

This Instrument Prepared By:

Les H. Stevens, Esquire

Les H. Stevens, P.A.

5301 North Federal Highway

Suite 130

Boca Raton, Florida 33487

Record and Return To:

Mark E. Berman, Esquire, City Attorney

City of Pompano Beach

100 West Atlantic Boulevard

Pompano Beach, Florida 33060

[Above This Line for Recording Purposes Only]

CORRECTIVE¹ DECLARATION OF UNITY OF USE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the applicable ordinances of the City of Pompano Beach, Florida pertaining to the issuance of building permits and regulating building construction, the undersigned, NW 31st Avenue, LLC, a Florida limited liability company, being the fee owner of the following described real property, lying, being and situate in the City of Pompano Beach, County of Broward, and State of Florida; to-wit:

SEE ATTACHED EXHIBIT "A"

does hereby make the following declarations of conditions, limitations and restrictions on said lands, hereinafter referred to as the "Limited Use Parcel";

1. The aforesaid Limited Use Parcel shall have a combined use and indivisible from the following real property owned by G.I. of Pompano, LLC, a Florida limited liability company:

Parcel "A" of GENCO CORNER, according to the plat thereof, recorded in Plat Book 162, Page 31, of the Public Records of Broward County, Florida ("G.I. Property")

to be used by the G.I. Parcel in accordance with an approved site plan of the City of Pompano Beach, Florida.

2. This Declaration of Unity of Use shall constitute a covenant running with the land, as provided by law, and shall be binding upon the undersigned, its successors and assigns, and all parties claiming thereunder and no portion shall be used by NW 31st Avenue, LLC, in the development of the remainder of its property, and shall be used by G.I. Property owner until such time as this Unity may be released in writing under the order of the Development Services Director of the City of Pompano Beach, Florida.
3. The undersigned does further agree that this instrument shall be filed for record among the Public Records of Broward County, Florida.

¹ THIS DOCUMENT CORRECTS THE LEGAL DESCRIPTION OF THE LIMITED USE PARCEL AS RECORDED JULY 23, 2018 UNDER CLERK'S FILE NO. 115216894, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

IN WITNESS WHEREOF, the undersigned has caused this Declaration of Unity of Use to be executed in appropriate manner and its seal to be affixed this 5th day of July, 2021.

Witnesses:

John Corembis
John Z
Abraham Zaiderman
J. Zaiderman

State of Maryland)

County of Montgomery)

NW 31ST AVENUE, LLC, a Florida limited liability company

By: John Corembis
John Corembis, Managing Member

By: Abraham Zaiderman
Abraham Zaiderman, Managing Member

The foregoing instrument was acknowledged before me by means of [x] physical presence or [] online notarization, this 5th day of July, 20 21, by John Courembis, as Managing Member of NW 31st Avenue, LLC, a Florida limited liability company, on behalf of the entity who [] is personally known to me, or [] has produced a driver's license as identification.

My commission expires: 8/10/2022

State of Maryland)
County of Montgomery)

Notary Public, State of Florida

State of Maryland

The foregoing instrument was acknowledged before me by means of [x] physical presence or [] online notarization, this 3rd day of July, 20 21, by Abraham Zaiderman, as Managing Member of NW 31st Avenue, LLC, a Florida limited liability company, on behalf of the entity who [] is personally known to me, or [] has produced a driver's license as identification.

My commission expires: 8/10/2022

Notary Public, State of Florida

Maryland



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com
CERTIFICATE OF AUTHORIZATION LB#3870**LEGAL DESCRIPTION: UNITY OF USE AREA**

A PORTION OF THE SOUTH 73.30 FEET OF THE NORTH 3/5 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, ALSO BEING A PORTION OF TRACT 38 OF THE UNRECORDED PLAT OF COLLIER CITY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL "A", "GENCO CORNER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 162, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALSO BEING THE SOUTHEAST CORNER OF TRACT 38 OF SAID UNRECORDED PLAT OF COLLIER CITY, AND LYING ON THE EAST LINE OF THE WEST 1/2 OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33; THENCE SOUTH 88°54'42" WEST, ALONG THE NORTH LINE OF SAID PARCEL "A" AND THE SOUTH LINE OF SAID NORTH 3/5 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, 282.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "A" AND A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NW 31ST AVENUE; THENCE NORTH 01°18'05" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE 73.30 FEET; THENCE NORTH 88°54'42" EAST 282.84 FEET TO A POINT ON SAID EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 AND THE EAST LINE OF SAID TRACT 38; THENCE SOUTH 01°15'21" EAST ALONG SAID EAST LINES 73.30 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 20,730 SQUARE FEET (0.4759 ACRES), MORE OR LESS.

NOTES:

- 1) BEARINGS ARE BASED ON AN ASSUMED MERIDIAN WITH THE NORTH LINE OF PARCEL "A", "GENCO CORNER" BEING S88°54'42"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FILE: THOMAS ENGINEERING GROUP
SCALE: N/A DRAWN: L.S./DCW
ORDER NO.: 68189
DATE: 3/5/21; REV. 3/10/21
UNITY OF USE
POMPANO BEACH, BROWARD COUNTY, FLORIDA
FOR: POPEYE'S 3051 ATLANTIC BLVD

SHEET 1 OF 2

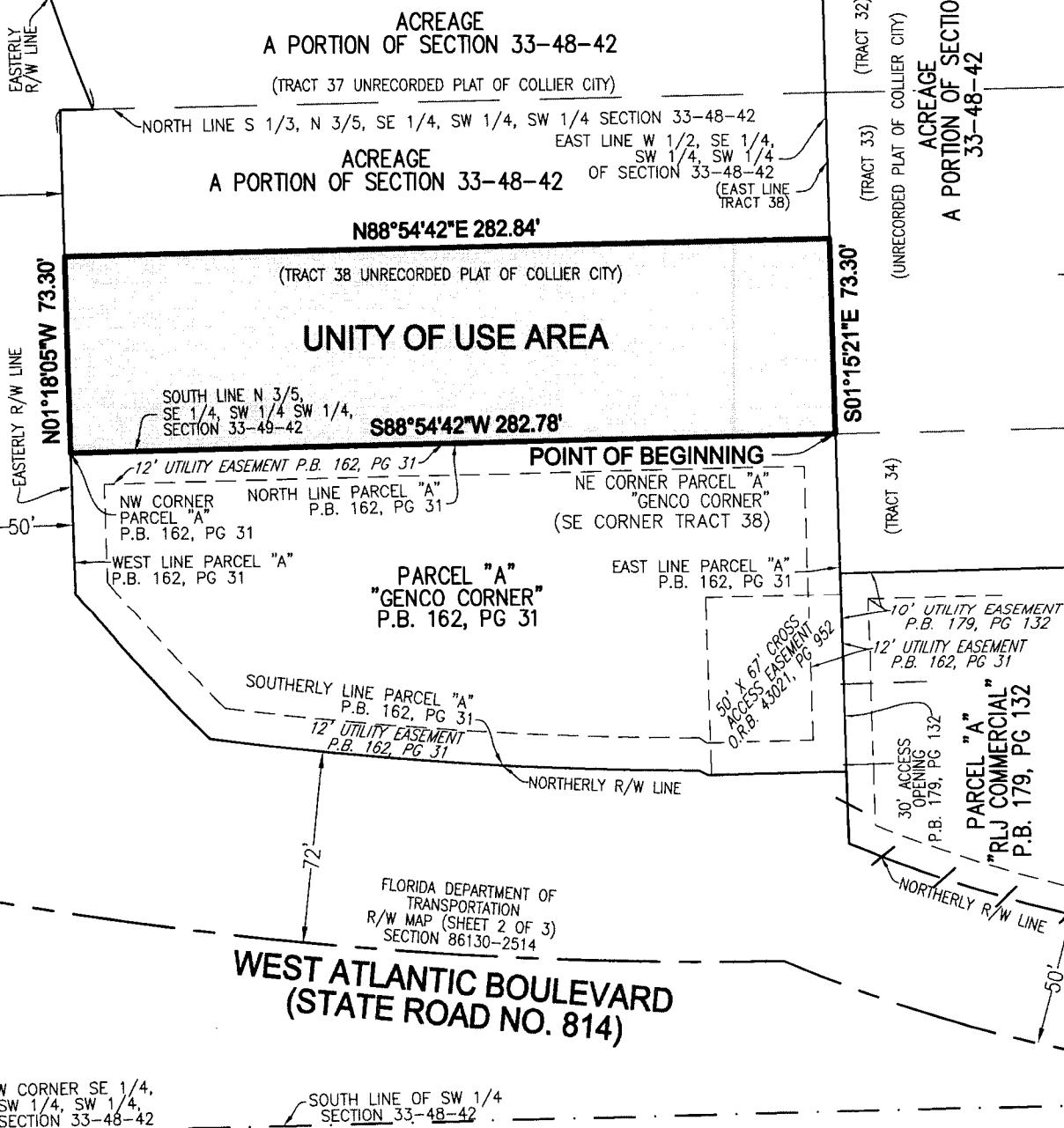
THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1 AND 2

JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
 DONNA C. WEST, PROFESSIONAL SURVEYOR AND MAPPER LS4290
 STATE OF FLORIDA

SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com
CERTIFICATE OF AUTHORIZATION LB#3870

FILE: THOMAS ENGINEERING GROUP

SCALE: 1" = 60' DRAWN: L.S./DCW

ORDER NO.: 68189

DATE: 3/5/21; REV. 3/10/21

UNITY OF USE

POMPANO BEACH, BROWARD COUNTY, FLORIDA

FOR: POPEYE'S 3051 ATLANTIC BLVD

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1 AND 2

LEGEND:

O.R.B.	OFFICIAL RECORDS BOOK
R/W	RIGHT-OF-WAY
CL	CENTERLINE
P.B.	PLAT BOOK
PG	PAGE