

This instrument Prepared by:  
John D. Voigt, Esquire  
Doumar, Allsworth, et al.  
1177 S.E. 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33316

COVENANT RUNNING WITH THE LAND  
IN LIEU OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the Code of Ordinances of the City of Pompano Beach, the undersigned, ESCOBAR HOLDINGS, INC., a Florida corporation ("Owner"), being the fee owner of the following described real property lying, being and situate in the City of Pompano Beach ("City"), County of Broward and State of Florida, to wit:

Parcel Identification Number:

4842 34 13 0200  
1430-1450 N.W. 14<sup>th</sup> Avenue  
Pompano Beach, Florida 33069

Overall Legal Description of parcel is attached as Exhibit "A"

Legal Description:

Lots 20, 21 and 22, BILTMORE INDUSTRIAL CENTER, according to the Plat thereof, as recorded in Plat Book 74, Page 34, of the Public Records of Broward County, Florida,

and JUSTO ESCOBAR, LLC, a Florida limited liability company, as future owner of Parcel 1 described below, do hereby make the following declaration of conditions, limitations and restrictions on said land, hereinafter referred to as a COVENANT RUNNING WITH THE LAND IN LIEU OF UNITY OF TITLE, as to the following particulars:

1. SUBDIVISION OF PROPERTY. Currently, Owner owns the single parcel described above, but wishes to subdivide the existing single parcel into two separate parcels with separate ownership.

2. PARCEL 1. The new Parcel 1 is legally described as follows:

Lot 22, BILTMORE INDUSTRIAL CENTER, according to the plat thereof, as recorded in Plat Book 74, Page 34, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 14,790 square feet or 0.3395 acres more or less.

The Sketch and Legal for Parcel 1 is attached as Exhibit "B".

Ownership of Parcel 1 shall be transferred upon execution of this agreement to Justo Escobar, LLC, a Florida limited liability company.

3. PARCEL 2. The new Parcel 2 is legally described as follows:

Lots 20 and 21, BILTMORE INDUSTRIAL CENTER, according to the plat thereof, as recorded in Plat Book 74, Page 34, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 20,000 square feet or 0.4591 acres more or less.

The Sketch and Legal for Parcel 2 is attached as Exhibit "C".

Ownership of Parcel 2 shall remain in the name of Escobar Holdings, Inc.

4. UNIFIED CONTROL. It is the intent of Owner that the two parcels shall be used and operated as a single unified development parcel, although the portions may be under separate ownership. To that end, Parcel 1 and Parcel 2 shall hereinafter be regarded and hereby declared to be under unified control as specifically set forth in this document, and the approved Site Plans on file with the City as may be amended from time to time. The most recent approved Site Plan is attached hereto as Exhibit "D".
5. CROSS-ACCESS AND CROSS-PARKING. The Owner declares that each parcel shall have perpetual rights of cross-access and cross-parking with regard to the other parcel, and nothing shall be done to inhibit, modify or alter the cross-access and cross-parking without the express written consent of both parties and the amendment of this document.
6. RECORDING. This Covenant Running with the Land in Lieu of Unity of Title shall be filed for record in the Public Records of Broward County, Florida, and shall bind all property owners and their successors and assigns to all requirements for

the subject lots set forth herein.

- 7. MODIFICATION. No modification of this Covenant may be made without the written authorization of the Director of Development Services of the City of Pompano Beach, Florida, to ensure all City Code requirements are met. Any such modified document shall also be recorded in the Public Records of Broward County, Florida and shall run with the land as well.

IN WITNESS WHEREOF, the Owner has executed this Covenant Running with the Land in Lieu of Unity of Title on the date set forth below.

Signed, sealed and delivered in the presence of:

OWNER and FUTURE OWNER OF PARCEL 2 ESCOBAR HOLDINGS, INC.

[Signature] sign (witness 1)

Ana Guzzoni print

[Signature] sign (witness 2)

Carlos Lopez print

STATE OF Florida)

SS:

COUNTY OF Broward)

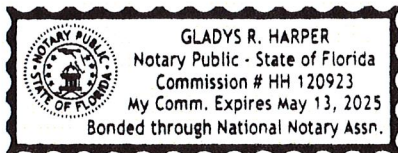
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 21 day of December, 2021, by Ernesto Escobar of Escobar Holdings, a Florida corporation, on behalf of the corporation. He/she is personally known to me or who has produced \_\_\_\_\_ as identification.

By: [Signature]

Print Name: ERNESTO ESCOBAR

Its: [Signature]

Date: 12-21-2021



[Signature]  
Notary Public  
State of Florida

My Commission: 5/13/2025

Signed, sealed and delivered  
in the presence of:

FUTURE  
OWNER OF PARCEL 1  
JUSTO ESCOBAR, LLC

Alp. sign  
(witness 1)

By: [Signature]  
Print Name: JUSTO ESCOBAR  
Its: [Signature]

Ana Guzzoni print

Date: 2-21-21

Carlos Lopez sign  
(witness 2)

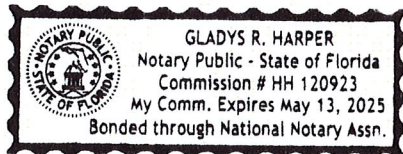
Carlos Lopez print

STATE OF Florida )  
COUNTY OF Broward ) SS:

The foregoing instrument was acknowledged before me by means of  physical presence or \_\_\_\_\_ online notarization, this 21 day of December, 2021, by Justo ESCOBAR of Justo ESCOBAR LLC, a Florida corporation, on behalf of the corporation. He/she is personally known to me or who has produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public  
State of Florida

My Commission: 5/13/2025



Witnesses:

**CITY OF POMPANO BEACH**

\_\_\_\_\_  
(Signature)

By: \_\_\_\_\_  
Rex Hardin, Mayor

\_\_\_\_\_  
(Print Name)

By: \_\_\_\_\_  
Gregory P. Harrison, City Manager

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Attest:

(SEAL)

\_\_\_\_\_  
Asceleta Hammond, City Clerk

Approved As To Form:

\_\_\_\_\_  
Mark E. Berman, City Attorney

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me, by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by **REX HARDIN** as Mayor, **GREGORY P. HARRISON** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

EXHIBIT "A"

LEGAL DESCRIPTION

Lots 20, 21 and 22, BILTMORE INDUSTRIAL CENTER, according to the Plat thereof, as recorded in Plat Book 74, Page 34, of the Public Records of Broward County, Florida



**McLAUGHLIN ENGINEERING COMPANY**  
**LB#285**

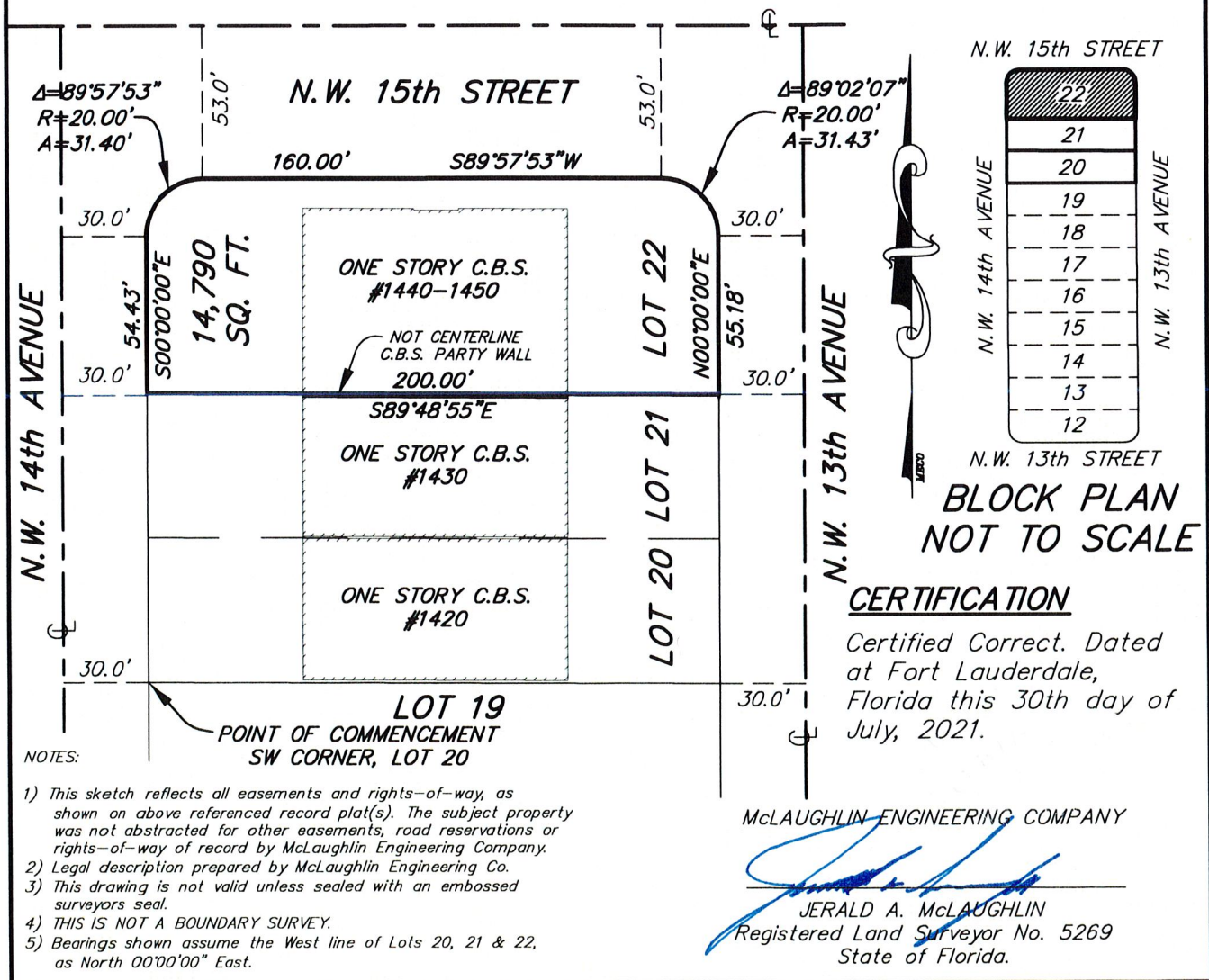
ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA  
33309 PHONE (954) 763-7611 \* FAX (954) 763-7615

**SCALE 1" = 60'**      **SKETCH AND DESCRIPTION**  
**LOT 22, BILTMORE INDUSTRIAL CENTER**  
**(PLAT BOOK 74, PAGE 34, B.C.R.)**

LEGAL DESCRIPTION:

Lot 22, BILTMORE INDUSTRIAL CENTER, according to the plat thereof, as recorded in Plat Book 74, Page 34, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 14,790 square feet or 0.3395 acres more or less.



**NOTES:**

- 1) This sketch 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.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of Lots 20, 21 & 22, as North 00°00'00" East.

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr

JOB ORDER NO. V-6171

CHECKED BY: \_\_\_\_\_

REF. DWG.: 01-1-68

C: \JMMjr\2021\V6171(SPLIT)



**McLAUGHLIN ENGINEERING COMPANY**  
**LB#285**

ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA  
 33309 PHONE (954) 763-7611 \* FAX (954) 763-7615

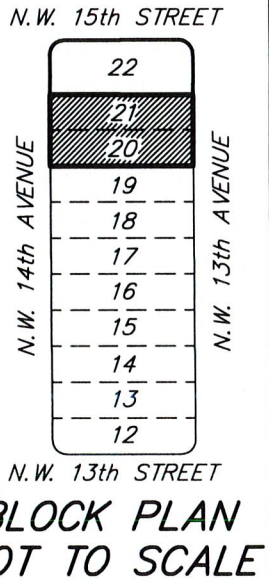
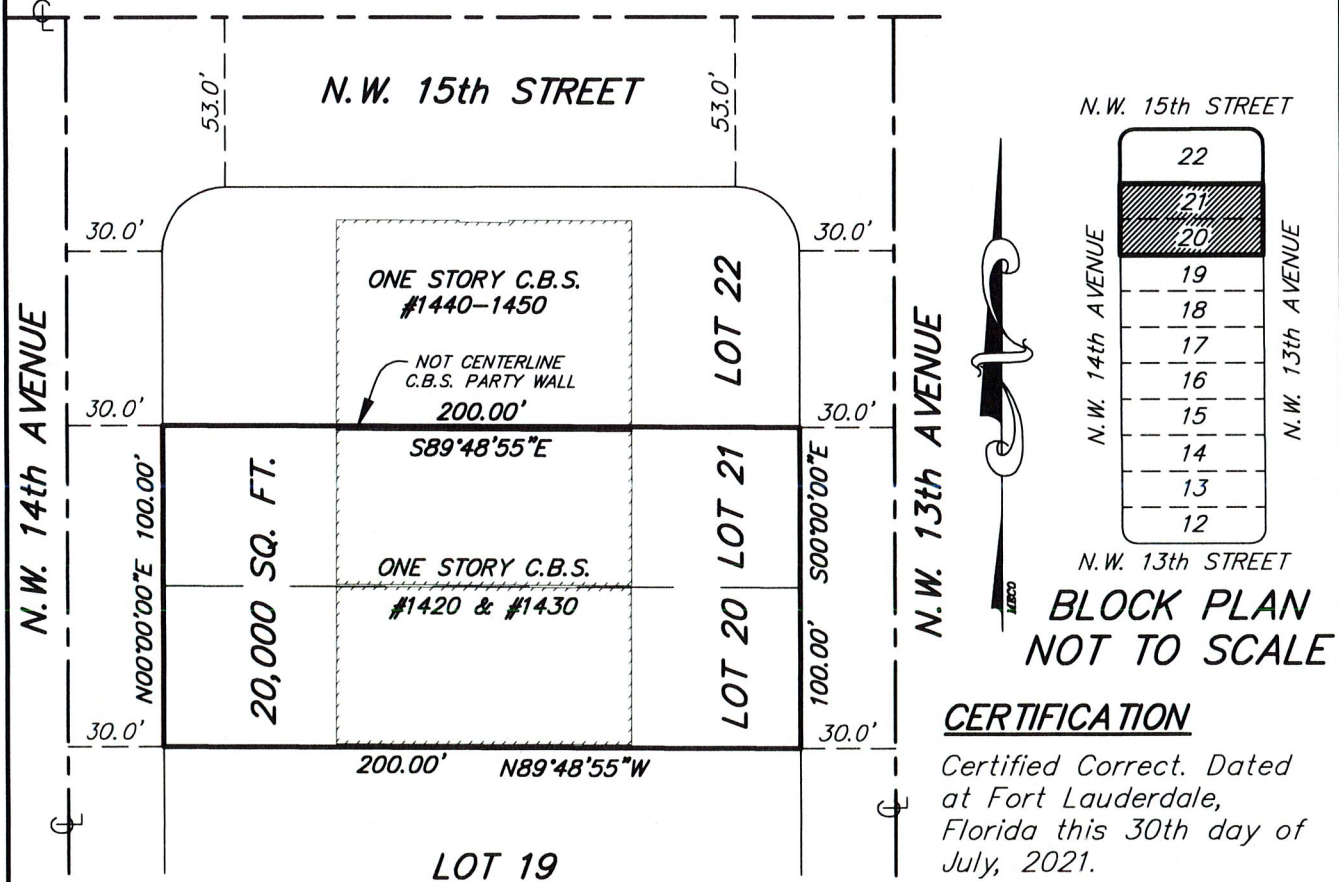
SCALE 1" = 60'

**SKETCH AND DESCRIPTION**  
**LOTS 20 & 21, BILTMORE INDUSTRIAL CENTER**  
**(PLAT BOOK 74, PAGE 34, B.C.R.)**

LEGAL DESCRIPTION:

Lots 20 and 21, BILTMORE INDUSTRIAL CENTER, according to the plat thereof, as recorded in Plat Book 74, Page 34, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 20,000 square feet or 0.4591 acres more or less.



**CERTIFICATION**

Certified Correct. Dated at Fort Lauderdale, Florida this 30th day of July, 2021.

McLAUGHLIN ENGINEERING COMPANY

*[Signature]*

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

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FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr \_\_\_\_\_

JOB ORDER NO. V-6171 \_\_\_\_\_

CHECKED BY: \_\_\_\_\_

REF. DWG.: 01-1-68

C: \JMMjr\2021\V6171(SPLIT)



EXHIBIT "D"

SITE DATA

ADDRESS: 1430 NW 14TH AVENUE  
 POPPANO BEACH, FLORIDA 33064  
 ZONING: R-1 (RESIDENTIAL)  
 DISTRICT: 14 (NONINDUSTRIAL)  
 PROJECT: PROPOSED WAREHOUSE ADDITION  
 BUILDING AREA: 14,100 SF (17.8 ACRES)  
 EXISTING GARAGES: 500 SF  
 SUB-TOTAL EXISTING BLDGS.: 14,600 SF  
 PROPOSED GARAGES: 3,500 SF (4 X 200 SF EA)  
 TOTAL EXISTING BLDGS.: 18,100 SF  
 PROPOSED WAREHOUSE: 6,500 SF (4.5% OF EXISTING BLDG)  
 TOTAL BLDG AREA: 24,600 SF

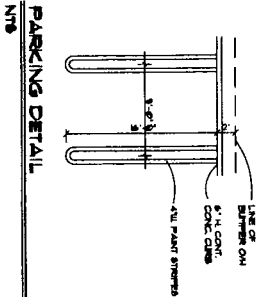
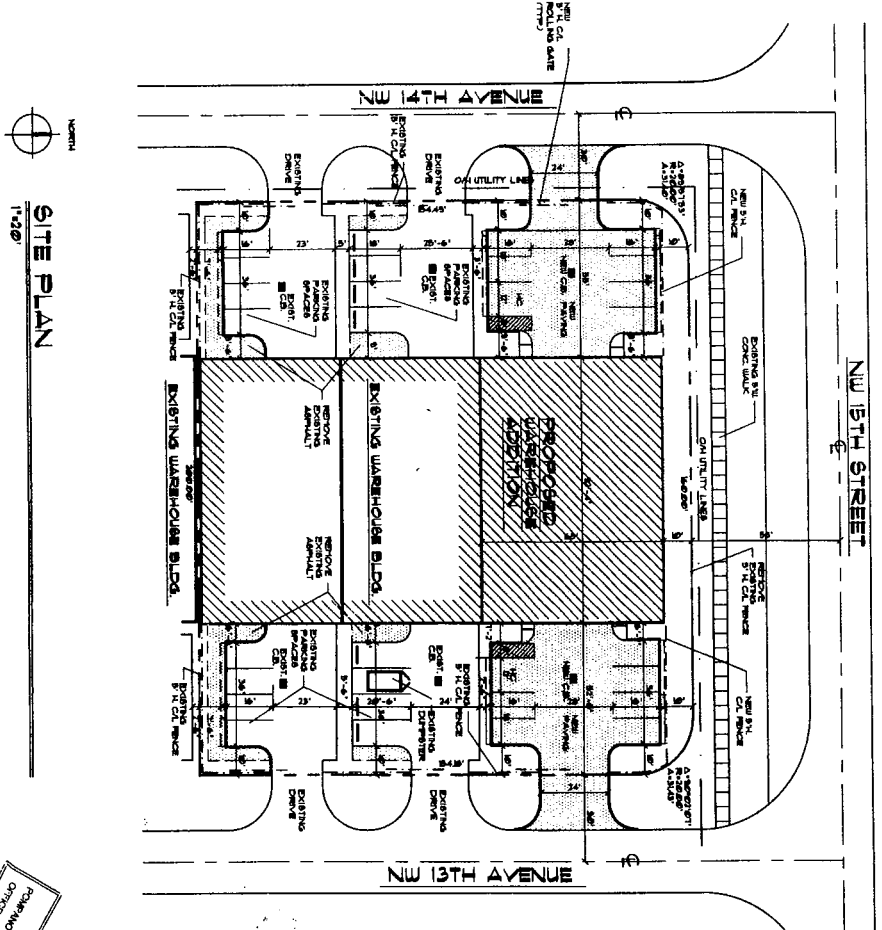
PAVED AREA: EXISTING PAVED AREA: 1,500 SF  
 NEW PAVED AREA: 1,500 SF (70% OF EXIST. PAVED AREA)  
 TOTAL PAVED AREA: 3,000 SF

EXISTING WAREHOUSE: 14,100 SF  
 TOTAL WAREHOUSE AREA: 20,600 SF (70% OF EXIST. PAVED AREA)  
 PROPOSED WAREHOUSE: 6,500 SF (21% OF EXIST. PAVED AREA)  
 TOTAL WAREHOUSE AREA: 27,100 SF

EXISTING GARAGES: 500 SF  
 PROPOSED GARAGES: 3,500 SF (4 X 200 SF EA)  
 TOTAL GARAGE AREA: 4,000 SF (13% OF EXIST. PAVED AREA)

PARKING CALCULATION:  
 (a) 10 SPACES PER 1,000 SF OF GFA  
 (b) 10 SPACES PER 1,000 SF OF GFA  
 (c) 10 SPACES PER 1,000 SF OF GFA  
 (d) 10 SPACES PER 1,000 SF OF GFA  
 (e) 10 SPACES PER 1,000 SF OF GFA  
 TOTAL SPACES REQUIRED: 27 SPACES

PARKING PROVIDED:  
 STANDING SPACES: 27 SPACES  
 TOTAL SPACES PROVIDED: 27 SPACES



PROJECT: WAREHOUSE ADDITION for: SECORBAR ENTERPRISE INC. 1430 NW 14TH AVENUE POPPANO BEACH, FLORIDA

MARK THOMAS BUDD, ARCHITECT P.A. 1117 EAST LAS OLAS BOULEVARD FT. LAUDERDALE, FLORIDA 33301 (954) 761-2606

DATE: 07-15-05  
 SHEET: A-1  
 OF: 1

PLA. REG. #AR-0648