

2005 5

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BUSINESS CENTER, LLC, RELATING TO OFF-STREET PARKING; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That an Agreement between the City of Pompano Beach and Pompano Business Center, LLC relating to off-street parking, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Agreement between the City of Pompano Beach and Pompano Business Center, LLC.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 12th day of July, 2005.



JOHN C. RAYSON, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

07/15/05

OFF-STREET PARKING AGREEMENT

THIS IS AN AGREEMENT by and between POMPANO BUSINESS CENTER, LLC, hereinafter called OWNER, and the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, hereinafter called CITY.

WHEREAS, Chapter 155, Section 115.112(A), City of Pompano Beach Code of Ordinances, requires that off-street parking facilities shall be located upon the same parcel of land the facilities are intended to serve, or on an additional parcel of land within five hundred feet (500') of the nearest property line of the premises the off-street parking facilities are intended to serve; and

WHEREAS, Section 155.112(A)(1), requires an off-street parking agreement between the property owners of the respective parcels and CITY OF POMPANO BEACH if a separate parcel is to be used for off-street parking facilities; and

WHEREAS, the OWNER of certain real property situate, lying and being in Broward County, and described more fully in Exhibit "A" attached hereto and incorporated herein, and hereinafter referred to as Parcel "A", intends to make improvements on Parcel "A" which requires additional off-street parking facilities; and

WHEREAS, the OWNER of certain other real property, which is within five hundred (500') feet of Parcel "A", which is more fully described in Exhibit "B", attached hereto and incorporated herein, and hereinafter referred to as Parcel "B", intends to provide that required additional off-street parking on a portion of Parcel "B" which portion shall be designated on Exhibit "B";

In consideration of the mutual promises, terms, and conditions contained herein, OWNER and CITY agree as follows:

1. The CITY gives the OWNER permission to use the real property described in Exhibit "B", attached hereto and incorporated herein and known as Parcel "B", for off-street parking in connection with the real property described in Exhibit "A", attached hereto and incorporated herein and known as Parcel "A". In consideration for said permission, OWNER hereby agrees that the portion of Parcel "B", which satisfies the off-street parking requirement of Parcel "A", may not be sold or disposed of except in conjunction with the sale of Parcel "A", as long as the off-street parking facilities located on Parcel "B" are required for the improvements on Parcel "A" by applicable City ordinances.

2. The provisions contained herein shall be restrictions and covenants running with the land and shall be binding upon the heirs, successors and assigns of the parties.

3. An additional parcel or parcels of land meeting the provisions of the City of Pompano Beach Code of Ordinances may be substituted for Parcel "B", with the permission of the City of Pompano Beach, by means of an agreement of equal dignity to this Agreement and recorded in the Public Records of Broward County, Florida.

4. This Agreement shall be of no effect until it is properly executed by the CITY and OWNER and recorded in the Public Records of Broward County, Florida, at the expense of the OWNER.

IN WITNESS WHEREOF, CITY and OWNER have executed this Agreement on the respective dates under each signature.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

"CITY":

Witnesses:

City of Pompano Beach

Mavis H. Dawsey
Signature

By: John C. Rayson
John C. Rayson, Mayor

Sheldon R. Bartholomew
Signature

By: C. William Hargett, Jr.
C. William Hargett, Jr., City Manager

Attest:
Mary L. Chambers
MARY L. CHAMBERS, CITY CLERK

(SEAL)

Approved as to Form:
Gordon B. Linn
GORDON B. LINN, CITY ATTORNEY

STATE OF FLORIDA)
COUNTY OF BROWARD)

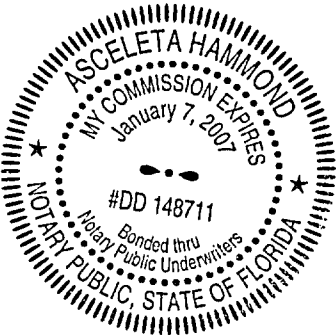
The foregoing instrument was acknowledged before me this 18th day of July, 2005, by JOHN C. RAYSON, as Mayor of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

Asceleta Hammond
NOTARY PUBLIC, STATE OF FLORIDA

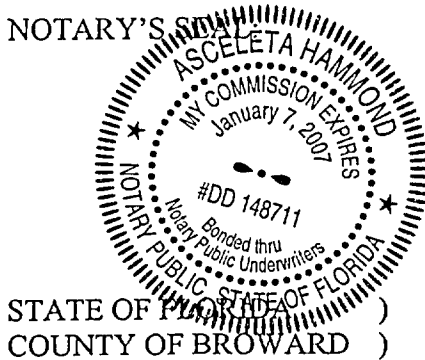
Asceleta Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number



STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 18th day of July, 2005, by C. WILLIAM HARGETT, JR., as City Manager of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.



STATE OF FLORIDA)
COUNTY OF BROWARD)

Asceleata Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceleata Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

The foregoing instrument was acknowledged before me this 18th day of July, 2005, by MARY L. CHAMBERS as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



Asceleata Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceleata Hammond
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

Exhibit "A"
Legal Description of Parcel "A"

POMPANO BUSINESS CENTER- PARCEL O
LAND DESCRIPTION:

A PORTION OF PARCELS 3, 4, 5 AND 6 AS SHOWN ON "ALPHA 250", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156, PAGE 26 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PARCEL 3 OF SAID PLAT OF "ALPHA 250"; THENCE NORTH $88^{\circ}42'43"$ EAST ALONG THE SOUTH LINE OF SAID PLAT, A DISTANCE OF 362.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH $01^{\circ}17'17"$ WEST, A DISTANCE OF 535.39 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 430.00 FEET SAID CURVE BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 19th STREET AS SHOWN ON THE PLAT THEREOF; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $42^{\circ}58'27"$, AN ARC LENGTH OF 322.52 FEET TO A POINT OF TANGENCY; THENCE NORTH $88^{\circ}42'43"$ EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 19th STREET, A DISTANCE OF 651.09 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE CONTINUING SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 19th STREET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE $42^{\circ}50'00"$, AN ARC DISTANCE OF 18.69 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 50.00 FEET; THENCE CONTINUING SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N.W. 19th STREET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $32^{\circ}10'48"$, AN ARC DISTANCE OF 28.08 FEET; THENCE SOUTH $01^{\circ}17'17"$ EAST, A DISTANCE OF 400.86 FEET TO A POINT ON THE SOUTH LINE OF SAID PLAT OF "ALPHA 250"; THENCE SOUTH $88^{\circ}42'43"$ WEST ALONG SAID SOUTH LINE OF SAID PLAT OF "ALPHA 250", A DISTANCE OF 985.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 424,402 SQUARE FEET (9.7429 ACRES), MORE OR LESS.



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

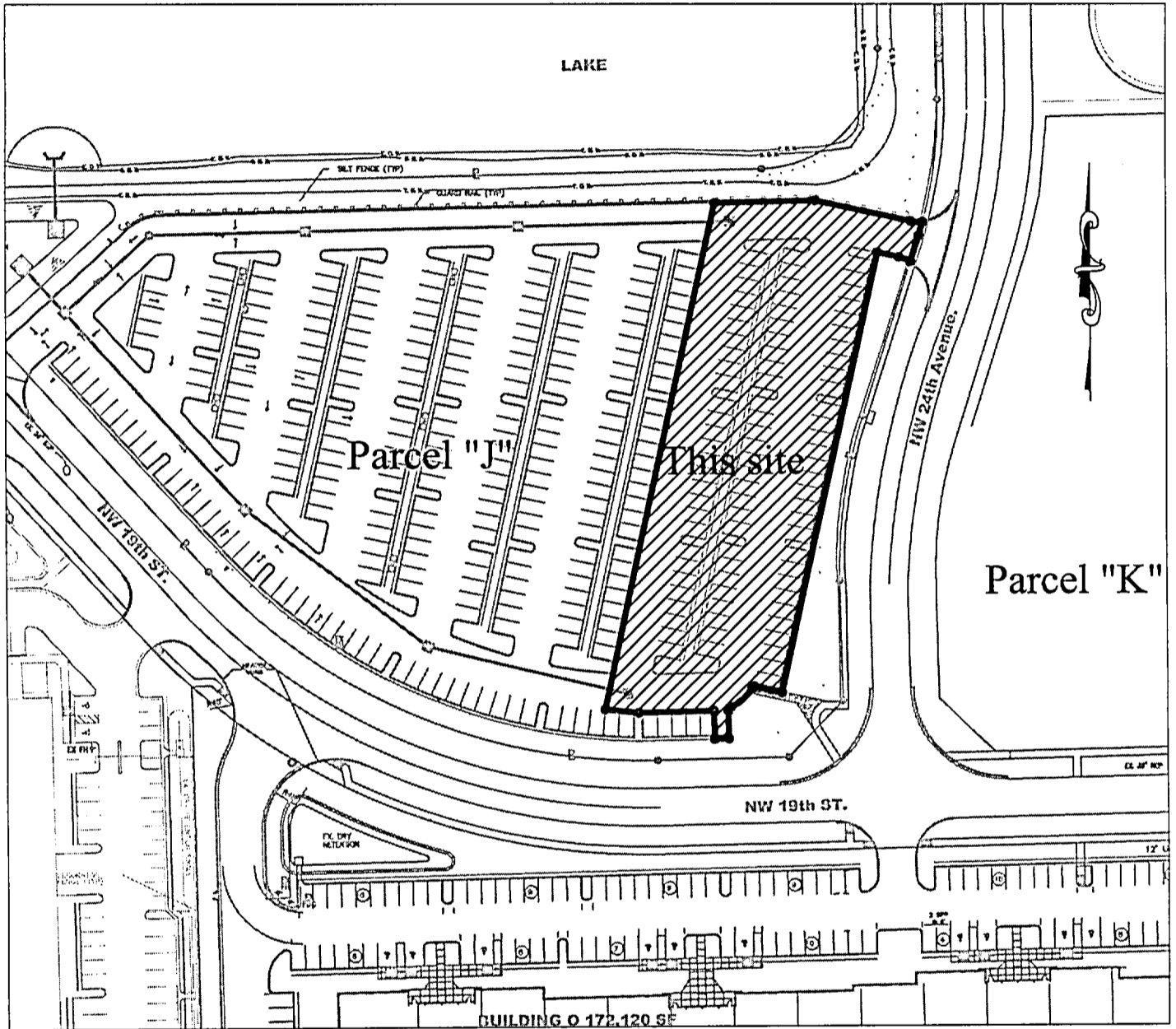
Phone: (954) 509-0083

Fax: (954) 301-2623

LB # 7303

SKETCH AND DESCRIPTION

Sheet 1 of 3



Dennis J. Gabriele
Professional Surveyor and Mapper No. LS5709
State of Florida

Not Valid without the signature
and original raised seal of a Florida
licensed Surveyor and Mapper

Updates and Revisions	Date	By	QC	NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.
Job No.	Drawn By: MRK	QA / QC: DJG	FB. PG.	Scale: N.T.S.



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (954) 301-2623

LB # 7303

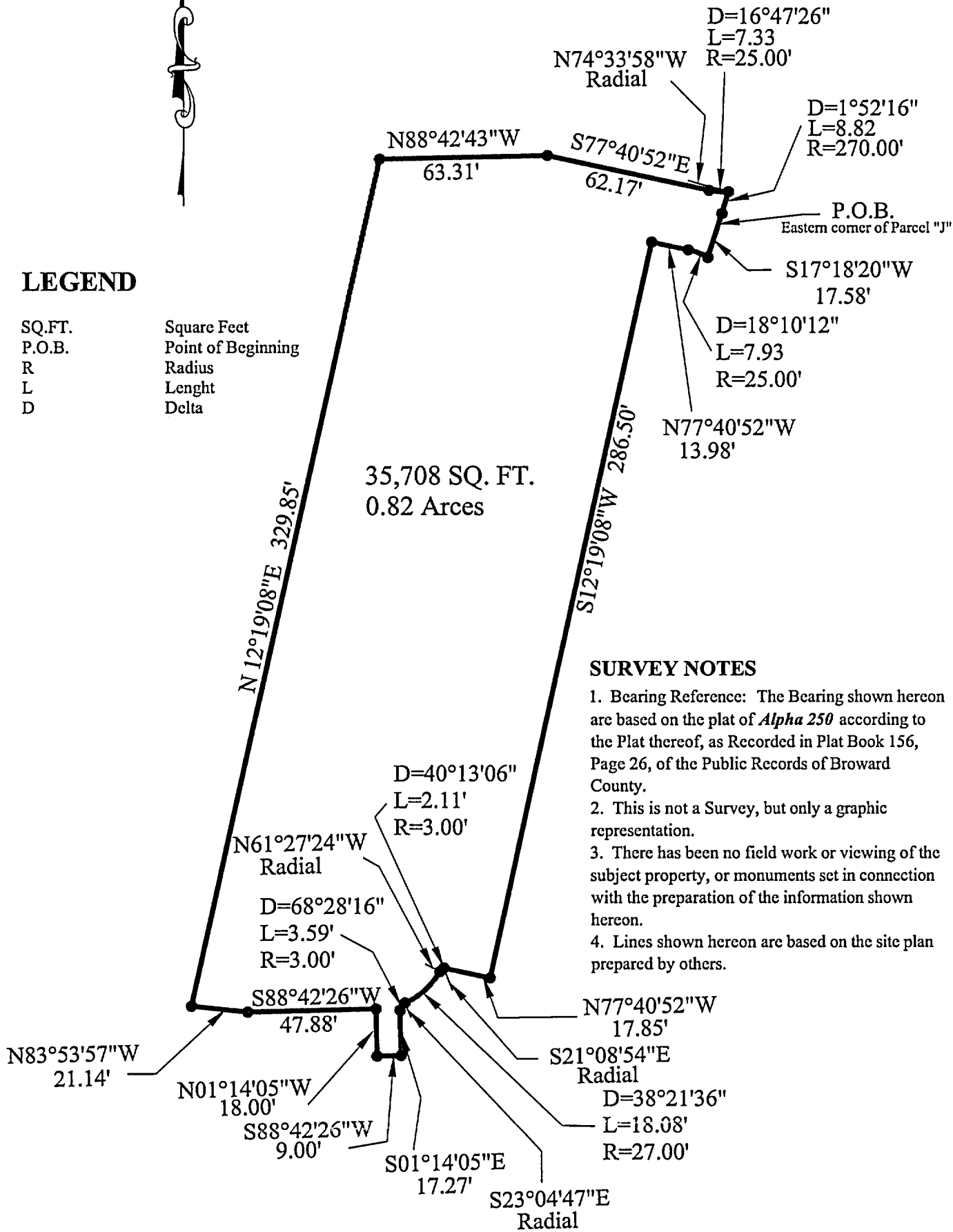
SKETCH AND DESCRIPTION

Sheet 2 of 3



LEGEND

SQ.FT.	Square Feet
P.O.B.	Point of Beginning
R	Radius
L	Length
D	Delta



SURVEY NOTES

1. Bearing Reference: The Bearing shown hereon are based on the plat of *Alpha 250* according to the Plat thereof, as Recorded in Plat Book 156, Page 26, of the Public Records of Broward County.
2. This is not a Survey, but only a graphic representation.
3. There has been no field work or viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.
4. Lines shown hereon are based on the site plan prepared by others.

Updates and Revisions	Date	By	QC

NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (954) 301-2623

LB # 7303

Sheet 3 of 3

SKETCH AND DESCRIPTION

Legal Description:

A portion of Parcel 16, *Alpha 250* According to the plat thereof, as recorded in Plat Book 156, Page 26, of the Public Records of Broward County, Florida. Said lands lying and situate in the City of Pompano Beach, Broward County, Florida. And being more particularly described as follows.

Beginning at an Eastern corner of Parcel "J". Said Point being the point of curvature of a curve having a radius of 270.00 feet and being on the west right-of-way line of 24th Street.

Thence South 17°18'20" West a distance of 17.58 feet to a point on the arc of a circular curve concave to the Southwest, said curve having a radius of 25.00 feet, and a central angle of 18°10'12". Thence, Northwesterly along the arc of said curve, an arc distance of 7.93 feet. Thence North 77°40'52" West, a distance of 13.98 feet; Thence South 12°19'08" West, a distance of 286.50 feet; Thence North 77°40'52" West, a distance of 17.85 feet to a point on the arc of a non-tangent circular curve concave to the Southeast with a radial bearing of South 21°07'23" East, and a radius of 3.00 feet; Thence Southwesterly along the arc of said curve through a central angle of 40°13'06", an arc distance of 2.11 feet, to the point of a reverse curvature, of a circular curve concave to the Northwest with a radial bearing of North 61°27'24" West and a radius of 27.00 feet. Thence Southwesterly along the arc of said curve through a central angle of 38°21'36", an arc distance of 18.08 feet to the point of reverse curvature of a circular curve concave to the Southeast with a radial bearing of South 23°04'47" East and a radius of 3.00 feet; Thence Southerly along the arc of said curve though a central angle of 68°28'16", an arc distance of 3.59 feet; Thence South 01°14'05" East, a distance of 17.27 feet; Thence South 88°42'26" West, a distance of 9.00 feet; Thence North 01°14'05" West, a distance of 18.00 feet; Thence South 88°42'26" West, a distance of 47.88 feet; Thence North 83°53'57" West, a distance of 21.14 feet; Thence North 12°19'08" East, a distance of 329.85 feet; Thence North 88°42'43" West, a distance of 63.31 feet; Thence South 77°40'52" East, a distance of 62.17 feet to the point of curvature of a circular curve, concave to the Northwest and having a radius of 25.00 feet, a central angle of 16°47'26". Thence Easterly along the arc of said curve, an arc distance of 7.33 feet to a point on the arc of a circular curve, concave to the North with a radial Bearing of North 74°33'58" West and a radius of 270.00 feet; Thence Southerly along the arc of said curve though a central angle of 1°52'16", an arc distance of 8.82 feet to the **Point of Beginning**.

Said lands situate and being in the City of Pompano Beach, Broward County, Florida and containing 35,708 square feet (0.820 acres) more or less.

Updates and Revisions	Date	By	QC	NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.
Job No.	Drawn By: MRK	QA / QC: DJG	FB. PG.	Scale: N.T.S.