



Resilient Environment Department
URBAN DIVISION
1 N. University Drive, Box 102 · Plantation, FL 33324
T: 954-357-6666 F: 954-357-6521
Broward.org/Planning

Review and Approval of Vacation Petition Application

Review

Date: 03/21/2022

To: County Attorney's Office **Attention:** Maite Azcoitia, Office of County Attorney

From: Planning and Development Management Division

Subject: Vacation Petition No.: 2021-V-12

Petitioner(s): AKAI ESTATES LLC

Agent for Petitioner(s): Schwebke-Shiskin & Associates

Type: ☒ Vacating Plats, or any Portion Thereof (**BCCO 5-205**)
 ☐ Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (**BCAC 27.68**)
 ☐ Releasing Public Easements and Private Platted Easements or Interests (**BCAC 27.69**)

Project: ☐ Easement ☒ Right-of-Way ☐ Other

Pursuant to Florida Statute Chapter 177.101 and the above sections of the Broward County Administrative Code and Code of Ordinances, the following determined that the requested vacation petition would not affect the ownership or right of convenient access of persons owning other parts of the subdivision:

Designated Review Agencies and Organizations

Date: _____

Required Documentation

- ☒ Vacation Petition Application Date Accepted: 11/08/2021
- ☒ File Fee (made payable to **Broward County Board of County Commissioners** and deposited)
- ☒ Petitioner Notice of Intent Dates Published: 07/22/2021 and 07/29/2021
- ☒ Certificate of Real Estate Taxes Paid [Revenue Collection Division] Date: 03/25/2022
- ☒ Property Location ☒ Municipality of Southwest Ranches ☐ Municipal Service District
- ☒ Certified Copy of Municipal Resolution No: 2022-040 Date(s): 02/24/2022
- ☒ Sketch and Legal Description by: Ronald Fritz, Surveyor No 2767
- ☒ Location Map (Created by County Surveyor)
- ☐ Aerial Photograph and Section Map (No longer provided; advise if needed for review)
- ☒ Plat, if applicable ☐ Certified ☒ Copy
- ☐ Written Consent of All Abutting Owners in Plat, if applicable
- ☒ Certificate or Opinion of Title by: Neal R. Kalis, Date: 07/23/2021
- ☐ Documentation of all reviewers responding "no objection/no comment"
- ☒ Waivers of Objection by Utility Companies
- ☒ Draft Resolution to Set Public Hearing
- ☒ Draft Resolution of Adopted Vacation

Approval

Approved subject to the Office of the County Attorney's receipt, review, and approval of a Title Certificate dated within 45 days prior to the Public Hearing.

Reviewed and Approved as to Form by: Deanna Kalil Digitally signed by Deanna Kalil
Date: 2022.04.22 16:00:00 -04'00'

Print Name: Deanna Kalil

Date: April 22, 2022



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
1 N. University Drive, Box 102 · Plantation, FL 33324 · T: 954-357-6666 F: 954-357-6521 · Broward.org/Planning

Application Number 2021-V-12

Development and Environmental Review Online Application

Project Information			
Owner/Applicant/Petitioner Name AKAI Estates, LLC - Albert A. Yokana, Manager			
Address 333 Las Olas Way - CU#1		City Fort Lauderdale	State FL
Zip 33301			
Phone (954) 325-7504	Email alexyo@me.com		
Agent for Owner/Applicant/Petitioner Schwebke-Shiskin & Associates, Inc.		Contact Person Ronald A. Fritz, Assistant Vice President	
Address 3240 Corporate Way		City Miramar	State FL
Zip 33025			
Phone (954) 435-7010	Email rfritz@shiskin.com		
Plat/Site Plan Name TARA			
Plat/Site Number 015-UP-94		Plat Book - Page (if recorded) P.B. 162 - Pgs. 99 & 100	
Folio(s) 5039-36-15-0040 & 5039-36-15-0170			
Location South side side of Griffin Road at/between/and S.W. 184th Avenue and/of S.W. 186th Avenue north side/corner north street name street name / side/corner street name			

Type of Application (this form required for all applications)

Please check all that apply (use attached **Instructions** for this form).

- ☐ **Plat** (fill out/PRINT **Questionnaire Form, Plat Checklist**)
- ☐ **Site Plan** (fill out/PRINT **Questionnaire Form, Site Plan Checklist**)
- ☐ **Note Amendment** (fill out/PRINT **Questionnaire Form, Note Amendment Checklist**)
- ☒ **Vacation** (fill out/PRINT **Vacation Continuation Form, Vacation Checklist**, use **Vacation Instructions**)
 - ☐ **Vacating Plats, or any Portion Thereof** (BCCO 5-205)
 - ☒ **Abandoning Streets, Alleyways, Roads or Other Places Used for Travel** (BCAC 27.29)
 - ☐ **Releasing Public Easements and Private Platted Easements or Interests** (BCAC 27.30)
- ☒ **Vacation** (**Notary Continuation Form Affidavit** required, fill out **Business Notary** if needed)

Application Status			
Has this project been previously submitted?	☒ Yes	☐ No	☐ Don't Know
This is a resubmittal of:	☐ Entire Project	☒ Portion of Project	☐ N/A
What was the project number assigned by the Planning and Development Division?	Project Number ☐ N/A ☒ Don't Know		
Project Name	TARA Plat - Downey Estates ☐ N/A ☐ Don't Know		
Are the boundaries of the project exactly the same as the previously submitted project?	☒ Yes	☐ No	☐ Don't Know
Has the flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?	☐ Yes	☐ No	☒ Don't Know
If yes, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.			

Replat Status	
Is this plat a replat of a plat approved and/or recorded after March 20, 1979?	☐ Yes ☐ No ☐ Don't Know
If YES, please answer the following questions.	
Project Name of underlying approved and/or recorded plat	Project Number
Is the underlying plat all or partially residential?	☐ Yes ☐ No ☐ Don't Know
If YES, please answer the following questions.	
Number and type of units approved in the underlying plat.	
Number and type of units proposed to be deleted by this replat.	
Difference between the total number of units being deleted from the underlying plat and the number of units proposed in this replat.	

School Concurrency (Residential Plats, Replats and Site Plan Submissions)	
Does this application contain any residential units? (If "No," skip the remaining questions.)	☒ Yes ☐ No
If the application is a replat, is the type, number, or bedroom restriction of the residential units changing?	☐ Yes ☒ No
If the application is a replat, are there any new or additional residential units being added to the replat's note restriction?	☐ Yes ☒ No
Is this application subject to an approved Declaration of Restrictive Covenants or Tri-Party Agreement entered into with the Broward County School Board?	☐ Yes ☒ No
If the answer is "Yes" to any of the questions above RESIDENTIAL APPLICATIONS ONLY: Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board for residential projects subject to school concurrency, exempt from school concurrency (exemptions include projects that generate less than one student, age restricted communities, and projects contained within Developments of Regional Impact), or subject to an approved Declaration of Restrictive Covenant or Tri-Party Agreement.	

Land Use and Zoning	
EXISTING	PROPOSED
Land Use Plan Designation(s) RR - Rural Ranches District	Land Use Plan Designation(s) No Change
Zoning District(s) A-1 - Agricultural Estate District	Zoning District(s) No Change

Existing Land Use					
A credit against impact fees may be given for the site's current or previous use. No credit will be granted for any demolition occurring more than eighteen (18) months and/or sixty (60) months for mobile homes of Environmental Review of construction plans. To receive a credit, complete the following table. Note: If buildings have been demolished, which are not shown on the survey required with this application, attach an additional "as built" survey dated <u>within</u> eighteen (18) months of this application. Other evidence may be accepted if it clearly documents the use, gross square footage and/or number and type of dwelling units, and date of demolition.					
Are there any existing structures on the site?					☐ Yes ☒ No
Land Use	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the Same?	Change Use?	Has been or <u>will</u> be Demolished?
N/A	N/A	N/A	YES NO	YES NO	HAS WILL NO
			YES NO	YES NO	HAS WILL NO
			YES NO	YES NO	HAS WILL NO
*Gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive-thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.					

Proposed Use			
RESIDENTIAL USES		NON-RESIDENTIAL USES	
Land Use	Number of Units/Rooms	Land Use	Net Acreage or Gross Floor Area
Rural Ranches	16 Single Family Lots	N/A	N/A

NOTARY PUBLIC: Owner/Agent Certification

This is to certify that I am the ~~owner~~/agent of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, ~~owner~~/agent specifically agrees to allow access to described property at reasonable times by County personnel for the purpose of verification of information provided by ~~owner~~/agent.

Ronald S. Ent
Owner/Agent Signature

August 31, 2021
Date

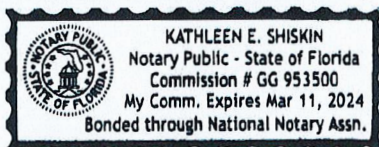
NOTARY PUBLIC

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 31st day of August, 2021, who ☒ is personally known to me | ☐ has produced _____ as identification.

KATHLEEN E. SHISKIN
Name of Notary Typed, Printed or Stamped

Kathleen E. Shiskin
Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

For Office Use Only

Application Type

Vacation Application

Application Date

8/31/2021

Acceptance Date

12/29/21

Fee

\$ 1200.00

Comments Due

1/28/22

Report Due

TBD

CC Meeting Date

TBD

Adjacent City or Cities

N/A

☒ Plats

☒ Surveys

☐ Site Plans

☐ Landscaping Plans

☐ Lighting Plans

☒ City Letter

☐ Agreements

☒ Other:

Sketches.

Distribute To

☒ Full Review

☐ Planning Council

☐ School Board

☐ Land Use & Permitting

☐ Health Department

☐ Zoning Code Services (BMSD only)

☐ Administrative Review

☐ Other:

Received By

Jean-Paul Perez



Application Number 015-UP-94

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT

I/We, AKAI Estates, LLC, Albert A. Yokana, Manager, the property owner(s) ("Affiant") of the property to be vacated in the subject of the Application, being duly sworn, depose(s) and say(s):

1. That I/we am/are the owner(s) and record title holder(s) of the lands that are to be vacated and abandoned.

My/our folio number(s) is/are as follows:

2. That I/we do hereby appoint the following Agent to act on my/our behalf in the processing of the subject of the Application to the Broward County Board of County Commissioners.

Name: Schwebke-Shiskin & Associates, Inc.
Address: 3240 Corporate Way
City, State, Zip: Miramar, FL 33025
Telephone: (954) 435-7010
Contact Person: Ronald A. Fritz, Assistant Vice President

AKAI Estates, LLC

Name of Owner/Petitioner

Date

08/31/21

Signature of Owner/Petitioner (requires notarization)

I, Ronald A. Fritz, Asst. V.P., hereby accept the appointment as Agent to the above listed owner/petitioner.

Ronald A. Fritz, Assistant Vice President

Name of Agent

Date

8/31/21

Signature of Agent

NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by the Affiant by means of

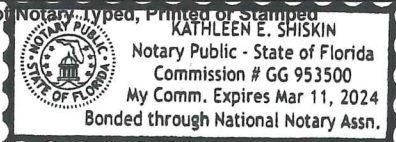
☒ physical presence | ☐ online notarization, this 31 day of August, 2021,

by Albert A. Yokana, Manager, of AKAI Estates, LLC, on behalf of AKAI Estates, LLC.

He/she ☒ is personally known to me | ☐ has produced _____ as identification.

KATHLEEN E. SHISKIN

Name of Notary: Typed, Printed or Stamped
KATHLEEN E. SHISKIN



Kathleen E. Shiskin

Signature of Notary Public - State of Florida

Notary Seal (or Title or Rank)

Serial Number (if applicable)



Application Number 015-UP-94

NOTARY PUBLIC: Business/Government Entity Certification

This is to certify that I am the authorized acting agent of the business/government entity that is the owner/agent of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by County personnel for the purpose of verification of information provided by authorized acting agent of the business/government entity.

Ronald A. Fritz
Agent Signature for Business/Government Entity

August 31, 2021
Date

NOTARY PUBLIC

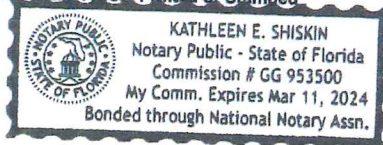
**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 31st day of August, 2021, by Ronald A. Fritz, the Assistant Vice President, on behalf of Schwebke-Shiskin & Associates, Inc., a Florida Corporation.

He/she ☒ is personally known to me | ☐ has produced ---- as identification.

KATHLEEN E SHISKIN
Name of Notary Typed, Printed or Stamped

Kathleen E. Shiskin
Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

WRITTEN CONSENT OF
THE MANAGERS AND MEMBERS OF
AKAI ESTATES LLC

THE UNDERSIGNED, being all of the managers and all the members of AKAI ESTATES LLC, a Florida limited liability company (the "Company") take, authorize and adopt the following actions in writing, without and in lieu of a meeting, pursuant to Section 605.04073(4), F.S., of the Florida Revised Limited Liability Company Act (the "Florida Act"), and consistent with the provisions of the Company's Second Amended and Restated Operating Agreement of the Company effective as of December 4, 2018 (the "LLC Agreement"); (ii) waive all formal requirements, including the necessity of holding a formal or informal meeting, and any requirements for notice with respect to the actions and matters set forth in this Unanimous Written Consent (the "Written Consent"); and (iii) consent and agree to the authorization, approval and adoption of the following recitals and resolutions, all as set forth, provided or described below:

WHEREAS, the Company desires to enter into certain agreements, modifications and amendments with Broward County, Florida, of its development plan and of the Plat for the Property more particularly described on Exhibit "A"; and

WHEREAS, the undersigned has reviewed and discussed the various applications, documents and actual and intended submittals required or which may be required in connection with such requests, agreements, amendment and modifications, and by the Company's attorneys and engineering professionals, and the other instruments, documents and certificates required in connection therewith (collectively, the "Documents").

NOW, THEREFORE, BE IT RESOLVED, that each of the undersigned, being all the managers and all the members of the Company, hereby ratifies, confirms, adopts and approves in all respects the Loan and the execution and delivery of each of the Loan Documents; and be it

FURTHER RESOLVED, that Albert A. Yokana as Manager of Opus Capital & Management LLC, a Florida limited liability company, as Manager of the Company, ("Authorized Person" or "Authorized Signatory"), is hereby authorized and directed to execute and deliver, for and in the name and on behalf of the Company, each of the Documents to which the Company is or may hereafter be a party, with such changes, requests, agreements, modification and amendment relating thereto as shall be approved by such Authorized Person, his execution thereof to be conclusive evidence of such approval; and be it

FURTHER RESOLVED, that Authorized Person and officer of the Company be and is hereby authorized, on behalf of the Company, to do and perform or cause to be done or performed, in the name and on behalf of the Company, all other acts, to pay or cause to be paid all costs and expenses and to execute and deliver or cause to be executed and delivered, such other notices, requests, demands, directions, consents, approvals, orders, applications, agreements, instruments, certificates, undertakings, supplements, amendments, further assurances and communications of any kind, in the name and on behalf of the Company, as such Authorized Person or officer may deem necessary, advisable or appropriate to effect the intent of the foregoing resolutions; and be it

FURTHER RESOLVED, that any and all actions heretofore taken by the Company in connection with the Loan, and each of them hereby is, confirmed and approved in all respects.

This Written Consent may be executed in two or more counterparts, each of which shall be deemed an original and all of which, together, shall constitute one and the same instrument. A party may deliver executed signature pages to this Written Consent by facsimile or electronic transmission to any other party, which facsimile or electronic copy shall be deemed to be an original executed signature page.

[Remainder of Page Intentionally Left Blank]

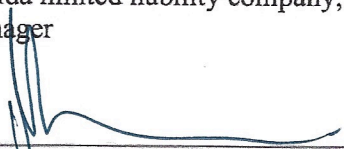
[SIGNATURES ON FOLLOWING PAGES]

Handwritten signatures and initials in the bottom right corner. There is a large signature that appears to be 'for' followed by 'M' and another signature to the right.

IN WITNESS WHEREOF, the undersigned, being all the managers and all the members of Akai Estates LLC, has executed this Written Consent as of the 12th day of April, 2022.

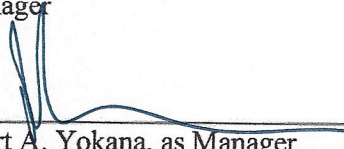
MANAGERS:

OPUS CAPITAL & MANAGEMENT LLC,
A Florida limited liability company,
as Manager

By: 
Albert A. Yokana, as Manager

MEMBERS:

OPUS CAPITAL & MANAGEMENT LLC,
A Florida limited liability company,
as Manager

By: 
Albert A. Yokana, as Manager

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned, being all the managers and all the members of Akai Estates LLC, has executed this Written Consent as of the 12th day of April, 2022.

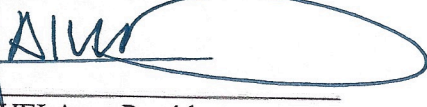
MANAGERS:

AKOA INVESTORS & DEVELOPERS, INC.,
A Florida corporation, as Manager

By: 
JAIRO H. VELA, as President

MEMBERS:

AKOA INVESTORS & DEVELOPERS, INC.,
A Florida corporation, as Manager

By: 
JAIRO H. VELA, as President

[SIGNATURES ON FOLLOWING PAGE]

Signature Page to Written Consent of the Managers and Members of Akai Estates LLC

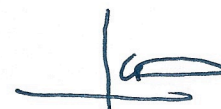
IN WITNESS WHEREOF, the undersigned, being all the managers and all the members of Akai Estates LLC, has executed this Written Consent as of the 12th day of April, 2022.

MEMBERS:

M.C. CAPITAL NVESTMENTS
L.P., a Delaware limited
partnership

By: M.C. CAPITAL INVESTMENTS, Inc.,
a Delaware corporation, its general partner

By: 
Michael Sochaczewski, its President



my

EXHIBIT "A"

All of the Plat of TARA, according to the map or plat thereof as recorded in Plat Book 162, Page 20, Public Records of Broward County, Florida.

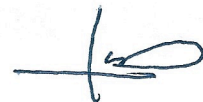
  



EXHIBIT "A"

Sheet 1 of 1 Sheets

**PLAT OF "TARA", AS RECORDED IN PLAT BOOK 162 AT
PAGE 20, OF THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA**

**RIGHT-OF-WAY TO BE VACATED & ABANDONED
BROWARD COUNTY APPLICATION NUMBER 2021-V-12**

Sheet 1 of 1 Sheets

UNNAMED DEDICATED PUBLIC RIGHT-OF-WAY:

The unnamed dedicated public Right-of-Way, lying and being within the limits of the plat of "Tara", as recorded in Plat Book 162 at Page 20, of the Public Records of Broward County, Florida, all lying and being in the Northeast 1/4 of Section 36, Township 50 South, Range 39 East, Town of Southwest Ranches, Broward County, Florida.

