

## OPINION OF TITLE

**To: The City of Pompano Beach**

With the understanding that this Opinion of Title is furnished to the City of Pompano Beach as inducement for acceptance of a proposed plat covering the real property hereinafter described; it is hereby certified that the following report reflects a comprehensive search of the Public Records affecting the hereinafter property covering the period from the beginning to the 20<sup>th</sup> day of September, 2022 at the hour of 11:00 p.m.:

### Legal Description:

A PORTION OF GOVERNMENT LOT 8 IN SECTION 4, TOWNSHIP 49 SOUTH, RANGE 42 EAST TOGETHER WITH A PORTION OF TRACT A, THE WORLD OF PALM AIRE PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 114, ON PAGE 50, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT A; THENCE SOUTH 89° 34' 13" EAST ALONG THE SOUTHERLY LINE OF PALM AIRE DRIVE NORTH AS RECORDED IN OFFICIAL RECORDS BOOK 3976, ON PAGE 379 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A DISTANCE OF 366.17 FEET; THENCE SOUTH 00° 45' 58" EAST, A DISTANCE OF 123.62 FEET; THENCE SOUTH 89° 46' 12" WEST, A DISTANCE OF 140.05 FEET; THENCE SOUTH 00° 38' 36" WEST, A DISTANCE OF 196.22 FEET TO THE NORTH LINE OF AN EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 23116, PAGE 473 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE, NORTH 89° 46' 05" WEST, A DISTANCE OF 81.40 FEET; THENCE SOUTH 00° 13' 55" WEST, ALONG A LINE RADIAL TO THE NEXT DESCRIBED CURVE, A DISTANCE OF 14.00 FEET TO THE NORTH LINE OF AN ACCESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 23116, PAGE 473 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 126.41 FEET AND A CENTRAL ANGLE OF 48° 26' 44", A DISTANCE OF 106.88 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 73.50 FEET AND A CENTRAL ANGLE OF 49° 19' 26", A DISTANCE OF 63.27 FEET; THENCE NORTH 09° 19' 21" WEST, ALONG A NON-RADIAL LINE, A DISTANCE OF 114.58 FEET; THENCE SOUTH 80° 40' 39" WEST, A DISTANCE OF 34.50 FEET (THE LAST TWO DESCRIBED LINES BEING COINCIDENT WITH THE EASTERLY AND NORTHERLY BOUNDARIES OF PARCEL B OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 45095 AT PAGE 200 OF SAID PUBLIC RECORDS); THENCE NORTH 09° 19' 21" WEST, ALONG THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 44154 AT PAGE 1995 OF SAID PUBLIC RECORDS, A DISTANCE

OF 40.00 FEET; THENCE NORTH 80° 40' 39" EAST, A DISTANCE OF 34.50 FEET; THENCE NORTH 09° 19' 21" WEST, A DISTANCE OF 38.81 FEET; THENCE NORTH 00° 07' 54" EAST, A DISTANCE OF 78.34 FEET (THE LAST THREE DESCRIBED LINES BEING COINCIDENT WITH THE EASTERLY AND NORTHERLY BOUNDARIES OF PARCEL A OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 45095 AT PAGE 200 OF SAID PUBLIC RECORDS); THENCE SOUTH 89° 34' 13" EAST, ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 37.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, FLORIDA AND CONTAIN 2.222 ACRES, MORE OR LESS.

I am of the opinion that on the last mentioned dated, the fee simple title to the above-described real property was vested in the following party pursuant to Special Warranty Deed recorded on 2/22/2021, under Instrument No. 117072268, of the Public Records of Broward County, Florida:

**Names of all Owner(s) of Record:**

**PREMIUM 2600 PALM AIRE LLC, a Florida Limited Liability Company**

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**Subject to the following:**

**Mortgage(s) of Record: NONE**

**List of easements and Rights-of-Way lying within the plat boundaries:**

1. The thoroughfares shown on the Plat of The World of Palm Aire Plat No. 1, recorded in Plat Book 114, Page 50, of the Public Records of Broward County, Florida, dedicated to the perpetual use of the Public for proper purposes together with the use of easements for the construction and maintenance of utilities.
2. 15-foot utility easement contained on the Plat of The World of Palm Aire Plat No. 1, recorded in Plat Book 114, Page 50, of the Public Records of Broward County, Florida.
3. 12-foot utility easement contained on the Plat of The World of Palm Aire Plat No. 1, recorded in Plat Book 114, Page 50, of the Public Records of Broward County, Florida.
4. Reasonable easements for ingress and egress as may be required by the City of Pompano Beach, a municipal corporation of the State of Florida, for the location, construction and maintenance of water well facilities, granted under Sewer Service Agreement recorded in Official Records Book 3266, Page 20, as amended by



Modifications to Agreement recorded in Official Records Book 3360, Page 17, all of the Public Records of Broward County, Florida.

5. Reasonable easements for ingress and egress as may be required by the City of Pompano Beach, a municipal corporation of the State of Florida, for the location, construction and maintenance of water well facilities, granted under Agreement recorded in Official Records Book 3360, Page 26, of the Public Records of Broward County, Florida.
6. Obligation to convey a strip of land sufficiently wide to meet right-of-way requirements, but not exceeding fifty (50) feet on either side of the centerline of McNab Road (SE-SW 15<sup>th</sup> Street), for use as a right-of-way for such road, at such time as the location of said road is located and designated by the governmental authority having the power to so locate and designate such road, set forth and established under Agreement recorded in Official Records Book 3360, Page 26, of the Public Records of Broward County, Florida.
7. Easements for ingress to, egress from, access to and construction, operation, testing and maintenance of wells and well facilities as may be required by the City of Pompano Beach, a municipal corporation of the State of Florida, granted under Water Well Field Rights and Easement Agreement recorded in Official Records Book 20353, Page 167, of the Public Records of Broward County, Florida.
8. Right to ingress and egress easements necessary to permit construction of additional entranceways granted under Declaration of Restrictions recorded in Official Records Book 15431, Page 92, of the Public Records of Broward County, Florida.
9. Easements for pedestrian and vehicular (including, without limitation, golf and maintenance carts) access, ingress and egress, and parking over roadways, driveways, paths and parking areas, and for drainage of surface water run-off through drainage facilities, including, without limitation, drainage retention lakes, ponds and other areas, as well as rights of entry for fulfillment of maintenance obligations, granted under Maintenance and Easement Agreement recorded in Official Records Book 23116, Page 473, as modified by Modification of Maintenance and Easement Agreement recorded in Official Records Book 38397, Page 1157, all of the Public Records of Broward County, Florida.

**Other Exceptions:**

- A. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of The World of Palm Aire Plat No. 1, recorded in Plat Book 114, Page 50, of the Public Records of Broward County, Florida.
- B. Terms, conditions and provisions of that certain Lease Agreement and Modification of Amended and Restated Use and Access Agreement recorded in Official



Records Book 38397, Page 1151, and Modification of Maintenance and Easement Agreement recorded in Official Records Book 38397, Page 1157, all of the Public Records of Broward County, Florida.

- C. Covenants, conditions and restrictions (deleting there from any restrictions indicating any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the document recorded in Official Records Book 1356, Page 590, of the Public Records of Broward County, Florida.
- D. Any rights or interests as indicated by those certain instruments and Agreements recorded in Official Records Book 3266, Page 20, Official Records Book 3360, Page 17, Official Records Book 3360, Page 26, Official Records Book 4159, Page 356, Official Records Book 20353, Page 167, and Official Records Book 3458, Page 37, all of the Public Records of Broward County, Florida.
- E. Maintenance and Easement Agreement recorded in Official Records Book 23116, Page 473, of the Public Records of Broward County, Florida.
- F. Covenants, conditions and restrictions (deleting there from any restrictions indicating any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as set forth in the document recorded in Official Records Book 15431, Page 89, and Official Records Book 15431, Page 92, all of the Public Records of Broward County, Florida.
- G. Resolution recorded in Official Records Book 28837, Page 1194, of the Public Records of Broward County, Florida.
- H. Property conveyed by Special Warranty Deed recorded in Official Records Book 44154, Page 1995, and Official Records Book 45095, Page 200, all of the Public Records of Broward County, Florida.
- I. The following matters disclosed by survey prepared by Carlos Ibarra of John Ibarra & Associates, Inc., under Survey Job No. 20-003870-1, dated November 6, 2020, License Number 6770, L.B. # 7806: (a) Chain link fence located on the East side of the property; (b) Chain link fence and asphalt pavement encroach upon the 12 foot utility easement on the North and West side of property; (c) Light poles located on the West side of the property; (d) Parking Spaces encroach upon the 12 foot utility easement on the West side of the property; (e) Asphalt Pavement encroaches upon the 12 foot utility easement on the West side of the property; (f) Light Pole, Electric box and Manhole located on the South side of the property without benefit of known easement; (g) Irrigation control valve located on the East side of the property without benefit of known easement; and (h) Back flow preventer and water meters located on the North side of the property.





- J. Notice of Commencement recorded under Instrument No. 117475504 of the Public Records of Broward County, Florida.
- K. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
- L. Rights of tenants occupying all or part of the subject property under unrecorded leases or rental agreements.
- M. Any claim that any portion of the subject property is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
- N. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the subject property.
- O. Municipal and County Zoning Ordinances.
- P. Incorporation papers of municipalities.
- Q. Decrees and Ordinances creating taxing and Drainage Districts.
- R. Matters arising due to or in connection with Bankruptcy proceedings.
- S. Maps or plats and resolutions pertaining to flood criteria and all county water-control plan plats.
- T. Rico Lien Notices not filed under Clerk's File Number and recorded Broward County, Florida.
- U. Matters or information regarding, arising due to or in connection with delinquent and reinstated corporations and dissolved corporations as contained in report filed by Secretary of State pursuant to Chapter 14677 as amended by Chapter 16726 Acts of Florida 1931 and Chapter 16880 Acts of 1935.
- V. Judgments, decrees or orders for money not filed under a Clerk's File Number and recorded in Official Records Book in the Office of the Clerk of the Circuit Court of Broward County, Florida filed subsequent to January 1, 1972.
- W. Matters or information regarding, arising due to or in connection with Taxes, Tax Sales, Municipal or County liens or assessments pertaining to or affecting the subject property.

**I HEREBY CERTIFY** that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the above-described property. I



further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 4<sup>th</sup> day of January, 2023.

  
Name \_\_\_\_\_

ANDREW I. LEWIS, ESQ.  
Print Name \_\_\_\_\_

Florida Bar No. \_\_\_\_\_ 0066133 \_\_\_\_\_