

Opinion of Title

Broward county Land Development Code- Section 5-189 (c)(3)
Florida Statutes Chapter 177

To: City of Pompano Beach

With the understanding that this Opinion of Title is finished to Broward County Board of County Commissioners and 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 above described property covering the period from the beginning to the **17th day of April, 2024, at the hour of 11:00PM**, inclusive , of the following described property:

Legal Description *(must match plat legal description)*

Include reference to and copy(ies) of original deeds vesting title to current owner(s)

A parcel of land in Section 12, Township 49 South, Range 42 East, being particularly described as follows:

Commence at the Northeast corner of said Section 12; thence South on an assumed bearing along the East line of said Section 12 for 335.97 feet to the Point of Beginning; thence continue South along said East line of Section 12 for 335.97 feet; thence North 89°52'38" West for 347.09 feet to the East Right-of-Way line of Federal Highway (U.S. #1); thence North 13°48'20" East along said East Right-of-Way line for 346.24 feet; thence South 89°46'54" East for 264.47 feet to the Point of Beginning. Said lands situated, lying and being in Broward County, Florida.

I am of the opinion that on the last mentioned dated, the fee simple title to the above-described real property was vested in:

Names of all Owner(s) of Record:

1600 Federal LLC, a Delaware limited liability company

By: Nikolay Polyushkin
Its: Manager

NOTE: If any property owner is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to execute the plat dedication.

Mortgage(s) of Record *(if none, state none)*

(If any mortgage holder is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to execute the plat dedication.

1. Mortgage to Bank Ozk, mortgagee(s), recorded in Instrument Number 119348255, Public Records of Broward County, Florida.
2. Assignment of Leases, Rents, and Profits filed January 23, 2024, in Instrument Number 119348257, Public Records of Broward County, Florida.

DRC

PZ24-14000007

12/04/2024

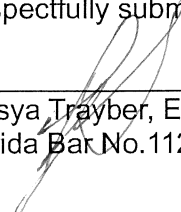
3. UCC Financing Statement between 1600 Federal LLC, a Florida limited liability company and Bank Ozk as recorded in Instrument Number 119348260, Public Records of Broward County, Florida.

List of easements and Right-of-Way lying within the plat boundaries (*if none, state none*).
(Attach copies of all recorded document(s) [excluding recorded plats])

1. Rights of the lessees under unrecorded leases.
2. Easements in favor of Broward County, contained in instruments recorded March 19, 1962 in O.R. Book 2359, Page 898 and recorded October 8, 1974 in O.R. Book 5969, Page 890, Public Records of Broward County, Florida.
3. Easement in favor of City of Pompano Beach contained in instrument recorded July 12, 1973 in O.R. Book 5359, Page 590, Public Records of Broward County, Florida.
4. Easement in favor of Florida Power & Light Company contained in instrument recorded October 21, 1974 in O.R. Book 5982, Page 521, Public Records of Broward County, Florida.
5. Notice of Lien Prohibition in Lease recorded May 28, 1998 in O.R. Book 28287, Page 671, re-recorded in O.R. Book 28458, Page 723, Public Records of Broward County, Florida.
6. Terms and conditions of unrecorded lease dated March 9, 1998, as evidenced by Memorandum of PCS Site Agreement between Federal Tower, Inc., a Florida corporation (owner) to Sprint Spectrum, L.P., a Delaware limited partnership (tenant) recorded March 20, 1998 in O.R. Book 27906, Page 811, as amended in O.R. Book 45955, Page 1786, Public Records of Broward County, Florida.
7. Terms and conditions of unrecorded lease dated March 8, 2004, as evidenced by Memorandum of Lease between Federal Tower, Inc., a Florida corporation (owner) to MetroPCS California/Florida, Inc. (tenant) recorded May 18, 2004 in O.R. Book 37483, Page 300, Public Records of Broward County, Florida.
8. Terms and conditions of unrecorded lease dated April 30, 1987, as evidenced by Memorandum of Lease between Federal Tower, Inc., a Florida corporation (owner) to AT&T Wireless Services of Florida, Inc., a Florida corporation, d/b/a AT&T Wireless Services (tenant) recorded August 17, 2004 in O.R. Book 38032, Page 1303, Public Records of Broward County, Florida.
9. Option and Lease Agreement between Atlantic Partners, LTD. (Lessor) and BellSouth Mobility, Inc. (tenant) recorded in O.R. Book 19000, Page 264, as affected by Assignment and Assumption of Lease recorded in O.R. Book 19966, Page 163 and Second Amendment to Option and Lease Agreement recorded in O.R. Book 51035, Page 363, Public Records of Broward County, Florida.

I HEREBY CERTIFY that foregoing report reflects a comprehensive search of 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 State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 24th day of April, 2024



Olesya Trayber, Esq.
Florida Bar No. 112766

DRC

PZ24-14000007

12/04/2024

TITLE SEARCH REPORT

Fund File Number: 1518626

The information contained in this title search is being furnished by Attorneys' Title Fund Services, LLC. If this report is to be used by a title insurance agent for evaluation and determination of insurability by the agent prior to the issuance of title insurance, then the agent shall have liability for such work.

Provided For: Trayber Raikhelson Law Group, PLLC

Agent's File Reference: Federal Tower Inc

After an examination of this search the Agent must:

- A. Evaluate all instruments, plats and documents contained in the report.*
- B. Include in the Commitment under Schedule B, any additional requirements and/or exceptions you find necessary from your analysis of the surveys, prior title evidence or other relevant information from the transaction.*
- C. Verify the status of corporations and limited partnerships and other business entities with the appropriate governmental agency or other authority.*
- D. Determine whether the property has legal access.*
- E. Determine if any unpaid municipal taxes or assessments exist, which are not recorded in the Official Records Books of the county.*
- F. Determine whether any portion of the property is submerged or artificially filled, if the property borders a body of water, and if riparian or littoral rights exist.*
- G. The information provided herein does not include a search of federal liens and judgment liens filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:
 - (a) Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and*
 - (b) Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)**

Prepared Date: April 22, 2024

Attorneys' Title Fund Services, LLC

Prepared by: Norma Maldonado, Commercial Examiner

Phone Number: (800) 336-3863 x6259

Email Address: nmaldonado@thefund.com

TITLE SEARCH REPORT

Fund File Number: 1518626

Effective Date of approved base title information: May 2, 1980

Effective Date of Search: April 16, 2024 at 11:00 PM

Apparent Title Vested in:

1600 Federal LLC, a Delaware limited liability company

Description of real property to be insured/foreclosed situated in Broward County, Florida.

See Exhibit A

Muniments of Title, including bankruptcy, foreclosure, quiet title, probate, guardianship and incompetency proceedings, if any, recorded in the Official Records Books of the county:

1. Warranty Deed from Sidney Kohl, August Urbanek, Andreall Pearson and Roy McGlothin doing business as Bay Colony Building Associates, a Joint Venture to Kenmare Properties, N.V., a Netherland Antilles corporation, recorded May 2, 1980 in O.R. Book 8884, Page 933, Public Records of Broward County, Florida.
2. Warranty Deed from Kenmare Properties, N.V., a Netherland Antilles corporation to EBH Development Corporation, a Florida corporation, recorded June 29, 1984 in O.R. Book 11821, Page 38, Public Records of Broward County, Florida.
3. Certificate of Title to Barry S. Wind, as Trustee for Employee Benefit Plans aka Plan Lenders, recorded January 14, 1992 in O.R. Book 19072, Page 842, Public Records of Broward County, Florida.
4. Warranty Deed from Barry S. Wind, as Trustee for Employee Benefit Plans aka Plan Lenders to Federal Tower Inc., a Florida corporation, recorded May 12, 1994 in O.R. Book 22135, Page 34, Public Records of Broward County, Florida.
5. Warranty Deed from Federal Tower Inc., a Florida corporation to 1600 Federal LLC, a Delaware limited liability company, recorded January 23, 2024 in Instrument Number 119348254, and re-recorded in Instrument Number 119359723, Public Records of Broward County, Florida.

Mortgages, Assignments and Modifications:

1. Mortgage to Bank Ozk, mortgagee(s), recorded in Instrument Number 119348255, Public Records of Broward County, Florida.
2. Assignment of Leases, Rents, and Profits filed January 23, 2024, in Instrument Number 119348257, Public Records of Broward County, Florida.
3. UCC Financing Statement between 1600 Federal LLC, a Florida limited liability company and Bank Ozk as recorded in Instrument Number 119348260, Public Records of Broward County, Florida.

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Other Property Liens:

1. Furnish satisfactory written evidence from the tax collector's office that no taxes or other amounts are due or may become due for any prior years resulting from the Value Adjustment Board (VAB) action(s) disclosed on the tax collector's website. The Tax Collector has flagged the Land with a Petition Pending or VAB Pending, indicating that additional sums may be owed.

Restrictions/Easements:

1. Rights of the lessees under unrecorded leases.
2. Easements in favor of Broward County, contained in instruments recorded March 19, 1962 in O.R. Book 2359, Page 898 and recorded October 8, 1974 in O.R. Book 5969, Page 890, Public Records of Broward County, Florida.
3. Easement in favor of City of Pompano Beach contained in instrument recorded July 12, 1973 in O.R. Book 5359, Page 590, Public Records of Broward County, Florida.
4. Easement in favor of Florida Power & Light Company contained in instrument recorded October 21, 1974 in O.R. Book 5982, Page 521, Public Records of Broward County, Florida.
5. Notice of Lien Prohibition in Lease recorded May 28, 1998 in O.R. Book 28287, Page 671, re-recorded in O.R. Book 28458, Page 723, Public Records of Broward County, Florida.
6. Terms and conditions of unrecorded lease dated March 9, 1998, as evidenced by Memorandum of PCS Site Agreement between Federal Tower, Inc., a Florida corporation (owner) to Sprint Spectrum, L.P., a Delaware limited partnership (tenant) recorded March 20, 1998 in O.R. Book 27906, Page 811, as amended in O.R. Book 45955, Page 1786, Public Records of Broward County, Florida.
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Other Encumbrances:

1. Nothing Found

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REAL PROPERTY TAX INFORMATION ATTACHED

Proposed Insured:

N/A

STANDARD EXCEPTIONS

Unless satisfactory evidence is presented to the agent eliminating the need for standard exceptions, the following should be made a part of any commitment or policy.

1. *General or special taxes and assessments required to be paid in the year 2024 and subsequent years.*
2. *Rights or claims of parties in possession not shown by the public records.*
3. *Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.*
4. *Easements or claims of easements not shown by the public records.*
5. *Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*
6. *Any owner policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.*
7. *Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:*
 - (a) *Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and*
 - (b) *Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)*

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8. *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 services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.*

The report does not cover bankruptcies or other matters filed in the Federal District Courts of Florida.

In foreclosure proceedings, title should be examined between the effective date of this report and the recording of the lis pendens to assure that all necessary and proper parties are joined. Consideration should be given to joining as defendants any persons in possession, other than the record owner, and any parties, other than those named herein, known to the plaintiff or the plaintiff's attorney and having or claiming an interest in the property.

Prior to issuance of any policy of title insurance underwritten by Old Republic National Title Insurance Company, the agent must obtain and evaluate a title search for the period between the effective date of this Title Search Report and the recording date(s) of the instrument(s) on which the policy is based.

If this product is not used for the purpose of issuing a policy, then the maximum liability for incorrect information is \$1,000.

Note: The Agent is responsible for obtaining underwriting approval on any commitment prepared from this product in the amount of \$1,000,000.00 or more.

TITLE SEARCH REPORT

Exhibit A

Fund File Number: 1518626

A parcel of land in Section 12, Township 49 South, Range 42 East, being particularly described as follows:

Commence at the Northeast corner of said Section 12; thence South on an assumed bearing along the East line of said Section 12 for 335.97 feet to the Point of Beginning; thence continue South along said East line of Section 12 for 335.97 feet; thence North 89°52'38" West for 347.09 feet to the East Right-of-Way line of Federal Highway (U.S. #1); thence North 13°48'20" East along said East Right-of-Way line for 346.24 feet; thence South 89°46'54" East for 264.47 feet to the Point of Beginning. Said lands situated, lying and being in Broward County, Florida.