR=25 feet

Parking Spaces Required= 3,518

Actual Spaces= 3,514 including 79 Handicapped spaces

in addition, there are 105 spaces in Dedicated Right-of-Way.

EXHIBIT C



NOTES:

- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- Underground improvements if any not located.
- This drawing is not valid unless sealed with an embossed surveyors seal.
- Boundary survey information does not infer Title or Ownership.
- All iron rods 5/8", unless otherwise noted.
- Reference Bench Mark: Broward County Benchmark #3220. ELEVATION = 7.95 (NAVD 29) or 6.36 (NAVD 88)
- Elevations shown refer to North American Vertical Datum (1988), and are indicated thus; ¹8', EL.=7.95.
- This property lies in Flood Zones "X", 0.2% Annual Chance of Flood Hazard, "X", Minimal Chance of Flood Hazard, Zone "AH", Elev.=7.0, 8.0, 9.0, 10 & 11, Zone "AE", Elev.=9.0, & 10, Per Flood Insurance Rate Map No. 12011C0357 H Dated: August 18, 2014. Community Panel No. 120055.
- Bearings shown refer to record plat of ARVIDA POMPANO PARK (137/33) and assume the West line of Section 3-49-42 as South 00°00'00" East.
- Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) data and converted using U.S. Army Corps of Engineers software (Corpscon 6.0.1) obtained from http://www.tech.army.mil/
- Legal Description depicts the same real property (Also Known As) as described in Fidelity National Title Insurance Company Commitment No. FTA16-36418.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets _____
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272 _____
 CHECKED BY: _____
 DRAWN BY: E.J.S., DRP, RDR ✓

FILE NO.: **05 - 3 - 031(18)** **SHEET 2 OF 14**

ALTA/NSPS CERTIFICATION

TO: Phelps Dunbar LLP;
 Fidelity National Title Insurance Company;
 Pompano Park JV Holdings, LLC, a Delaware limited liability company;
 Pompano Park Holdings, LLC, a Florida limited liability company;
 PPL, Inc., a Florida corporation;
 Milbank, Tweed, Hadley & McCloy LLP;
 Eckert Seamans Cherin & Mellott, LLC

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, 5, 6(a), 6(b), 7(a), 8, 9, 11 (as to visible utilities only), 13, 16 (none observed), 17 (none apparent), 18 (none supplied) & 19 of Table A thereof.

The fieldwork was completed on May 9th, 2018.

CERTIFICATION
 We hereby certify that this survey meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 5th day of January, 2005.
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 Resurveyed and Elevations converted to NAVD 88, this 4th day of August, 2015.
 Resurveyed this 9th day of May, 2018.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.



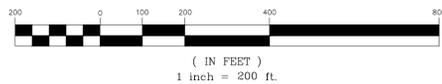
prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

ALTA/NSPS LAND TITLE SURVEY

POMPAÑO PARK

SHEET 1 OF 14

GRAPHIC SCALE

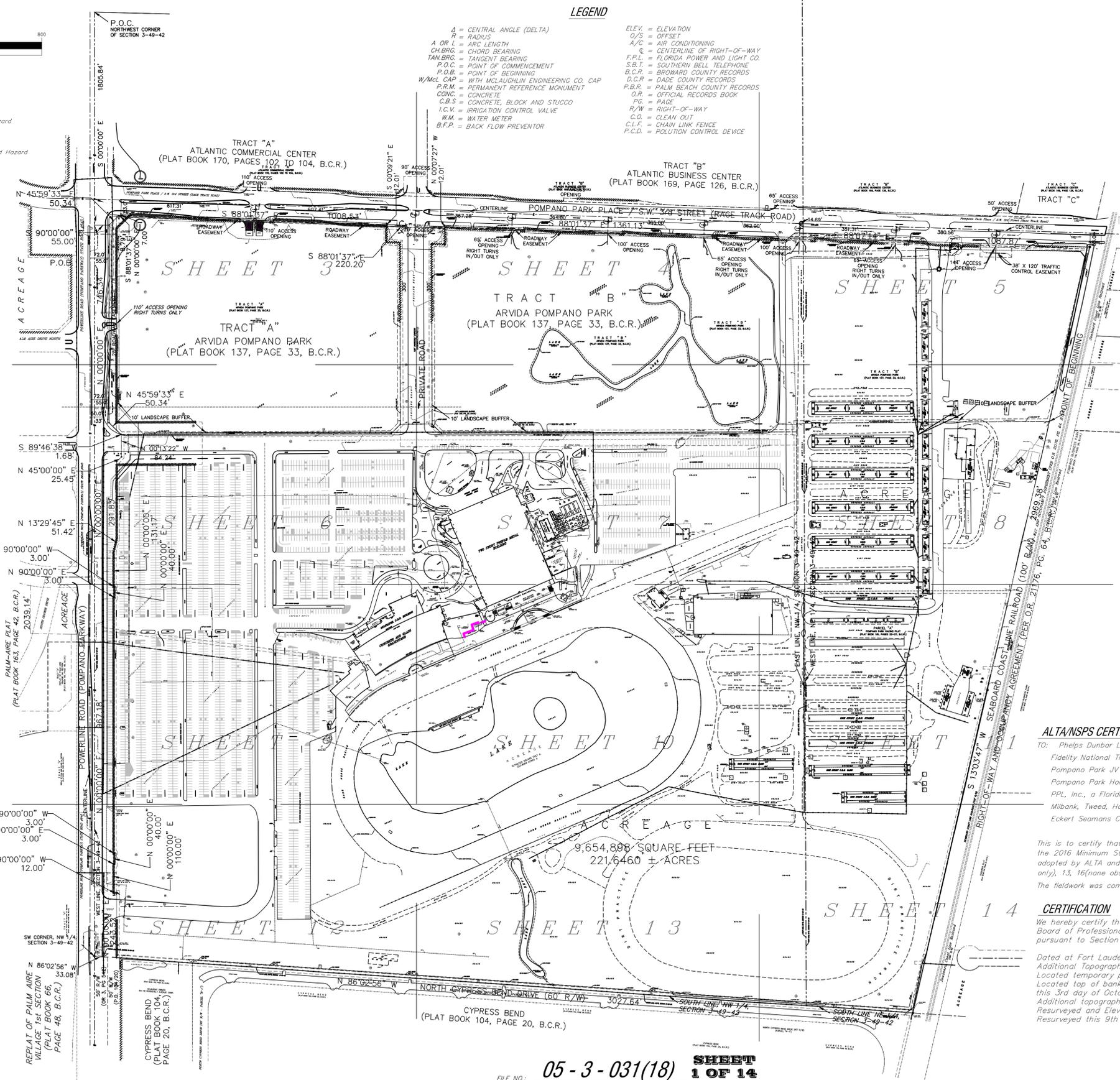
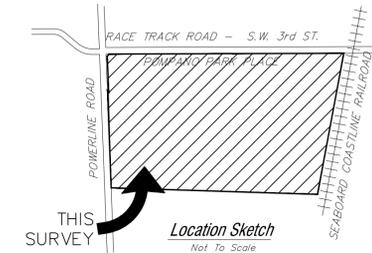


FLOOD ZONE LEGEND:

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- = FLOOD ZONE "X" 0.2% Annual Chance of Flood Hazard
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LEGEND

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ALTA/NSPS CERTIFICATION

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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, 5, 6(a), 6(b), 7(a), 8, 9, 11 (as to visible utilities only), 13, 16 (none observed), 17 (none apparent), 18 (none supplied) & 19 of Table A thereof. The fieldwork was completed on May 9th, 2018.

CERTIFICATION

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McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272
 CHECKED BY:
 DRAWN BY: EJJ3, DRP, RDR

FILE NO.: **05-3-031(18)** **SHEET 1 OF 14**



prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615
 GRAPHIC SCALE

BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

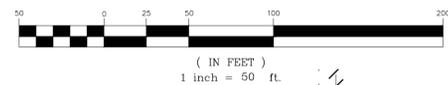
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SHEET 3 OF 14

THIS SHEET

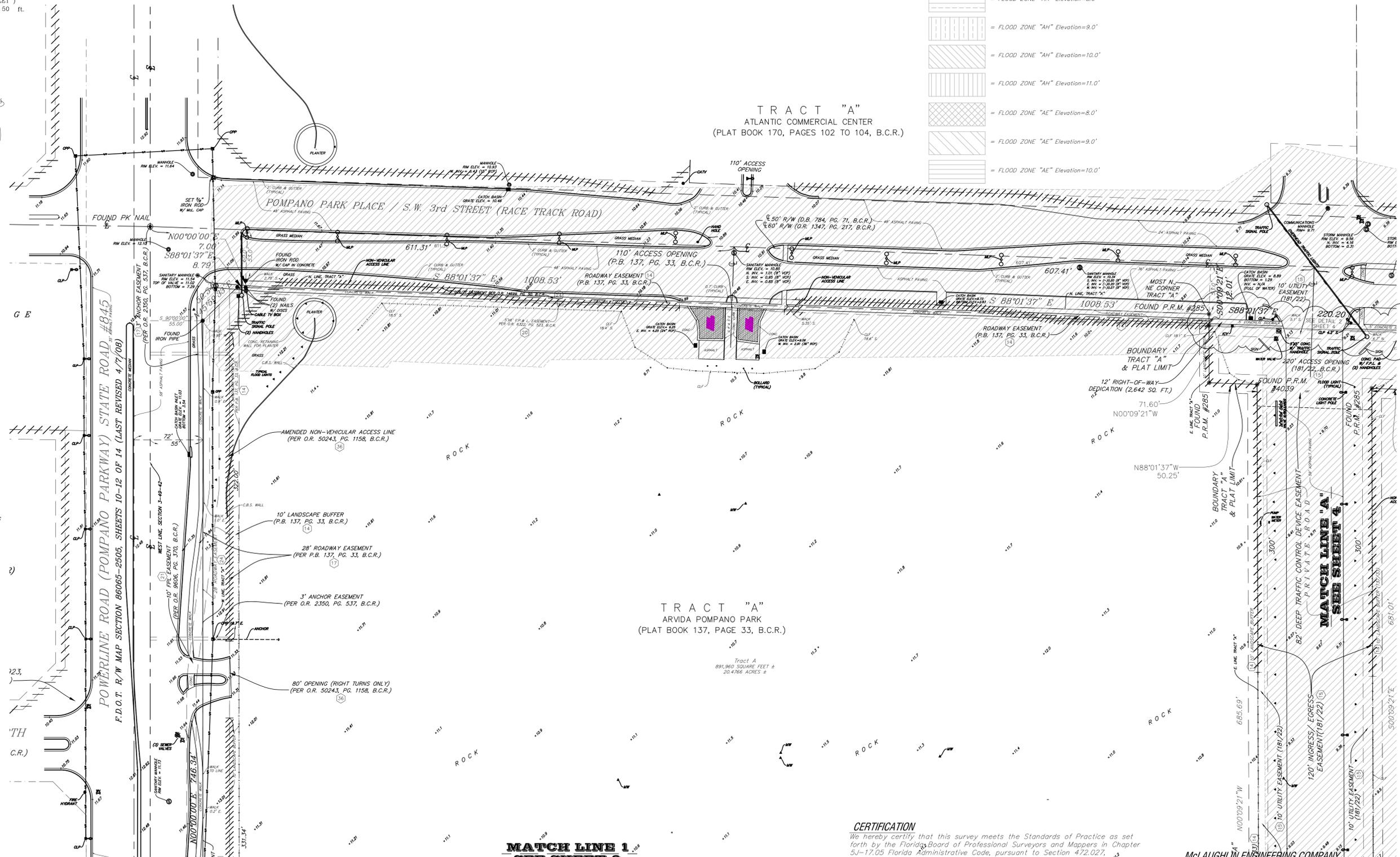
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LEGEND

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118.0 Indicates Topography taken.



OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272
 CHECKED BY: _____
 DRAWN BY: EJJ3, DRP, RDR

CERTIFICATION

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McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FILE NO.: 05-3-031(18) **SHEET 3 OF 14**

prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615
 GRAPHIC SCALE

BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

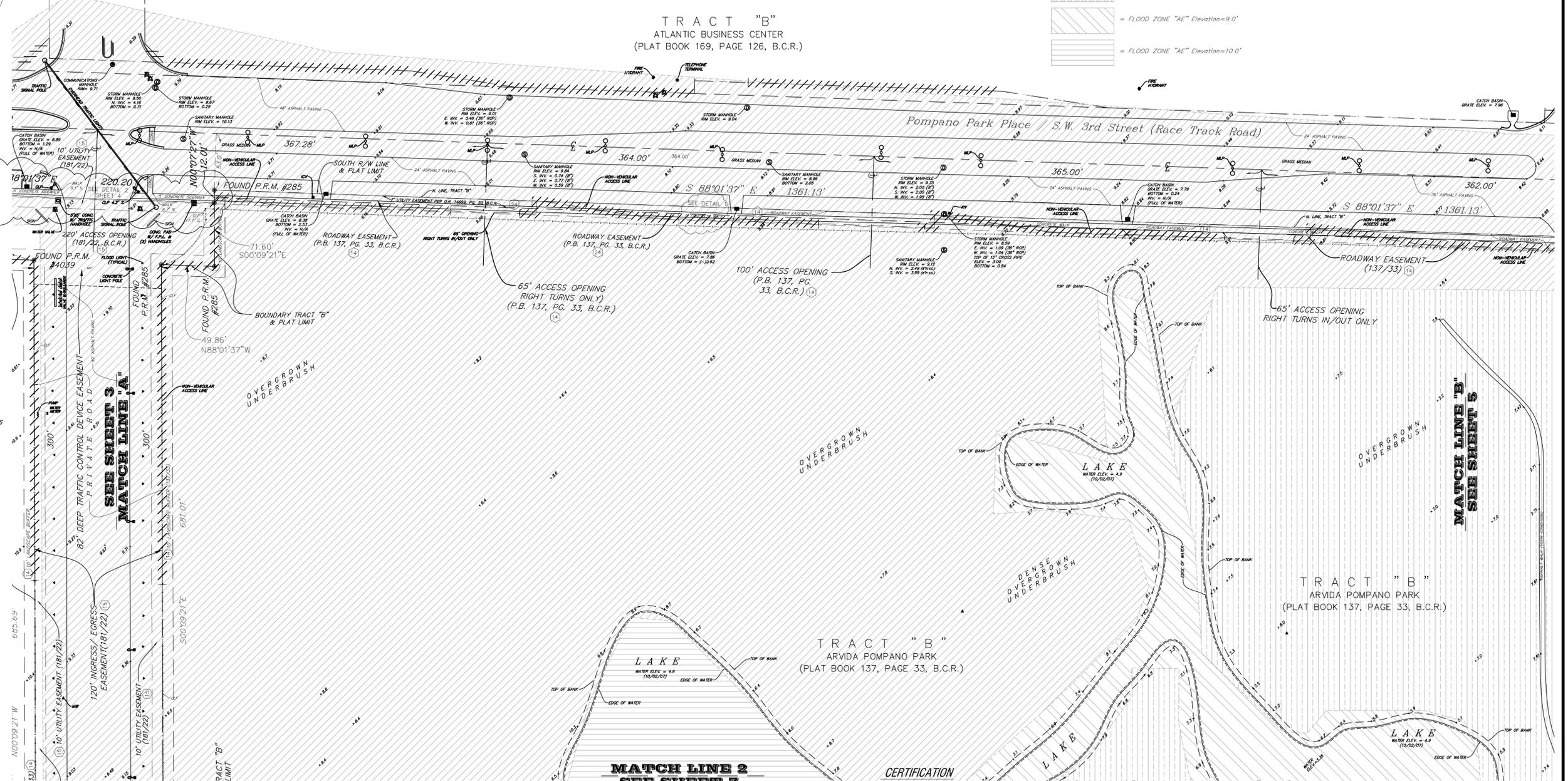
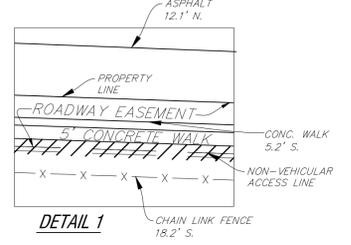
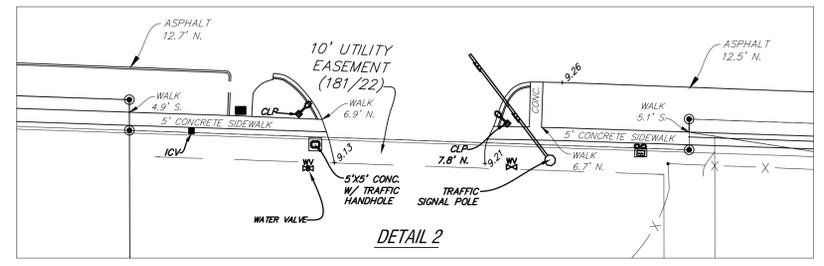
THIS SHEET

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OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets

JOB ORDER NO. U-0393, U-3826, V-0537, V-3272

CHECKED BY: EJJS, DRP, RDR

DRAWN BY: EJJS, DRP, RDR

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JERALD A. McLAUGHLIN
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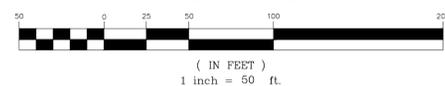
BOUNDARY & TOPOGRAPHIC SURVEY

POMPAÑO PARK

SHEET 5 OF 14

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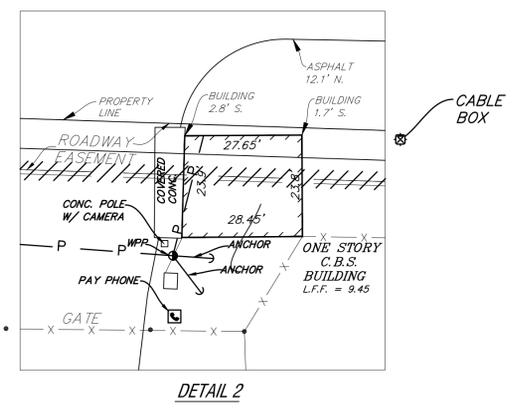


LEGEND

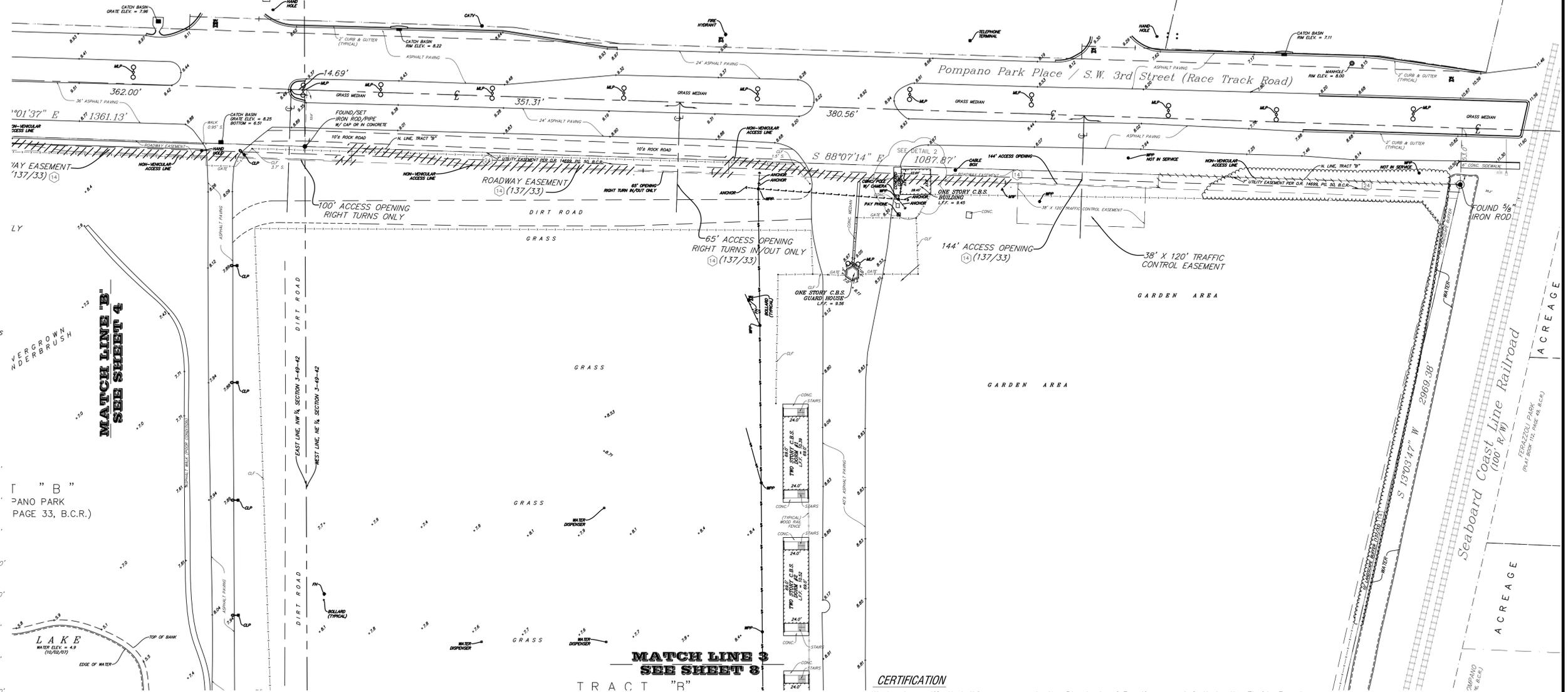
- ELEV. = ELEVATION
- O/S = OFFSET
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- Q = CENTERLINE OF RIGHT-OF-WAY
- F.P.L. = FLORIDA POWER AND LIGHT CO.
- S.B.T. = SOUTHERN BELL TELEPHONE
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- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- W/M.C.M. = WITH McLAUGHLIN ENGINEERING CO. CAP
- P.R.M. = PERMANENT REFERENCE MONUMENT
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- W.P. = WOOD LIGHT POLE
- C.P. = CONCRETE POWER POLE
- M.P. = METAL LIGHT POLE
- CLP. = CONCRETE LIGHT POLE
- L.C.F. = LATEST FINISHED FLOOR
- = CATCH BASIN
- = CATCH BASIN INLET
- = ALUMINUM LIGHT POLE
- = CONCRETE LIGHT POLE
- = WOOD LIGHT POLE
- = LIGHT POLE
- = CONCRETE TRAFFIC POLE
- = WOOD POLE
- = COMMUNICATIONS MANHOLE
- = MANHOLE
- = LIGHT BOX/HAND HOLE
- = WATER VALVE
- = WATER METER
- = FIRE HYDRANT
- = FIBER OPTIC CABLE
- = CHAIN LINK FENCE
- = WOOD FENCE
- = OVERHEAD POWER & UTILITIES
- = OVERHEAD UTILITY WIRES
- = OVERHEAD GUY WIRES



TRACT "B"
 ATLANTIC BUSINESS CENTER
 (PLAT BOOK 169, PAGE 126, B.C.R.)



TRACT "C"
 ATLANTIC BUSINESS CENTER
 (PLAT BOOK 169, PAGE 126, B.C.R.)



FLOOD ZONE LEGEND:

- [Pattern] = FLOOD ZONE "X" Minimal Chance of Flood Hazard
- [Pattern] = FLOOD ZONE "X" 0.2% Annual Chance of Flood Hazard
- [Pattern] = FLOOD ZONE "AH" Elevation=7.0'
- [Pattern] = FLOOD ZONE "AH" Elevation=8.0'
- [Pattern] = FLOOD ZONE "AH" Elevation=9.0'
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- [Pattern] = FLOOD ZONE "AH" Elevation=11.0'
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TRACT "B"
 POMPAÑO PARK
 PAGE 33, B.C.R.)

MATCH LINE 3
 SEE SHEET 8
 TRACT "B"

CERTIFICATION

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 Additional topography and locations added this 27th day of December, 2007.
 Resurveyed and Elevations converted to NAVD 88, this 4th day of August, 2015.
 Resurveyed this 9th day of May, 2018.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272
 CHECKED BY: EJL3, DRP, RDRV
 DRAWN BY: EJL3, DRP, RDRV

FILE NO.: **05-3-031(18)** **SHEET 5 OF 14**

prepared by
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

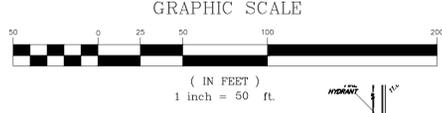
BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 6 OF 14

3	4	5
6	7	8
9	10	11
12	13	14

THIS SHEET



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 - CONCRETE LIGHT POLE
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 - OVERHEAD UTILITY WIRES
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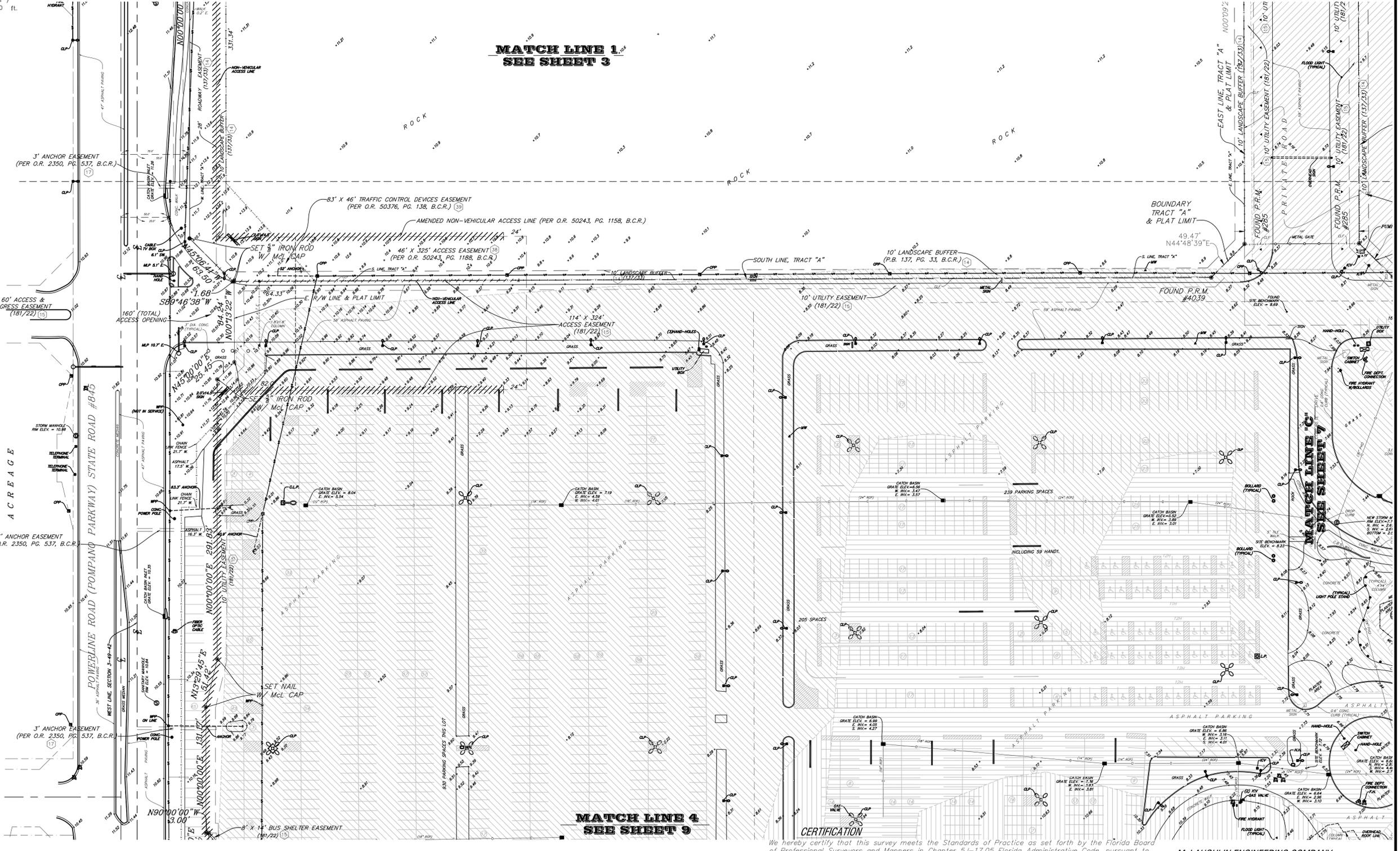
OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets

JOB ORDER NO. U-0393, U-3826, V-0537, V-3272

CHECKED BY: _____

DRAWN BY: E.J.J3, DRP, RDR



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McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FILE NO.: **05-3-031(18)** **SHEET 6 OF 14**

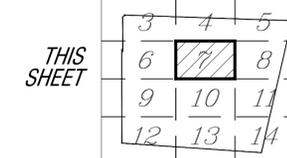


prepared by:
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 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615
 GRAPHIC SCALE

BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 7 OF 14



LEGEND (IN FEET)
 1 inch = 50 ft.

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- CATCH BASIN INLET
- ALUMINUM LIGHT POLE
- CONCRETE LIGHT POLE
- WOOD LIGHT POLE
- LIGHT POLE
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- WOOD POLE
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- MANHOLE
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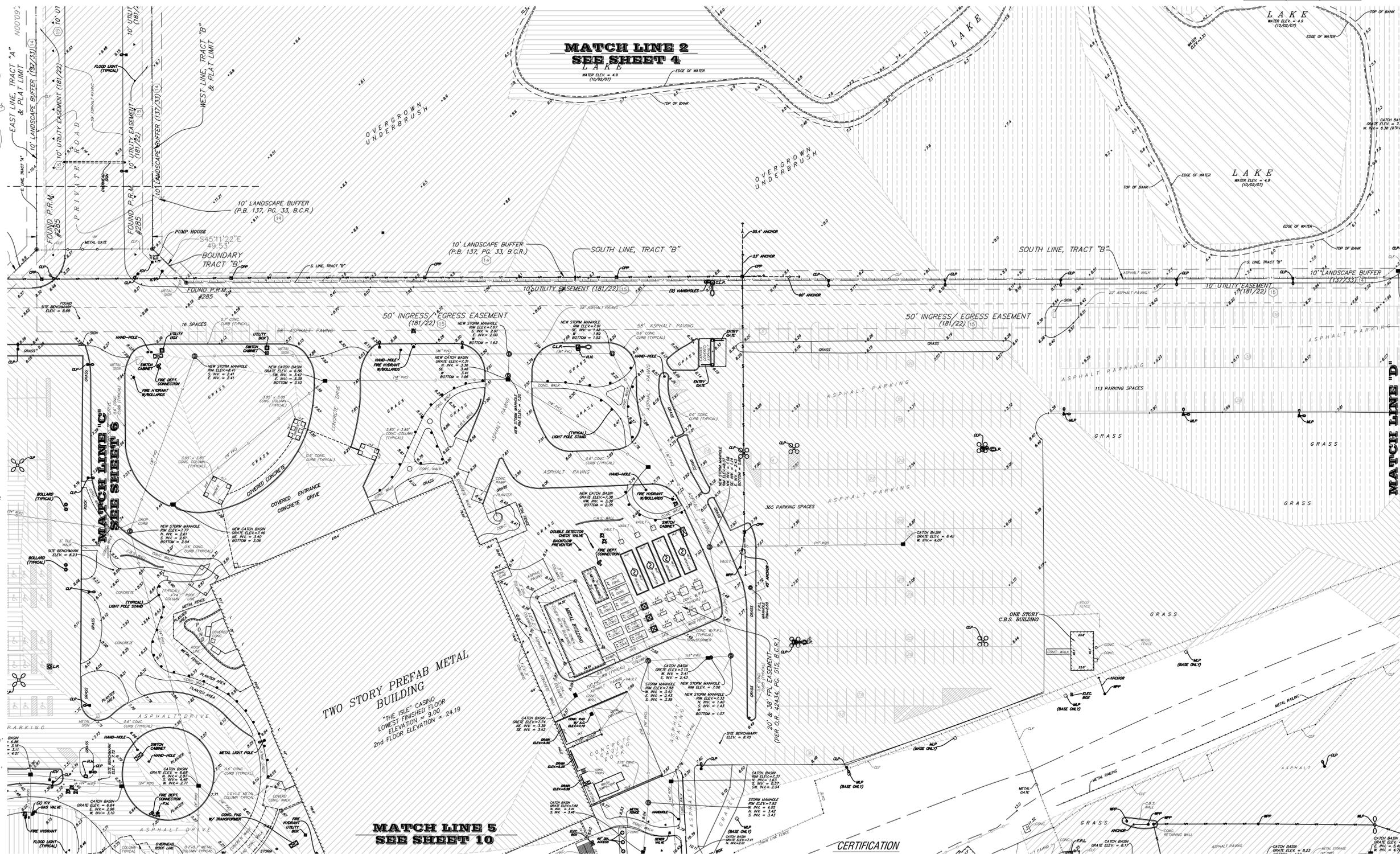
3/8" indicates Topography taken.

FLOOD ZONE LEGEND:

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OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272
 CHECKED BY: _____
 DRAWN BY: E.J.J., DRP, RDR



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McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FILE NO.: **05-3-031(15)** **SHEET 7 OF 14**



prepared by:
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 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 8 OF 14

3	4	5
6	7	8
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12	13	14

THIS SHEET

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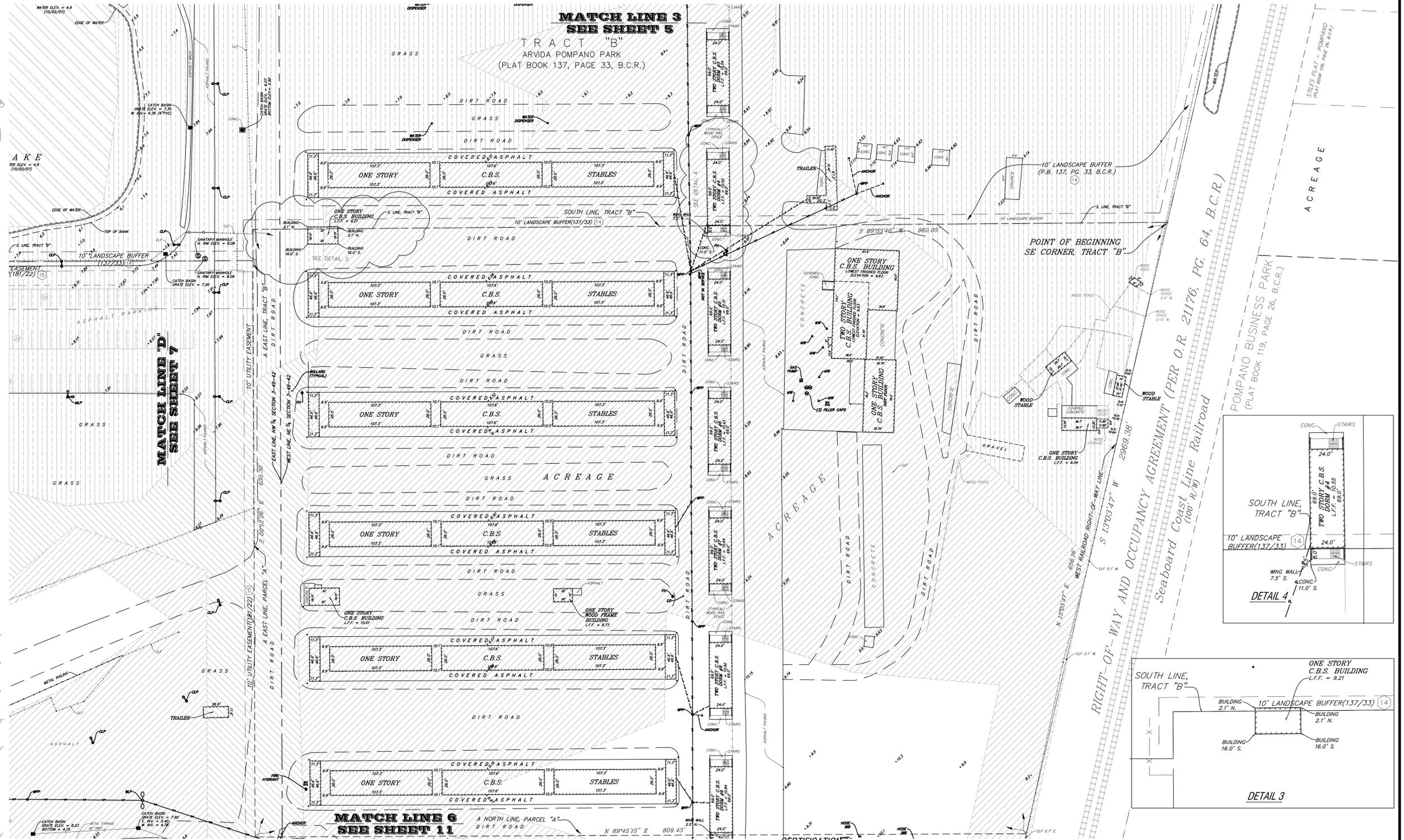
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BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 9 OF 14

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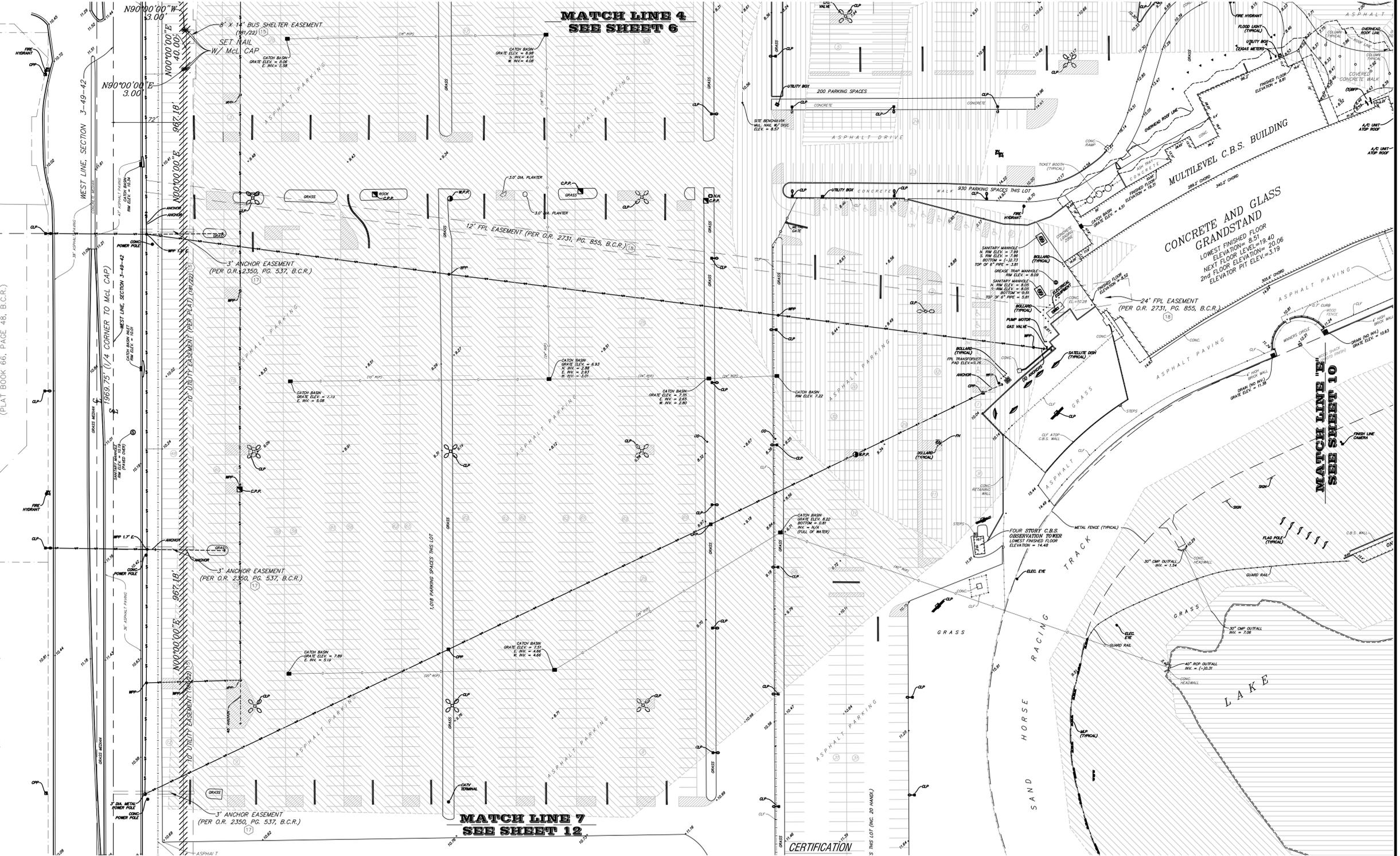
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OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets
 JOB ORDER NO. U-0393, U-3826, V-0537, V-3272
 CHECKED BY: _____
 DRAWN BY: E.J.S, DRP, RDR



CERTIFICATION
 We hereby certify that this survey meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

McLAUGHLIN ENGINEERING COMPANY

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 Additional Topography taken this 23rd day of March, 2006.
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 Resurveyed this 9th day of May, 2018.

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FILE NO.: 05-3-031(18) **SHEET 9 OF 14**

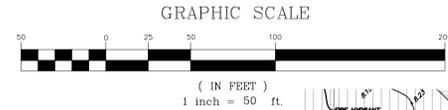
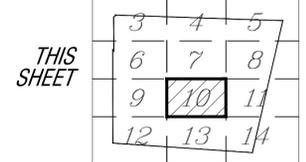


prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
 FORT LAUDERDALE, FLORIDA, 33309
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 10 OF 14



- LEGEND**
- ELEV. = ELEVATION
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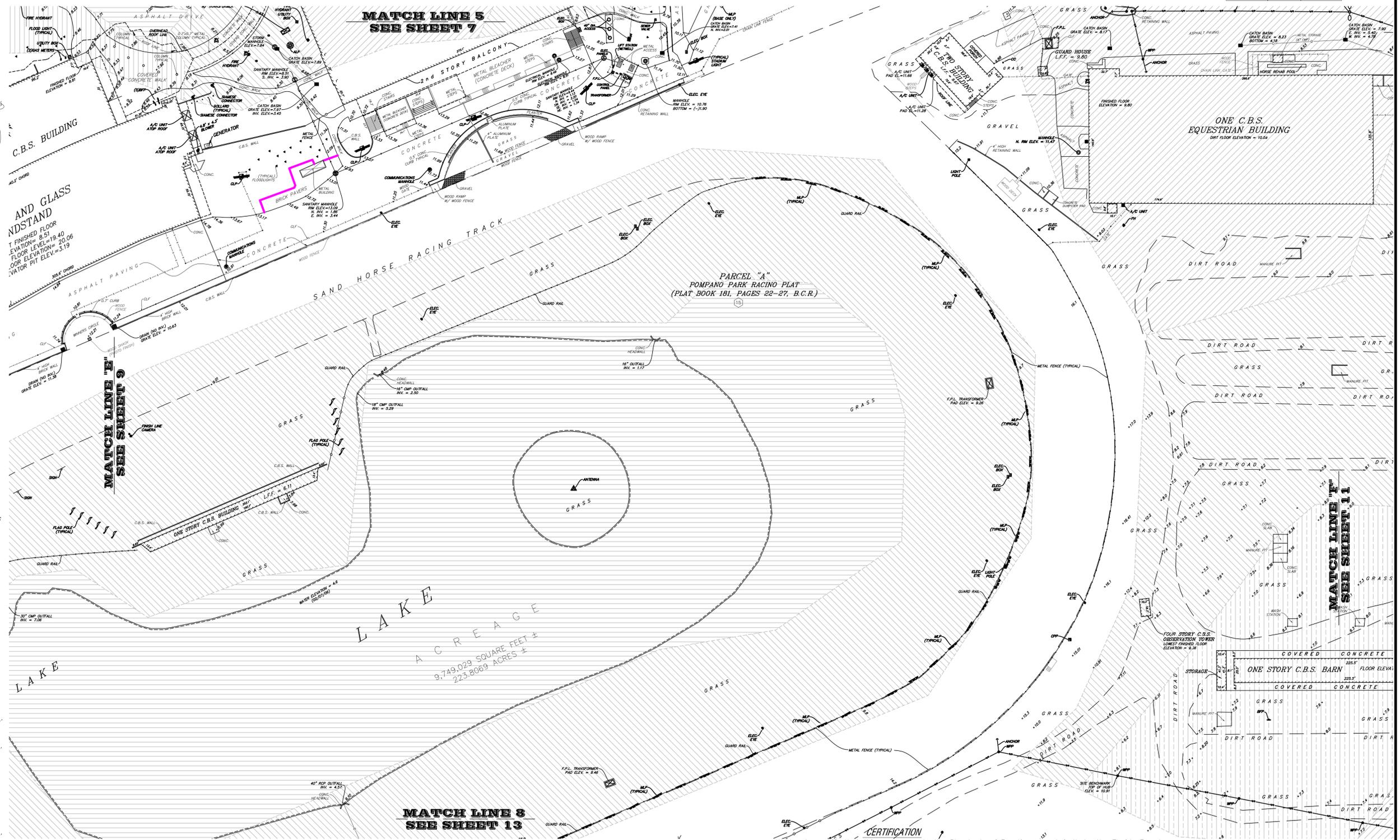
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CHECKED BY: _____

DRAWN BY: EJJS, DRP, RDR



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FILE NO.: **05-3-031(18) SHEET 10 OF 14**

prepared by
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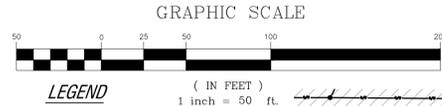
BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 11 OF 14

3	4	5
6	7	8
9	10	11
12	13	14

THIS SHEET



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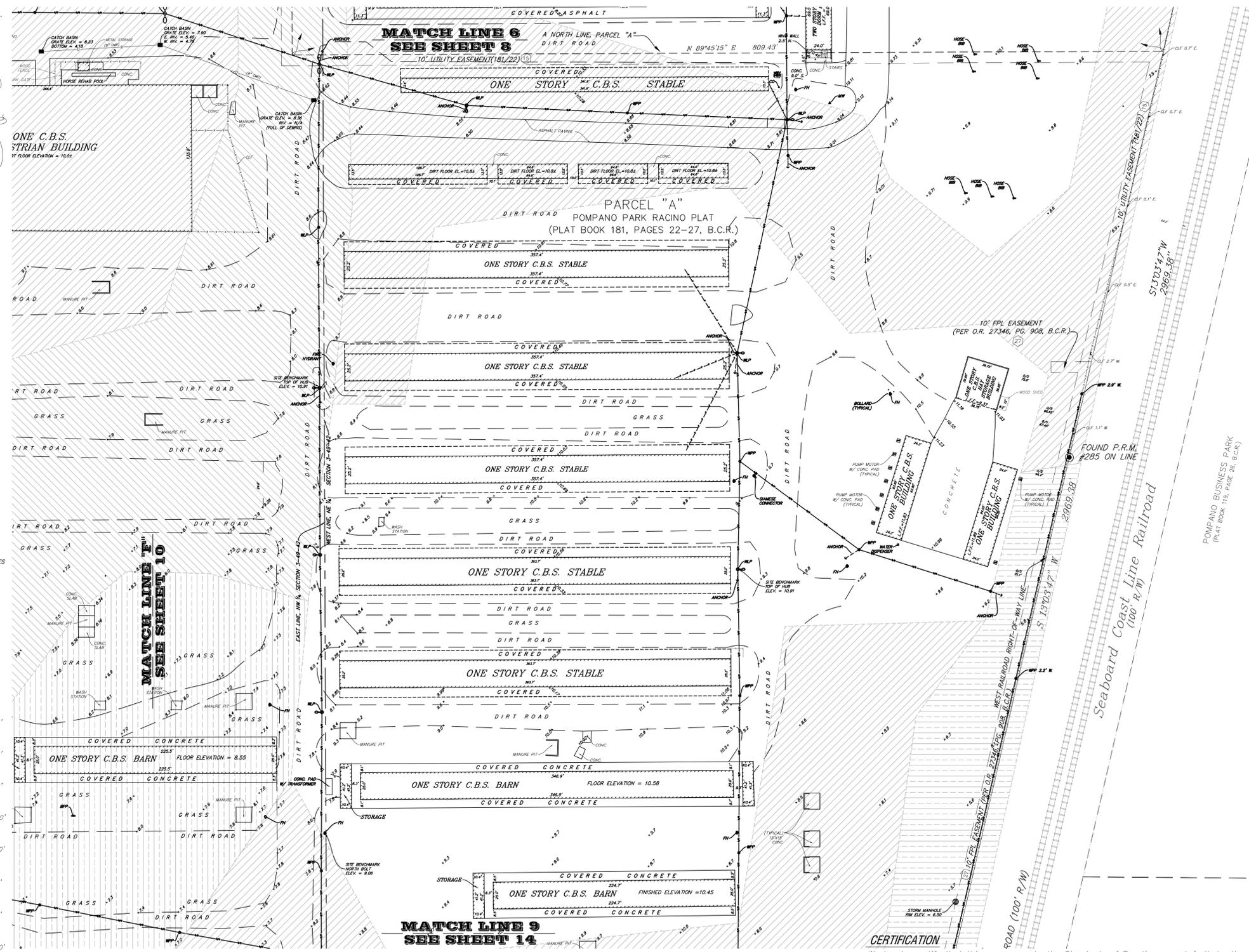
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CHECKED BY: _____

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FILE NO: 05-3-031(18) **SHEET 11 OF 14**



prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 1700 NW 64TH STREET, SUITE 400
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 PHONE: (954) 763-7611
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 GRAPHIC SCALE

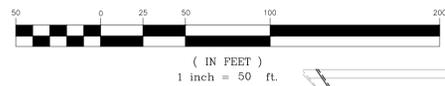
BOUNDARY & TOPOGRAPHIC SURVEY

POMPANO PARK

SHEET 13 OF 14

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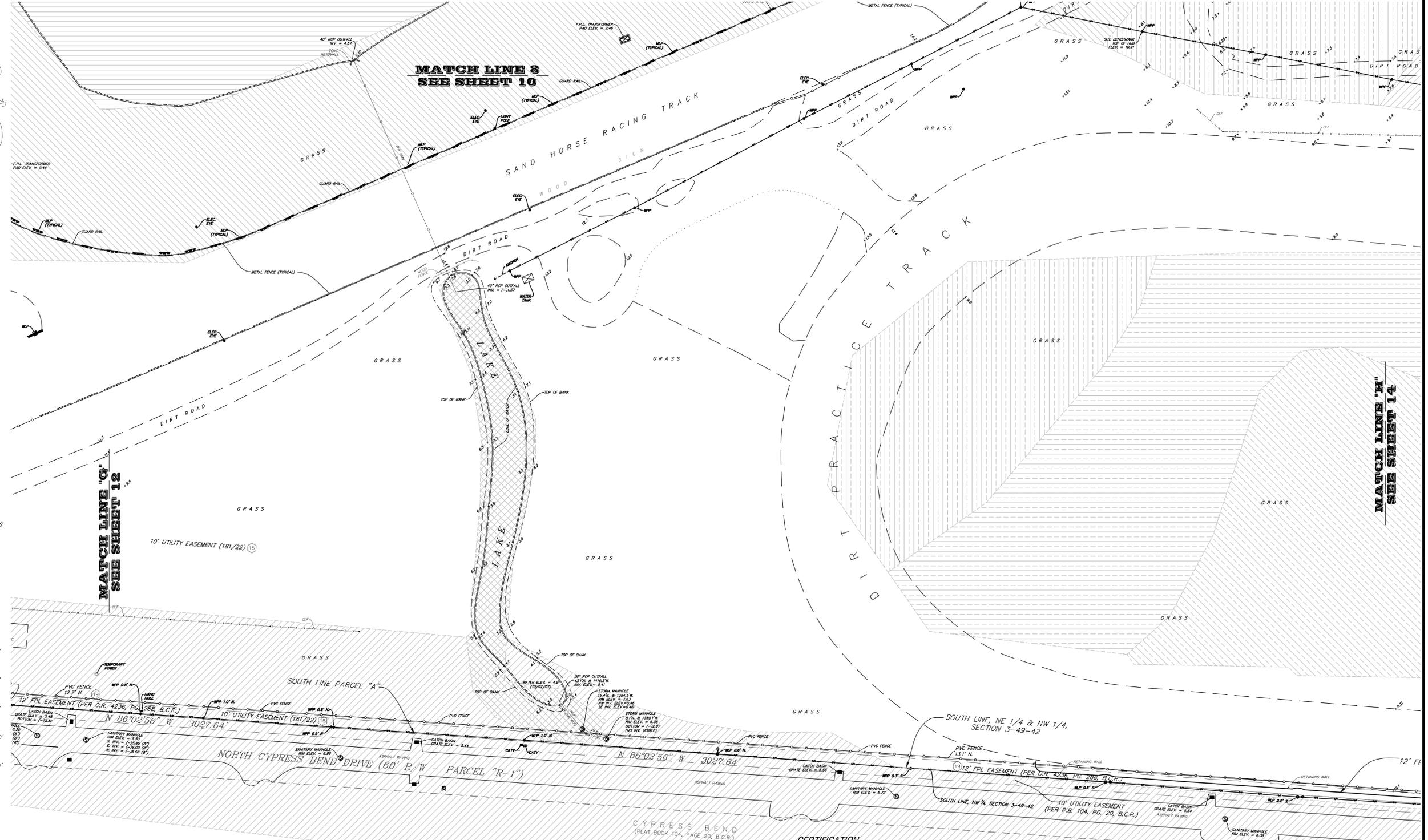
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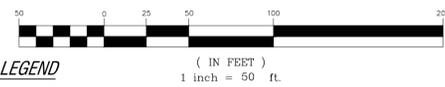
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POMPANO PARK

SHEET 14 OF 14

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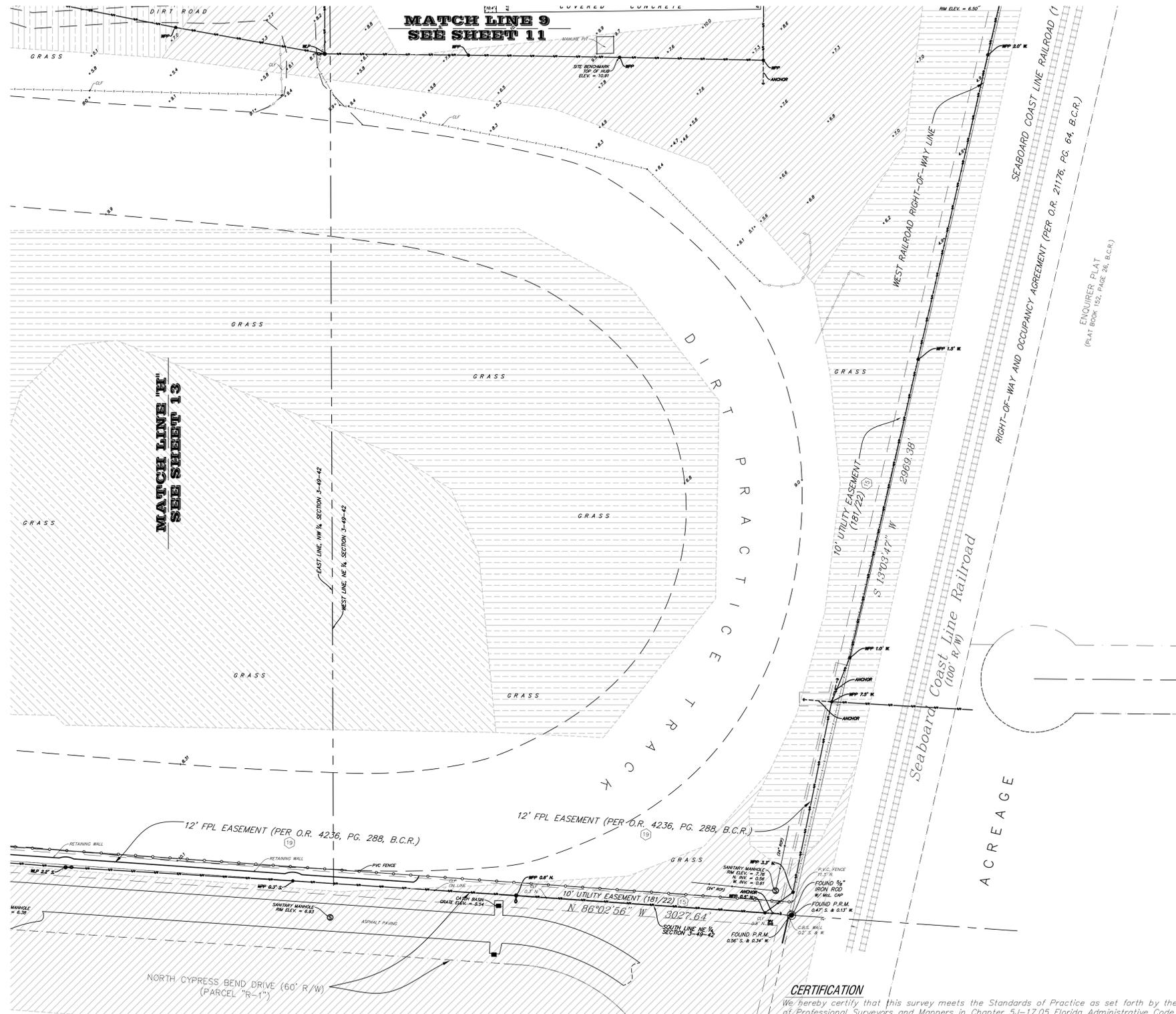
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 Registered Land Surveyor No. 5269
 State of Florida.

FILE NO.: **05-3-031(18)** **SHEET 14 OF 14**

ARVIDA POMPANO PARK

EXHIBIT D

A PORTION OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

WILLIAMS, HATFIELD & STONER, INC. * CONSULTING ENGINEERS * PLANNERS * SURVEYORS
2312 WILTON DRIVE, FORT LAUDERDALE, FLORIDA 33305

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION - RECORDING SECTION

THIS INSTRUMENT WAS FILED FOR RECORD THIS 25th DAY OF January,
A.D. 1987, AND RECORDED IN PLAT BOOK 137, PAGE 33, RECORD VERIFIED.

ATTEST: L. A. HESTER
COUNTY ADMINISTRATOR

BY: Carole C. Doyle
DEPUTY

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF
CHAPTER 177, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD BY
THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
THIS 7th DAY OF June, A.D. 1988

ATTEST: L. A. HESTER
COUNTY ADMINISTRATOR

BY: Chyllia J. Flanagan
DEPUTY
BY: Dick E. Brownson
CHAIRPERSON, COUNTY COMMISSION

BROWARD COUNTY ENGINEERING DIVISION

THIS PLAT IS APPROVED AND ACCEPTED FOR RECORD.

BY: Henry P. Cook
HENRY P. COOK
DIRECTOR OF ENGINEERING
FLA. REGISTERED ENGINEER No.12506

DATE: 3-19-88

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL APPROVED
THIS PLAT WITH REGARD TO DEDICATION OF RIGHTS-OF-WAY FOR TRAFFICWAYS
BY RESOLUTION.

ADOPTED THIS 28th DAY OF April, A.D. 1988

BY: Alan C. Goldens DATE: JUNE 23, 1988
CHAIRMAN

BROWARD COUNTY OFFICE OF PLANNING

THIS PLAT IS APPROVED AND ACCEPTED FOR RECORD THIS 19 DAY OF
AUGUST, A.D. 1988

BY: Donald J. Howell
DIRECTOR

CITY PLANNING AND ZONING BOARD

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING BOARD OF POMPANO BEACH,
FLORIDA, HAS APPROVED AND ACCEPTED THIS PLAT THIS 28th DAY OF
October, A.D. 1987.

BY: William V. Weisman THIS 29th DAY OF December, A.D. 1987.
CHAIRMAN

CITY COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED FOR
RECORD BY THE CITY OF POMPANO BEACH, FLORIDA AND PASSED BY ORDINANCE
No. 88-19 THIS 22nd DAY OF December, A.D. 1987.

BY: Bernadette Howell THIS 4th DAY OF January, A.D. 1988
CITY CLERK

DIRECTOR OF PUBLIC WORKS

THIS PLAT ENTITLED ARVIDA POMPANO PARK,
IS APPROVED FOR RECORD THIS 4th DAY OF Jan., 1988.

BY: Paul P. Gendron
DIRECTOR

SURVEYOR'S CERTIFICATE

STATE OF FLORIDA S.S.
COUNTY OF BROWARD

I, JAMES D. STONER, CERTIFY THAT THIS PLAT IS AN ACCURATE AND CORRECT
REPRESENTATION OF THE LANDS SURVEYED AND DESCRIBED HEREON: THAT
PERMANENT REFERENCE MONUMENTS (P.R.M.'s) HAVE BEEN SET AS SHOWN;
THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE SUPERVISION AND
DIRECTION; AND THAT THE SURVEY DATA SHOWN COMPLIES WITH ALL THE
REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND WITH APPLICABLE
SECTIONS OF CHAPTER 21 HH-6 OF THE FLORIDA ADMINISTRATIVE CODE.
ELEVATIONS SHOWN HEREON ARE BASED ON N.G.V.D. OF 1929, AND CONFORM TO
THIRD ORDER ACCURACY.

James D. Stoner
JAMES D. STONER
FLA. REGISTERED LAND SURVEYOR No.4039
STATE OF FLORIDA

DEDICATION

STATE OF FLORIDA S.S.
COUNTY OF BROWARD

KNOW ALL MEN BY THESE PRESENTS: THAT POMPANO PARK ASSOCIATES LIMITED PARTNERSHIP,
A FLORIDA LIMITED PARTNERSHIP, THE OWNER OF THE LANDS DESCRIBED HEREON, HAS
CAUSED SAID LAND TO BE SURVEYED, SUBDIVIDED, AND PLATTED IN THE MANNER
SHOWN HEREON; SAID PLAT TO BE KNOWN AS ARVIDA POMPANO PARK.
THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON ARE HEREBY DEDICATED
TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES.

IN WITNESS WHEREOF, SAID POMPANO PARK ASSOCIATES LIMITED PARTNERSHIP,
CAUSED THESE PRESENTS TO BE SIGNED BY ITS DULY AUTHORIZED OFFICER
THIS 10th DAY OF April, 1987.

WITNESS: John A. Cashman, Jr.

John A. Cashman, Jr.
JOHN A. CASHMAN, JR.
PRESIDENT
POMPANO PARK ASSOCIATES, INC.

WITNESS: Mario J. Geran

ACKNOWLEDGEMENT

STATE OF FLORIDA S.S.
COUNTY OF BROWARD

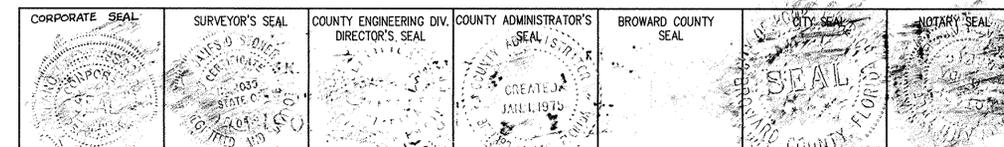
I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME,
AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE
ACKNOWLEDGEMENTS, JOHN A. CASHMAN, JR., PRESIDENT OF
POMPANO PARK ASSOCIATES, INC.,
AND HE ACKNOWLEDGED TO AND BEFORE ME THE EXECUTION OF THE FOREGOING PLAT
AND INSTRUMENT OF DEDICATION FOR THE PURPOSES AND USES THEREIN EXPRESSED.

WITNESS MY HAND AND OFFICIAL SEAL THIS 10th DAY OF April, A.D.1987.

MY COMMISSION EXPIRES THE 18th DAY OF July, A.D.1987.

Mary Ann Tress
NOTARY PUBLIC, STATE OF FLORIDA

SEE PAGES 2 and 3 of 6 FOR ADDITIONAL
DEDICATIONS / ACKNOWLEDGEMENTS



OR BK 16140 PG 804

ARVIDA POMPANO PARK

A PORTION OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

WILLIAMS, HATFIELD & STONER, INC. * CONSULTING ENGINEERS * PLANNERS * SURVEYORS
2312 WILTON DRIVE, FORT LAUDERDALE, FLORIDA 33305

DEDICATION OF MORTGAGE HOLDER

State of New York
County of New York S.S.

BANKERS TRUST COMPANY, a New York Banking Corporation, owner and holder of a mortgage on this property recorded in O.R. Book 15379 Page 0557, County Records, does hereby join in the dedication as shown hereon this plat.

In witness whereof, I hereunto set my hand and affix the corporate seal in the County of New York, State of New York, this 7th day of JULY 1988.

Witness David R. [Signature]

James G. Price
Vice President

Witness [Signature]

ACKNOWLEDGEMENT

State of New York
County of New York S.S.

I hereby certify that on this day personally appeared before me, an officer duly authorized by law to administer oaths and take acknowledgements James G. Price, Vice President of BANKERS TRUST COMPANY and he acknowledged to and before me the execution of the foregoing plat and instrument of dedication for the purposes and uses therein expressed.

Witness my hand and official seal this 7th day of JULY A.D. 1988.

My Commission expires this 30th day of June A.D. 1990

[Signature]
Notary Public
State of New York

DEDICATION

State of Florida
County of Broward S.S.

KNOW ALL MEN BY THESE PRESENTS: That ARVIDA POMPANO ASSOCIATES JOINT VENTURE, a Florida General Partnership, the owner of the lands described hereon, has caused said land to be surveyed, subdivided and platted in the manner shown hereon; said Plat to be known as ARVIDA POMPANO PARK, a replat. The Easements and rights-of-way shown hereon are hereby dedicated to the perpetual use of the Public for proper purposes.

In witness whereof, said ARVIDA POMPANO ASSOCIATES JOINT VENTURE, caused these presents to be signed by its duly authorized officer this 8th day of JULY, 1988.

WITNESS: Joseph Williams

Jeri Poller
Jeri Poller, Vice President
Arvida Pompano Associates Joint Venture
by: Arvida/JMB Partners, L.P. General Partner
d/b/a Arvida/JMB Partners, Ltd.
by: Arvida/JMB Managers, Inc. General Partner of Arvida/JMB Partners, L.P.

WITNESS: [Signature]

ACKNOWLEDGEMENT

State of Florida
County of Broward S.S.

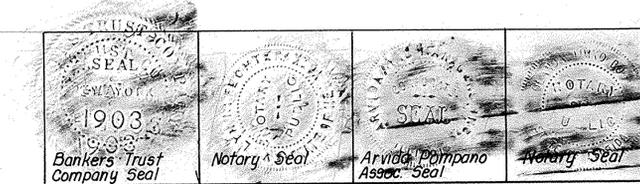
I hereby certify that on this day personally appeared before me, an officer duly authorized by law to administer oaths and take acknowledgements, Jeri Poller, Vice President of ARVIDA POMPANO ASSOCIATES JOINT VENTURE and she acknowledged to and before me the execution of the foregoing plat and instrument of dedication for the purposes and uses therein expressed.

Witness my hand and official seal this 8th day of JULY A.D. 1988.

My Commission expires the 29th day of March A.D. 1991

[Signature]
Notary Public
State of Florida

SEE PAGES 1 & 3 of 6 FOR
ADDITIONAL DEDICATIONS/ACKNOWLEDGEMENTS



ARVIDA POMPANO PARK

A PORTION OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

WILLIAMS, HATFIELD & STONER, INC. * CONSULTING ENGINEERS * PLANNERS * SURVEYORS
2312 WILTON DRIVE, FORT LAUDERDALE, FLORIDA 33305

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 5, SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF SOUTH ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 1767.73 FEET TO A POINT ON A LINE 60.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID GOVERNMENT LOT 5, SAID POINT ALSO BEING ON THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF RACE TRACK ROAD;

THENCE S 88°01'37" E ALONG SAID PARALLEL LINE AND ALONG SAID EXTENSION A DISTANCE OF 86.31 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S 88°01'37" E ALONG SAID PARALLEL LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 13.75 FEET;

THENCE NORTH A DISTANCE OF 7.00 FEET TO A POINT ON A LINE 53.00 FEET SOUTH OF AND PARALLEL WITH THE SAID NORTH LINE;

THENCE S 88°01'37" E ALONG SAID PARALLEL LINE A DISTANCE OF 1008.53 FEET;

THENCE S 00°09'21" E A DISTANCE OF 71.60 FEET;

THENCE S 88°01'37" E A DISTANCE OF 50.25 FEET;

THENCE S 00°09'21" E A DISTANCE OF 685.69 FEET;

THENCE S 44°48'39" W A DISTANCE OF 49.47 FEET;

THENCE S 89°46'38" W A DISTANCE OF 1025.36 FEET;

THENCE N 45°06'41" W A DISTANCE OF 94.55 FEET TO A POINT ON A LINE 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 3, SAID LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF POWERLINE ROAD AS RECORDED IN O.R. BOOK 12173, PAGE 163 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH ALONG SAID PARALLEL LINE AND ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 573.56 FEET;

THENCE EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 17.00 FEET TO A POINT ON A LINE 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 3;

THENCE NORTH ALONG SAID PARALLEL LINE AND ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 151.00 FEET;

THENCE N 45°59'33" E A DISTANCE OF 50.39 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOTS 6 AND 7, SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF SOUTH ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 1707.69 FEET TO A POINT ON

THE NORTH LINE OF GOVERNMENT LOTS 5 AND 6 OF SAID SECTION 3, SAID POINT ALSO BEING ON THE WESTERLY EXTENSION OF THE CENTERLINE OF RACE TRACK ROAD;

THENCE S 88°01'37" E ALONG SAID NORTH LINE AND ALONG SAID CENTERLINE AND THE EXTENSION THEREOF, A DISTANCE OF 1328.63 FEET;

THENCE S 00°09'21" E A DISTANCE OF 53.00 FEET TO A POINT ON A LINE 53.00 FEET SOUTH OF AND PARALLEL WITH THE SAID NORTH LINE, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RACE TRACK ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE S 88°01'37" E ALONG SAID PARALLEL LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1361.13 FEET TO A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 7, SAID POINT BEING 53.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID GOVERNMENT LOT 7;

THENCE S 88°07'14" E ALONG SAID PARALLEL LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1087.87 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD;

THENCE S 13°03'47" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 675.45 FEET;

THENCE S 89°33'40" W A DISTANCE OF 960.05 FEET;

THENCE S 00°12'26" E A DISTANCE OF 32.69 FEET;

THENCE S 89°46'38" W A DISTANCE OF 1,347.69 FEET;

THENCE N 45°11'21" W A DISTANCE OF 49.53 FEET;

THENCE N 00°09'21" W A DISTANCE OF 680.99 FEET;

THENCE S 88°01'37" E A DISTANCE OF 49.86 FEET;

THENCE N 00°09'21" W A DISTANCE OF 71.60 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH:

A PORTION OF GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF SOUTH ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 1707.69 FEET TO A POINT ON THE SOUTH LINE OF SAID GOVERNMENT LOT 4, SAID POINT ALSO BEING ON THE CENTERLINE OF RACE TRACK ROAD;

THENCE S 88°01'37" E ALONG SAID LINE A DISTANCE OF 529.31 FEET;

THENCE N 01°58'23" E A DISTANCE OF 53.00 FEET TO A POINT ON A LINE 53.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;

THENCE CONTINUE N 01°58'23" E A DISTANCE OF 327.00 FEET TO A POINT ON A LINE 380.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 4;

THENCE S 88°01'37" E ALONG SAID PARALLEL LINE A DISTANCE OF 414.00 FEET;

THENCE S 01°58'23" W A DISTANCE OF 327.00 FEET TO A POINT ON A LINE 53.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 4;

THENCE N 88°01'37" W ALONG SAID PARALLEL LINE A DISTANCE OF 414.00 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 64.18 ACRES, (2,795,775 SQUARE FEET), MORE OR LESS.

DEDICATION OF MORTGAGE HOLDER

STATE OF FLORIDA S.S.
COUNTY OF BROWARD
CASTLETON INC., BEING THE SUCCESSOR BY MERGER OF TOURIST ATTRACTIONS, INC., A KENTUCKY CORPORATION, OWNER AND HOLDER OF A MORTGAGE ON THIS PROPERTY RECORDED IN O.R. BOOK 12225, PAGE 113, COUNTY RECORDS, DOES HEREBY JOIN IN THE DEDICATION AS SHOWN ON SHEET 1 OF 5 OF THIS PLAT.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX THE CORPORATE SEAL IN THE COUNTY OF BROWARD, STATE OF FLORIDA, THIS 10 DAY OF April, 1987.

WITNESS: Mary J. Zerow

John A. Cashman, Jr.
JOHN A. CASHMAN, JR.
PRESIDENT
CASTLETON, INC., BEING THE SUCCESSOR BY MERGER OF TOURIST ATTRACTIONS, INC.

WITNESS: Michael U. Lang
MICHAEL U. LANG
TREASURER
CASTLETON, INC., BEING THE SUCCESSOR BY MERGER OF TOURIST ATTRACTIONS, INC.

ACKNOWLEDGEMENT

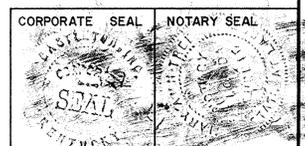
STATE OF FLORIDA S.S.
COUNTY OF BROWARD

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, JOHN A. CASHMAN, JR., PRESIDENT OF CASTLETON, INC., BEING THE SUCCESSOR BY MERGER OF TOURIST ATTRACTIONS, INC. AND HE ACKNOWLEDGED TO AND BEFORE ME THE EXECUTION OF THE FOREGOING PLAT AND INSTRUMENT OF DEDICATION FOR THE PURPOSES AND USES THEREIN EXPRESSED. WITNESS MY HAND AND OFFICIAL SEAL THIS 10th DAY OF April, A.D. 1987.

MY COMMISSION EXPIRES THE 18th DAY OF July, A.D. 1989

Mary Ann Treese
NOTARY PUBLIC, STATE OF FLORIDA

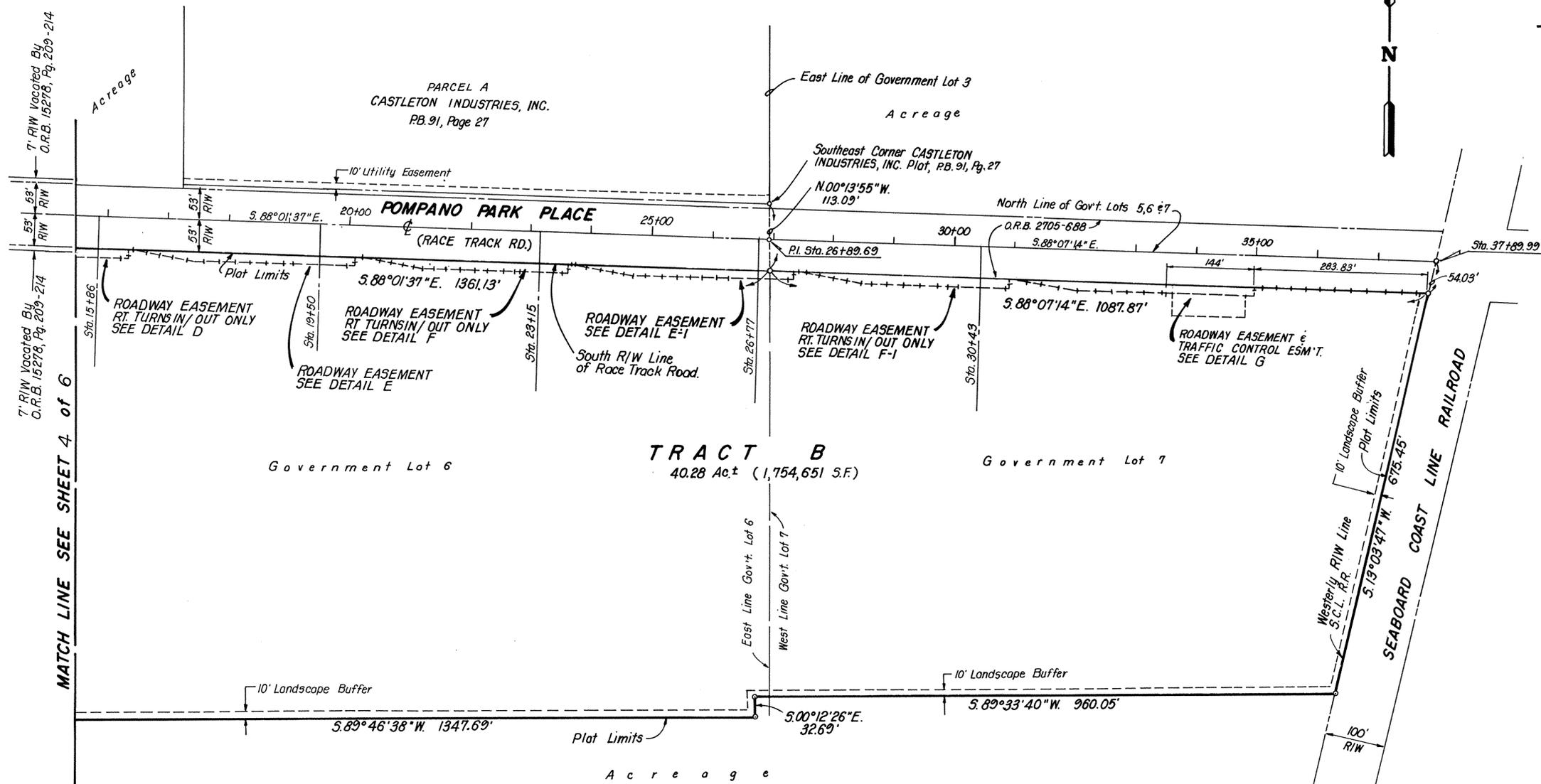
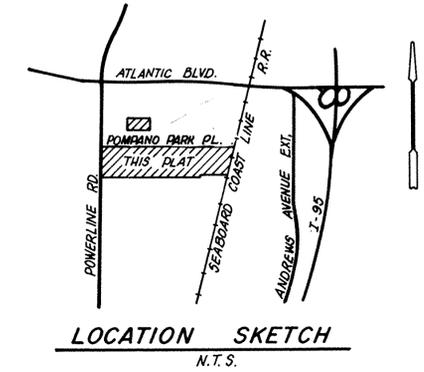
SEE PAGES 1 and 2 of 6 FOR ADDITIONAL DEDICATIONS / ACKNOWLEDGEMENTS



ARVIDA POMPANO PARK

OF A PORTION OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

WILLIAMS, HATFIELD & STONER, INC. * CONSULTING ENGINEERS * PLANNERS * SURVEYORS
2312 WILTON DRIVE, FORT LAUDERDALE, FLORIDA 33305



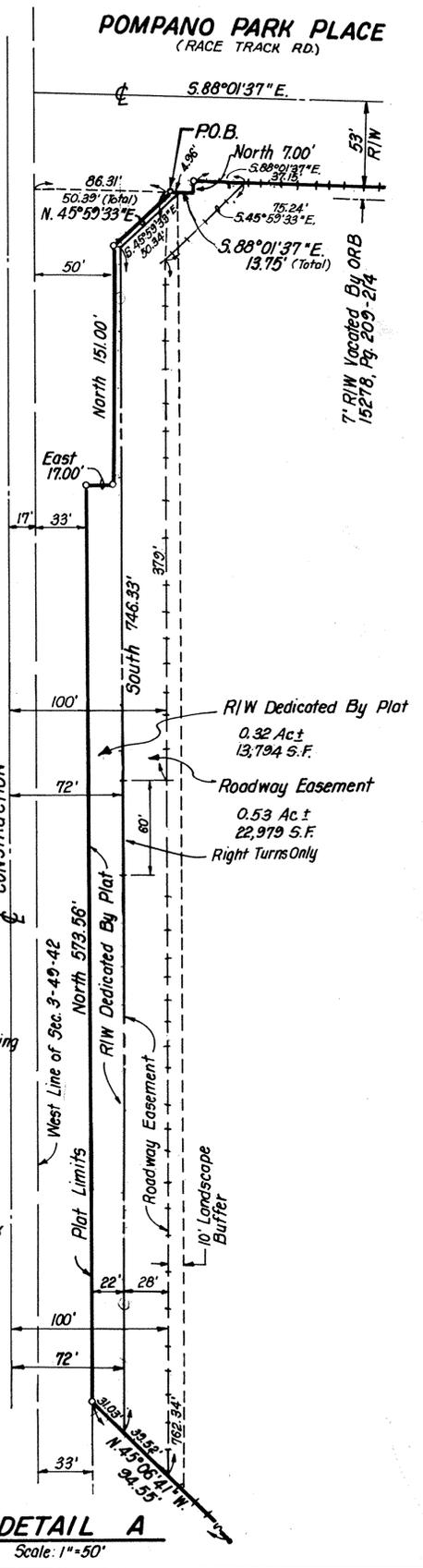
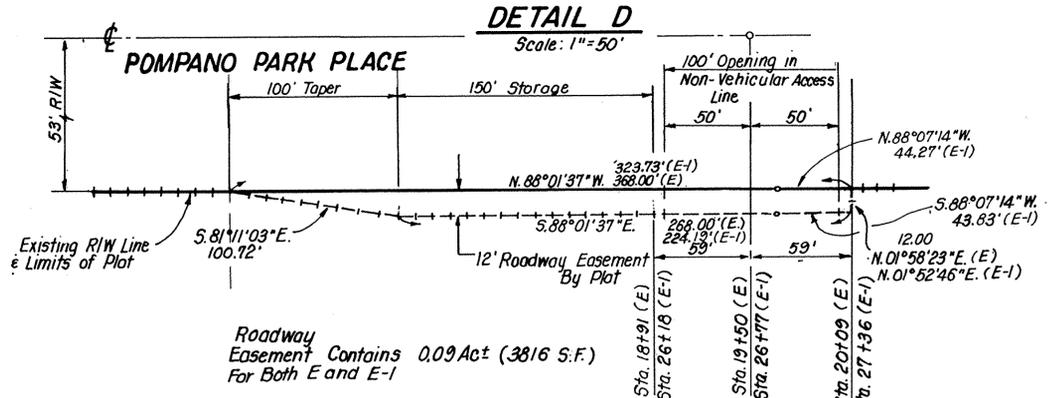
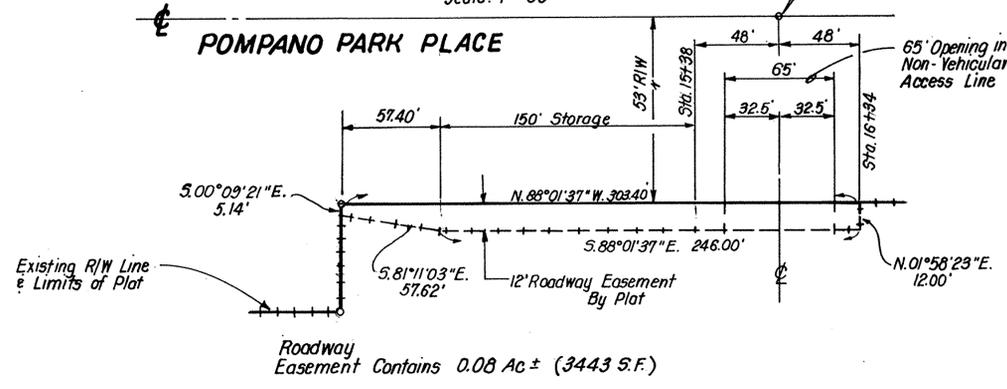
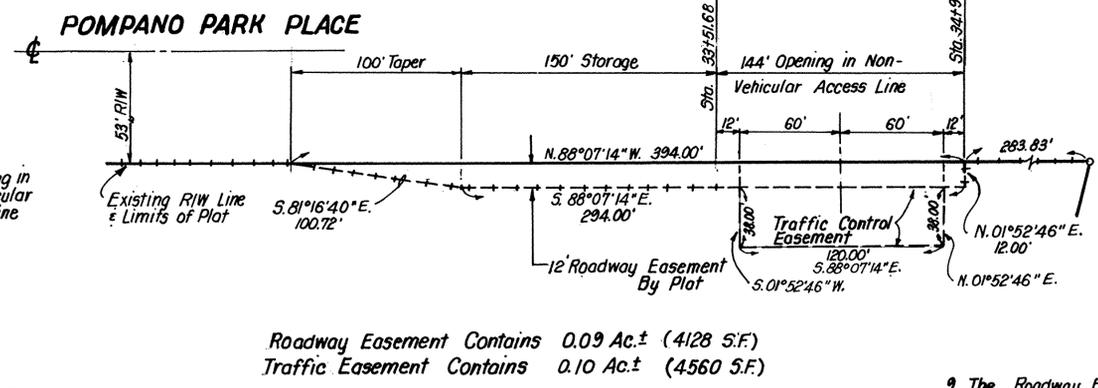
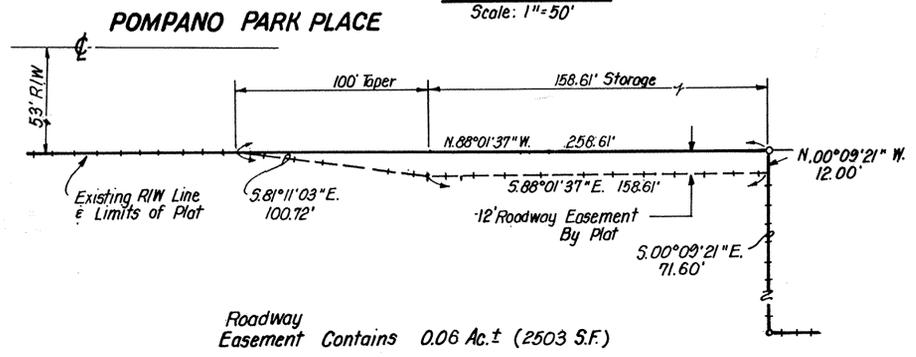
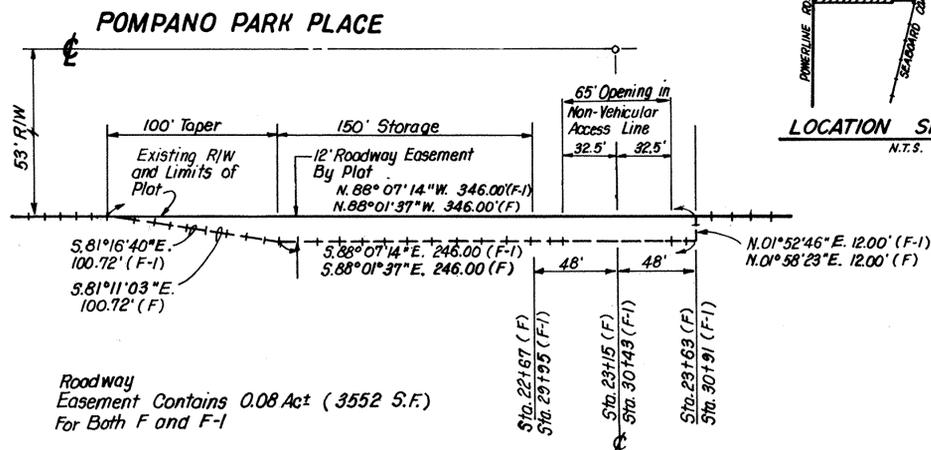
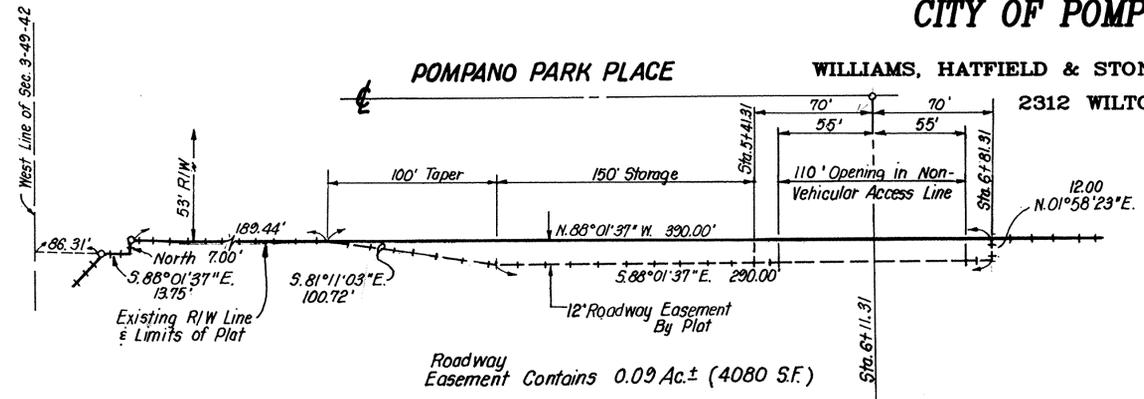
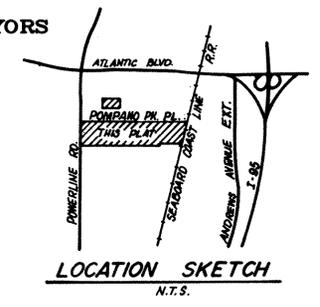
PLAT NOTES

- Denotes Set Permanent Reference Monument * 4039
- Bench Marks shown hereon are Relative to National Geodetic Vertical Datum of 1929 as established from U.S.C. & G.S. Bench Mark AZ #3 to Jill, U.S.C. & G.S. Monument 70' East of S.C.L. R.R., 270' North S.W. Cor. Chris Craft Plant Elev. 9.596
- P.O.C. Indicates Point of Commencement.
- P.O.B. Indicates Point of Beginning
- Bearings shown hereon are based on Assumed Meridian of North along the West Line of Section 3-49-42.
- Existing Utility Easements shown hereon (and dedicated by separate instruments) will be vacated by separate instruments (as required) and additional utility easements (as required) will be dedicated in the future by separate instruments. Additional utility easements required by the City will be shown on Future Site Plans and will be dedicated to the City by separate instruments.
- Indicates Non-Vehicular Access Line (NVAL)
- This Plat is restricted to 535,000 Sq. Ft. of Office Use, a 250 Room Hotel, and 495,000 Sq. Ft. of Industrial Use (consisting of 397,000 Sq. Ft. of Office/Service and 98,000 Sq. Ft. of Assembly/Distribution/Warehousing). Industrial Uses, as defined above are restricted to Tract B only. The Hotel is restricted to Tract A only. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County.
- The Roadway Easement Line is the "Ultimate Right-of-Way Line" for Purposes of determining access requirements, security gate locations, traffic control easements, etc.
- NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the Public Records of this County.
- There shall be a 13' Sidewalk and Landscape Easement along Race Track Rd.
- The Landscape Buffer is not an Easement or right-of-way, and is reserved for the benefit of the Owner, from time to time, of the Parcel.

ARVIDA POMPANO PARK

A PORTION OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

WILLIAMS, HATFIELD & STONER, INC. * CONSULTING ENGINEERS * PLANNERS * SURVEYORS
2312 WILTON DRIVE, FORT LAUDERDALE, FLORIDA 33305



PLAT NOTES

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INSTR # 112026437, Page 1 of 6 Recorded 01/07/2014 at 02:44 PM

EXHIBIT D

CITY OF POMPANO BEACH PLANNING AND ZONING BOARD

THIS IS TO CERTIFY: That the City Planning and Zoning Board of Pompano Beach, Florida, has hereby approved and accepted this plat 21st day of FEBRUARY, 20 08. (City of Pompano Beach P&Z # 07-14000005)

By: George Fivek Chairman, this 17th day of APRIL, 20 08.

CITY COMMISSION

STATE OF FLORIDA SS THIS IS TO CERTIFY: That this plat has been accepted and approved for record by the CITY COMMISSION OF COUNTY OF BROWARD THE CITY OF POMPANO BEACH, FLORIDA, in and by RESOLUTION NO. 2008-143, adopted by the said City Commission, this 25 day of MARCH, 20 08.

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable impact fees have been paid or are not due.

Attest: Mary Chambers, City Clerk, this 27th day of March, 20 08.

By: Lamar Fisher, Mayor, this 27 day of MARCH, 20 08.

CITY ENGINEER'S SIGNATURE

This plat is approved and accepted for record this 2nd day of APRIL, 20 08.

By: Helen Gray, P.E., City Engineer, Florida P.E. Registration No. 57037

BROWARD COUNTY ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

This plat is approved and accepted for record this 3rd day of JANUARY, 20 14.

By: Director / Designee

BROWARD COUNTY HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

This plat has been approved and accepted for record.

By: Robert P. Legg, Jr. 12/31/13 (date) Professional Surveyor and Mapper Florida Registration Number: LS 4030

By: Richard Tornese 12/31/15 (date) Director Professional Engineer Florida Registration Number 40263

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY: That the Broward County Planning Council approved this plat subject to its compliance with dedication of right-of-way or trafficways this 28th day of August, 20 08.

By: Chairperson This plat complies with the approval of the Broward County Planning Council of the above date and is approved and accepted for record this 6th day of January, 20 14.

By: Executive Director or Designee

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT - COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY: That this plat complies with the provisions of Chapter 177, FLORIDA STATUTES, and was accepted for record by the Board of County Commissioners of Broward County, Florida, this 14th day of April, 20 09. ATTEST: BERTHA HENRY - COUNTY ADMINISTRATOR

By: Deputy Mayor - Broward County, Florida

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT - COUNTY RECORDS DIVISION - RECORDING SECTION

This plat filed for record this 7 day of JANUARY, 20 14, in BOOK 181 of PLATS, at Page 22, record verified.

ATTEST: BERTHA HENRY - COUNTY ADMINISTRATOR

SURVEYOR'S CERTIFICATE

STATE OF FLORIDA SS I HEREBY CERTIFY: That the attached plat is a true and correct representation of the lands recently surveyed, subdivided and platted under my responsible direction and supervision, that the survey data shown complies with the applicable requirements of Chapter 177, Part 1, FLORIDA STATUTES, and further that the PERMANENT REFERENCE MONUMENTS (P.R.M.'S) were set in accordance with Section 177.091 of said Chapter 177, on this 16th day of November, 20 12. The BENCH MARKS shown are referenced to NATIONAL GEODETIC VERTICAL DATUM OF 1929 and were established in conformity with the standards adopted by the National Ocean Survey for Third Order Vertical Control. This plat conforms to all applicable sections of Chapter 61G17-6, FLORIDA ADMINISTRATIVE CODE. This plat dated at Fort Lauderdale, Florida, this 23rd day of January, 2008.

DEDICATION

STATE OF FLORIDA SS KNOW ALL MEN BY THESE PRESENTS: That PPI, Inc., a Florida Corporation, COUNTY OF BROWARD owner of the lands described in and shown as included in this plat, has caused said lands to be subdivided and platted as shown hereon, said plat to be known as "POMPANO PARK RACINO PLAT", being a plot of a portion of the North one-half (N 1/2) of Section 3, Township 49 South, Range 42 East, Broward County, Florida.

The additional thoroughfare dedication is hereby dedicated to the public for roads and road related purposes. Easements, as shown hereon, are hereby dedicated to the public for purposes as indicated.

IN WITNESS WHEREOF: I hereunto set my hand and affix the Corporate Seal in the City of Pompano Beach, County of Broward, State of Florida, this 21st day of January, 2008.

Witness: Lynn Ray Name of witness printed

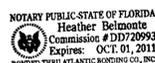
Witness: Douglas Shipley Name of witness printed Allan B. Solomon Director

ACKNOWLEDGMENT

STATE OF FLORIDA SS The foregoing instrument was acknowledged before me this 24th day of January, 2008, by COUNTY OF BROWARD Allan B. Solomon being Director of PPI, Inc., a Florida Corporation, on behalf of said Corporation.

He is [X] personally known to me or [] has produced, as identification, and [X] did take an oath. [] did not take an oath.

NOTARY PUBLIC Heather Belmonte STATE OF FLORIDA Name of Notary printed



NOTARY SEAL

"POMPANO PARK RACINO PLAT" A PORTION OF THE NORTH ONE-HALF (N 1/2), OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA DECEMBER, 2007



By: Jerald A. McLaughlin Registered Land Surveyor No. 5269 State of Florida. for McLAUGHLIN ENGINEERING COMPANY 400 Northeast 3rd Avenue Fort Lauderdale, Florida 33301 Certificate of Authorization Number: LB 285

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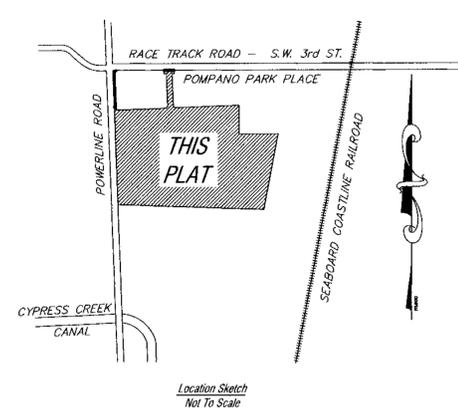
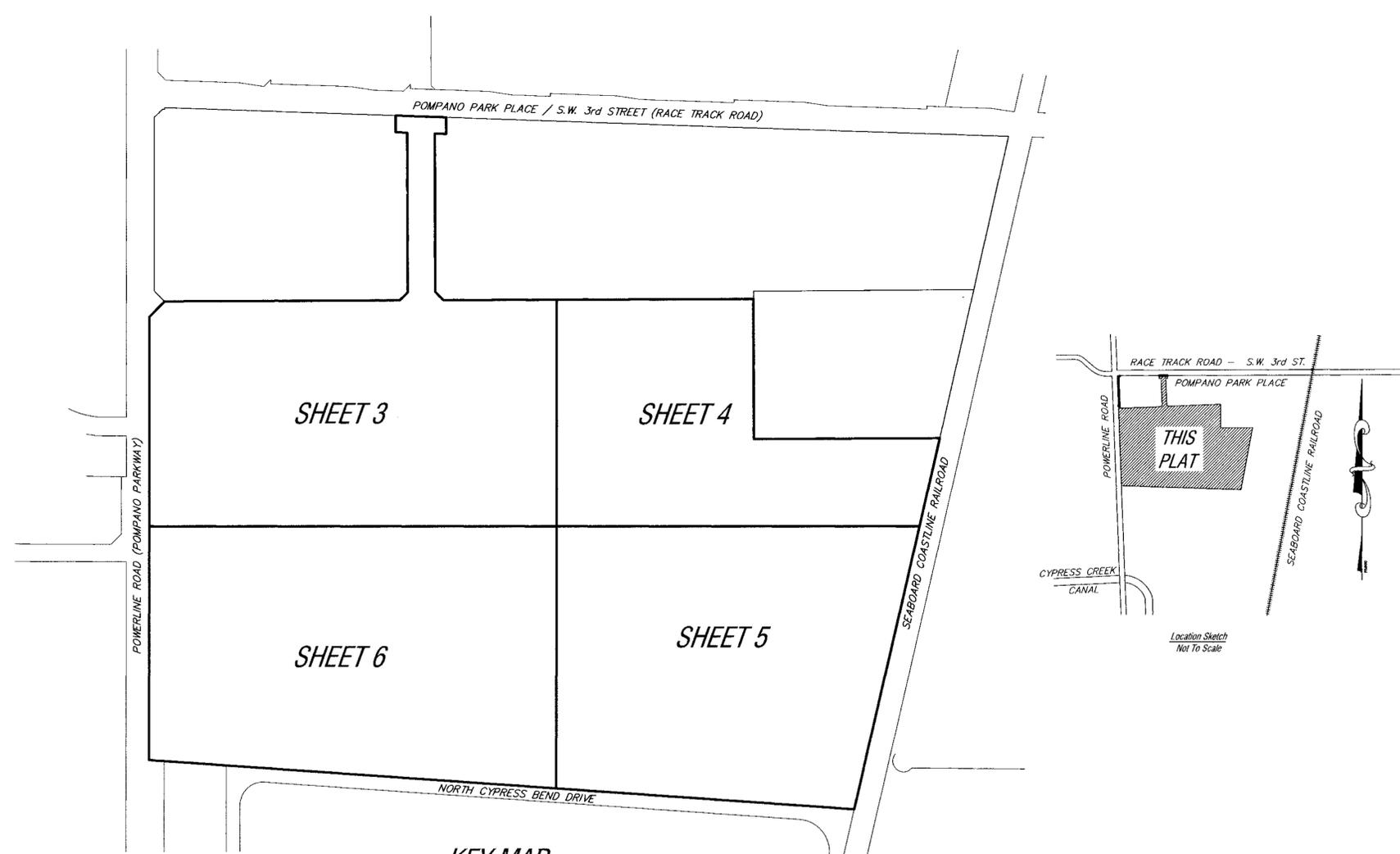
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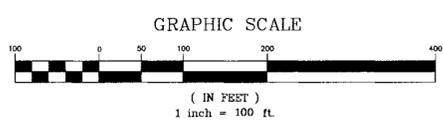
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KEY MAP NOT TO SCALE

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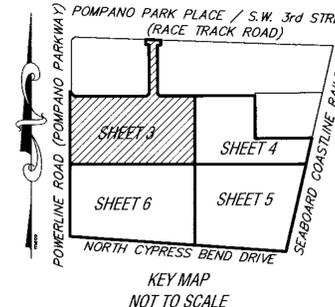
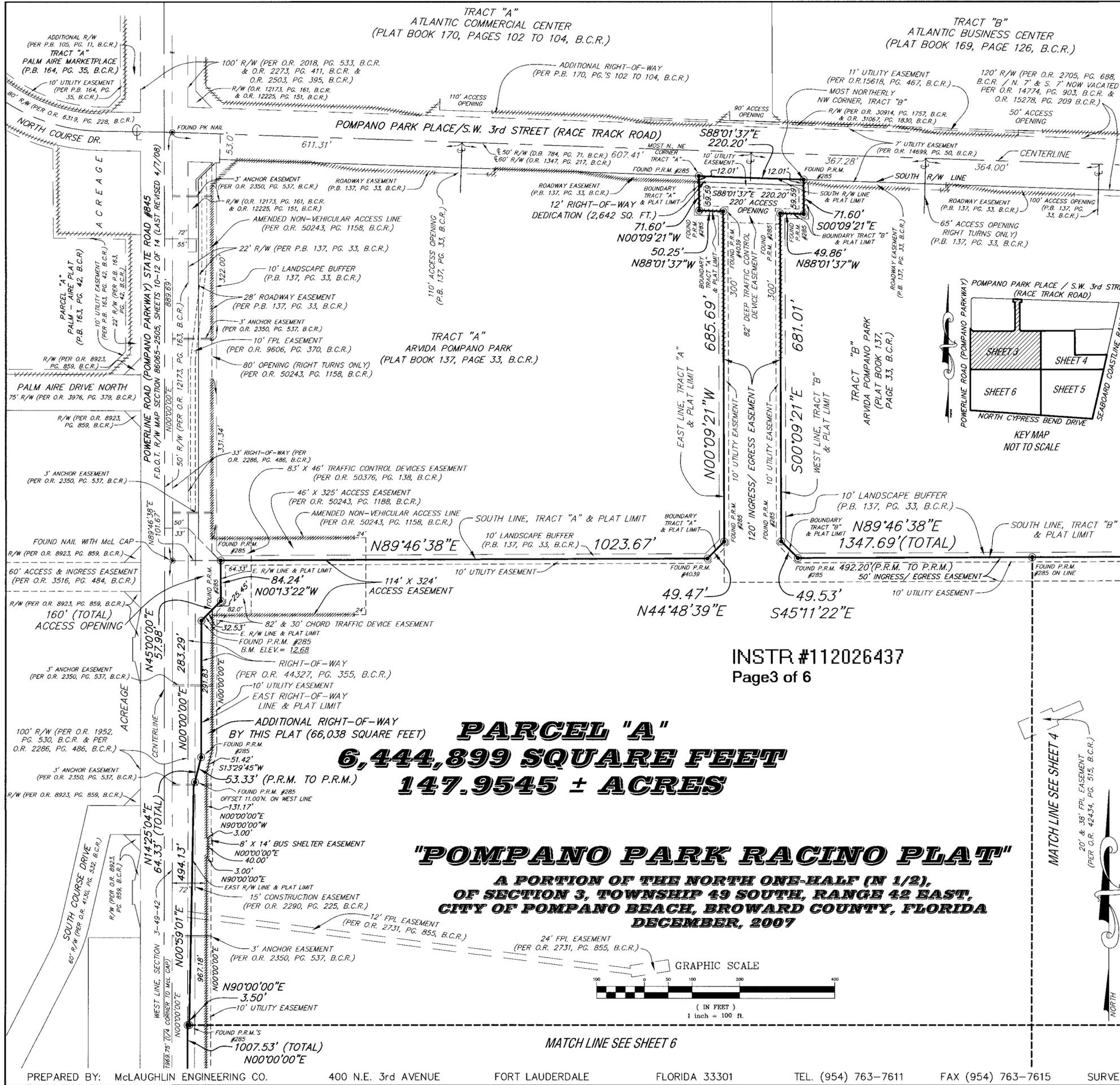
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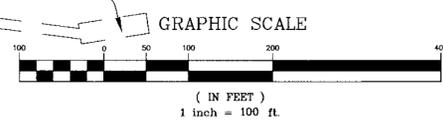
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INSTR #112026437 Page 3 of 6

PARCEL "A" 6,444,899 SQUARE FEET 147.9545 ± ACRES

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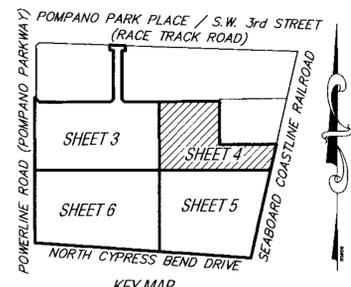
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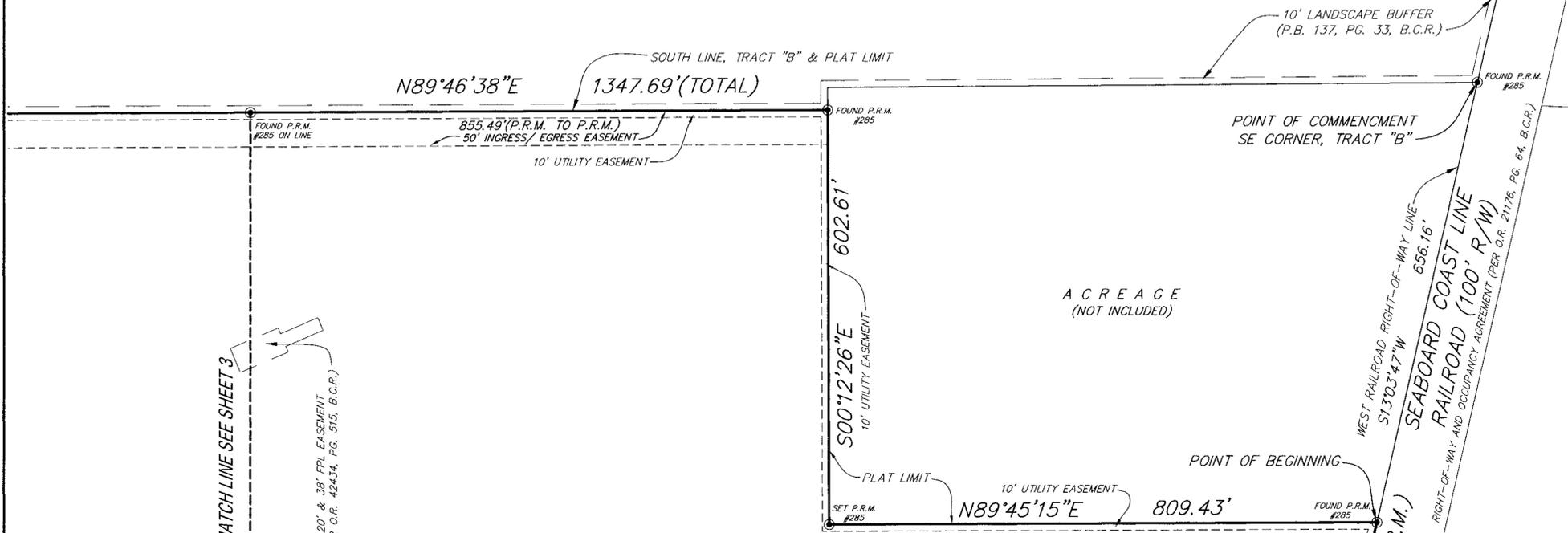
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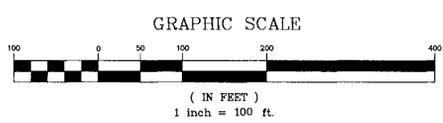
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MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 6

MATCH LINE SEE SHEET 4

MATCH LINE SEE SHEET 6

PARCEL "A"
6,444,899 SQUARE FEET
147.9545 ± ACRES

10' FPL EASEMENT (PER O.R. 27346, PG. 908, B.C.R.)

10' UTILITY EASEMENT

FOUND P.R.M. #285 ON LINE

WEST RAILROAD RIGHT-OF-WAY LINE & PLAT LIMIT
10' FPL EASEMENT (PER O.R. 27346, PG. 908, B.C.R.)
10' UTILITY EASEMENT
S1303°47'W 1252.07' (P.R.M. TO P.R.M.) 1637.77' (TOTAL)
SEABOARD COAST LINE RAILROAD (100' R/W)
RIGHT-OF-WAY AND OCCUPANCY AGREEMENT (PER O.R. 21176, PG. 64, B.C.R.)

SOUTH LINE, NE 1/4 & NW 1/4, SECTION 3-49-42 & PLAT LIMIT

1300.00'(P.R.M. TO P.R.M.)

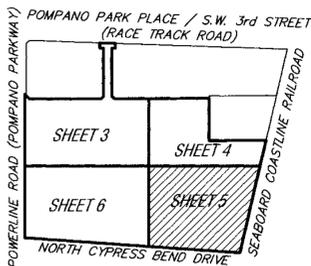
N86°02'56"W

10' UTILITY EASEMENT (PER P.B. 104, PG. 20, B.C.R.)

3078.76'(TOTAL)

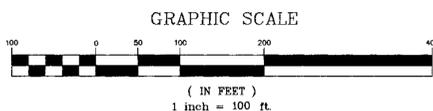
NORTH CYPRESS BEND DRIVE (60' R/W) (PARCEL "R-1")

CYPRESS BEND (PLAT BOOK 104, PAGE 20, B.C.R.)



"POMPANO PARK RACINO PLAT"

A PORTION OF THE NORTH ONE-HALF (N 1/2), OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA DECEMBER, 2007



THE FOLLOWING NOTE IS REQUIRED BY THE BROWARD COUNTY SURVEYOR PURSUANT TO CHAPTER 177.091, SUBSECTION(28), FLORIDA STATUTES:

Platted utility easements are also easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility...

PLAT RESTRICTION

This plat is restricted to: 278,381 square foot / 5,256 Seat Racetrack Grand Stand Facility (existing); a 230,000 square foot Casino Building with 55,000 square feet of Casino (46,503 square feet existing and 8,497 square feet proposed) and 175,000 square feet of ancillary Commercial (115,906 square feet existing and 59,094 square feet proposed); a 500 - Room Hotel; 550 Horse Stalls (existing); and 44 Dormitory Rooms for jockeys (existing).

No free standing drive-thru bank facilities are permitted and residential uses are not permitted within the hotel use without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

All facilities for the distribution of electricity, telephone, and cable television shall be installed underground.

SURVEYOR'S NOTES

NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of Broward County, Florida.

Reference Bench Mark: Broward County Bench Mark #2990, Brass Disk in concrete walk in the Southeast corner of the intersection of S.W. 1st Street and S.W. 1st Avenue.

Bench Mark Elevation = 7.85 (Bench Mark Elevation is referenced to the National Geodetic Vertical Datum of 1929)

Bearings shown hereon are based on an assumed meridian, and assume the West line of Section 3-49-42 as North 00°00'00" East, as referenced by monumentation, as shown hereon.

If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by April 14, 2014, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code...

If Project water lines, sewer lines, drainage and the rock base for internal roads are not installed by April 14, 2014, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code...

LEGAL DESCRIPTION:

A portion of the North one-half (N 1/2) of Section 3, Township 49 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Southeast corner of Tract "B", ARVIDA POMPANO PARK, according to the plat thereof, as recorded in Plat Book 137, Page 33, of the public records of Broward County, Florida; thence South 13°03'47" West, on the West right-of-way line of the Seaboard Coast Line Railroad (100 foot right-of-way), a distance of 636.16 feet to the Point of Beginning; thence continuing South 13°03'47" West, on the said West right-of-way line, a distance of 1637.77 feet; thence North 86°02'56" West, on the South line of the Northeast one-quarter (NE 1/4) of said Section 3 and on the South line of the Northwest one-quarter (NW 1/4) of said Section 3, a distance of 3078.76 feet; thence North 00°00'00" East, on a line 33.00 feet East of and parallel with the West line of said Section 3, being the East right-of-way line of Powerline Road (Pompano Parkway), a distance of 1007.53 feet; thence North 90°00'00" East, on said East right-of-way line, a distance of 3.50 feet; thence North 00°59'01" East, on said East right-of-way line, a distance of 494.13 feet; thence North 14°25'04" East, on said East right-of-way line, a distance of 64.33 feet; thence North 00°00'00" East, on said East right-of-way line, a distance of 283.29 feet; thence North 45°00'00" East, on said East right-of-way line, a distance of 57.98 feet; thence North 00°13'22" West, on said East right-of-way line, a distance of 84.24 feet; thence North 89°46'38" East, on the South line of Tract "A", of said ARVIDA POMPANO PARK, a distance of 1023.67 feet; thence North 44°48'39" East, on a boundary of said Tract "A", a distance of 49.47 feet; thence North 00°09'21" West, a distance of 685.69 feet; thence North 88°01'37" West, on a boundary of said Tract "A", a distance of 50.25 feet; thence North 00°09'21" West, on a boundary of said Tract "A", a distance of 71.60 feet to the Most Northerly Northeast corner of said Tract "A"; thence South 88°01'37" East, on the South right-of-way line of Pompano Park Place (S.W. 3rd Street/Race Track Road), as shown on said ARVIDA POMPANO PARK, a distance of 220.20 feet to the Most Northerly Northwest corner of said Tract "B", ARVIDA POMPANO PARK; thence South 00°09'21" East, on a boundary of said Tract "B", a distance of 71.60 feet; thence North 88°01'37" West, on a boundary of said Tract "B", a distance of 49.86 feet; thence South 00°09'21" East, on the West line of said Tract "B", a distance of 681.01 feet; thence South 45°11'22" East, on a boundary of said Tract "B", a distance of 49.53 feet; thence North 89°46'38" East, on a South line of said Tract "B", a distance of 1347.69 feet; thence South 00°12'26" East, a distance of 602.61 feet; thence North 89°45'15" East, a distance of 809.43 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 6,513,579 square feet or 149.5312 acres more or less.

LEGEND

- P.R.M. - indicates Permanent Reference Monument (4"x4"x24" Concrete monument w/brass disk stamped "McLaughlin Eng. Co."-L.B. 285)
NO. - indicates number
SQ. FT. - indicates square feet
B.M. ELEV. - indicates Bench Mark Elevation
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Platted utility easements are also easements for the construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This note does not apply to private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electric Safety Code as adopted by the Florida Public Service Commission.

PLAT RESTRICTION

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If Project water lines, sewer lines, drainage and the rock base for internal roads are not installed by April 14, 2014 which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

LEGAL DESCRIPTION:

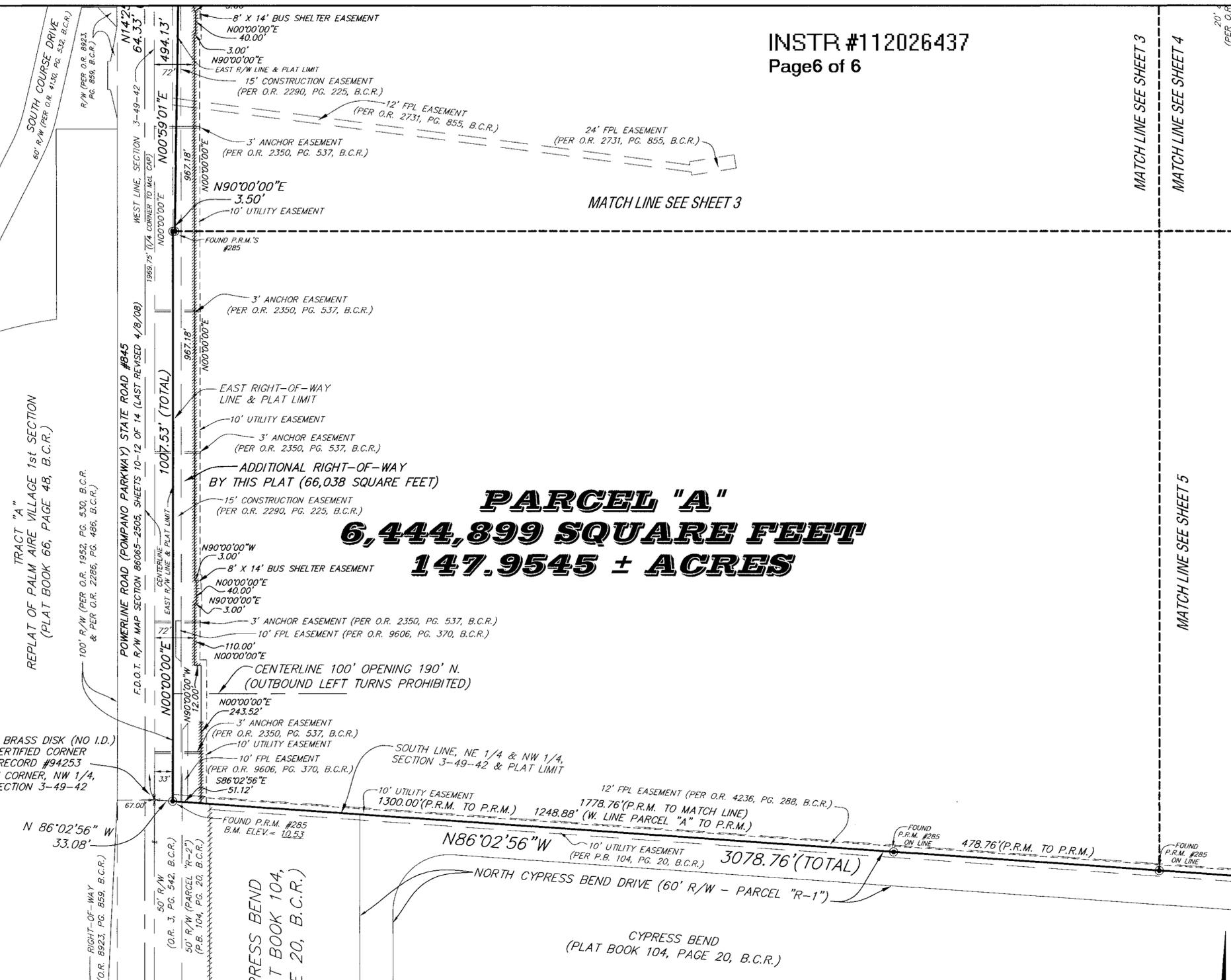
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PARCEL "A"
6,444,899 SQUARE FEET
147.9545 ± ACRES

"POMPANO PARK RACINO PLAT"
A PORTION OF THE NORTH ONE-HALF (N 1/2),
OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST,
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA
DECEMBER, 2007

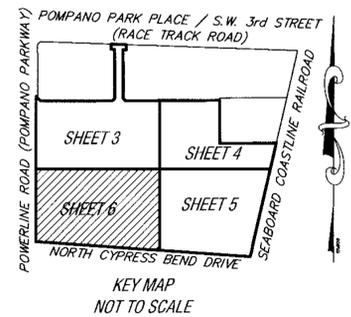
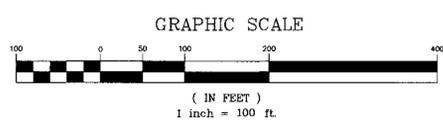
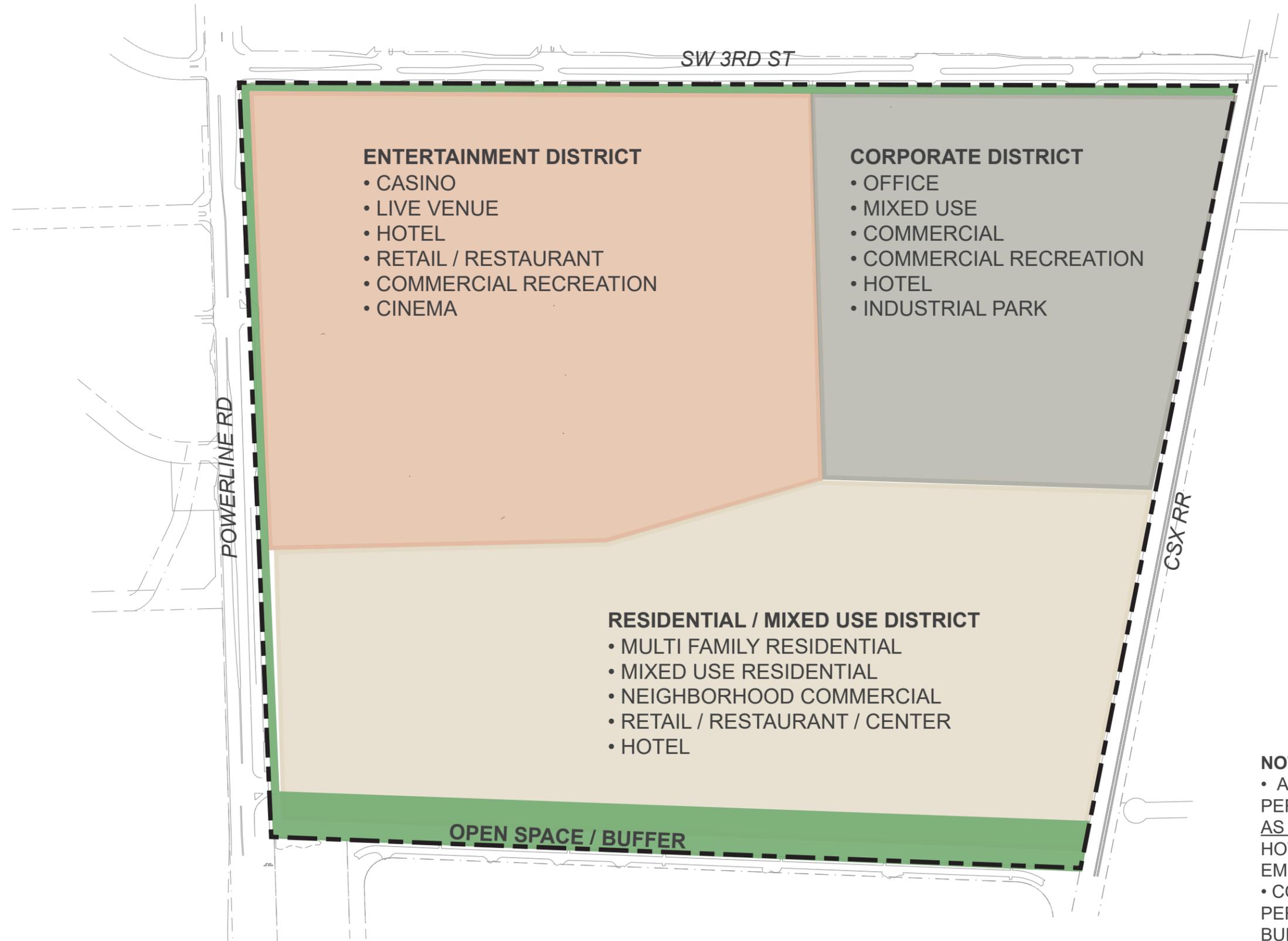


EXHIBIT E



NOTES:

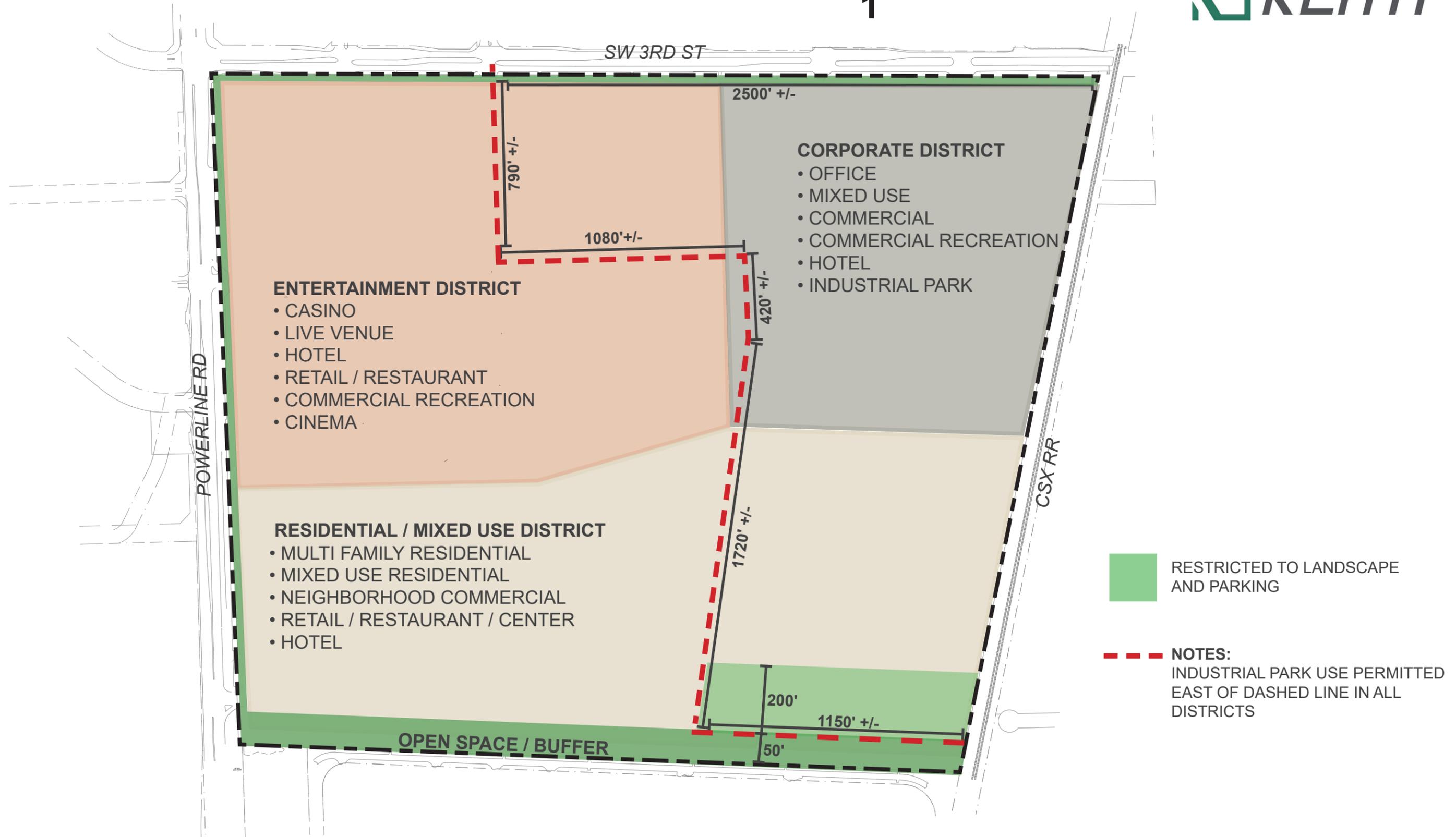
- ALL USES WITHIN PCD ARE PERMITTED IN ALL DISTRICTS, EXCEPT AS NOTED ON EXHIBIT E-1
- HOWEVER, SPECIFIC USES WILL BE EMPHASIZED BY DISTRICT
- COMMERCIAL RECREATION USES ARE PERMITTED WITHIN THE OPEN SPACE / BUFFER

DISTRICT PLAN



N.T.S.

EXHIBIT E₁



INDUSTRIAL PARK REGULATING PLAN



EXHIBIT E₂



LEGEND	
	CORPORATE DISTRICT
	• OFFICE
	• MIXED USE
	• COMMERCIAL
	• COMMERCIAL RECREATION
	• HOTEL
	• INDUSTRIAL PARK
	ENTERTAINMENT DISTRICT
	• CASINO
	• LIVE VENUE
	• HOTEL
	• RETAIL / RESTAURANT
	• COMMERCIAL RECREATION
	• CINEMA
	RESIDENTIAL / MIXED USE DISTRICT
	• MULTI FAMILY RESIDENTIAL
	• MIXED USE RESIDENTIAL
	• NEIGHBORHOOD COMMERCIAL
	• RETAIL / RESTAURANT / CENTER
	• HOTEL
	INDUSTRIAL PARK USE PERMITTED EAST OF DASHED LINE

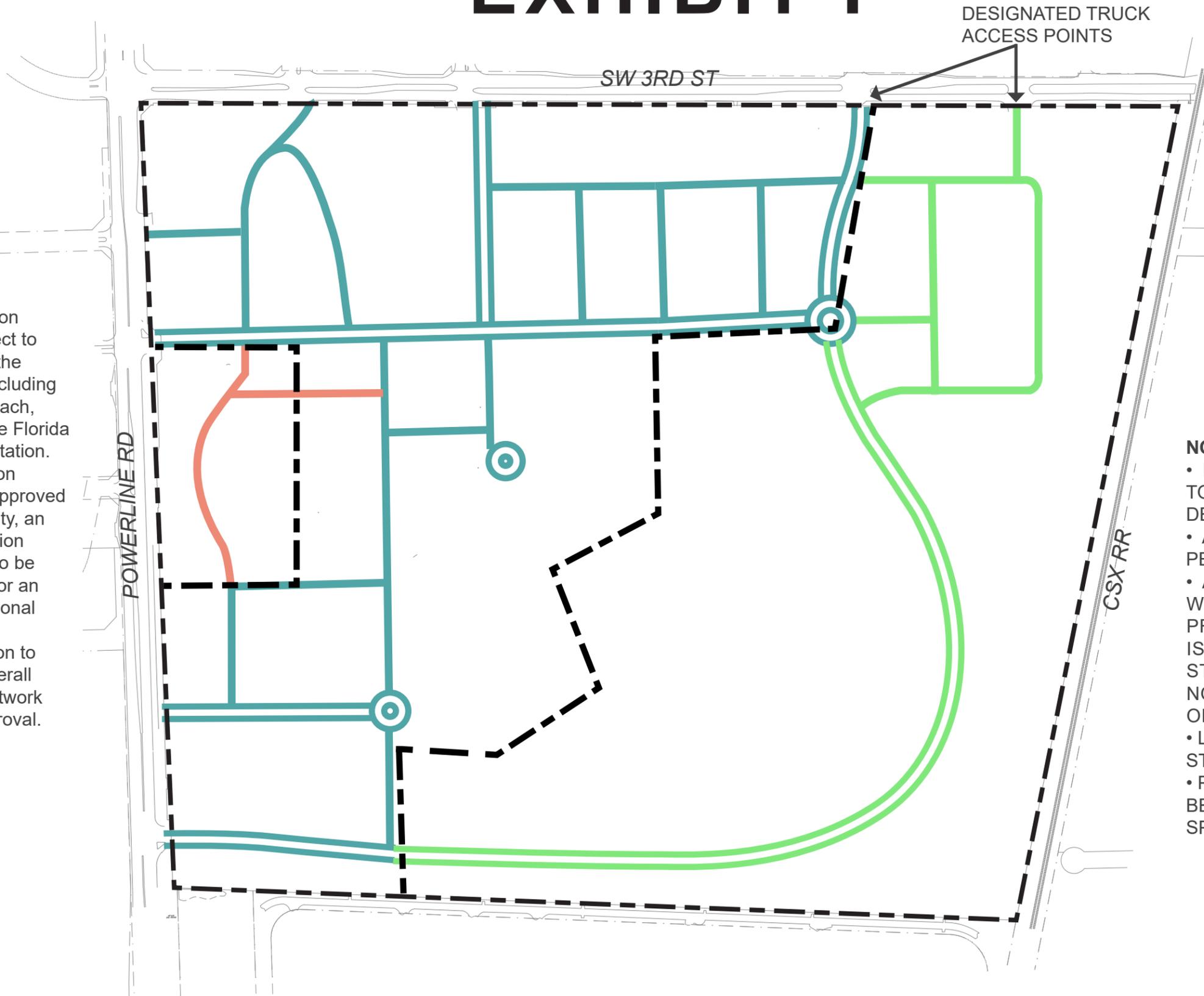
ILLUSTRATIVE PLAN



EXHIBIT F



The list of traffic mitigation improvements are subject to review and approval of the maintaining agencies including the City of Pompano Beach, Broward County, and the Florida Department of Transportation. If specific traffic mitigation improvements are not approved by a maintaining authority, an alternative traffic mitigation improvement will need to be provided that provides for an equivalent traffic operational benefit or comparable improvement contribution to improvements to the overall area's transportation network subject to City staff approval.



DESIGNATED TRUCK ACCESS POINTS

- PHASE I**
- ▬ MAJOR ROAD
 - ▬ LOCAL ROAD
- PHASE II**
- ▬ MAJOR ROAD
 - ▬ LOCAL ROAD
- PHASE III**
- ▬ LOCAL ROAD

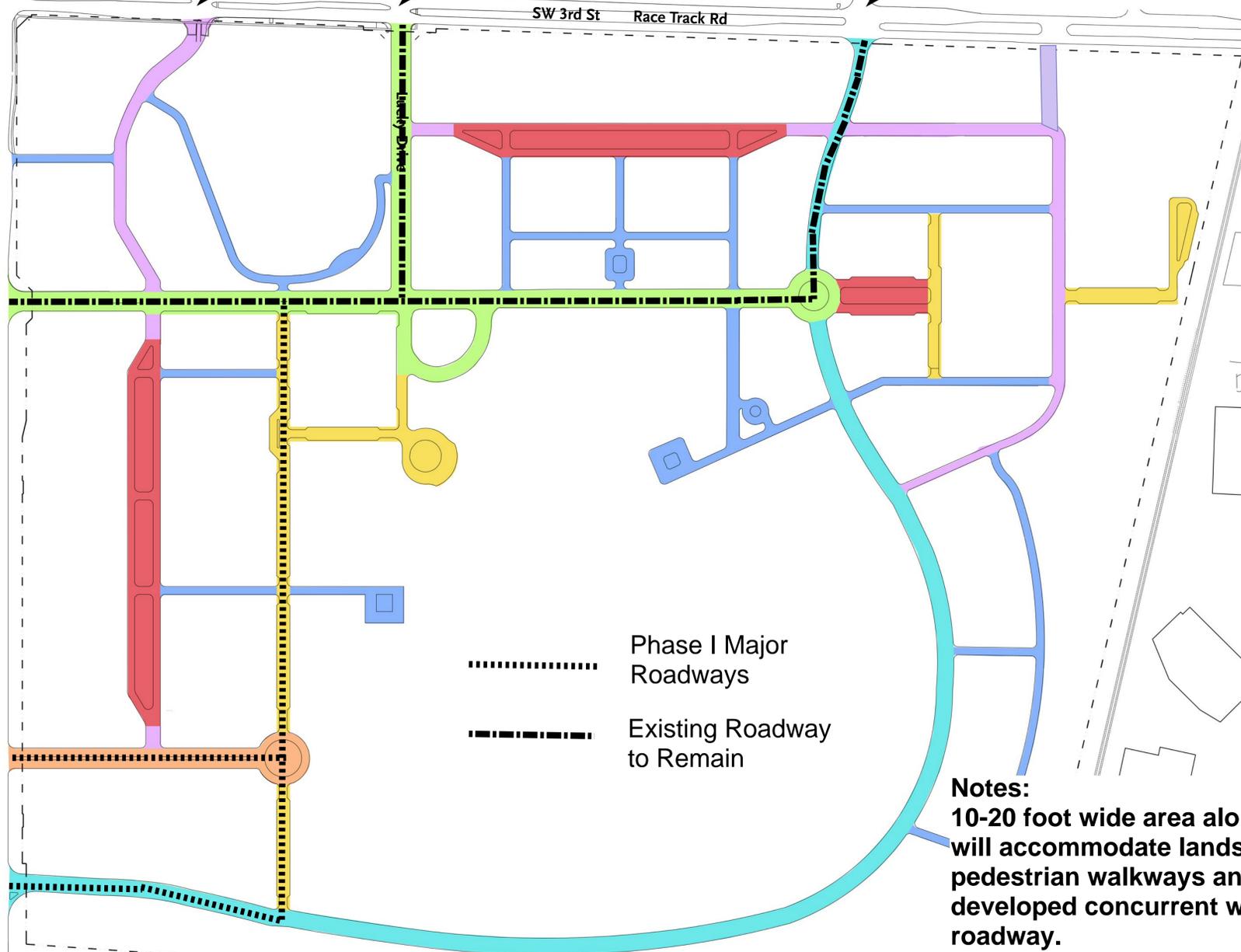
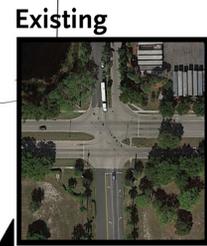
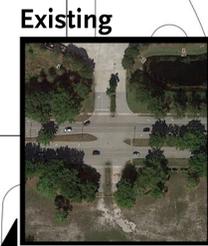
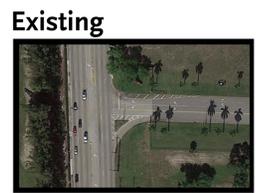
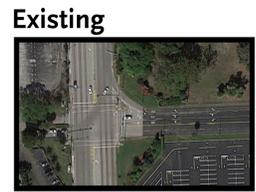
- NOTES:**
- MAJOR ROADS WILL BE DESIGNED TO CITY STANDARDS AND MAY BE DEDICATED TO THE PUBLIC
 - ALL MAJOR ROADS SHALL HAVE PEDESTRIAN SIDEWALKS
 - ALL ROADS MAY BE MODIFIED WITH RESPECT TO ALIGNMENT, PROVIDED THAT THE FINAL DESIGN IS CONSISTENT WITH THE TYPICAL STREET SECTIONS T1 – T7 AND DOES NOT RESULT IN ADDITIONAL IMPACTS ON EXTERNAL TRAFFIC NETWORK
 - LOCAL ROADS MAY INCLUDE WOONERF STYLE ROADWAYS
 - PEDESTRIAN AND BIKE PATHS MAY BE INCORPORATED WITHIN THE OPEN SPACE AREAS

ROAD NETWORK, PEDESTRIAN AND BIKE



EXHIBIT F 1

POMPANO PARK
Street Diagram and Street Types
 scale: 1:200



..... Phase I Major Roadways
 - - - - - Existing Roadway to Remain

Notes:
 10-20 foot wide area along roadways will accommodate landscape, and pedestrian walkways and will be developed concurrent with the roadway.
 All roads may be modified with respect to alignment, provided that the final design is consistent with the typical street sections T1-T7 and does not result in additional impacts on external traffic networks.

Refer to Exhibit M3 for phasing.

- T1
- T2
- T3
- T4
- T5
- T6
- T7

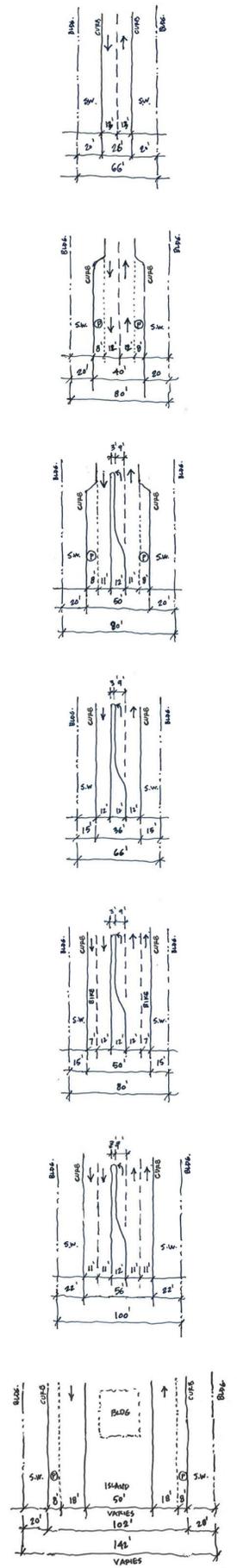
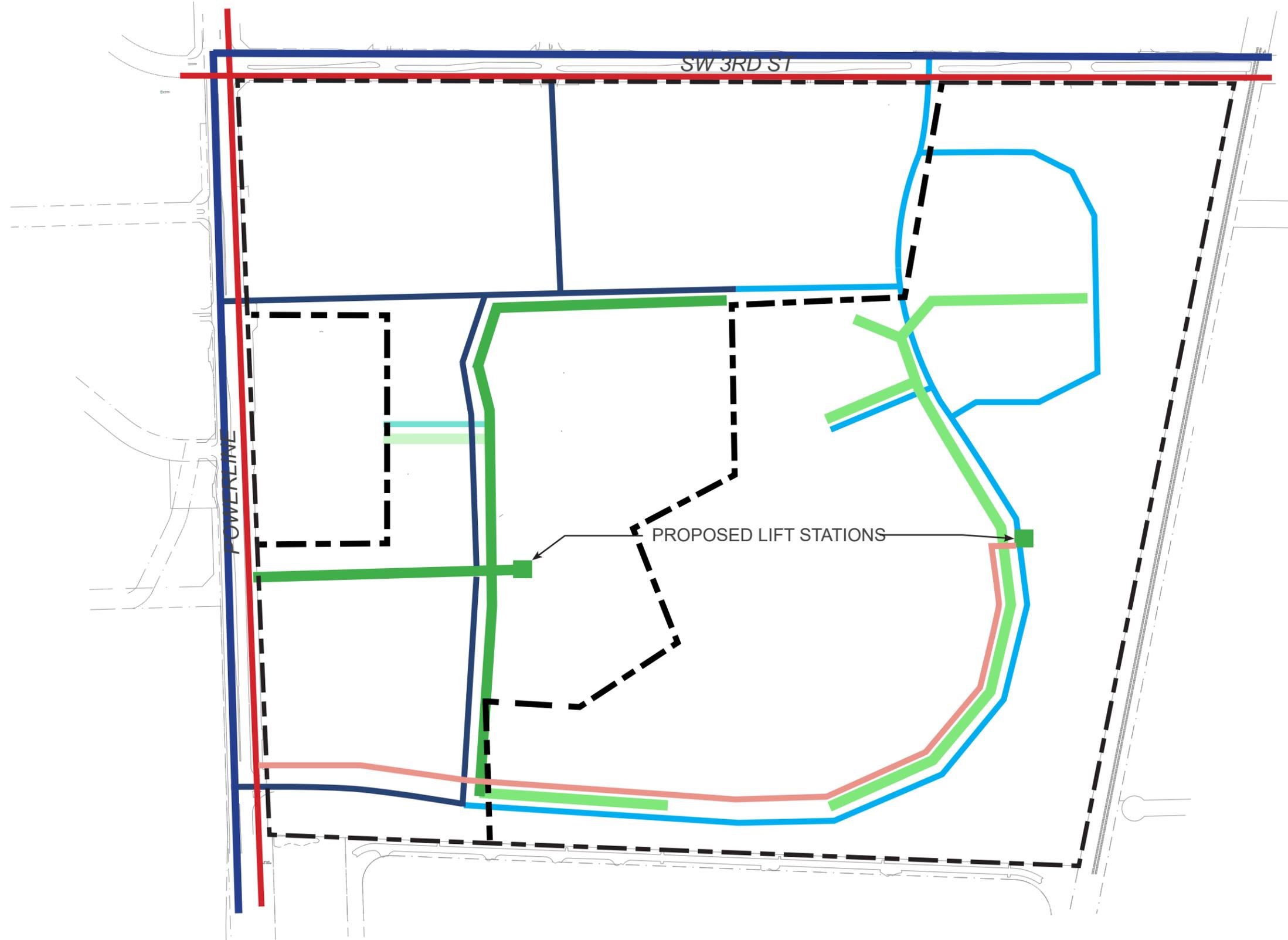


EXHIBIT G



PHASE I

- WATER LINE
- SANITARY SEWER
- FORCE MAIN

PHASE II

- WATER LINE
- SANITARY SEWER
- FORCE MAIN

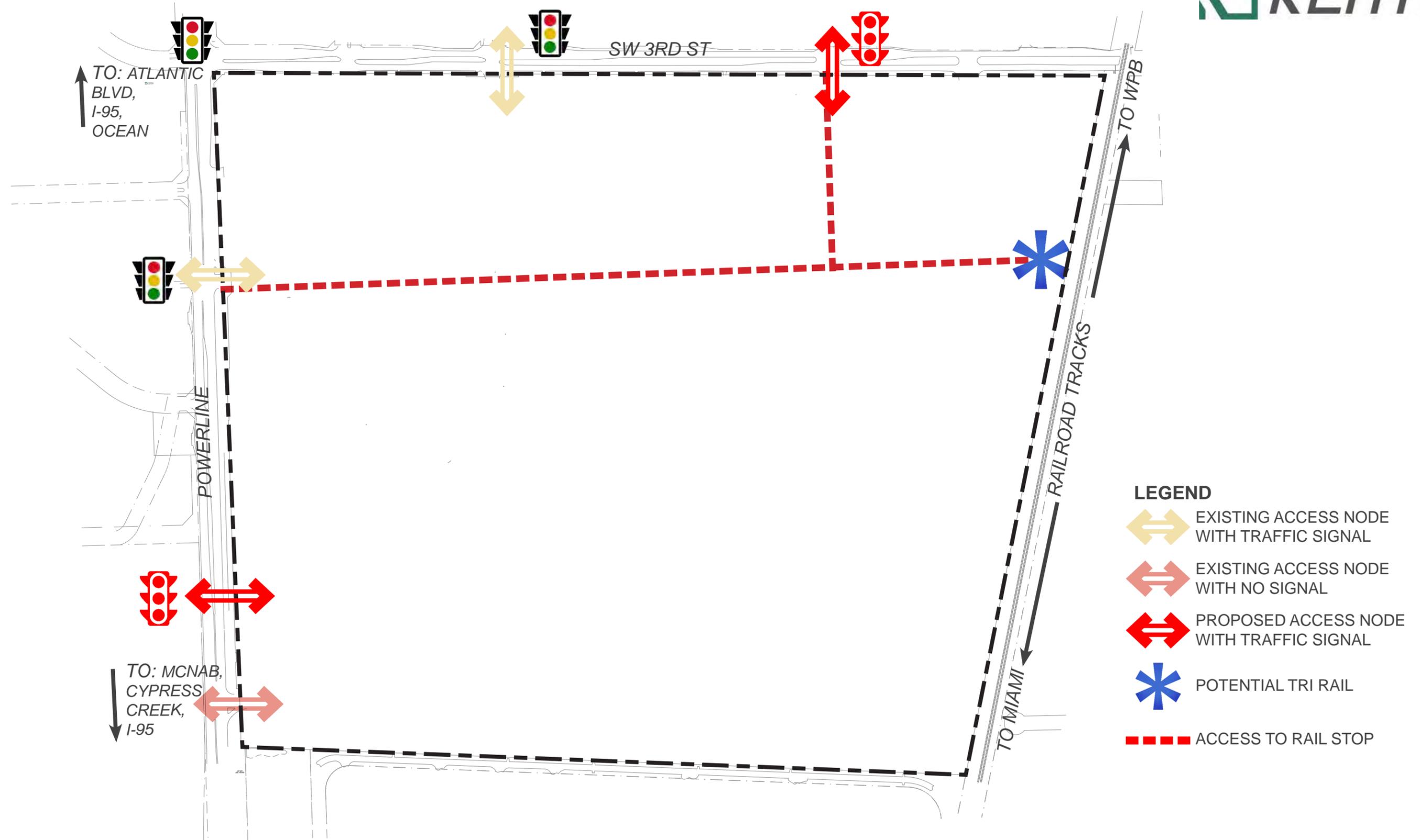
PHASE III

- WATER LINE
- SANITARY SEWER

UTILITY PLAN



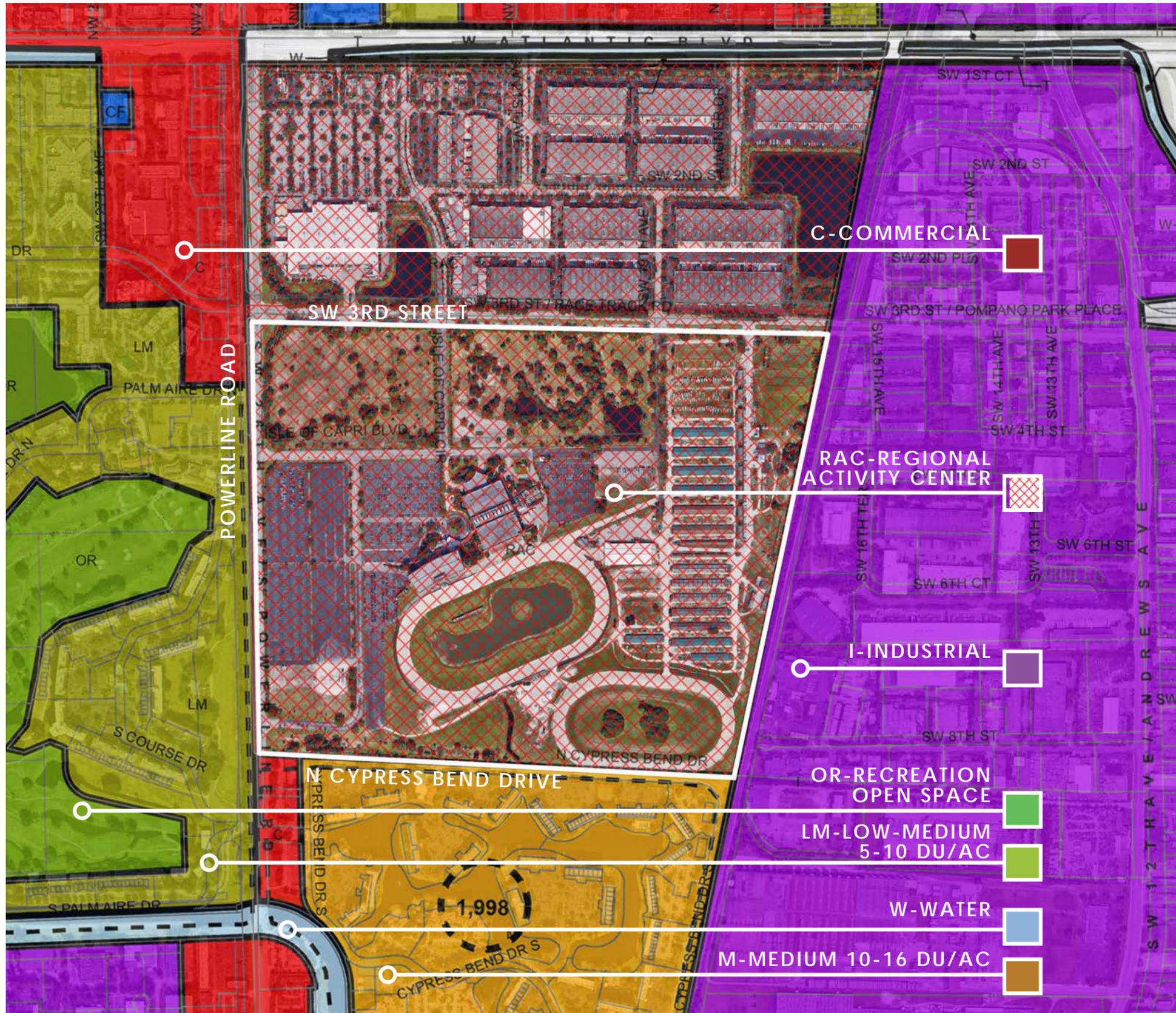
EXHIBIT H



ACCESS NODES



EXHIBIT I

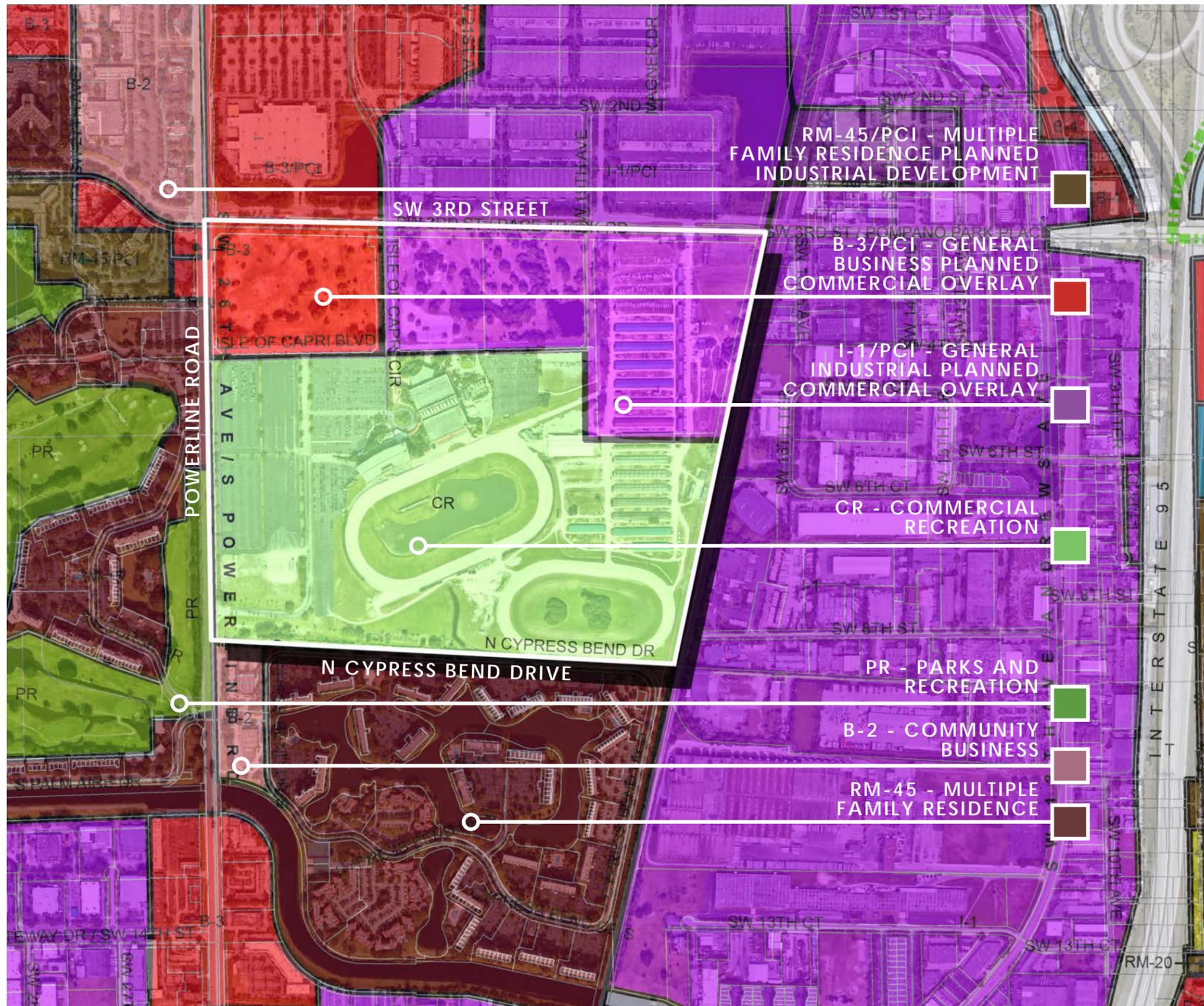


APPROVED POMPANO PARK SOUTH REGIONAL ACTIVITY CENTER

- RESIDENTIAL
- 43 ACRES
- 1,050 MID-RISE APARTMENT UNITS (6-8 STORIES)
- 250 GARDEN APARTMENTS
- COMMERCIAL RECREATION LAND USE
- 35 ACRES
- COMMERCIAL LAND USE
- 27 ACRES
- OFFICE LAND USE
- 26 ACRES

POMPANO BEACH LAND USE MAP

EXHIBIT J



ZONING:

- COMMERCIAL RECREATION (CASINO & PARK)
- B-3/PCI NW CORNER OF SITE (COMMERCIAL)
- I-1/PCI REMAINDER OF SITE - INDUSTRIAL

RESIDENTIAL

- NOT PERMITTED BY ZONING, ONLY RAC

POMPANO BEACH ZONING MAP





EXHIBIT K

ISLE CASINO

SHADE ANALYSIS
JULY, 2019

NOTE:
INDIVIDUAL SHADOW STUDY WILL BE PROVIDED
AT THE TIME OF SITE PLAN APPROVAL



DECEMBER 21



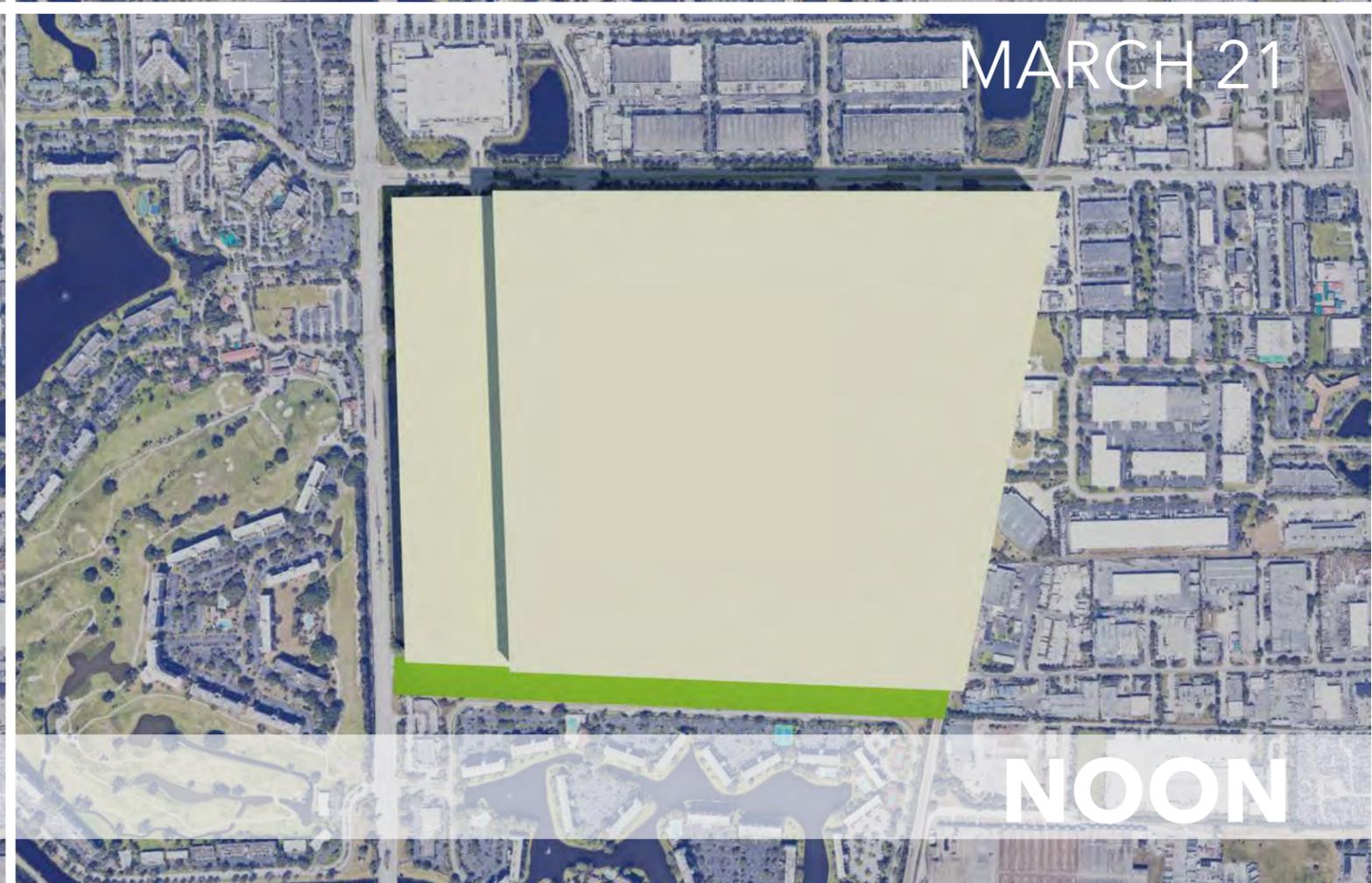
JUNE 21



SEPTEMBER 21



MARCH 21





DECEMBER 21



JUNE 21



SEPTEMBER 21



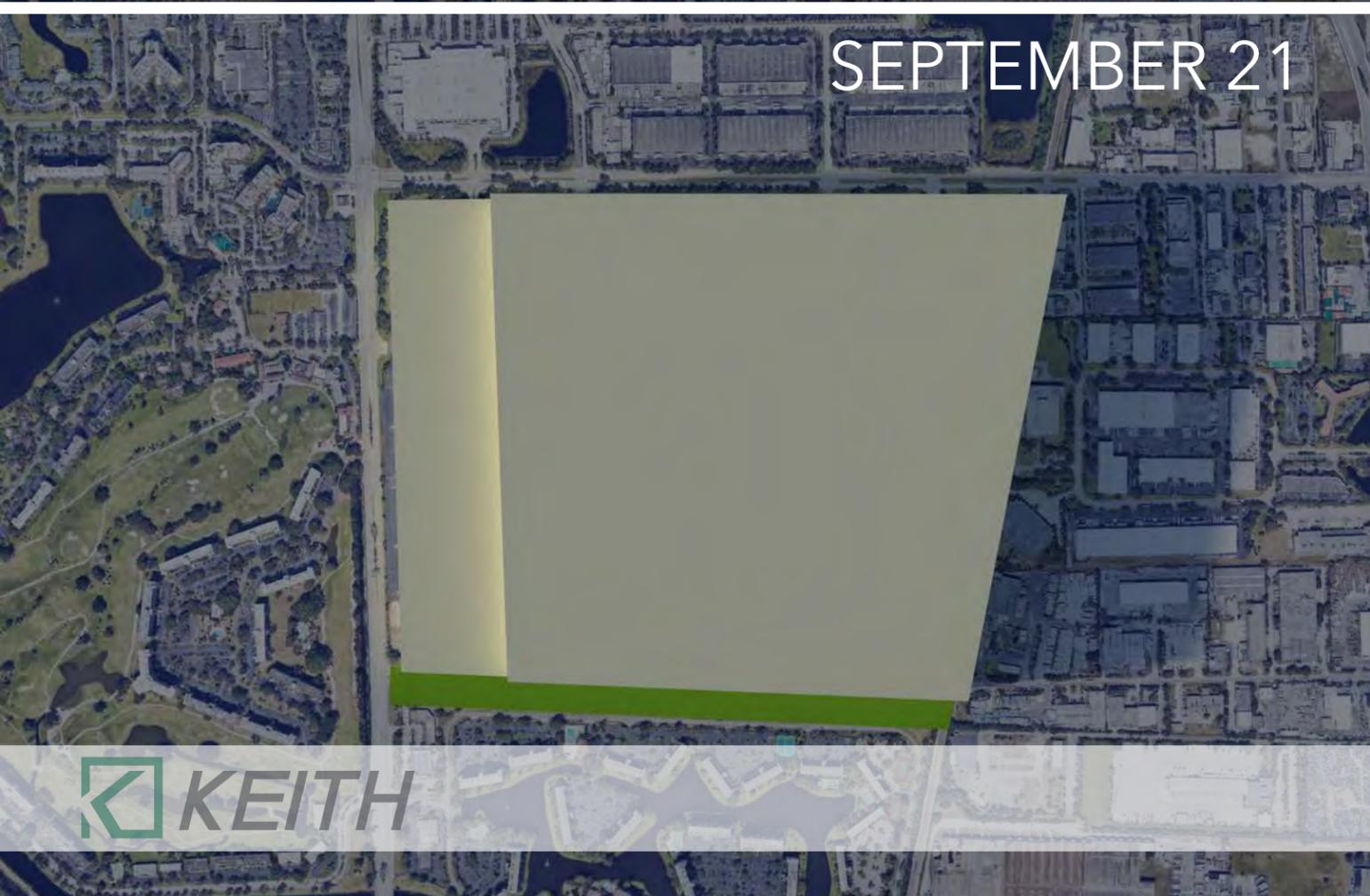
MARCH 21



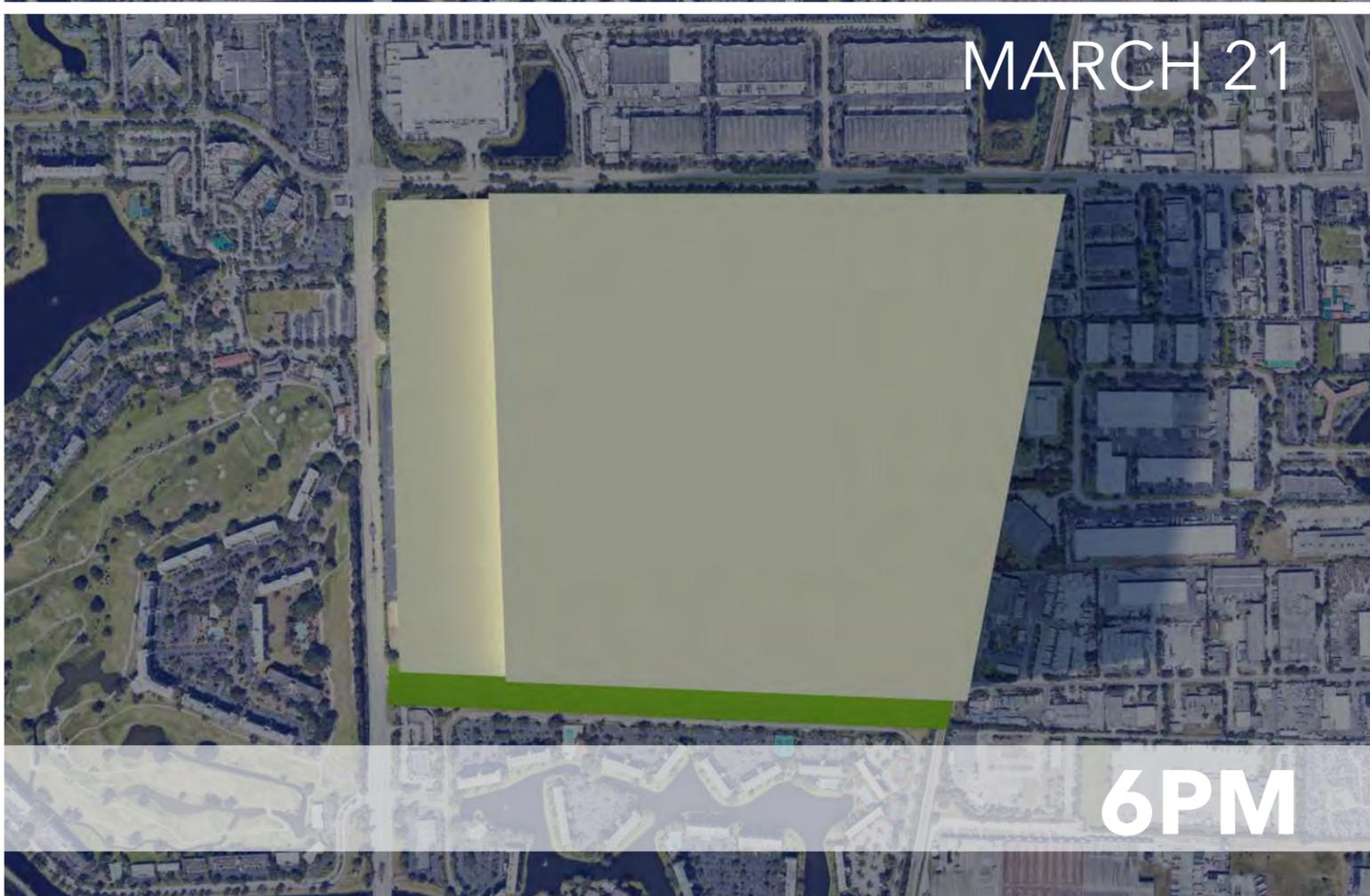
DECEMBER 21



JUNE 21



SEPTEMBER 21



MARCH 21

EXHIBIT L



LEGEND

- OPEN GREEN SPACE
- CRYSTALLINE LAGOON (1.5 ACRE MIN.)
- LAKE / WATER RECREATION AREA (12 ACRES MIN.)

NOTE:

- OPEN SPACE AREAS INCLUDES WATER BODIES, DRIVEWAYS, NATURE AND FITNESS TRAILS
- DEVELOPABLE AREAS WILL INCLUDE ADDITIONAL GREEN SPACE AND PLAZAS
- INCORPORATE INTO EACH SITE PLAN ELEMENTS THAT WILL PROVIDE THE CONTEMPLATED COMMUNITY-WIDE PARK AREAS, URBAN PLAZAS AND OPEN SPACES PROVIDING A VARIETY OF RECREATIONAL OPPORTUNITIES COMBINED WITH A ROBUST NETWORK OF GREEN SPACES, TRAILS, BIKE INFRASTRUCTURE AND WATER FEATURES (INCLUDING "CRYSTALLINE LAGOON"). IN ADDITION, EACH RESIDENTIAL DEVELOPMENT WILL INCLUDE PRIVATE RECREATIONAL AMENITIES, SUCH AS SWIMMING POOLS, FITNESS CENTERS, MEETING ROOMS AND PASSIVE OUTDOOR AREAS.
- LAKE/ WATER RECREATION WILL BE DESIGNED TO PROVIDE BOATING, FISHING, AND OTHER WATER BASED RECREATION

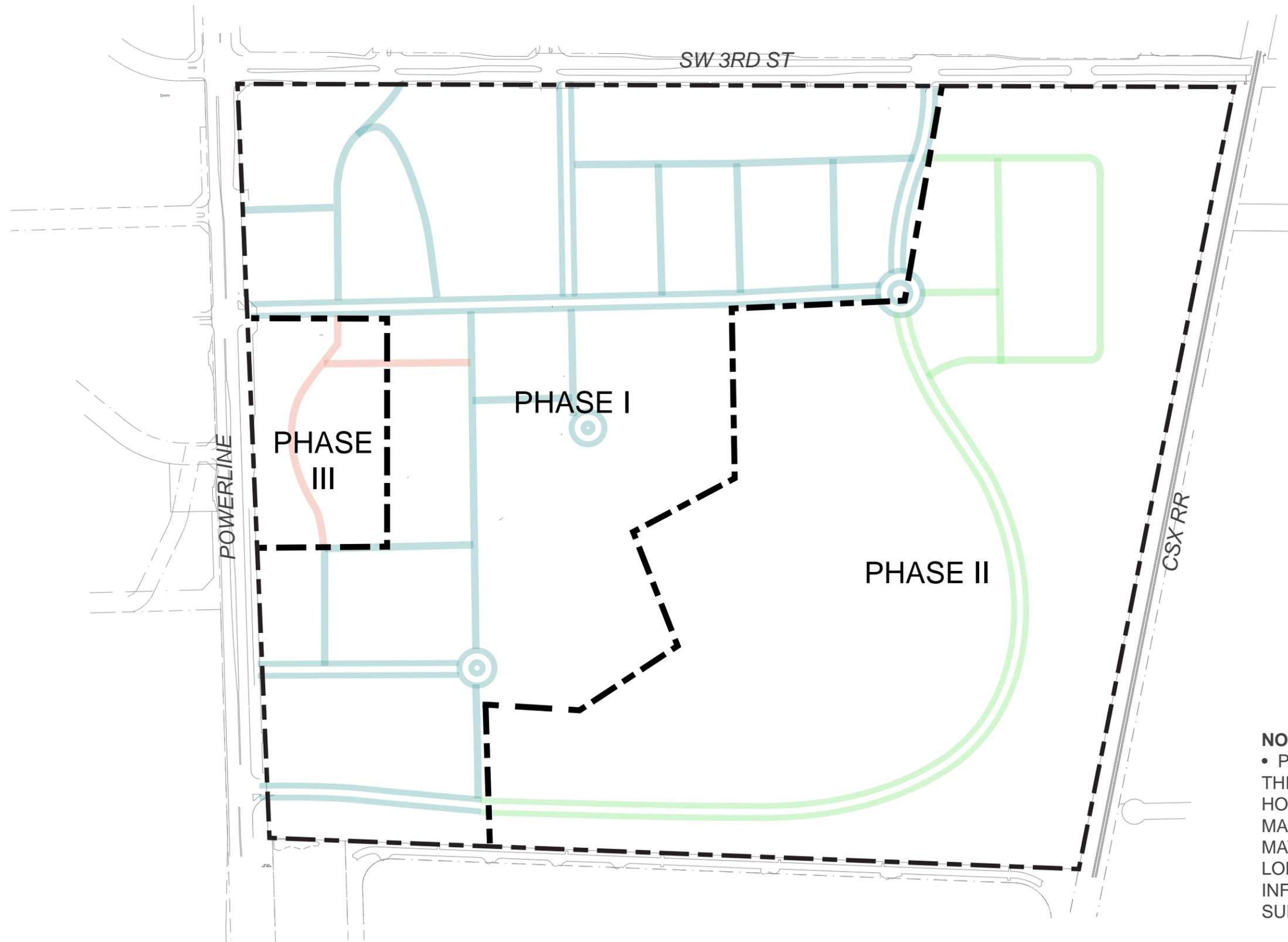


OPEN SPACE



N.T.S.

EXHIBIT M



NOTE:

- PHASE I HAS BEEN IDENTIFIED AS THE PRIMARY DEVELOPMENT AREA; HOWEVER, IN ORDER TO RESPOND TO MARKET CONDITIONS, DEVELOPMENT MAY PROCEED IN ANY PHASE SO LONG AS THE NECESSARY ON-SITE INFRASTRUCTURE IS IN PLACE TO SUPPORT THE USES.

PHASING PROGRAM



EXHIBIT M₂



 BUFFER

NOTE:

* THE BUFFER WITHIN DEVELOPMENT AREA A SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR NEW DEVELOPMENT, EXCEPT FOR ANY CASINO RELATED EXPANSION.

* BUFFER WITHIN DEVELOPMENT AREA B SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY RESIDENTIAL BUILDING OVER 200 FEET.

* BUFFERS WITHIN DEVELOPMENT AREAS B, C AND D WILL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR NEW DEVELOPMENT WITHIN EACH OF THOSE DESIGNATED DEVELOPMENT AREAS.

BUFFER SEQUENCING PLAN



EXHIBIT M₃



 BUFFER

NOTE:
 • PHASE I HAS BEEN IDENTIFIED AS THE PRIMARY DEVELOPMENT AREA; HOWEVER, IN ORDER TO RESPOND TO MARKET CONDITIONS, DEVELOPMENT MAY PROCEED IN ANY PHASE SO LONG AS THE NECESSARY ON-SITE INFRASTRUCTURE IS IN PLACE TO SUPPORT THE USES.

PERVIOUS AREA:
 AS EACH SITE PLAN IS APPROVED, PERVIOUS AREA CALCULATION FOR THE ENTIRE PD DISTRICT WILL BE CALCULATED AND BE NO LESS THAN 15 %



NOTE:
 * THE BUFFER WITHIN DEVELOPMENT AREA A SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR NEW DEVELOPMENT, EXCEPT FOR ANY CASINO RELATED EXPANSION.

*BUFFER WITHIN DEVELOPMENT AREA B SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY RESIDENTIAL BUILDING OVER 200 FEET.

* BUFFERS WITHIN DEVELOPMENT AREAS B, C AND D WILL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR NEW DEVELOPMENT WITHIN EACH OF THOSE DESIGNATED DEVELOPMENT AREAS.

*BICYCLE PATHS, PEDESTRIAN WALKWAYS, AND ROADWAYS IN ALL PHASES OF DEVELOPMENT SHALL PROVIDE A COHESIVE NETWORK CONNECTED TO POWERLINE ROAD AND SW 3RD STREET AND DO NOT RESULT IN DEAD-END CONDITIONS.

*TRAFFIC MITIGATION - OFF-SITE ROADWAY IMPROVEMENT WILL BE CONSTRUCTED ACCORDING TO EXHIBITS/S-4.

*THE CRYSTALLINE LAGOON AND LAKE/ RECREATION AREA SHALL BE CONSTRUCTED AS FOLLOWS:
 I. PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR NEW DEVELOPMENT GENERATING MORE THAN 1500 NET NEW P.M. PEAK HOUR TRIPS BASED ON THE TRIP GENERATION RATES TABLE ATTACHED AS EXHIBIT S-3 COMPLETE THE MINIMUM SIZE CRYSTALLINE LAGOON AND LAKE/ RECREATION AREA.

CONSOLIDATED PHASING PLAN



EXHIBIT N



LEGEND

- OPEN GREEN SPACE
- CRYSTALLINE LAGOON
- LAKE / RECREATION AREA
- EXISTING ACCESS NODE WITH TRAFFIC SIGNAL
- EXISTING ACCESS NODE WITH NO SIGNAL
- PROPOSED ACCESS NODE WITH TRAFFIC SIGNAL
- POTENTIAL TRI RAIL STOP

ROADWAY LEGEND

PHASE I

- MAJOR ROAD
- LOCAL ROAD

PHASE II

- MAJOR ROAD
- LOCAL ROAD

PHASE III

- LOCAL ROAD



OVERALL EXHIBIT MAP



EXHIBIT O

Density and Intensity Standards

Intensity Standards	PCD
Density, maximum (multi-family units)	4,100
Net Density, (du/ac) (4,100 units / 221.65 acres)	18.50
Gross Density, (du/ac) (4,100 units / 232.05 acres)	17.67
Commercial Recreation Uses Maximum (sq ft) (Includes Hotel Rooms)	1,000,000
Commercial Uses maximum (sq ft) (Includes Hotel Rooms)	300,000
Office Uses maximum (sq ft)	775,000
Industrial Park Uses (sq ft)	1,500,000
Lot coverage, maximum (% of lot area)	85%
Pervious area, minimum (% of lot area)	15% ¹
Dimensional Standards - <i>Open Space / Buffer District</i>	PCD
Powerline Road Buffer	Minimum 10
SW 3rd Street Buffer	Minimum 10
Cypress Bend	Minimum 50
Dimensional Standards - <i>Entertainment District</i>	PCD
Height, maximum - Zoning (ft) (Fronting along Powerline Road)	200 ^{2,3}
Setback, minimum (ft) from Powerline Road	10
Setback, minimum (ft) from SW 3rd Street	10
Interior side yard setback, minimum (ft)	0
Rear yard setback, minimum (ft)	0
Setback from Local Roads and Interior Property Lines	0
Tower Separation Standard (above 75 feet)	60
Tower setback above 75 feet along Powerline and SW 3rd Street (ft)	10 (See Exhibit O1)
Maximum tower length (ft) (above 75 feet in height) buildings fronting on and parallel to Powerline Road and SW 3rd Street	300
Dimensional Standards - <i>Residential/Mixed-Use District</i>	PCD
Height, maximum - Zoning (ft)	400 ^{2,3}
Height, maximum - Zoning (ft) (Fronting along Powerline Road)	200 ^{2,3}
Setback, minimum (ft) from Powerline Road	10
Setback, minimum (ft) from Cypress Bend	50
Interior side yard setback, minimum (ft)	0
Rear yard setback, minimum (ft)	0
Setback from Local Roads and Interior Property Lines	0
Tower Separation Standard (above 75 feet)	60
Tower setback above 75 feet along Powerline and SW 3rd Street (ft)	10 (See Exhibit O1)
Maximum tower length (ft) (above 75 feet in height) buildings fronting on and parallel to Powerline Road and SW 3rd Street	300
Dimensional Standards - <i>Corporate District</i>	PCD
Height, maximum - Zoning (ft)	400 ^{2,3}
Setback, minimum (ft) from SW 3rd Street	10
Setback, minimum (ft) from CSX Railroad	0
Interior side yard setback, minimum (ft)	0
Rear yard setback, minimum (ft)	0
Setback from Local Roads and Interior Property Lines	0
Tower Separation Standard (above 75 feet)	60
Tower setback above 75 feet along Powerline and SW 3rd Street (ft)	10 (See Exhibit O1)
Maximum tower length (ft) (above 75 feet in height) buildings fronting on and parallel to Powerline Road and SW 3rd Street	300

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. Pervious areas will be calculated based on the entire site. Individual parcels/sites may have less than 15% pervious.
2. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.
3. See Exhibit U for Additional Height Restrictions.

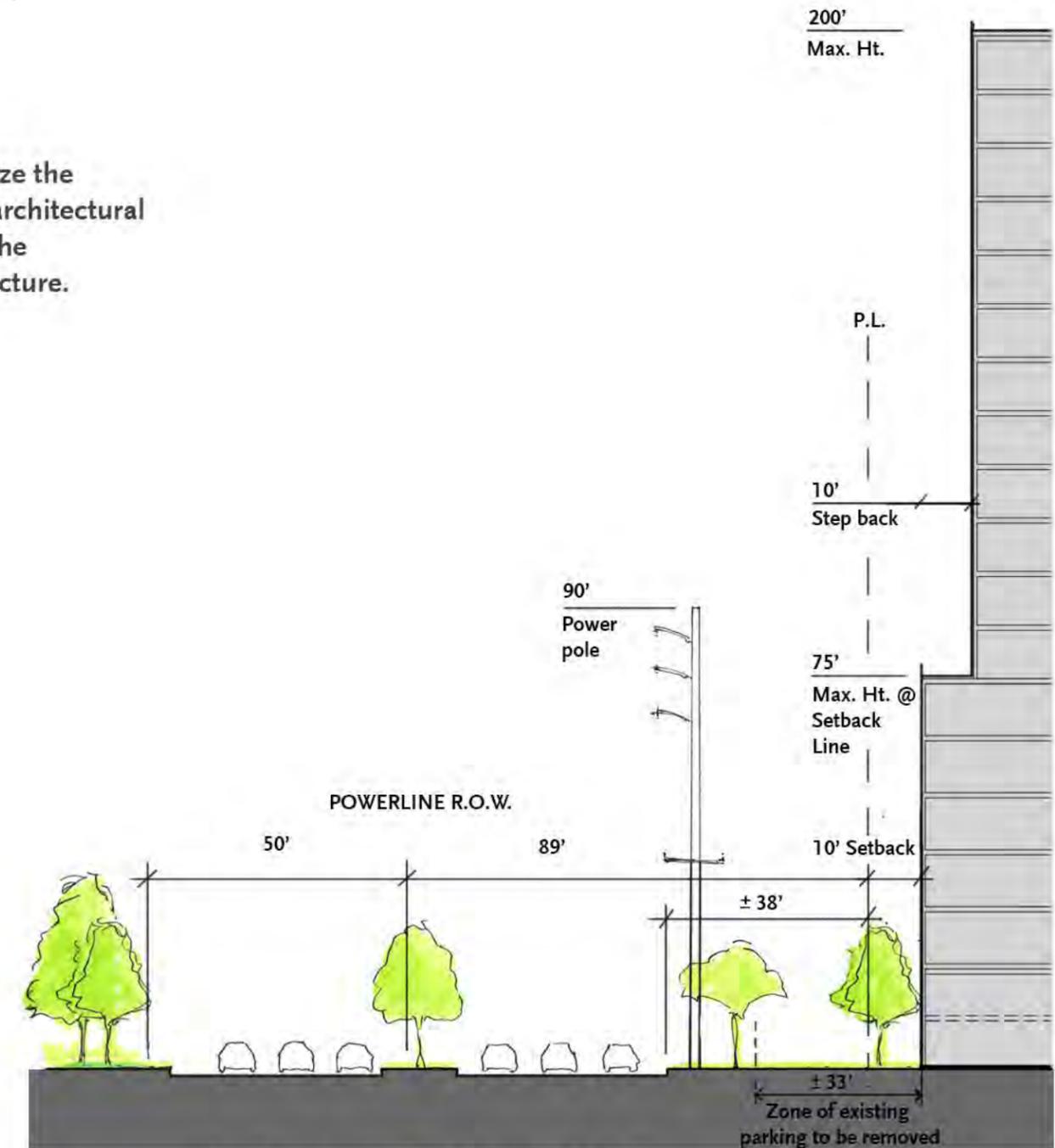
EXHIBIT 01

R.O.W. Buffer Zone Setback requirements: (Powerline Road / SW 3rd Street)

Buildings along Powerline and SW 3rd Street R.O.W.s may be built at a setback of 10' from the property line.
Building heights along the setback line are limited to 75' maximum height before the building must step back ;
provided, however, buildings equal to or less than 100' are not required to provide this additional step back.
Building heights at this step back line may continue to a maximum height of 200'.

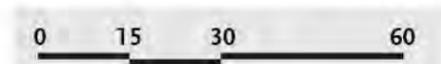
Buildings shall comply with the Pompano Mixed - Use Design Standards (155.5602) for massing and architectural articulation

Parking structures shall include a habitable liner or an Architectural Screening Layer to minimize the visual impact of parking on the public realm. The Architectural Screening Layer shall include architectural elements that effectively screen cars, lighting, garage ceilings, and slab edges. The design of the Architectural Screening Layer shall complement the overall building design of the primary structure.



Note: Street cross section taken south of Palm Aire

scale: 1" = 30'



Powerline Street Regulating Diagram

EXHIBIT P

Deviation Table

Deviations Table				
CODE SECTION	TYPE	DESCRIPTION	DEVIATION	JUSTIFICATION
155.5101.G.8	Vehicle Stacking	Vehicle Stacking for Parking Lots and Parking Garages	Allow a maximum stacking lane of 100 feet at Powerline Road and SW 3rd Street access points subject to Broward County and FDOT regulations	LIVE! Resorts Pompano is intended to be an urban styled project. Vehicle stacking for the large parking lots and garages is not practicable. Broward County and FDOT have established outbound stacking requirements from the site via the multiple access points on SW 3rd Street and Powerline Road as specified on the plat..
155.5101.I.3.b	Pedestrian Walkways	Pedestrian Walkways through Large Parking Areas and Parking Garages	Allow alternative parking lot design layout and landscape design in lieu of required pedestrian walkways.	As part of the alternative parking lot design, pedestrian walkways will be provided within the parking lots; however, those walkways may not meet the exact requirements specified in the Zoning Code. Relief is sought to allow for creative parking lot design layouts. In no instance shall the pedestrian walkways be separated by more than 500 feet or one walkway per discernible parking lot area, whichever is less. Walkway locations shall align with primary pedestrian entrances to buildings and where possible, along anticipated path of travel. A landscape strip is required abutting pedestrian walkway through parking areas.
155.5102.B.2.c	Nonconforming Parking	Existing Parking Lots	Allow existing parking lots to remain "as is" until the land is used for redevelopment. Modification to existing circulation allowed for partial demolition. Resurface and restriping permitting if necessary.	LIVE! Resorts Pompano contain multiple surface lots constructed prior to the current code. Bringing the parking lots up to current code standards is not practicable. All existing parking lots are expected to be redeveloped during the building-out of the project. New development other than the casino expansion shall provide new parking areas as required. The row of parking located within the Powerline Road right-of-way shall be removed in phase 1.
155.5102.C.9	Curbing	Continuous Curb	Provide continuous curbing only to protect VUA landscaping.	This deviation is in association with the alternative parking lot design and landscaping. Continuous curbing will only be used to protect landscaping. No wheelstops will be provided at head to head parking areas.
TABLE 155.5102.I.1	Dimensional Standards for Parking Spaces and Aisles	Compact Parking Spaces	Allow a maximum of 25% compact spaces at a dimension of 8' x 16' for surface lots and parking garages	Due to the size of the LIVE! Resorts Pompano project and large number of parking spaces required, it is appropriate to provide designated compact parking spaces throughout the site.. Allowing compact spaces reduces the amount of pavement required for the project. Compact parking spaces shall not exceed 25% of the required parking per discernible parking lot area.
155.5102.L.1	Bike Parking Facilities	4 bikes per 10 parking spaces - 20 max	As provided by each site plan application Bike parking and facilities for an individual project may be provided as part of an overall coordinated district solution the serves the entire project.	LIVE! Resorts Pompano intends to provide the required number of bike spaces; However, appropriate bike parking facilities can be provided in a systematic approach via the site plan approval process. Bike Parking facilities will be strategically located in public and private spaces throughout the entire project.
155.5102.M.1	Loading Area Standards	Minimum Number of Off-Street Loading Berths	Allow a reduction in the number of off-street loading spaces based on acceptable shared loading studies.	In an effort to reduce the over design of off-street loading areas, LIVE! Resorts Pompano will utilize the most current studies for shared loading requirements. This will include shared loading space studies which will better reflect loading space efficiencies in a mixed use project.
155.5203.D.4.b.i	Landscape Islands in Parking Bays	8 foot Landscape Island every 10 spaces	Reduce the width of landscape islands from 8 feet to 5 feet	Similar to the TO designated urban areas within Pompano Beach, LIVE! Resorts Pompano intends to provide alternative parking lot landscape design with a 5 foot landscape island. The project will utilize acceptable industry standards to satisfy root zone requirements for trees and palms. This will be provided through a combination of planting areas, structural soil, suspended paving, root barriers and/or other agreed to methodology with the Developer and City's landscape reviewer. The project will have a variety of urban conditions and a one size fits all approach will not provide the best long-term scenario for the sustainability of the proposed landscape.

155.5203.D.4.c	Landscape Areas between bays	Minimum 8 feet wide landscape areas between bays	Reduce the landscape areas between bays from 8 feet to 5 feet and only require the between bay landscape area every 3rd bay.	LIVE! Resorts Pompano is intended to be an urban styled project. A 5 foot landscape area will be provided every 3rd bay in parallel parking bays. No wheelstops will be provided at head to head parking areas. The project will utilize acceptable industry standards to satisfy root zone requirements for trees and palms. This will be provided through a combination of planting areas, structural soil, suspended paving, root barriers and/or other agreed to methodology with the Developer and City's landscape reviewer. The project will have a variety of urban conditions and a one size fits all approach will not provide the best long-term scenario for the sustainability of the proposed landscape.
155.5203.D.5.a	Landscaping between vehicular use area and building	Minimum 8 feet for each story - maximum 24 feet	Provide 5 foot minimum for Residential/Mixed Use District, and no requirement for Corporate or Entertainment Districts	LIVE! Resorts Pompano is uniquely designed to create a pedestrian friendly - urban setting. Landscaping emphasis will be strategically placed throughout the project including the south buffer and streetscapes. Landscaping shall be reduced between the VUA and buildings. Planters will be provided in the Corporate and Entertainment sub-districts.
155.52.03.F.5.a	Development within Buffers	Impervious surfaces not permitted	Allow impervious surfaces including water features, fitness trails and water retention within the south buffer.	The development is proposing to use the buffer area as multi-purpose/multi-use area including walking and fitness trails as well as, nature and water retention areas. Impervious areas within the buffer will not count towards pervious calculations. There will be a maximum of 20% impervious area within buffer.
155.5203.G.I	Street Trees	Street trees required	Allow the use of Palm Trees along specific public and private roadways	LIVE! Resorts Pompano would prefer the option of providing a variety of understory and palm trees along the various streets throughout the project. Street tree themes (including palms) along particular roadways, as well as statement entry features, are intended to complement the project and surrounding area. Street trees will be required unless overhead wires exist. Palm trees on specific streets to be specified. Major Roads as shown on Exhibit F will have palm trees as the predominant street tree.
155.5401.D.I.c	Parking Lot Lighting Maximum height	Maximum Height of 30 feet for nonresidential	Maximum height of 60 feet for nonresidential	For new non-residential parking lots, a maximum height of 60 feet shall be permitted. The existing lighting is similar in height.
155.5401.I	Wall Packs	Only permitted near entrances	Permitted anywhere on a building	LIVE! Resorts Pompano is uniquely designed to create a pedestrian friendly - urban setting. The use of wall packs throughout the project will provide safe and convenient lighting for pedestrians in this urban setting.
155.5605.C.1.	Parking Structure	Multi-level Parking Garages	Allow alternative design of parking garages to include screening in lieu of required architectural treatments and provide a minimum of 20% shade on the top level of parking garages.	Due to the potential size and number of parking garages for LIVE! Resorts Pompano, there may be a need to provide additional design alternatives other than those specified in the Zoning Code. Some screening materials may not completely shield the view of vehicles or ramps. Rooftop areas of large garages may not meet the percentage shade required in the zoning code. Parking structures shall include a habitable liner or an Architectural Screening Layer to minimize the visual impact of parking on the public realm. The Architectural Screening Layer shall include architectural elements that effectively screen cars, lighting, garage ceilings, and slab edges. The design of the Architectural Screening Layer shall complement the overall building design. Roof top areas of parking structures shall include provisions to shade a minimum of 20% of the top parking levels.
155.5605.C.2.	Parking Structures Ingress/Egress	2 lane/30' Width Max. per Entrance/Exit	No requirement on the number of lanes and or width for parking garages over 100 spaces. When a parking garage is located within 175 feet of Powerline Road, SW 3rd Street or North Cypress Bend Drive and such parking garage has an access point wider than 30 feet, the access opening shall be located off an internal street and shall not be facing Powerline Road, SW 3rd Street or North Cypress Bend Drive.	Due to the potential size of parking garages for LIVE!, there may be a need to provide more than two lanes for an opening to ease congestion within the parking garage. Back-of-house service areas will likely be located on the ground level of parking garages thus generating the need for larger openings.

155.5605.C.3.	Parking Structure	Only 1 Access Point from a Street	More than 1 access point from a Street. When a parking garage is located within 175 feet of Powerline Road, SW 3rd Street or North Cypress Bend Drive and such parking garage has more than one access point, the access opening shall be located off an internal street and shall not be facing Powerline Road, SW 3rd Street or North Cypress Bend Drive.	Due to the potential size of parking garages for LIVE!, there may be a need to provide more than one access point from a street to ease congestion within the parking garage. Back-of-house service areas will likely be located on the ground level of parking garages thus generating the need for larger openings. Internal major roads (as shown in Exhibit. F) will need to allow direct entry for garages. This is an urban project with potentially large garages needing direct in/out access to major internal roads. Garages will be "screened" as noted in text above (155.5605.C.1).
155.7501	Nonconforming Site Features	Existing Parking Lots	Allow existing parking lots to remain "as is" until the land is used for redevelopment. Modification to existing circulation allowed for partial demolition. Resurface and restriping permitting if necessary.	LIVE! Resorts Pompano contain multiple surface lots constructed prior to the current code. Bringing the parking lots up to current code standards is not practicable. All existing parking lots are expected to be redeveloped during the building-out of the project. New development other than the casino expansion shall provide new parking areas as required. The row of parking located within the Powerline Road right-of-way shall be removed in phase 1.
Chapter 156	Signage	Alternative Signage for Specific Use	In connection with the indoor/outdoor sports field and performance/entertainment venue, installation of up to two (2) 30'x50' high-definition digital screens outside of the outfield netting and facing towards the multi-level building will be permitted for this use.	Unique use with unique signage requirements.
155.5304.D	Fences and Walls	Wall Height	To allow a sound wall barrier of 20 feet where the maximum height permitted is 10 feet for screening purposes	This deviation is restricted to the Industrial Park designation area and is intended to screen the the Industrial Park area from residential uses to the south.

APPENDIX A: CONSOLIDATED USE TABLE

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 T = TEMPORARY USE ALLOWED WITH A MAJOR TEMPORARY USE PERMIT t = TEMPORARY USE ALLOWED WITH A MINOR TEMPORARY USE PERMIT
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USE CATEGORY (PRINCIPAL USES) AND/OR USE TYPE		RESIDENTIAL DISTRICTS										COMMERCIAL DISTRICTS				INDUSTRIAL DISTRICTS				SPECIAL DISTRICTS					PLANNED DEVELOPMENT DISTRICTS			USE-SPECIFIC STANDARDS												
		RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU		T	BP	RPUD	PCD	PD-TO	LAC	PD-I					
PRINCIPAL USES																																								
INSTITUTIONAL USES																																								
Medical Marijuana Establishments	Medical marijuana health care establishment																			S	S															P			155.4703.A	
	Medical marijuana treatment center (MMTC)-related industrial establishment																				S	S	S														P		155.4703.B	
Open Space Uses	Arboretum or botanical garden	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P						P	P	P	P	P		P	P	P	P	P				155.4210.A		
	Cemetery or mausoleum																							S	P	P	P	P		P	P	P	P	P				155.4210.B		
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P	P	P	P	P		P	P	P	P	P				155.4210.C			
	Park or plaza	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P				155.4210.D			
Other Institutional Uses	Civic center																S	P		P				S												P	P	P	155.4211.A	
	Halfway house or Shelter																										S										P	P	P	155.4211.B
	Lodge or club															P	P			P		S		P												P	P	P	155.4211.C	
	Place of worship	S	S	S	S		S	S	S	S	S	S		S	S	P	P							P		P		P								P	P	P	155.4211.D	
Transportation Uses	Aircraft or aviation equipment sales or rental																						P	P													P		155.4212.A	
	Aviation related uses																																					P		155.4212.B

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	RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD		PCD	PD-TO	LAC	PD-I						
	PRINCIPAL USES																																							
COMMERCIAL USES																																								
Boat and Marine Sales and Service Uses	Boat dry storage facility																P																P	P	P	155.4215.B				
	Boat or marine parts sales without installation																P	P	P															P	P	P	155.4215.C			
	Boat or marine parts sales with installation																P	P	P															P	P	P	155.4215.D			
	Boat or marine repair and servicing																P	P	P															P		P	155.4215.E			
	Boat sales or rental																P	P	P																P	P	P	155.4215.F		
	Boat towing service																	P	P	P																P	P	P	155.4215.G	
	Docking facility, barge																	P																			155.4215.H			
	Docking facility, commercial fishing boat																	P																			P	155.4215.I		
	Docking facility, recreational boat																	P	P	P	P																P	P	P	155.4215.J
	Marina																	P	P	P																	P	P	P	155.4215.K
Yacht club																	P	P	P	P																	P	P	P	155.4215.L

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	RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO		LAC	PD-I																							
	PRINCIPAL USES																																																								
COMMERCIAL USES																																																									
Retail Sales and Service Uses - Retail Sales	Pawn shop																																			P	P	P	P	155.4222.N																	
	Thrift shop																																				S	P			P					P	P	P	P	155.4222.O							
	Retail sales establishment, large																																														P				155.4222.P						
	Indoor mall or marketplace																																															P		P	P	155.4222.Q					
	Other retail sales establishment																			P	P	P	P																									P	P	P	P	155.4222.R					
Self-Service Storage Uses	Self-storage or mini-warehouse facility																																																		P				155.4223.A		
Sexually Oriented Businesses	Sexually oriented businesses																																																				155.4224.A				
Visitor Accommodation Uses	Condo hotel																																																				S	S	S		155.4225.A
	Bed and breakfast inn	S	S	S	S	S		S	S	S	S	S		P	P	P	P	S																																	P	P	P	P	P	155.4225.B	
	Hotel or motel																																																					S	S	S	

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	RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD		PCD	PD-TO	LAC	PD-I									
PRINCIPAL USES																																											
INDUSTRIAL USES																																											
Warehouse and Freight Movement Uses	Warehouse, distribution or storage																																					P	155.4228.C				
	Junkyard or salvage facility																					S	S																P	155.4228.D			
Waste-Related Uses	Construction and demolition debris disposal facility																				S	S					S	S											P	155.4229.D & E			
	Land clearing debris disposal facility																				S	S					S	S												P	155.4229.D & E		
	Materials recovery facility																				S	S					S	S													P	155.4229.D & E	
	Solid waste transfer station																				S	S					S	S														P	155.4229.D & E
	Tire disposal or recycling facility																				S	S					S	S															P

APPENDIX A: CONSOLIDATED USE TABLE

P = PERMITTED PRINCIPAL USE S = USE ALLOWED AS A SPECIAL EXCEPTION A = PERMITTED ACCESSORY USE
 T = TEMPORARY USE ALLOWED WITH A MAJOR TEMPORARY USE PERMIT t = TEMPORARY USE ALLOWED WITH A MINOR TEMPORARY USE PERMIT
 † = TEMPORARY USE ALLOWED WITHOUT TEMPORARY USE PERMIT I = INTERIM USE ALLOWED WITH AN INTERIM USE PERMIT BLANK CELL = PROHIBITED USE

USE CATEGORY (PRINCIPAL USES) AND/OR USE TYPE	RESIDENTIAL DISTRICTS												COMMERCIAL DISTRICTS				INDUSTRIAL DISTRICTS				SPECIAL DISTRICTS					P _L ANNED DEVELOPMENT DISTRICTS					USE-SPECIFIC STANDARDS						
	RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD		PD-TO	LAC	PD-I			
ACCESSORY USES AND STRUCTURES																																					
Dock	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	155.4303.H	
Drive-through service															A	A			A	A	A											A			A	155.4303.I	
Drop-in child care													A	A	A	A					A		A									A	A	A		155.4303.J	
Electric vehicle (EV) level 1 or 2 charging station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	155.4303.K	
Electric vehicle (EV) level 3 charging station							A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	155.4303.L	
Family child care home	A	A	A	A	A	A	A	A	A	A	A													A							A		A	A	A	155.4303.M	
Family child care home, large	A	A	A	A	A	A	A	A	A	A	A													A							A		A	A	A	155.4303.N	
Fence or wall	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	155.4303.O	
Garage or carport	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	A	155.4303.P	
Greenhouse	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	A	155.4303.Q	
Green roof	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	A	155.4303.R	
Home based business	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A							A								A		A	A	A	155.4303.S	
Limited fuel/bottled gas distribution													A	A	A	A					A		A								A	A	A	A	A	155.4303.T	
Outdoor display of merchandise													A	A	A	A								A								A	A	A	A	155.4303.U	

EXHIBIT R

FAA Aeronautical Study Case Numbers

<u>ASN</u>	<u>Project Name</u>	<u>Structure ID</u>	<u>Status</u>	<u>Date Accepted</u>	<u>City/State</u>
<input type="checkbox"/> 2019-ASO-15102-OE	KEITH-000522063-19	Bldg G1.1	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15103-OE	KEITH-000522063-19	Bldg G1.2	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15104-OE	KEITH-000522063-19	Bldg G1.3	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15105-OE	KEITH-000522063-19	Bldg G1.4	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15106-OE	KEITH-000522063-19	Bldg G2.1	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15107-OE	KEITH-000522063-19	Bldg G2.2	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15108-OE	KEITH-000522063-19	Bldg G2.3	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15109-OE	KEITH-000522063-19	Bldg G2.4	Work In Progress	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15110-OE	KEITH-000522063-19	Bldg E1.1	Accepted	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15111-OE	KEITH-000522063-19	Bldg E1.2	Accepted	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15112-OE	KEITH-000522063-19	Bldg E1.3	Accepted	04/26/2019	Pompano Beach FL
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<input type="checkbox"/> 2019-ASO-15116-OE	KEITH-000522063-19	Bldg E2.3	Accepted	04/26/2019	Pompano Beach FL
<input type="checkbox"/> 2019-ASO-15117-OE	KEITH-000522063-19	Bldg E2.4	Accepted	04/26/2019	Pompano Beach FL

EXHIBIT S



Traffic Impact Analysis

Live! Resorts Pompano
Pompano Beach, Florida



Kimley»Horn

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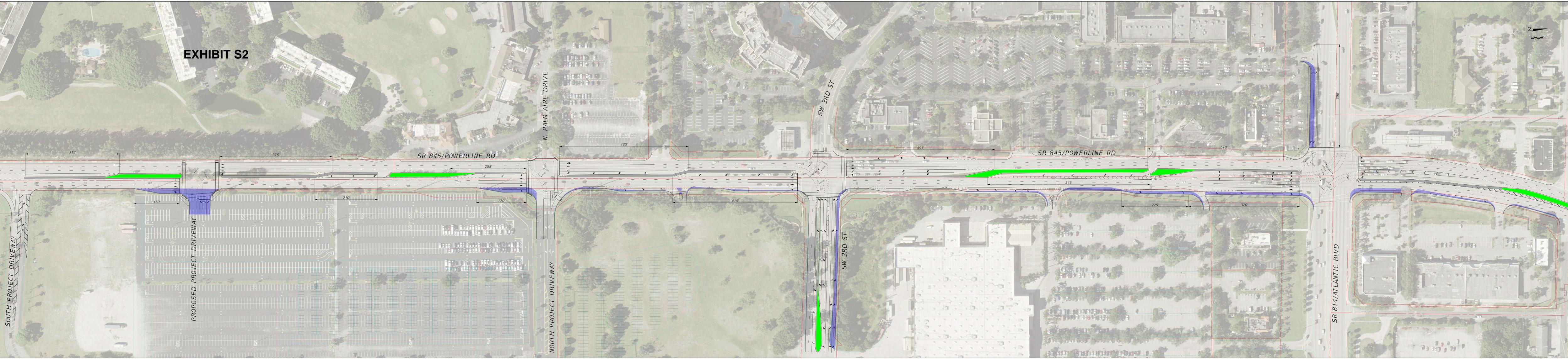
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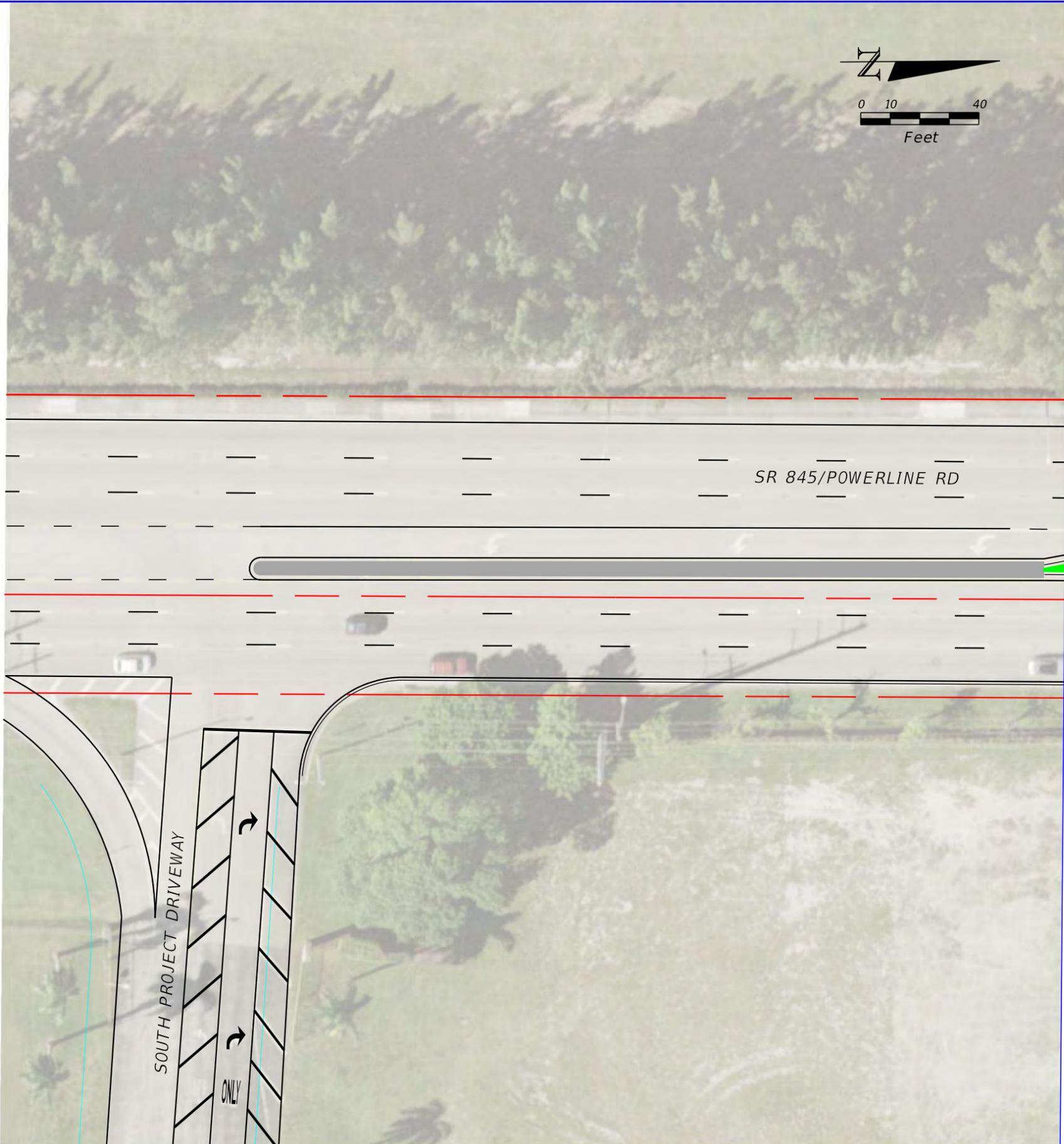
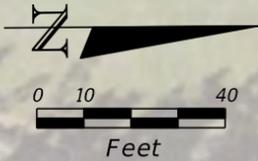
June 2019

May 2019

143060000

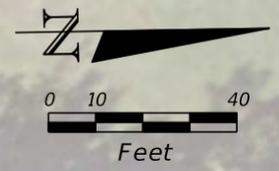
EXHIBIT S2



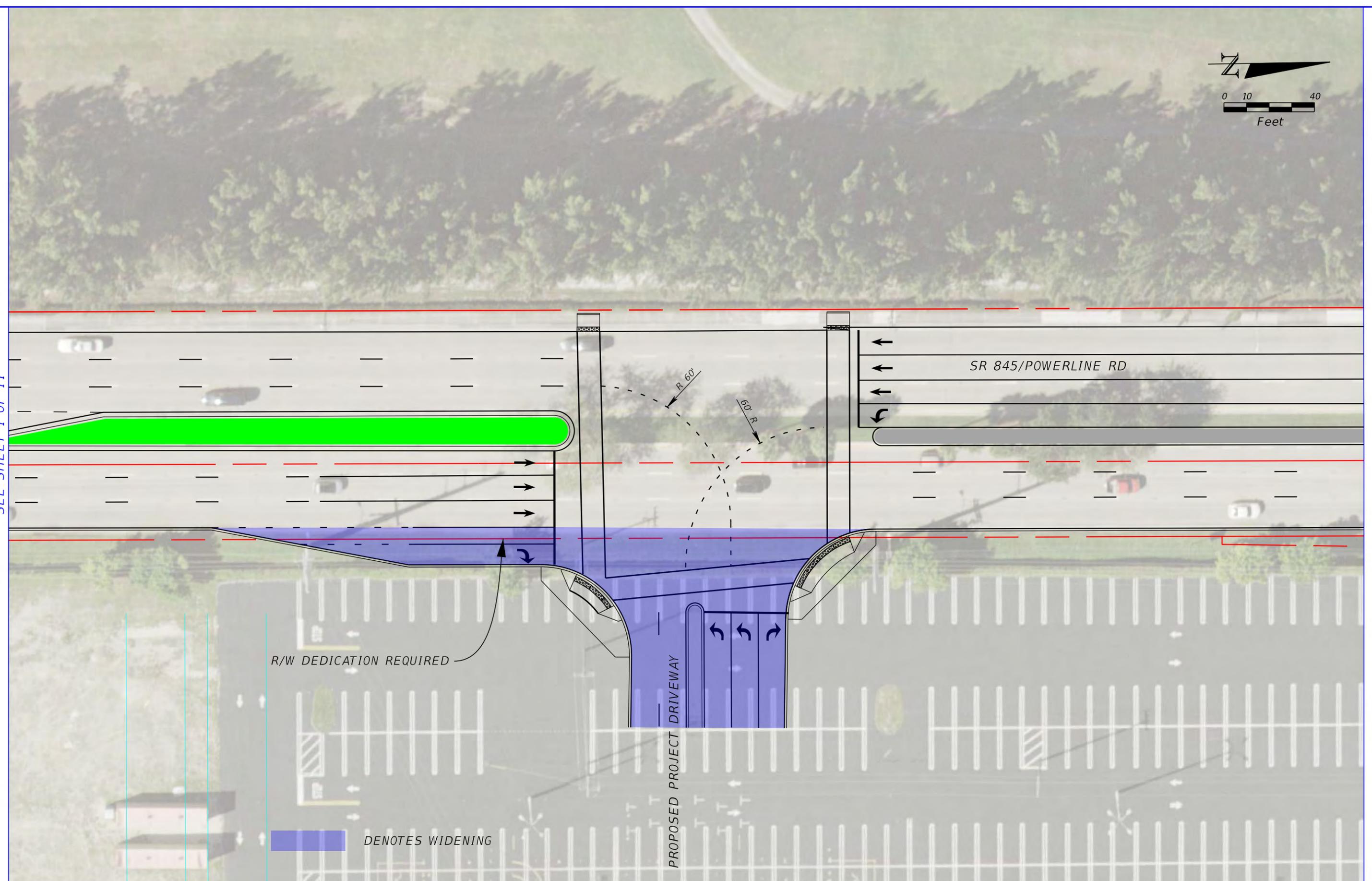


 DENOTES WIDENING

SEE SHEET 2 OF 11



SEE SHEET 1 OF 11

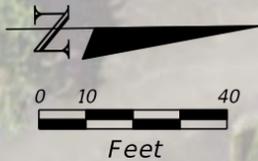


R/W DEDICATION REQUIRED

DENOTES WIDENING

PROPOSED PROJECT DRIVEWAY

SR 845/POWERLINE RD

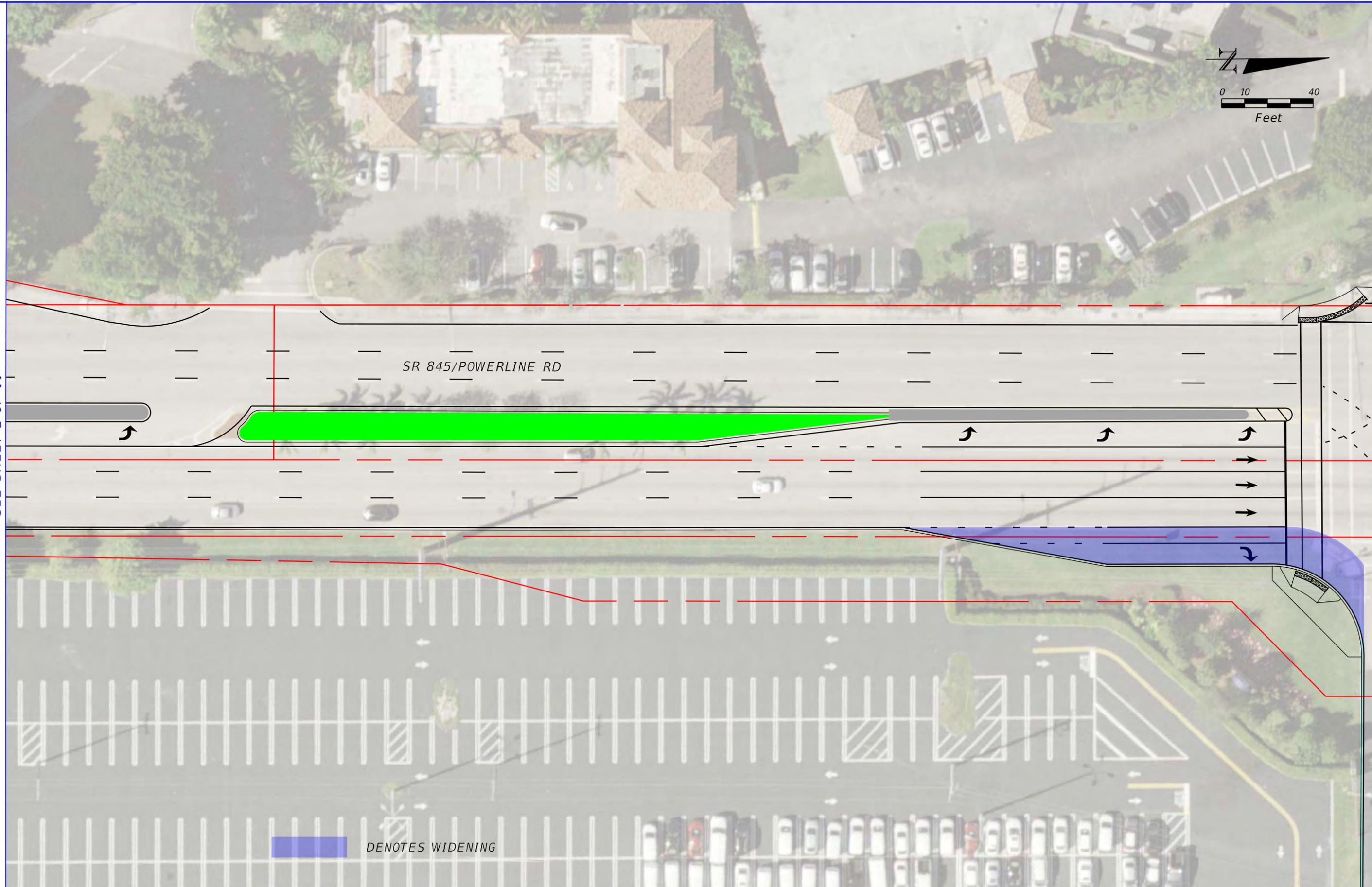


SR 845/POWERLINE RD

DENOTES WIDENING

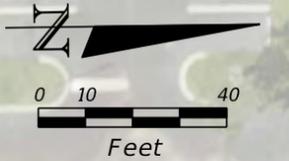
SEE SHEET 2 OF 11

SEE SHEET 4 OF 11



SEE SHEET 3 OF 11

SEE SHEET 5 OF 11



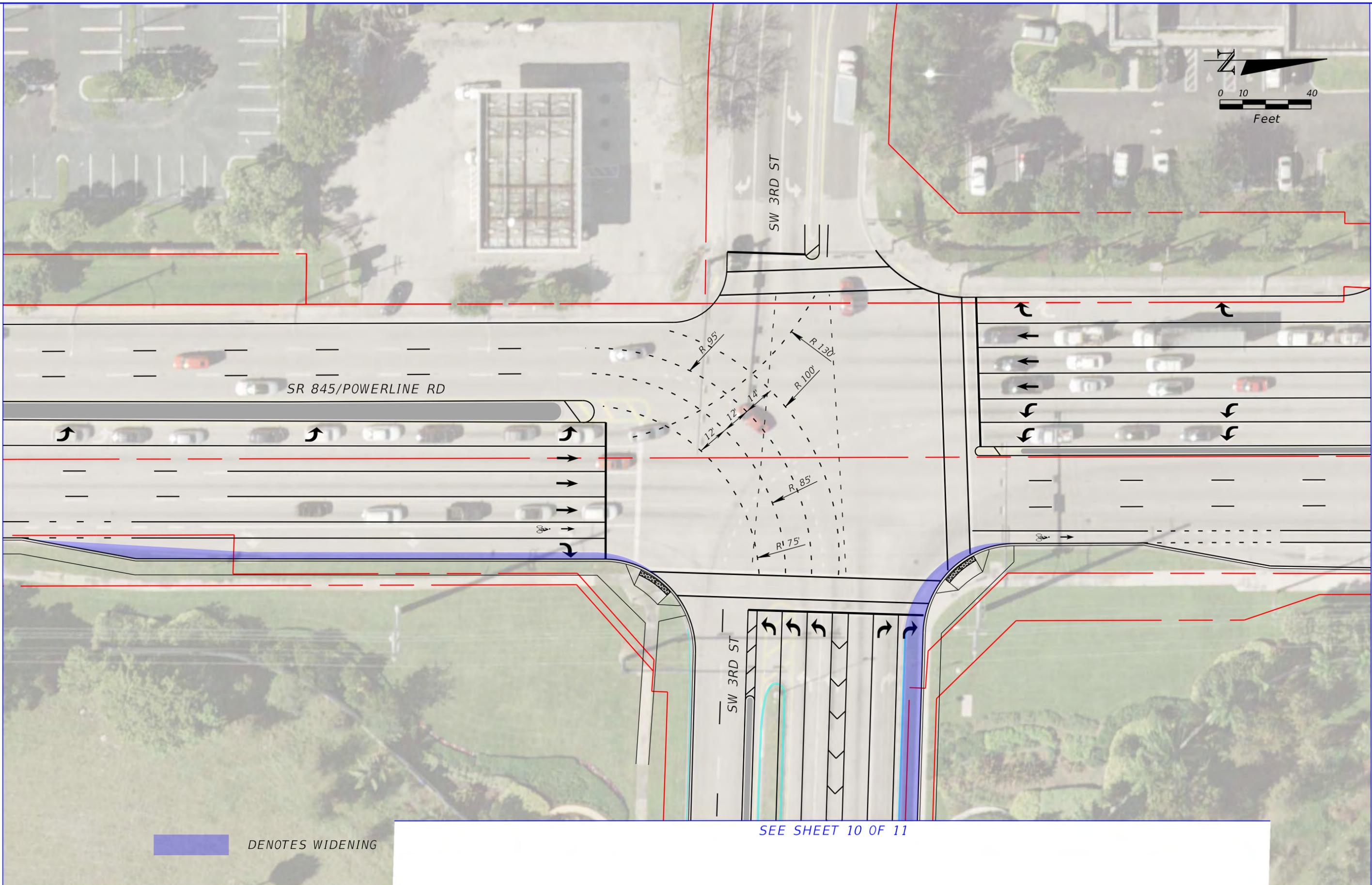
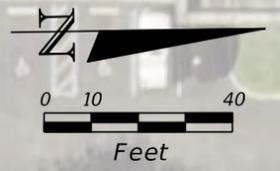
N. PALM AIRE DRIVE

SR 845/POWERLINE RD

NORTH PROJECT DRIVEWAY

DENOTES WIDENING

SEE SHEET 4 OF 11



SEE SHEET 6 OF 11

 DENOTES WIDENING

SEE SHEET 10 OF 11



SR 845/POWERLINE RD

 DENOTES WIDENING

SEE SHEET 5 OF 11

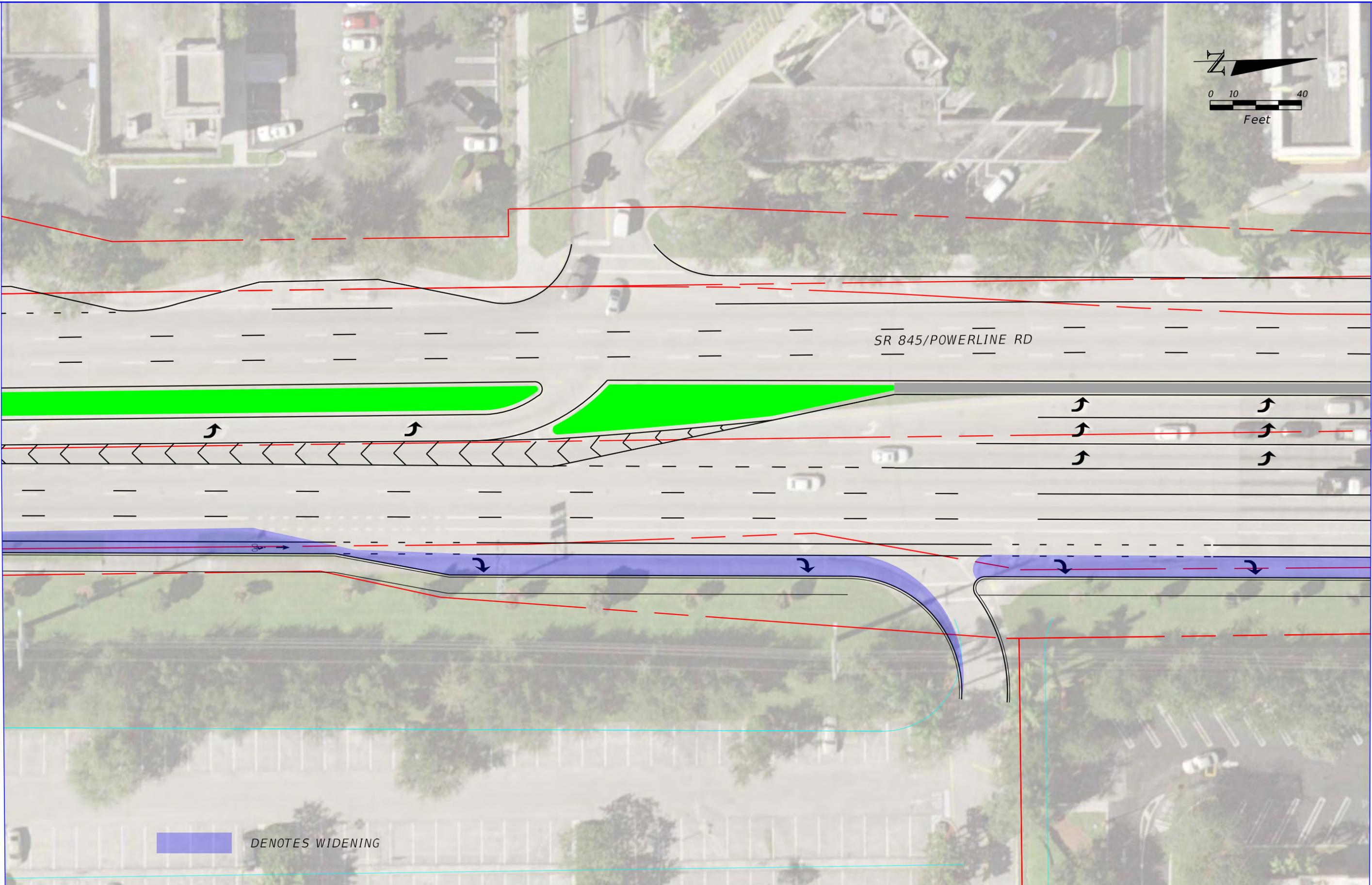
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SR 845/POWERLINE RD

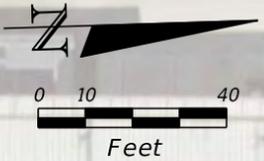
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SEE SHEET 8 OF 11



 DENOTES WIDENING

SEE SHEET 11 OF 11



SR 814/
ATLANTIC BLVD

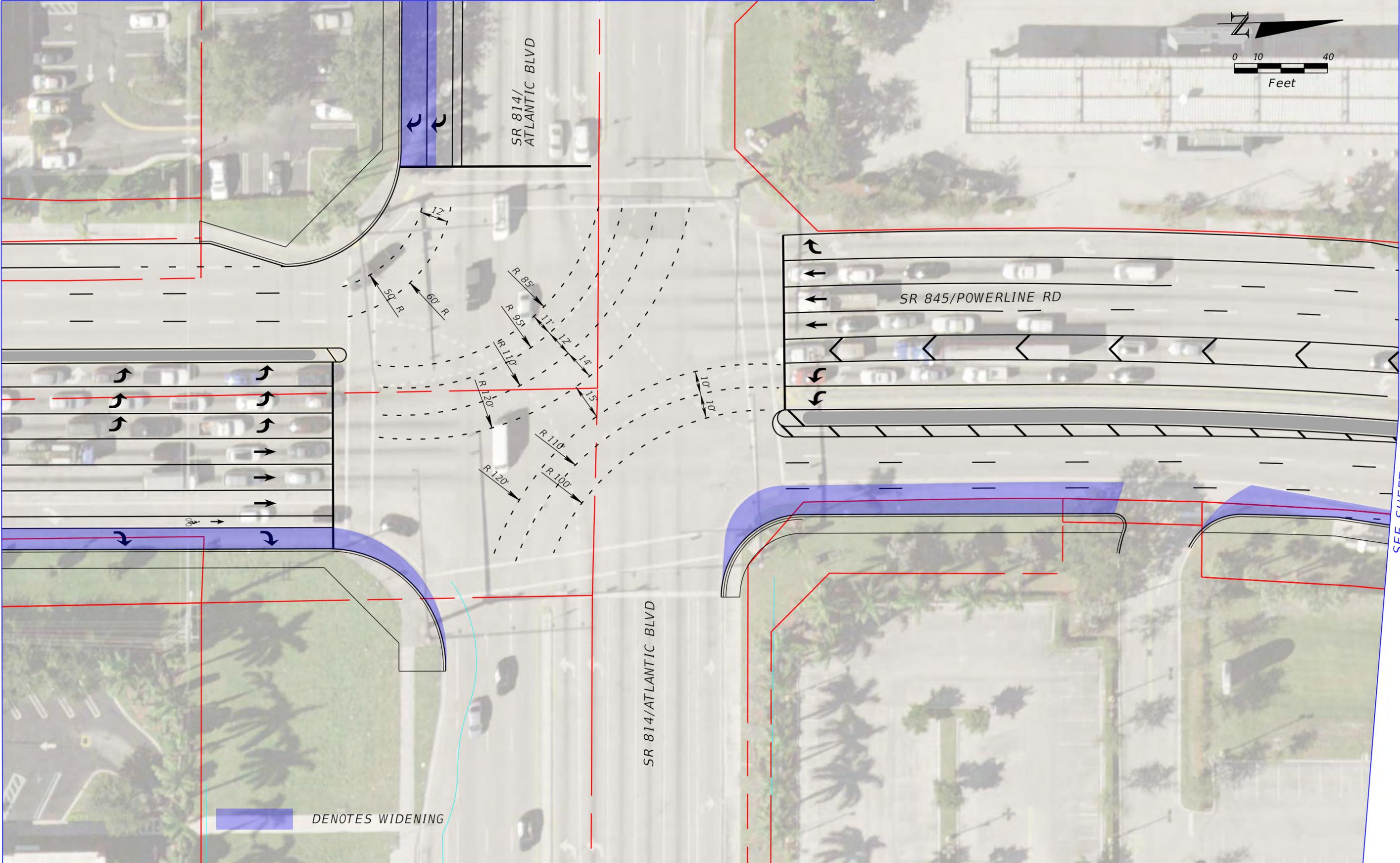
SR 845/POWERLINE RD

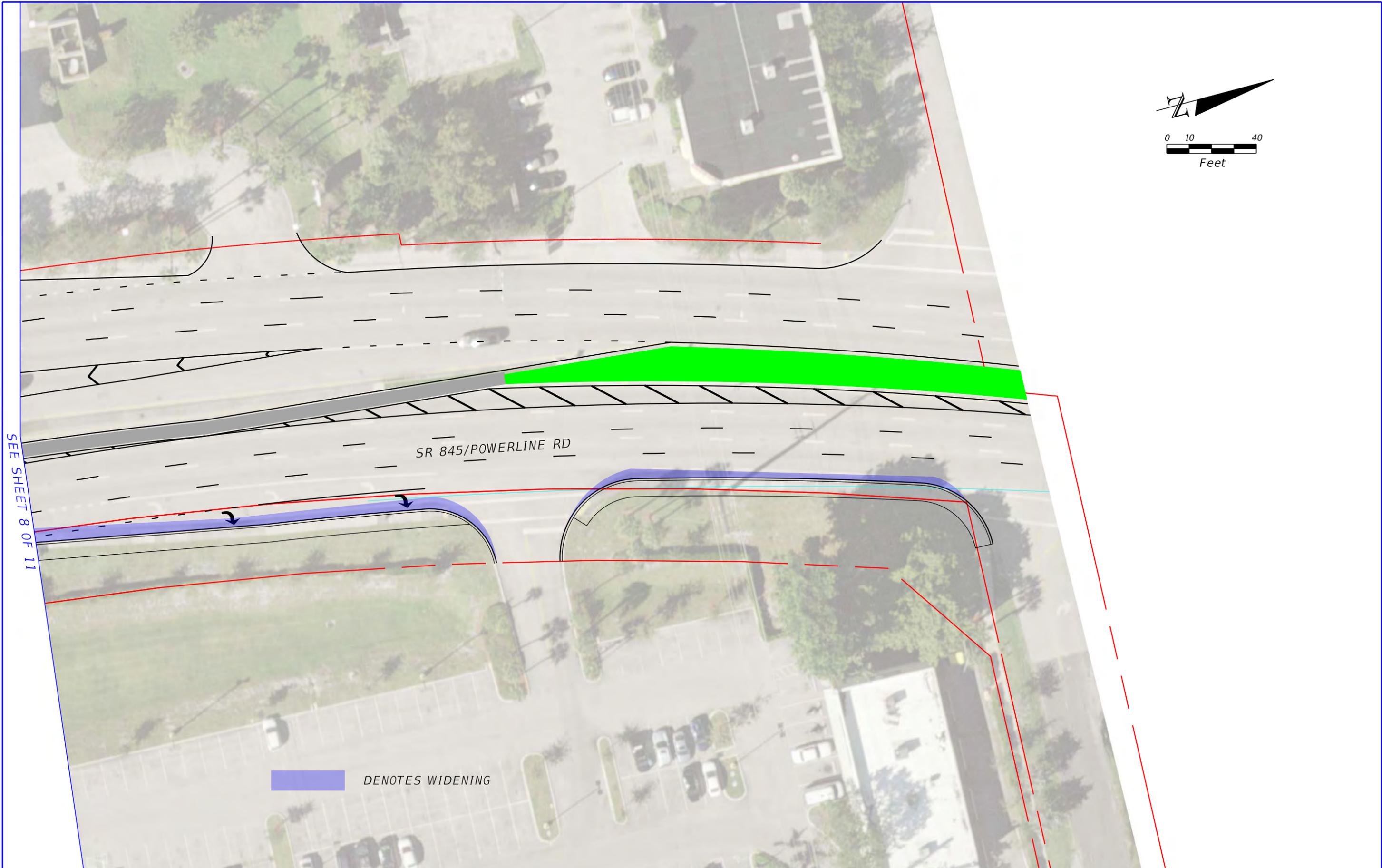
SR 814/ATLANTIC BLVD

DENOTES WIDENING

SEE SHEET 7 OF 11

SEE SHEET 9 OF 11



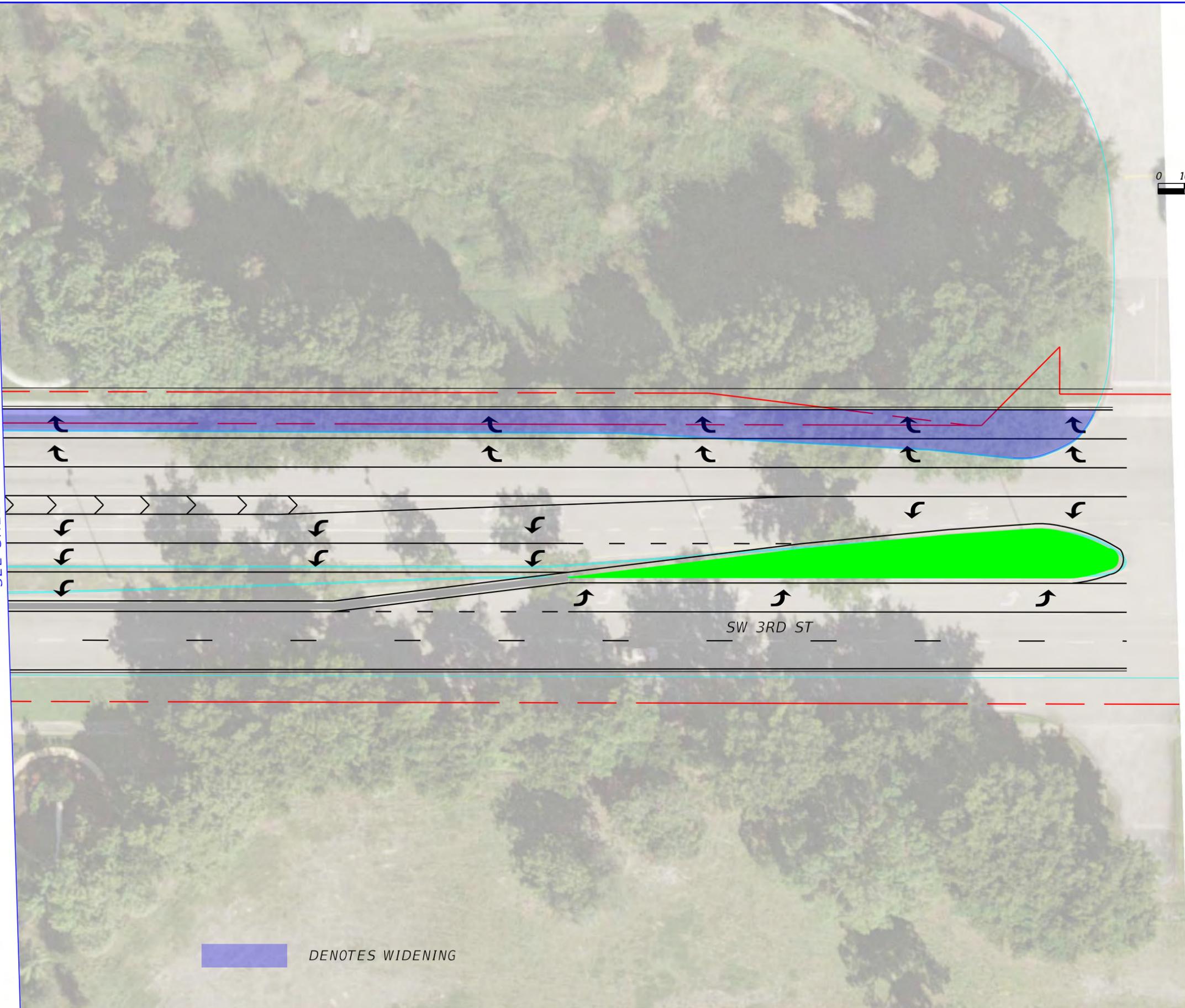
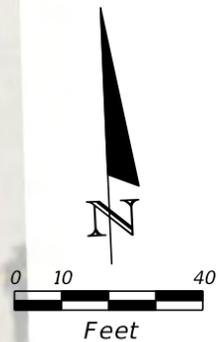


SEE SHEET 8 OF 11

SR 845/POWERLINE RD

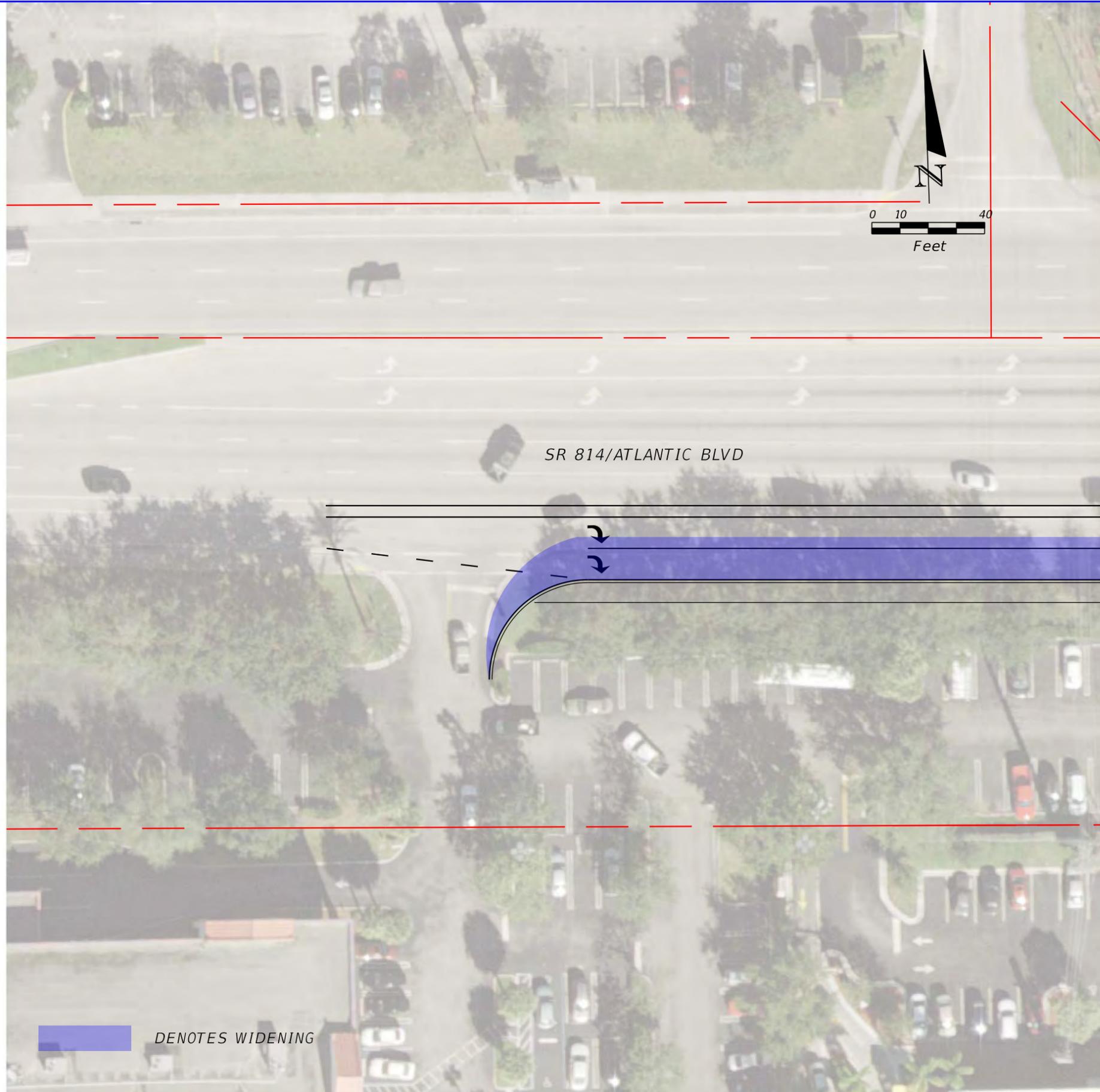
 DENOTES WIDENING

SEE SHEET 5 OF 11



SW 3RD ST

 DENOTES WIDENING



SR 814/ATLANTIC BLVD

 DENOTES WIDENING

SEE SHEET 8 OF 11

Exhibit S 3

Existing Development Trip Generation Summary			
Land Use	Scale	Trip Generation	Rate ⁽¹⁾
Shopping Center	112,000 sf	355	3.17 trips per 1,000 sf
Casino	45,000 sf	554	12.31 trips per 1,000 sf
Existing Total		909 P.M. Peak Hour Trips	

Proposed Development Trip Generation Summary			
Land Use	Scale	Trip Generation	Rate ⁽¹⁾
Shopping Center	470,000 sf	781	1.66 trips per 1,000 sf
Casino	142,182 sf	1,328	9.34 trips per 1,000 sf
Hotel	950 room	539	0.57 trips per room
Multifamily Housing (Mid-Rise)	4,100 unit	816	0.20 trips per unit
Movie Theater	18 screens	176	9.78 trips per screen
Arena	300 seats	26	0.09 trips per seat
General Office Building	1,400,000 sf	1,102	0.79 trips per 1,000 sf
Full Build-Out Total		4,768 P.M. Peak Hour Trips	
Full Build-Out Net New		3,859 P.M. Peak Hour Trips	
Phase 1 (25% threshold)		965 P.M. Peak Hour Trips	
Full Build-Out (75% threshold)		2,895 P.M. Peak Hour Trips	

Notes:

- (1) Trip generation rates calculated by dividing the trip generation attributable to each land use; accounting for multimodal reduction, internal capture, and pass-by capture, by the corresponding land use scale. Detailed trip generation calculations included in Appendix F of the *Live! Resorts Pompano* Traffic Impact Analysis, July 2019.

Sample Calculation A:

For a development program including the following:

- 60,000 square feet of shopping center
- 120,000 square feet of casino
- 16-screen movie theater

P.M. peak hour trip generation calculated as follows:

- Shopping Center: $1.66 \times 60,000 / 1,000 = 100$ trips
- Casino: $(120,000 \times 9.34) / 1,000 = 1,121$ trips
- Movie Theater: $16 \times 9.78 = 156$ trips

Net New P.M. Peak Hour Trips = (100 + 1,121 + 156) – 909 = 468 trips

No improvements required as the project generates less than 965 net new P.M. peak hour trips.

Sample Calculation B:

For a development program including the following:

- 185,000 square feet of shopping center
- 400-room hotel
- 130,000 square feet of casino
- 2,100 residential units

P.M. peak hour trip generation calculated as follows:

- Shopping Center: $1.66 \times 185,000 / 1,000 = 307$ trips
- Hotel: $400 \times 0.57 = 228$ trips
- Casino: $130,000 \times 9.34 / 1,000 = 1,214$ trips
- Residential: $2,100 \times 0.2 = 420$ trips

Net New P.M. Peak Hour Trips = (307 + 228 + 1,214 + 420) – 909 = 1,260 trips

Phase 1 improvements required as the project generates more than 965 net new P.M. peak hour trips.

Sample Calculation C:

For a development program including the following:

- 350,000 square feet of shopping center
- 600-room hotel
- 130,000 square feet of casino
- 4,100 residential units
- 1,200,000 square feet of office

P.M. peak hour trip generation calculated as follows:

- Shopping Center: $1.66 \times 350,000 / 1,000 = 581$ trips
- Hotel: $600 \times 0.57 = 342$ trips
- Casino: $130,000 \times 9.34 / 1,000 = 1,214$ trips
- Residential: $4,100 \times 0.2 = 820$ trips
- Office: $1,200,000 \times 0.79 / 1,000 = 948$ trips

Net New P.M. Peak Hour Trips = (581 + 342 + 1,214 + 820 + 948) – 909 = 2,996 trips

Phase 1 and Full Build-Out improvements required as the project generates more than 2,895 net new P.M. peak hour trips.

Exhibit S 4

The Phase 1 Improvements and the Full Build Out Improvements identified below will be completed as noted below. “Net new P.M. peak hours trips” are the trips expected to be generated by the proposed project land uses during the P.M. peak hour accounting for the reduction in site P.M. peak hour trips attributable to the demolition of existing land uses.

Phase 1 Improvements:

- SR 814/W Atlantic Boulevard and SR 845/Powerline Road
 - Addition of a second eastbound right-turn lane
 - Addition of an eastbound right-turn overlap phase
 - Signal timing optimization

These improvements will be constructed prior to the issuance of certificates of occupancy for project development generating more than 25 percent (25%) of the Full Build-Out trip generation equivalent to 965 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

- SR 814/W Atlantic Boulevard and Andrews Avenue
 - Addition of northbound right-turn overlap phase
 - Signal timing optimization

This improvement will be implemented when traffic volumes at the intersection warrant the optimization of the traffic signal and will be monitored annually following issuance of certificates of occupancy for project development generating more than 25 percent (25%) of the Full Build-Out trip generation equivalent to 965 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

- SW 3rd Street/Race Track Road and SW 15th Avenue/East Project Driveway
 - Signalization

This improvement will be constructed when traffic volumes at the intersection warrant the installation of a traffic signal and will be monitored annually following issuance of certificates of occupancy for project development generating more than 1,231 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3 until 2 years following full build-out.

- SR 845/Powerline Road and Proposed Project Driveway

- Signalization

This improvement will be constructed when traffic volumes at the intersection warrant the installation of a traffic signal and will be monitored annually following issuance of certificates of occupancy for project development generating more than 1,231 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3 until 2 years following full build-out.

Full Build Out Improvements:

- SR 814/W Atlantic Boulevard and SW 27th Avenue

- Signal timing optimization

This improvement will be implemented when traffic volumes at the intersection warrant the optimization of the traffic signal and will be monitored annually following issuance of certificates of occupancy for project development generating more than 75 percent (75%) of the Full Build-Out trip generation equivalent to 2,895 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

- SR 814/W Atlantic Boulevard and SR 845/Powerline Road

- Addition of a third northbound left-turn lane
 - Addition of westbound, northbound, and southbound right-turn overlap phases
 - Signal phasing modification (northbound/southbound lead/lag phasing) and timing optimization

These improvements will be constructed prior to the issuance of certificates of occupancy for project development generating more than 75 percent (75%) of the Full Build-Out trip generation equivalent to 2,895 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3. In the event that at the time that the Applicant would be required to commence permitting of these intersection improvements for SR 814/W Atlantic Boulevard and SR 845/Powerline Road a public improvement that will create equal or better capacity is programed in the Broward County Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP) or the Florida Department of Transportation's (FDOT) Five Year Work Program, the Applicant is relieved of this construction obligation, but if requested by the

governmental entity responsible for construction of this improvement, may be responsible to contribute up to \$ 300,000.00 to the governmental entity responsible for construction of this improvement for use in providing landscape enhancements to this intersection improvement.

- SW 3rd Street/Race Track Road and SR 845/Powerline Road
 - Addition of a second westbound right-turn lane
 - Addition of a third westbound left-turn lane
 - Addition of an exclusive northbound right-turn lane
 - Addition of a westbound right-turn overlap phase
 - Signal timing optimization

These improvements will be constructed prior to the issuance of certificates of occupancy for project development generating more than 75 percent (75%) of the Full Build-Out trip generation equivalent to 2,895 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

- SW 3rd Street/Race Track Road and SW 23rd Avenue/West Project Driveway
 - Signal timing optimization

This improvement will be implemented when traffic volumes at the intersection warrant the optimization of the traffic signal and will be monitored annually following issuance of certificates of occupancy for project development generating more than 75 percent (75%) of the Full Build-Out trip generation equivalent to 2,895 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

- SR 845/Powerline Road and W McNab Road
 - Addition of eastbound, westbound, and northbound right-turn overlap phases

These improvements will be constructed prior to the issuance of certificates of occupancy for project development generating more than 75 percent (75%) of the Full Build-Out trip generation equivalent to 2,895 net new P.M. peak hour trips based upon the Trip Generation Rates Table attached as Exhibit S-3.

The foregoing traffic mitigation improvements are subject to review and approval of the maintaining agencies including the City of Pompano Beach, Broward County, and the Florida Department of Transportation. If specific traffic mitigation improvements are not approved by a maintaining authority, an alternative traffic mitigation improvement will need to be provided that provides for an equivalent traffic operational benefit or comparable improvement/contribution to improvements to the overall area's transportation network subject to City staff approval.

EXHIBIT T

FLORIDA DEPARTMENT OF Environmental Protection



Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

July 18, 2019

VIA ELECTRONIC MAIL: Kevin.Wright@islecorp.com

Mr. Kevin Wright
Isle of Capri Casinos Inc.
600 Emerson Road, Suite 300
St. Louis, MO 63141

Subject: **Conditional Site Rehabilitation Completion Order (SRCO)**
Isle of Capri (Pompano Harness Track)
1800 Southwest 3rd Street
Pompano Beach, Broward County, Florida 33301
DEP Site ID: COM_51191
OGC Case No. 18-1359
Parcel ID Number: 494203220010

Dear Mr. Wright:

The Florida Department of Environmental Protection, Southeast District (Department) has reviewed the Draft Declaration of Restrictive Covenant Package, dated November 6, 2017 and received December 14, 2017 for the Isle of Capri (Pompano Harness Track) former Golf Course located at 1800 Southwest 3rd Street, Pompano Beach, Broward County, Florida. Maps showing the location of the Isle of Capri (Pompano Harness Track) and the location of the “contaminated site” (i.e., contaminant plume) for which this Order is being issued are attached as Exhibits A, B and C and are incorporated by reference herein. Failure to comply with the provisions of this order is a violation of section 376.302, Florida Statutes (F.S.). The Isle of Capri (Pompano Harness Track) is located at 1800 SW 3rd Street, Pompano Beach, Florida and occupies in excess of 350 acres of land. The specific contaminated site (area), a former golf course, of the property in question is the Southeast corner of South Powerline Road and Race Track Road (Parcel Control Number 494203220010).

Historical information shows that prior to the development of the golf course in 1970, the Site was undeveloped land. From 1970 to 1987 the Site was operated by a nine-hole golf course. During the operation and maintenance of the golf course, a registered herbicide known as D-WEED-6 was applied to the greens and fairways. The active ingredient of D-WEED-6 was Monosodium Acid Methanarsonate. It is probable that this herbicide was the source of Arsenic

Mr. Kevin Wright
Isle of Capri (Pompano Harness Track)
COM_51191

impacts in the Site's soil and groundwater contamination. Furthermore, it is noted that the former maintenance compound was located within the Site near the areas of monitoring wells MW-13R and MW-14R.

Since the golf course's closure in 1987, the Site has been vacant, resulting in the current overgrown vegetation on the property. The Site is currently contained by a locked chain-link fence along the perimeter.

The Declaration of Restrictive Covenant Package is supported by earlier submittals, prepared pursuant to the requirements of Chapter 62-780, Florida Administrative Code (F.A.C.), which can be found in the Department's document repository at:
<http://depdms.dep.state.fl.us/Oculus/servlet/login>.

Based on the documentation submitted with the Declaration of Restrictive Covenant Package and other submitted documents, the Department has reasonable assurance that Isle of Capri (Pompano Harness Track) (Mr. Kevin Wright) has met the criteria in Chapter 62-780, F.A.C, including the commitments set forth in the technical submittals with respect to the establishment and use of engineering and institutional controls. The technical submittals indicate that acceptable Alternative Cleanup Target Levels (ACTL's) have been established for groundwater contaminants remaining at the contaminated site, in conjunction with appropriate engineering and institutional controls. Therefore, you have satisfied the site rehabilitation requirements for the contaminated site and are released from any further obligation to conduct site rehabilitation at the contaminated site, except as set forth below. See attached table (Exhibit D), incorporated by reference herein, which includes information regarding the contaminants, affected media, applicable cleanup target levels, and the ACTL's established for the contaminated site that is the subject of this Order.

The following, including this Order, establish the engineering and institutional controls for the contaminated site and any change to the risk of exposure to any contamination or destabilization of any groundwater or soil contamination that results from either failing to comply with the engineering and institutional controls or any change, amendment, revocation, or repeal of the engineering and institutional controls will result in the revocation of this Order.

The Declaration of Restrictive Covenant (DRC) was recorded by Pompano Park Holdings, LLC on July 8, 2019, Instrument Number 115913209, Pages 1 or 15, Public Records of Broward County, Florida, and is attached and incorporated by reference as Exhibit E. Any current or future real property owner of the contaminated site must comply with the provisions contained within the DRC, (attached) recorded or otherwise established prior to the execution of this Order.

The DRC states that there shall be no use of the groundwater under the Restricted Property. There shall be no drilling for water conducted on the Restricted Property nor shall any wells be installed on the Restricted Property other than monitoring wells preapproved in writing by the Department, in addition to any authorizations required by the Division of Water Management, in addition to any authorizations required by the Division of Water Resource Management and the

Water Management Districts. Additionally, there shall be no stormwater swales, stormwater detention or retention facilities, or ditches on the Restricted Property.

The Department will rely upon these restrictions to be collectively referred to as groundwater use institutional controls to ensure that no contaminant exposure from using the groundwater as a potable drinking water source or using for other non-potable water uses resulting in risk to human health, public safety or the environment will occur due to this contaminated site. As such, the PRSR must notify the Department if the PRSR becomes aware a violation occurs at the subject property of such groundwater use institutional controls such that the potential for exposure to contaminants resulting in risk to human health, public safety, and/or the environment is increased. Violation of these restrictions (institutional controls) or failure to notify the Department of such violation, amendment, or repeal may, in addition to other remedies available at law, result in proceedings to revoke this Order and require the immediate resumption of active cleanup or require that other approved institutional controls be implemented, unless demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved.

The Department will rely on Rule 62-621.300, F.A.C., and the guidance incorporated therein, and prior Department Division of Waste Management review of any dewatering plan as the institutional control to ensure that no exposure to contaminated groundwater resulting in risk to human health, public safety or the environment will occur due to dewatering activities on the contaminated site. Department Rule 62-621.300, F.A.C., requires a permit when conducting dewatering in the area of a contaminated site. The Department Division of Waste Management can only approve a dewatering plan that ensures the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated to avoid adversely impacting or increasing the potential for exposure to contaminants resulting in risk to human health, public safety or the environment. Unless it is demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved, the Department, in addition to other remedies available at law, may institute proceedings to revoke this Order and require the resumption of site rehabilitation activities if any dewatering activities are commenced without the Department's Division of Waste Management's prior approval.

The Department will rely on prior Department review of any plan to construct new, or modify existing, stormwater facilities to ensure that there is no exposure to contaminated groundwater entering in to new or expanded stormwater facilities resulting in risk to human health, public safety or the environment due to the contaminated site. Construction of stormwater swales, stormwater detention or retention facilities, or ditches on the property could destabilize the groundwater plume or increase potential for exposure to contaminants resulting in risk to human health, public safety, or the environment. For this reason, parties seeking to construct stormwater facilities on the property, should first consult with and receive approval from the Department's Division of Waste Management in addition to obtaining any authorizations that may be required by the Department's Division of Water Resource Management, the Water Management District, or other applicable law. Unless it is demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved, the Department, in addition to

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other remedies available at law, may institute proceedings to revoke this Order and require the resumption of site rehabilitation activities if any such stormwater facilities are constructed are commenced without the Department's Division of Waste Management's prior approval.

Where the institutional control is a restrictive covenant, if the current or future real property owner of the contaminated site proposes to remove it, the real property owner shall obtain prior written approval from the Department. For all types of institutional controls, the removal of the controls shall be accompanied by the immediate resumption of site rehabilitation or implementation of other approved controls, unless it is demonstrated to the Department that the criteria of Subsection 62-780.680(1), F.A.C., are met.

Within 60 days of receipt of this Order, Isle of Capri (Pompano Harness Track) (Mr. Kevin Wright) is required to properly plug and abandon all monitoring wells, injection wells, extraction wells, and sparge wells unless these wells are otherwise required for compliance with a local ordinance, a Department rule, or another cleanup. The wells must be plugged and abandoned in accordance with the requirements of Subsection 62-532.500(5), F.A.C. A Well Plugging Report shall be submitted to the Department within 30 days of well plugging.

Future owners and users of the property should be made aware of the existence and contents of this Order. Additionally, information about the contaminated site will be maintained on the Department's Contamination Locator Map website at: <http://webapps.dep.state.fl.us/DepCleanup/welcome.do;jsessionid=QMRBTxShjev2ZhkfTG3D4t2mdxFq3MP8QxTPyQHNYHMTYKhg5Gy3!1787172975> and on the Institutional Controls Registry website at: <http://ca.dep.state.fl.us/mapdirect/?focus=icr>.

Further, in accordance with Section 376.30701(4), F.S., upon completion of site rehabilitation, additional site rehabilitation is not required unless it is demonstrated that:

- (a) Fraud was committed in demonstrating site conditions or completion of site rehabilitation;
- (b) New information confirms the existence of an area of previously unknown contamination which exceeds the site-specific rehabilitation levels established in accordance with Section 376.30701(2), F.S., or which otherwise poses the threat of real and substantial harm to public health, safety, or the environment;
- (c) The level of risk is increased beyond the acceptable risk established under Section 376.30701(2), F.S., due to substantial changes in exposure conditions, such as a change in land use from nonresidential to residential use. Any person who changes the land use of the site, thereby causing the level of risk to increase beyond the acceptable risk level, may be required by the Department to undertake additional remediation measures to ensure that human health, public safety, and the environment are protected consistent with Section 376.30701, F.S.; or

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- (d) A new discharge of pollutants or hazardous substances occurs at the site subsequent to the issuance of this Order.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, F.S., within **21** days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

- A. If you choose to accept the Department's decision regarding this Conditional SRCO, you do not have to do anything. This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order.
- B. If you choose to challenge the decision, you may do the following:
1. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing; or
 2. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order.

Please be advised that mediation of this decision pursuant to section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different Isle of Capri (Pompano Harness Track) (Mr. Kevin Wright), shall mail a copy of the request to Isle of Capri Casinos, Inc. (C/O Kevin Wright), 600 Emerson Road, Suite 300, St. Louis, MO 63141 at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

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How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from Isle of Capri (Pompano Harness Track) (Mr. Kevin Wright), shall mail a copy of the petition to Isle of Capri Casinos, Inc. (C/O Kevin Wright), 600 Emerson Road, Suite 300, St. Louis, MO 63141 at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsection 120.569(2), F.S., and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the site owner's name and address, if different from the petitioner; the DEP facility number; and the name and address of the facility;
- b) A statement of when and how each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the

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Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department (see below).

Questions

Any questions regarding the Department's review of your No Further Action Proposal should be directed to John Bryant at (561) 681-6631 or John.C.Bryant@dep.state.fl.us. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



Jason Andreotta, Director
Southeast District Office

July 18, 2019
Date

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.



Clerk

July 18, 2019
Date

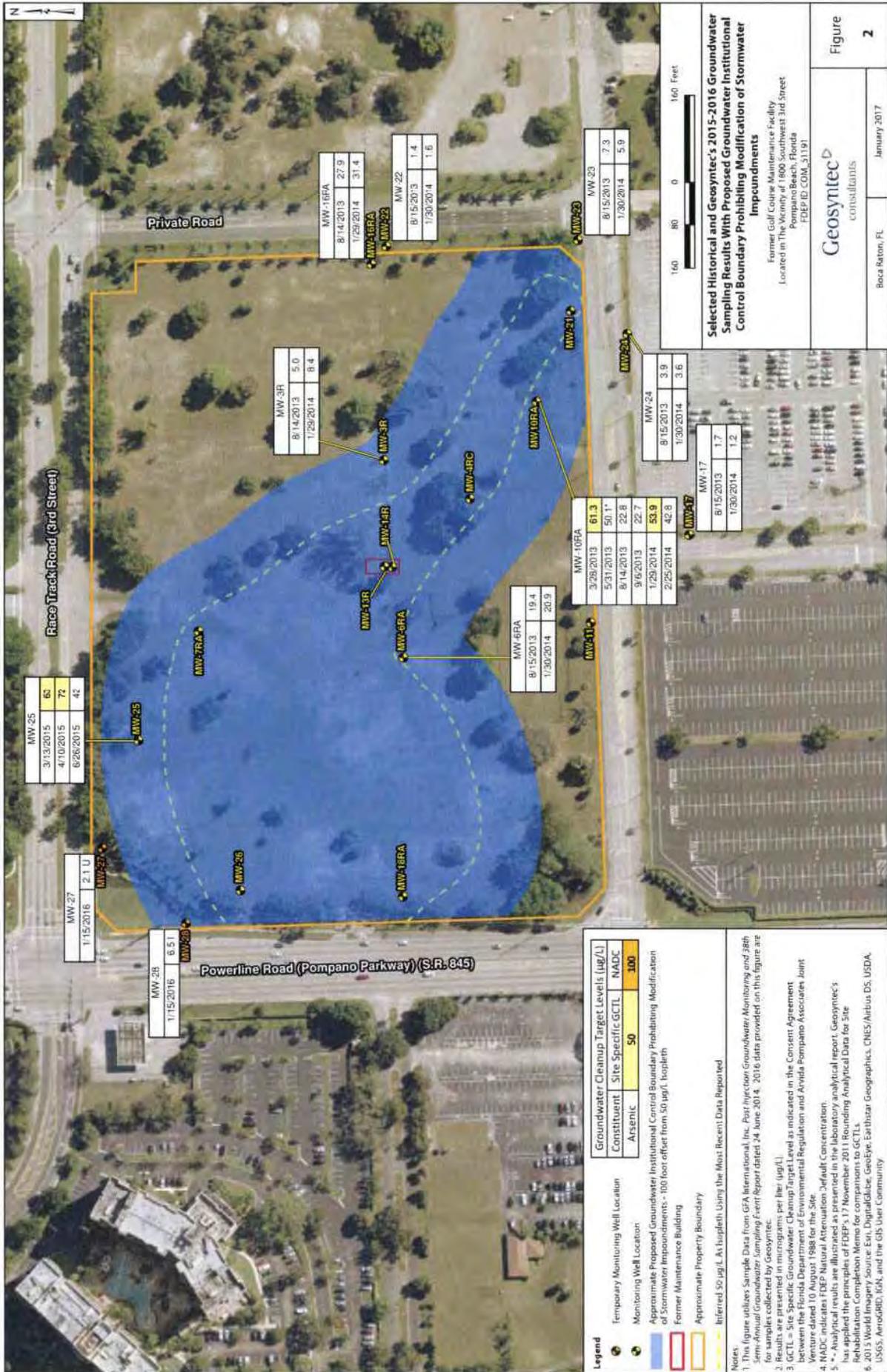
CC: Lorenzo Fernandez, Broward County EPD, (lfernandez@broward.org)
Anthony Vomero, Broward County Health Department,
(Anthony.Vomero@flhealth.gov)

Mr. Kevin Wright
Isle of Capri (Pompano Harness Track)
COM_51191

William Ware, P.G., Geosyntec, (bware@geosyntec.com)
Dan Taylor, Tripp Scott, (DET@trippscott.com)
J. Chris Herin, P.G., Geosyntec, (cherin@geosyntec.com)
John Wilson, Isle of Capri Casinos, Inc. (John.wilson@islecorp.com)
David Vanlandingham, Broward County, (dvanlandingham@broward.org)
FDEP: Bill Gwaltney

Enclosures: Exhibit A, B & C: Map(s) of the properties affected by this Order;
Exhibit D: Analytical summary table for groundwater;
Exhibit E: Declaration of Restrictive Covenant





MW-25	3/13/2015	63
	4/10/2015	72
	6/26/2015	42

MW-27	1/15/2016	2.1 U

MW-26	1/15/2016	6.51

MW-3R	8/14/2013	5.0
	1/29/2014	8.4

MW-16RA	8/14/2013	27.9
	1/29/2014	31.4

MW-22	8/15/2013	1.4
	1/30/2014	1.6

MW-6RA	8/15/2013	19.4
	1/30/2014	20.9

MW-10FA	3/28/2013	61.3
	5/31/2013	50.1*
	8/14/2013	22.8
	9/6/2013	22.7
	1/29/2014	53.9
	2/25/2014	42.8

MW-24	8/15/2013	3.9
	1/30/2014	3.6

MW-17	8/15/2013	1.7
	1/30/2014	1.2

Groundwater Cleanup Target Levels (µg/L)		
Constituent	Site Specific GCTL	NADC
Arsenic	50	100

Legend

- Temporary Monitoring Well Location
- Monitoring Well Location
- Approximate Proposed Groundwater Institutional Control Boundary Prohibiting Modification of Stormwater Impoundments - 100 foot offset from 50 µg/L Isopleth
- Former Maintenance Building
- Approximate Property Boundary
- Inferred 50 µg/L Ar Isopleth Using the Most Recent Data Reported

Notes:

- This figure utilizes Sample Data from GFA International, Inc. Post Injection Groundwater Monitoring and 36th Semi-Annual Groundwater Sampling Event Report dated 24 June 2014. 2016 Data provided on this figure are for samples collected by Geosyntec.
- Results are presented in micrograms per liter (µg/L).
- GCTL = Site Specific Groundwater Cleanup Target Level as indicated in the Consent Agreement Venture dated 10 August 1988 for this Site.
- NADC indicates FDEP Natural Attenuation Default Concentration.
- ** Analytical results are illustrated as presented in the laboratory analytical report. Geosyntec has applied the principles of FDEP's 17 November 2011 Rounding Analytical Data for Site Rehabilitation Completion Memo for comparison to GCTLs.
- 2015 World Imagery source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Selected Historical and Geosyntec's 2015-2016 Groundwater Sampling Results With Proposed Groundwater Institutional Control Boundary Prohibiting Modification of Stormwater Impoundments

Former Golf Course Maintenance Facility
 Located in The Vicinity of 1600 Southwest 3rd Street
 Pompano Beach, Florida
 FDEP ID: COM-31191

Geosyntec
 consultants

Boca Raton, FL January 2017

Figure **2**

Sample ID	4/29/2004		8/30/2004		12/27/2004		3/3/2005		7/6/2005		10/12/2005		2/2/2006		4/27/2006		7/31/2006		10/31/2006		2/16/2007	
	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe	As	Fe
MW-1	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-2	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-3/3R	0.01	0.041	0.01	0.15	0.03	0.18	0.02	0.13	0.011	0.054	0.013	0.019	0.02	0.03	0.03	0.01	BDL	0.01	BDL	0.11	0.12	0.02
MW-4/4RA/4RB/4RC	0.11	0.056	0.17	0.36	0.09	0.08	0.11	0.08	0.12	0.07	0.100	0.038	0.11	0.07	0.07	0.10	0.10	0.10	0.11	0.11	0.12	0.12
MW-5	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-6/6R/6RA	0.06	0.024	0.07	0.03	0.14	0.18	0.11	0.09	0.034	BDL	0.039	BDL	0.10	0.06	0.06	0.02	0.04	0.02	0.04	0.04	0.03	0.03
MW-7/7R/7RA	0.08	0.32	0.11	0.62	0.12	0.36	0.12	0.34	0.12	2.1	0.160	0.570	0.14	0.09	0.09	0.07	0.07	0.07	0.07	0.07	0.05	0.05
MW-8	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-9	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-10/10R/10RA	0.18	0.14	0.21	0.08	0.18	0.11	0.2	0.07	0.15	0.12	0.200	0.039	0.16	0.13	0.13	0.14	0.14	0.13	0.13	0.13	0.15	0.15
MW-11	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-12	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-13/13R	BDL	0.049	BDL	0.04	0.01	0.02	BDL	0.03	0.015	0.026	0.019	BDL	0.01	BDL	0.01	BDL	0.01	BDL	0.01	BDL	BDL	BDL
MW-14/14R	0.2	0.67	0.21	0.73	0.25	0.54	0.21	0.37	0.16	0.49	0.190	0.067	0.25	0.13	0.13	0.10	0.10	0.10	0.16	0.16	0.21	0.21
MW-15	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-16/16R/16RA	0.02	0.31	0.03	0.44	0.05	2.4	0.04	0.39	0.034	1.2	0.056	0.089	0.07	0.04	0.04	0.02	0.04	0.02	0.04	0.04	0.03	0.03
MW-17	BDL	0.029	BDL	0.02	BDL	0.02	BDL	0.02	BDL	0.015	BDL	0.024	BDL									
MW-18/18R/18RA	0.13	0.38	0.15	0.15	0.08	0.45	0.07	0.36	0.13	0.32	0.094	0.270	0.09	0.04	0.04	0.08	0.08	0.08	0.06	0.06	0.06	0.06
MW-19	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-20	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MW-21	0.09	0.19	0.09	0.43	0.08	0.5	0.05	0.35	0.15	0.058	0.130	0.053	0.15	0.09	0.09	0.09	0.09	0.09	0.12	0.12	0.14	0.14
MW-22	BDL	0.19	BDL	0.09	BDL	0.04	BDL	0.08	BDL	0.026	0.010	0.047	BDL									
MW-23	BDL	0.3	BDL	0.26	BDL	0.4	BDL	0.73	NS	NS	BDL	0.260	BDL									
MW-24	BDL	0.23	0.02	0.14	0.02	0.2	0.01	0.12	0.02	0.062	0.018	0.070	BDL	BDL	BDL	0.01	BDL	0.01	BDL	BDL	BDL	BDL

Sample ID	7/30/2007	1/23/2008	7/7/2008	2/19/2008	7/10/2009	1/15/2010	3/8/2011	3/28/2013	5/31/2013	8/13&15/2013	1/29&30/2014	2/25/2014
	Arsenic	As	As	As								
MW-1	NS											
MW-2	NS											
MW-3/3R	0.010	0.022	0.011	0.019	0.004	0.005	0.013	NS	NS	0.324	0.008	NS
MW-4/4RA/4RB/4RC	0.12	NS	NS	NS	0.128	0.073	0.069	NS	NS	0.056	0.084	NS
MW-5	NS											
MW-6/6R/6RA	0.022	0.060	0.032	0.029	0.019	0.020	0.021	NS	NS	0.019	0.021	NS
MW-7/7R/7RA	0.083	0.092	0.090	0.085	0.076	0.086	0.070	NS	NS	0.073	0.068	NS
MW-8	NS											
MW-9	NS											
MW-10/10R/10RA	0.064	0.069	0.070	0.086	0.039	0.029	0.092	0.061	0.051	0.0228	0.054	BDL
MW-11	NS											
MW-12	NS											
MW-13/13R	0.012	0.010	0.009	0.010	0.011	0.010	0.009	NS	NS	0.014	0.027	NS
MW-14/14R	0.15	0.20	0.17	0.170	0.137	0.086	0.222	0.202	0.078	0.102	0.235	0.432
MW-15	NS											
MW-16/16R/16RA	0.039	0.045	0.056	0.048	0.023	0.041	0.042	NS	NS	0.027	0.031	NS
MW-17	0.0015	0.0017 i	0.0015 i	0.00095 i	BDL	0.002	BDL	NS	NS	0.0017	0.001	NS
MW-18/18R/18RA	0.053	0.045	0.051	0.050	0.061	0.091	0.045	NS	NS	0.054	0.98	NS
MW-19	NS											
MW-20	NS											
MW-21	0.14	0.13	0.17	0.260	0.255	0.212	0.054	NS	NS	0.038	0.09	NS
MW-22	0.0019	0.0012 i	0.0024	0.0028	BDL	0.005	BDL	NS	NS	0.0014	0.002	NS
MW-23	0.0017	0.0011 i	0.0018 i	0.0047	BDL	0.007	BDL	NS	NS	0.0073	0.006	NS
MW-24	0.0073	0.0047	0.0046	0.011	0.016	0.007	0.008	NS	NS	0.0037	0.004	NS

i = estimated value, concentration is above the laboratory method detection limit (MDL) but below the practical quantitation limit (PQL).

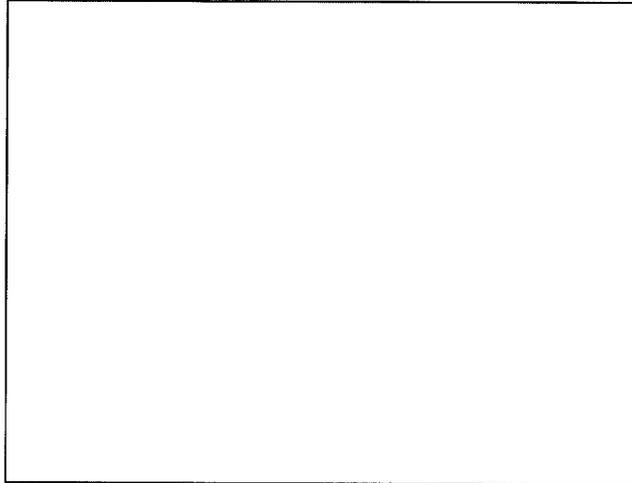
(0.029) = Denotes Confirmation Sampling

Bolded: Concentration of arsenic Exceeds the GCTL in mg/L

italic: Concentration Exceeds the NADC in mg/L

NS = Not Sampled; BDL: Below Method Detection Level

Exhibit E



This instrument prepared by:
Daniel E. Taylor, Esq.
Tripp Scott, P.A.
110 Southeast 6th Street, 15th Floor
Fort Lauderdale, FL 33301

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made by POMPANO PARK HOLDINGS L.L.C., a Florida limited liability company (hereinafter "GRANTOR") and the Florida Department of Environmental Protection (hereinafter "FDEP").

RECITALS

A. GRANTOR is the fee simple owner of that certain real property situated in the County of Broward, State of Florida, consisting of approximately 20-acres area of land more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property").

B. The FDEP Facility Identification Number for the Property is COM_51191, and OGC # 88-0564. The facility name at the time of this Declaration is Isle of Capri - Former Pompano Harness Track. This Declaration addresses arsenic contaminated soil and groundwater that was reported to the FDEP on May 23, 1988. This Declaration of Restrictive Covenant replaces a previous set of Restrictive Covenants which were put

in place by the Tripp Scott law firm in 1998, relating to contamination associated with the Property relating to OGC # 88-0564.

C. The presence of agrichemicals including arsenic on the Property is documented in the following more recent arsenic-contamination-focused reports that are incorporated by reference:

1. Conceptual Remedial Design & Pilot Study Report dated 30 September 2011, submitted by GFA International, Inc.;
2. Pilot Study Implementation and (37th) Groundwater Monitoring Report dated November 2013, submitted by GFA International, Inc.;
3. Post Injection Monitoring & 38th Semi-Annual Groundwater Monitoring Report dated 24 June 2014, submitted by GFA International, Inc.;
4. Site Assessment Status Update and Proposal for No Further Action with Conditions Report dated 18 November 2016, submitted by Geosyntec Consultants Inc.;
5. Responses to FDEP 9 December 2016 Review Comments Regarding Geosyntec's Site Assessment Status Update and Proposal for No Further Action with Conditions Report (dated 18 November 2016) dated 20 January 2017, submitted by Geosyntec Consultants Inc.; and
6. Consent Agreement between State of Florida Department of Environmental Regulations vs Arvida Pompano Associates Joint Venture, filed 10 August 1988.

D. The reports noted in Recital C set forth the nature and extent of the contamination described in Recital C that is located on the Property. These reports confirm that arsenic contaminated soil and groundwater as defined by Chapter 62-780, Florida Administrative Code (F.A.C.), exists on the Property. Also, these reports document that the arsenic groundwater contamination at the Property does not extend southwest (historically observed downgradient direction) beyond the Property boundary, that the extent of the groundwater contamination is approximately 8.8 acres in size, and the groundwater contamination is not migrating downgradient. Furthermore, these reports illustrate that arsenic soil contamination is present within the Property at concentrations that do not exceed the industrial direct exposure soil cleanup target level. This Declaration imposes Property-wide restrictions on the area of soil contamination. Additionally, this Declaration imposes a Property-wide restriction on groundwater usage as well as a restriction on a portion of the Property regarding the construction of new stormwater drainage features.

E. It is the intent that the restrictions in this Declaration reduce or eliminate the risk of exposure of users or occupants of the Property and the environment to the arsenic contaminants and to reduce or eliminate the threat of migration of the arsenic contaminants.

F. FDEP has agreed to issue a Site Rehabilitation Completion Order with Conditions (hereinafter "Order") for arsenic contaminated soil and groundwater at the

Property upon recordation of this Declaration. FDEP can unilaterally revoke the Order if the conditions of this Declaration or of the Order are not met. Additionally, if a subsequent discharge occurs at the Property, FDEP may require site rehabilitation to reduce concentrations of contamination to the levels allowed by the applicable FDEP rules. The Order relating to FDEP Facility No. COM_51191, can be obtained by contacting the appropriate FDEP district office or Tallahassee program area.;

G. GRANTOR deems it desirable and in the best interest of all present and future owners of the Property that an Order be obtained and that the Property be held subject to certain restrictions and institutional controls, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, to induce FDEP to issue the Order and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. GRANTOR hereby imposes the following restrictions and requirements.

GROUNDWATER USE RESTRICTIONS:

2.a.i. There shall be no use of the groundwater under the Property. There shall be no drilling for water conducted on the Property, nor shall any wells be installed on the Property other than monitoring or other wells pre-approved in writing by FDEP's Division of Waste Management (DWM) in addition to any authorizations required by the Division of Water Resource Management (DWRM) and the Water Management District (WMD).

2.a.ii. For any dewatering activities on the Property, a plan approved by FDEP's DWM must be in place to address and ensure the appropriate handling, treatment and disposal of any extracted groundwater that may be contaminated.

2.a.iii. As of the date of this Declaration, there are no existing stormwater swales, stormwater detention or retention facilities, and ditches on the Property. Attached as Exhibit B, and incorporated herein by reference, is a Sketch and Description describing a portion of the Property as the "Stormwater Feature Restriction Area," where existing stormwater features shall not be altered, modified or expanded, and there shall be no construction of new stormwater swales, stormwater detention or retention facilities or ditches on the "Stormwater Feature Restriction Area" without prior written approval from FDEP's DWM in addition to any authorizations required by the DWRM and the WMD. A revised exhibit must be recorded when any stormwater feature is altered, modified, expanded, or constructed within the Stormwater Feature Restriction Area.

LAND-USE RESTRICTIONS:

- 2.b. The following uses of the Property are prohibited: agricultural use of the land including forestry, fishing and mining; residential uses, and educational uses such as elementary or secondary schools, or day care services. These prohibited uses are specifically defined by using the North American Industry Classification System, United States, 2012 (NAICS), Executive Office of the President, Office of Management and Budget. The prohibited uses by code are: Sector 11 Agriculture, Forestry, Fishing and Hunting; Subsector 212 Mining (except Oil and Gas); Subsector 6111 Elementary and Secondary Schools; Subsector 623 Nursing and Residential Care Facilities; Subsector 624 Social Assistance; and Subsector 814 Private Households.
3. In the remaining paragraphs, all references to "GRANTOR" and "FDEP" shall also mean and refer to their respective successors and assigns.
4. For the purpose of monitoring the restrictions contained herein, FDEP is hereby granted a right of entry upon, over and through and access to the Property at reasonable times and with reasonable notice to GRANTOR.
5. It is the intention of GRANTOR that this Declaration shall touch and concern the Property, run with the land and with the title to the Property, and shall apply to and be binding upon and inure to the benefit of GRANTOR and FDEP, and to any and all parties hereafter having any right, title or interest in the Property or any part thereof. FDEP may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of FDEP to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of FDEP's rights hereunder. This Declaration shall continue in perpetuity, unless otherwise modified in writing by GRANTOR and FDEP as provided in paragraph 7 hereof. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by these restrictions. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify FDEP in writing within three (3) calendar days. Additionally, GRANTOR shall notify FDEP thirty (30) days prior to any conveyance or sale, granting or transferring the Property or portion thereof, to any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Property.
6. In order to ensure the perpetual nature of this Declaration, GRANTOR shall record this declaration, and reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Property, GRANTOR agrees to notify in writing all proposed tenants of the Property of the existence and contents of this Declaration of Restrictive Covenant.

7. This Declaration is binding until a release of covenant is executed by the FDEP Secretary (or designee) and is recorded in the public records of the county in which the land is located. To receive prior approval from FDEP to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes and FDEP rules must be achieved. This Declaration may be modified in writing only. Any subsequent amendment must be executed by both GRANTOR and FDEP and be recorded by GRANTOR as an amendment hereto.

8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provisions of the Declaration. All such other provisions shall continue unimpaired in full force and effect.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Property in fee simple and has good right to create, establish, and impose this restrictive covenant on the use of the Property.

[The Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, POMPANO PARK HOLDINGS L.L.C., a Florida limited liability company, has executed this instrument, this 12 day of June, 2019.

GRANTOR:
POMPANO PARK HOLDINGS L.L.C.,
a Florida limited liability company

By: [Signature]
Name: Edmund L. Quatmann, Jr.
Title: Authorized Representative or Chief Legal Officer
Full Mailing Address: 100 W. Liberty Street
Suite 1150, Reno, Nevada 89501

Signed, sealed and delivered in the presence of:

[Signature: Marie A Schikal] Date: June 12, 2019

Witness
Print Name: Marie A Schikal

[Signature: Kerri Latimer-Hooper] Date: 6-12-19

Witness
Print Name: Kerri Latimer-Hooper

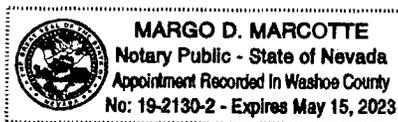
STATE OF Nevada)

COUNTY OF Washoe)

The foregoing instrument was acknowledged before me this 12 day of June 2019, by Edmund L. Quatmann, Jr.

Personally Known X OR Produced Identification _____
Type of Identification Produced _____

[Signature: Margo D. Marcotte]
Signature of Notary Public



Approved as to form by the Florida Department of Environmental Protection, Office of General Counsel _____

IN WITNESS WHEREOF, the Florida Department of Environmental Protection has executed this instrument, this 3rd day of July, 2019.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Jason Andreotta
JASON ANDREOTTA
Director of District Management
Department of Environmental Protection
Southeast District
3301 Gun Club Road, MCS7210-1
West Palm Beach, Florida 33406

Signed, sealed and delivered in the presence of:

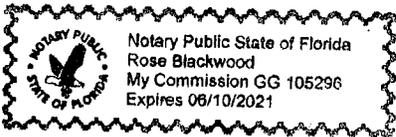
Witness: Nora P. DeLosantos Date: 07/03/2019
Print Name: NORA P. DELOSANTOS

Witness: J C Bryant Date: 07/03/2019
Print Name: John C Bryant

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 3rd day of July, 2019, by JASON ANDREOTTA as representative for the Florida Department of Environmental Protection.

Personally Known OR Produced Identification _____
Type of Identification Produced _____



Rose Blackwood
Signature of Notary Public
Print Name of Notary Public
Commission No. GG105296
Commission Expires: 6/10/2021

Exhibit "A"

Legal Description

Tract "A" of ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida; said lands situate, lying and being in Broward County, Florida.

Exhibit "B"

**Sketch and Description describing a portion of the Property
as the "Stormwater Feature Restriction Area"**

[see next 6 pages]

EXHIBIT

B

Sketch & Description
Tract "A" Arvida Pompano Park
Stormwater Feature Restriction Area
Section 3, Township 49 South, Range 42 East
Broward County, Florida

Stormwater Feature Restriction Area Description:

A parcel of land being a portion of Tract "A", ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida, said lands situate, lying and being in Broward County, Florida.

COMMENCE at a point marking the Southeast corner of Tract "A", ARVIDA POMPANO PARK, according to the Plat thereof, recorded in Plat Book 137, Page 33, of the Public Records of Broward County, Florida; thence coincident with the South boundary of said Tract "A", S 87°28'34" W a distance of 233.60 feet to a point coincident with a non-tangent curve concave to the South, said curve having a radius of 597.41 feet, a delta angle of 06°11'01" and being subtended by a chord bearing N 72°36'19" W for a distance of 64.44 feet; thence departing said South boundary coincident with the arc of said curve a distance of 64.48 feet; thence N 75°45'37" W a distance of 39.26 feet to a point coincident with a non-tangent curve concave to the Northeast, said curve having a radius of 299.57 feet, a delta angle of 20°58'23" and being subtended by a chord bearing N 65°35'44" W for a distance of 109.05 feet; thence coincident with the arc of said curve a distance of 109.66 feet; thence N 51°14'28" W a distance of 99.52 feet to a point coincident with a non-tangent curve concave to the Southwest, said curve having a radius of 595.73 feet, a delta angle of 04°57'42" and being subtended by a chord bearing N 53°30'25" W for a distance of 51.57 feet; thence coincident with the arc of said curve a distance of 51.59 feet to a point of compound curvature with a curve concave to the Southwest, said curve having a radius of 249.57 feet, a delta angle of 16°14'04" and being subtended by a chord bearing N 61°18'49" W for a distance of 70.48 feet; thence coincident with the arc of said curve a distance of 70.71 feet to a point of reverse curvature with a curve concave to the North, said curve having a radius of 428.98 feet, a delta angle of 31°11'50" and being subtended by a chord bearing S 60°38'47" W for a distance of 230.70 feet; thence coincident with the arc of said curve a distance of 233.58 feet to a point of compound curvature with a curve concave to the North, said curve having a radius of 384.44 feet, a delta angle of 19°29'41" and being subtended by a chord bearing S 83°07'03" W for a distance of 130.17 feet; thence coincident with the arc of said curve a distance of 130.80 feet; to a point of compound curvature with a curve concave to the Northeast, said curve having a radius of 211.88 feet, a delta angle of 39°30'28" and being subtended by a chord bearing N 67°20'13" W for a distance of 143.22 feet; thence coincident with the arc of said curve a distance of 146.10 feet to a point coincident with the East right-of-way boundary of Powerline Road; thence coincident with said East right-of-way boundary, N 02°18'04" W a distance of 568.96 feet; thence departing said East right-of-way boundary, N 63°44'45" E a distance of 76.08 feet; thence N 69°17'15" E a distance of 70.00 feet; thence N 74°23'56" E a distance of 68.22 feet; thence N 78°48'52" E a distance of 15.22 feet; thence N 83°10'39" E a distance of 53.29 feet;

CONTINUED ON SHEET 2...

Digitally signed by:

Stacy Brown

Date: 2019.04.03 15:21:34 -05'00'



Stacy L. Brown P.S.M. No. 6516
 SurvTech Solutions, Inc. LB No. 7340

Project No.: 20170054
 Phase: 1
 Drawing Name: 20170054_ISK2
 Last Field Date: N/A
 Field Book/Page: N/A

Drafted By: T. McClintic
 Date Drafted: 05/03/17
 Revision Date: 04-03-19
 Approved By: S. Brown
 Date Approved: 05/04/17

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS
 10220 U.S. Highway 92 East, Tampa, FL 33610
 phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
 email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>

- 1.) Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 2.) The bearing structure for this survey is based on a Florida East State Plane grid bearing of N 89°40'44" E for the South Right-of-way Boundary of Racetrack Road, also being the North Boundary of Tract "A".
- 3.) THIS IS NOT A BOUNDARY SURVEY.

SURVEYING TODAY WITH
 TOMORROW'S TECHNOLOGY

EXHIBIT

B

tabbles

Sketch & Description
Tract "A" Arvida Pompano Park
Stormwater Feature Restriction Area
Section 3, Township 49 South, Range 42 East
Broward County, Florida

Stormwater Feature Restriction Area Description:

...CONTINUED FROM SHEET 1

thence N 87°58'32" E a distance of 45.31 feet; thence S 89°41'32" E a distance of 7.90 feet; thence S 86°44'52" E a distance of 11.92 feet; thence N 89°56'27" E a distance of 26.68 feet to a point coincident with a non-tangent curve concave to the South, said curve having a radius of 324.58 feet, a delta angle of 08°09'34" and being subtended by a chord bearing S 85°57'27" E for a distance of 46.19 feet; thence coincident with the arc of said curve a distance of 46.22 feet; thence S 80°35'17" E a distance of 43.32 feet to a point coincident with a non-tangent curve concave to the South, said curve having a radius of 372.92 feet, a delta angle of 13°31'40" and being subtended by a chord bearing S 73°31'51" E for a distance of 87.84 feet; thence coincident with the arc of said curve a distance of 88.05 feet to a point coincident with a non-tangent curve concave to the Southwest, said curve having a radius of 157.58 feet, a delta angle of 27°00'01" and being subtended by a chord bearing S 54°10'00" E for a distance of 73.58 feet; thence coincident with the arc of said curve a distance of 74.26 feet to a point of compound curvature with a curve concave to the Southwest, said curve having a radius of 433.75 feet, a delta angle of 12°44'07" and being subtended by a chord bearing S 32°27'29" E for a distance of 96.21 feet; thence coincident with the arc of said curve a distance of 96.41 feet to a point of reverse curvature with a curve concave to the Northeast, said curve having a radius of 194.00 feet, a delta angle of 14°13'36" and being subtended by a chord bearing S 33°13'55" E for a distance of 48.05 feet; thence coincident with the arc of said curve a distance of 48.17 feet; thence S 40°03'27" E a distance of 47.69 feet to a point coincident with a non-tangent curve concave to the Southwest, said curve having a radius of 400.28 feet, a delta angle of 17°18'00" and being subtended by a chord bearing S 32°56'05" E for a distance of 120.40 feet; thence coincident with the arc of said curve a distance of 120.86 feet; thence S 23°46'53" E a distance of 44.39 feet; thence S 25°38'59" E a distance of 27.03 feet; thence S 30°49'46" E a distance of 28.13 feet to a point coincident with a non-tangent curve concave to the Northeast, said curve having a radius of 89.27 feet, a delta angle of 09°46'40" and being subtended by a chord bearing S 54°10'22" E for a distance of 15.22 feet; thence coincident with the arc of said curve a distance of 15.23 feet to a point of reverse curvature with a curve concave to the Southwest, said curve having a radius of 462.31 feet, a delta angle of 04°36'02" and being subtended by a chord bearing S 60°10'21" E for a distance of 37.11 feet; thence coincident with the arc of said curve a distance of 37.12 feet; thence S 56°50'13" E a distance of 34.41 feet to a point coincident with a non-tangent curve concave to the Northeast, said curve having a radius of 212.93 feet, a delta angle of 08°09'56" and being subtended by a chord bearing S 61°02'01" E for a distance of 30.32 feet; thence coincident with the arc of said curve a distance of 30.35 feet; thence S 65°53'14" E a distance of 33.19 feet to a point coincident with a non-tangent curve concave to the Southwest, said curve having a radius of 477.48 feet, a delta angle of 10°25'43" and being subtended by a chord bearing S 62°18'34" E for a distance of 86.79 feet; thence coincident with the arc of said curve a distance of 86.91 feet; thence S 54°56'05" E a distance of 57.98 feet to a point coincident with a non-tangent curve concave to the Northeast, said curve having a radius of 28.82 feet, a delta angle of 10°24'05" and being subtended by a chord bearing S 59°23'17" E for a distance of 5.22 feet; thence coincident with the arc of said curve a distance of 5.23 feet to a point of reverse curvature with a curve concave to the Southwest, said curve having a radius of 340.08 feet, a delta angle of 10°56'44" and being subtended by a chord bearing S 62°50'20" E for a distance of 64.87 feet; thence coincident with the arc of said curve a distance of 64.97 feet to a point coincident with the East boundary of said Tract "A"; thence coincident with said East boundary for the following two (2) courses: 1.) S 02°26'11" E a distance of 129.29 feet; 2.) thence S 42°34'33" W a distance of 49.62 feet to the POINT OF BEGINNING.

Containing an area of 559307.44 square feet, 12.840 acres, more or less.

PROJECT NO.: 20170054
 PHASE: 1SK2
 LAST FIELD DATE: N/A



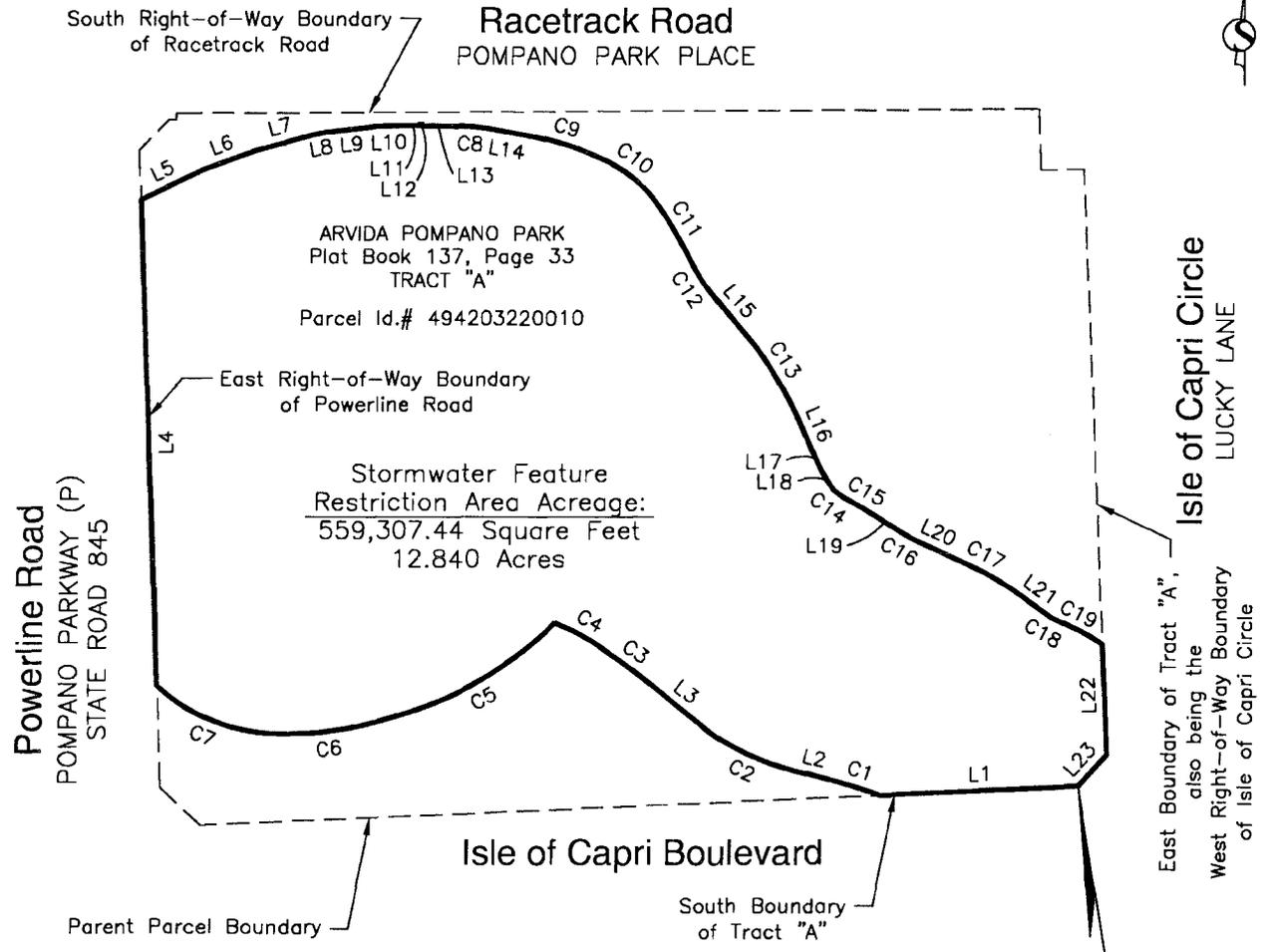
SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

10220 U.S. Highway 92 East, Tampa, FL 33610
 phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
 email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>

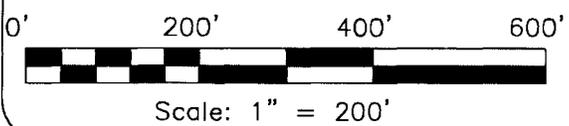
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EXHIBIT
B

Sketch & Description
Tract "A" Arvida Pompano Park
Stormwater Feature Restriction Area
Section 3, Township 49 South, Range 42 East
Broward County, Florida



Note: See Sheet 5 for Line and Curve Information



PROJECT NO.: 20170054
 PHASE: 1SK2
 LAST FIELD DATE: N/A



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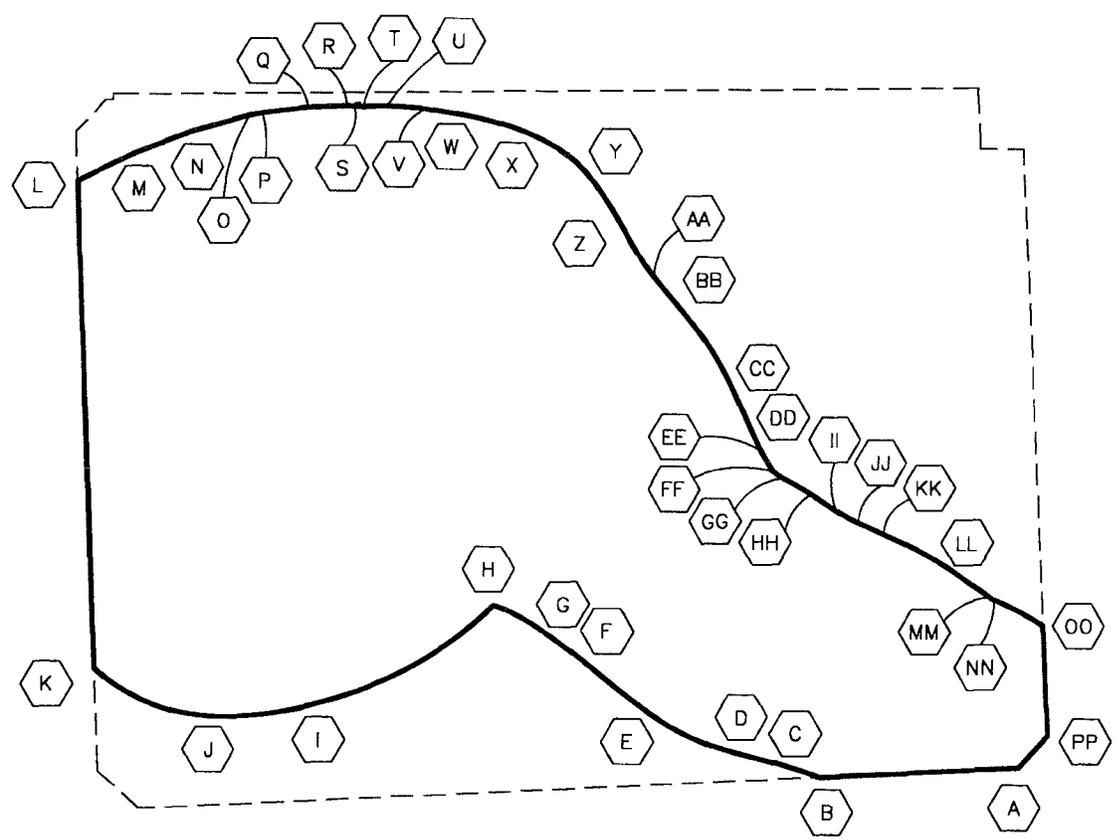
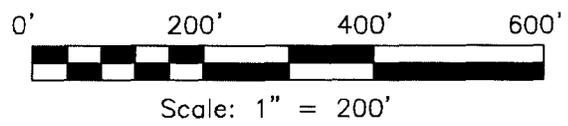
Drawing Name: 20170054_1SK2

EXHIBIT

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B

Sketch & Description
 Tract "A" Arvida Pompano Park
 Stormwater Feature Restriction Area
 Section 3, Township 49 South, Range 42 East
 Broward County, Florida



Note: See Sheet 6 for Coordinate Information

PROJECT NO.: 20170054
 PHASE: 1SK2
 LAST FIELD DATE: N/A



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 email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>

Drawing Name: 20170054_1SK2

EXHIBIT**B**

tabbles

Sketch & Description
 Tract "A" Arvida Pompano Park
 Stormwater Feature Restriction Area
 Section 3, Township 49 South, Range 42 East
 Broward County, Florida

Line Information:

LINE	BEARING	DISTANCE
L1	S 87°28'34" W	233.60'
L2	N 75°45'37" W	39.26'
L3	N 51°14'28" W	99.52'
L4	N 02°18'04" W	568.96'
L5	N 63°44'45" E	76.08'
L6	N 69°17'15" E	70.00'
L7	N 74°23'56" E	68.22'
L8	N 78°48'52" E	15.22'
L9	N 83°10'39" E	53.29'
L10	N 87°58'32" E	45.31'
L11	S 89°41'32" E	7.90'
L12	S 86°44'52" E	11.92'
L13	N 89°56'27" E	26.68'
L14	S 80°35'17" E	43.32'
L15	S 40°03'27" E	47.69'
L16	S 23°46'53" E	44.39'
L17	S 25°38'59" E	27.03'
L18	S 30°49'46" E	28.13'
L19	S 56°50'13" E	34.41'
L20	S 65°53'14" E	33.19'
L21	S 54°56'05" E	57.98'
L22	S 02°26'11" E	129.29'
L23	S 42°34'33" W	49.62'

Curve Information:

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C1	597.41'	64.48'	N 72°36'19" W	64.44'	6°11'01"	32.27'
C2	299.57'	109.66'	N 65°35'44" W	109.05'	20°58'23"	55.45'
C3	595.73'	51.59'	N 53°30'25" W	51.57'	4°57'42"	25.81'
C4	249.57'	70.71'	N 61°18'49" W	70.48'	16°14'04"	35.60'
C5	428.98'	233.58'	S 60°38'47" W	230.70'	31°11'50"	119.76'
C6	384.44'	130.80'	S 83°07'03" W	130.17'	19°29'41"	66.04'
C7	211.88'	146.10'	N 67°20'13" W	143.22'	39°30'28"	76.09'
C8	324.58'	46.22'	S 85°57'27" E	46.19'	8°09'34"	23.15'
C9	372.92'	88.05'	S 73°31'51" E	87.84'	13°31'40"	44.23'
C10	157.58'	74.26'	S 54°10'00" E	73.58'	27°00'01"	37.83'
C11	433.75'	96.41'	S 32°27'29" E	96.21'	12°44'07"	48.40'
C12	194.00'	48.17'	S 33°13'55" E	48.05'	14°13'36"	24.21'
C13	400.28'	120.86'	S 32°56'05" E	120.40'	17°18'00"	60.89'
C14	89.27'	15.23'	S 54°10'22" E	15.22'	9°46'40"	7.64'
C15	462.31'	37.12'	S 60°10'21" E	37.11'	4°36'02"	18.57'
C16	212.93'	30.35'	S 61°02'01" E	30.32'	8°09'56"	15.20'
C17	477.48'	86.91'	S 62°18'34" E	86.79'	10°25'43"	43.57'
C18	28.82'	5.23'	S 59°23'17" E	5.22'	10°24'05"	2.62'
C19	340.08'	64.97'	S 62°50'20" E	64.87'	10°56'44"	32.58'

PROJECT NO.: 20170054
 PHASE: 1SK2
 LAST FIELD DATE: N/A



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Drawing Name: 20170054_1SK2

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Sketch & Description
Tract "A" Arvida Pompano Park
Stormwater Feature Restriction Area
Section 3, Township 49 South, Range 42 East
Broward County, Florida

Coordinate Information:

Designation	Northing Florida East NAD 1983 US Survey Feet	Easting Florida East NAD 1983 US Survey Feet
A	688088.10	933832.40
B	688077.82	933599.02
C	688097.08	933537.53
D	688106.74	933499.47
E	688151.79	933400.17
F	688214.10	933322.57
G	688244.77	933281.11
H	688278.60	933219.28
I	688165.51	933018.20
J	688149.91	932888.96
K	688205.09	932756.80
L	688773.59	932733.96
M	688807.25	932802.19
N	688832.01	932867.67
O	688850.36	932933.38
P	688853.31	932948.31
Q	688859.64	933001.22
R	688861.24	933046.49
S	688861.20	933054.39
T	688860.52	933066.29
U	688860.55	933092.97

Coordinate Information:

Designation	Northing Florida East NAD 1983 US Survey Feet	Easting Florida East NAD 1983 US Survey Feet
V	688857.29	933139.04
W	688850.21	933181.78
X	688825.30	933266.02
Y	688782.23	933325.67
Z	688701.05	933377.30
AA	688660.86	933403.63
BB	688624.35	933434.32
CC	688523.30	933499.79
DD	688482.68	933517.69
EE	688458.32	933529.39
FF	688434.16	933543.80
GG	688425.26	933556.14
HH	688406.80	933588.33
II	688387.98	933617.14
JJ	688373.29	933643.66
KK	688359.73	933673.96
LL	688319.40	933750.80
MM	688286.09	933798.26
NN	688283.43	933802.76
OO	688253.82	933860.47
PP	688124.64	933865.97

PROJECT NO.: 20170054
 PHASE: 1SK2
 LAST FIELD DATE: N/A



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Drawing Name: 20170054_1SK2

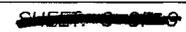
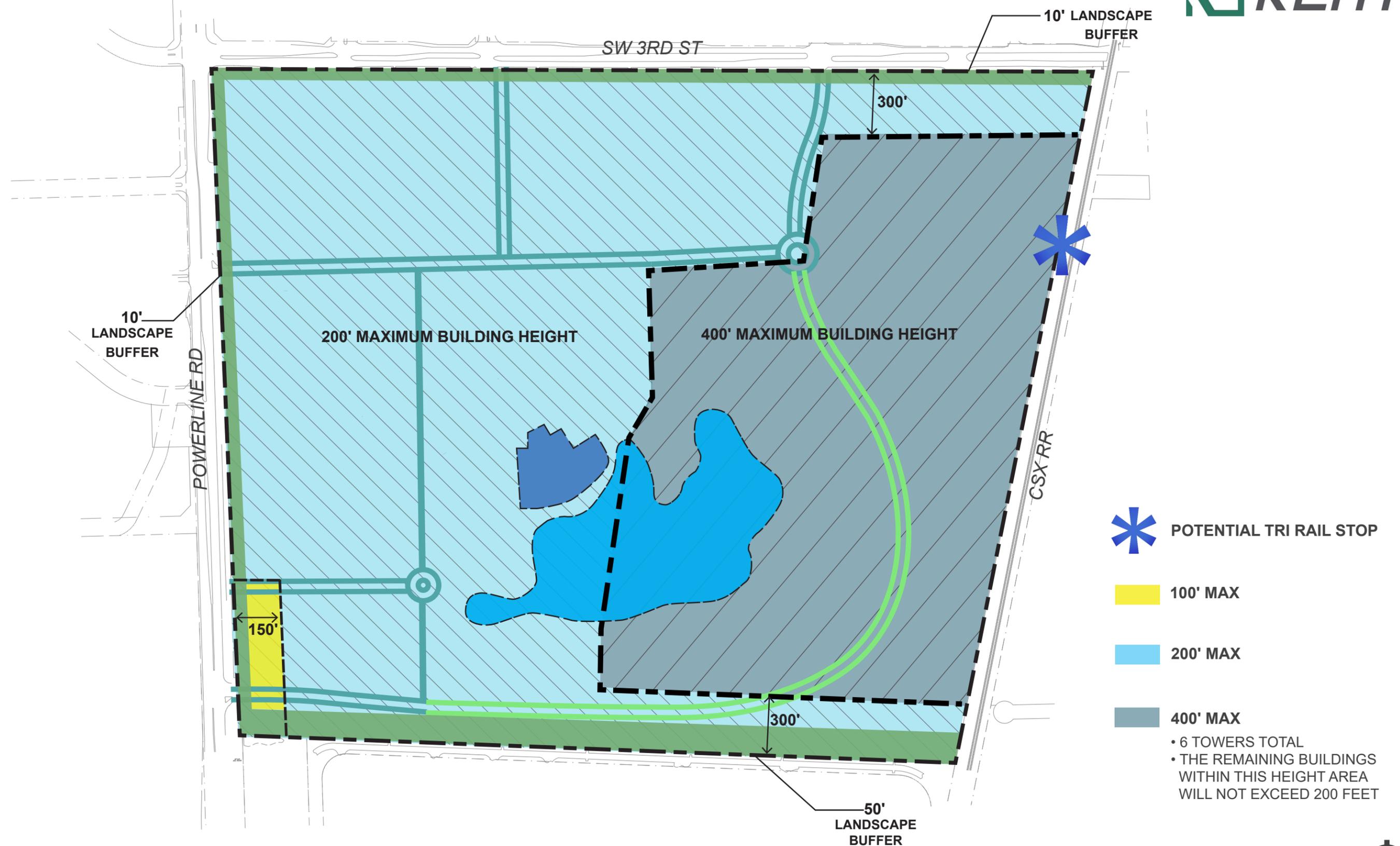


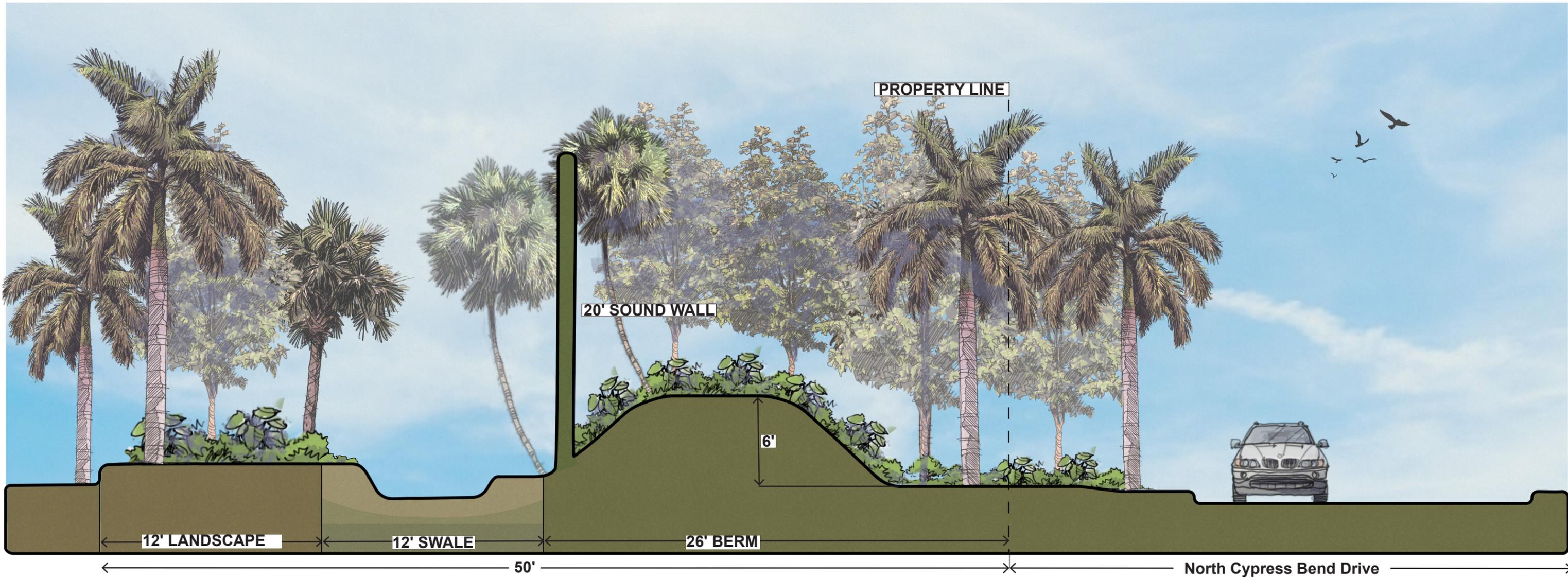
EXHIBIT U



ADDITIONAL HEIGHT RESTRICTIONS



EXHIBIT V



50' LANDSCAPE BUFFER SECTION

