

ITEM #43

ADDITIONAL MATERIAL

Public Hearing

JUNE 14, 2022

SUBMITTED AT THE REQUEST OF

**RESILIENT ENVIRONMENT
DEPARTMENT**



Resilient Environment Department

URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

MEMORANDUM

DATE: Mayor and Members of the Board of County Commissioners

THRU: Monica Cepero, County Administrator

FROM: Josie P. Sesodia, AICP, Director
Urban Planning Division

DATE: June 13, 2022

RE: Agenda Item No. 43 Board Meeting of June 14, 2022 – Public Hearing: Vacation and Abandonment (2021-V-12) Additional supporting documentation Exhibit 1.

The attached additional information is being provided at the request of the Office of the County Attorney. This vacation application has been revised to include two (2) additional owners, pursuant to a revised Title Opinion prepared by the applicant.

Attachment

cc: Andrew J. Meyers, County Attorney
Maite Azcoitia, Deputy County Attorney
Robert Melton, County Auditor
Leonard Vialpando, P.E., Director, Resilient Environment Department



Application Number 2021-V-12

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

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 alex@akaiestates.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 - Pg. 20-23	
Folio(s) See Exhibit "A" attached hereto			
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 <i>Questionnaire Form, Plat Checklist</i>)	
☐ Site Plan (fill out/PRINT <i>Questionnaire Form, Site Plan Checklist</i>)	
☐ Note Amendment (fill out/PRINT <i>Questionnaire Form, Note Amendment Checklist</i>)	
☒ Vacation (fill out/PRINT <i>Vacation Continuation Form, Vacation Checklist</i> , use <i>Vacation Instructions</i>)	
☒ 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 within 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?	<u>Has</u> 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	15 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 A. Felt
Owner/Agent Signature

06/09/2022
Date

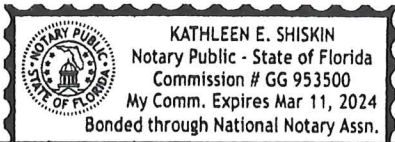
NOTARY PUBLIC

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 9 day of June, 2022, 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

Application Date <u>06/09/2022</u>	Acceptance Date <u>06/09/2022</u>	Fee <u>N/A</u>
Comments Due <u>N/A</u>	Report Due <u>N/A</u>	CC Meeting Date <u>06/14/2022</u>

Adjacent City or Cities
N/A

☐ Plats ☐ Surveys ☐ Site Plans ☐ Landscaping Plans ☐ Lighting Plans
☐ City Letter ☐ Agreements

☐ Other: N/A

Distribute To
☐ Full Review ☐ Planning Council ☐ School Board ☐ Land Use & Permitting
☐ Health Department ☐ Zoning Code Services (BMSD only) ☐ Administrative Review

☐ Other:

Received By

Diego Penaloza

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.



Application Number 2021-V-12

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT

I/We, AKAI Estates, LLC - Albert 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:

See attached Exhibit "A"

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, Florida 33025

Telephone: (954) 435-7010

Contact Person: Ronald A. Fritz, Assistant Vice President

AKAI Estates, LLC Albert Yokana, Manager

Name of Owner/Petitioner

Date

06/09/22

Signature of Owner/Petitioner (requires notarization)

I, Ronald A. Fritz, Assistant Vice President, hereby accept the appointment as Agent to the above listed owner/petitioner.

Ronald A. Fritz, Assistant Vice President

Name of Agent

Date

06/09/2022

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 9 day of June, 2022,

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

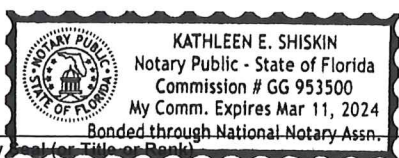
He/she ☒ is personally known to me | ☐ has produced _____ as identification.

KATHLEEN E. SHISKIN

Name of Notary Typed, Printed or Stamped

Kathleen E. Shiskin

Signature of Notary Public - State of Florida



Notary _____

Serial Number (if applicable)



Application Number 2021-V-12

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

06/09/2022
Date

NOTARY PUBLIC

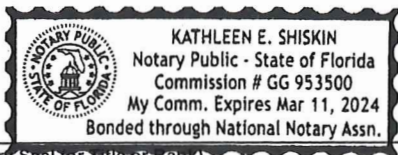
**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 9 day of June, 2022, by Ronald A. Fritz, the Asst. Vice President, on behalf of Schwabke-Shiskin Florida Corporation, a

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)



Application Number 2021-V-13

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

Development and Environmental Review Online Application

Project Information			
Owner/Applicant/Petitioner Name Prasad Hedge & Ruby Hedge, Husband & Wife			
Address 333 Las Olas Way - CU#1		City Fort Lauderdale	State FL
Zip 33301			
Phone (954) 325-7504		Email alex@akaiestates.com	
Agent for Owner/Applicant/Petitioner Schwabke-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 - Pg. 20-23	
Folio(s) 5039-36-15-0090 (See Attached Exhibit "A")			
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

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If YES, please answer the following questions.	
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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	
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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 within 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	1 Single Family Lot	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.

SCHWEBKE-SHISKIN & ASSOCIATES, INC.

Ronald L. Fnd
Owner/Agent Signature

06/09/2022
Date

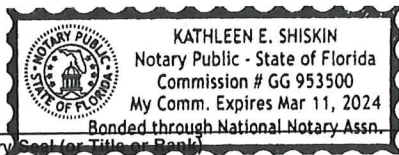
NOTARY PUBLIC

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 9 day of June, 2022, 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 Date <u>06/09/2022</u>	Acceptance Date <u>n/a</u>	Fee <u>n/a</u>
Comments Due <u>n/a</u>	Report Due <u>n/a</u>	CC Meeting Date <u>06/14/2022</u>
Adjacent City or Cities <u>n/a</u>		
☐ Plats ☐ Surveys ☐ Site Plans ☐ Landscaping Plans ☐ Lighting Plans ☐ City Letter ☐ Agreements		
☐ Other: <u>n/a</u>		
Distribute To ☐ Full Review ☐ Planning Council ☐ School Board ☐ Land Use & Permitting ☐ Health Department ☐ Zoning Code Services (BMSD only) ☐ Administrative Review		
☐ Other:		
Received By <u>Diego Penaloza</u>		

EXHIBIT "A"
Sheet 1 of 3 Sheets

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

**BROWARD COUNTY PROPERTY APPRAISER
PROPERTY IDENTIFICATION NUMBERS
BROWARD COUNTY APPLICATION NUMBER 2021-V-13**
Sheet 1 of 1 Sheets

LOT NUMBER	OWNER	IDENTIFICATION NUMBER
9	Prasad Hedge & Ruby Hedge Husband & Wife	5039-36-15-0090

The above Lot 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.



EXHIBIT "A"
Sheet 2 of 3 Sheets

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

**LIST OF EASEMENTS TO BE VACATED & ABANDONED
BROWARD COUNTY APPLICATION NUMBER 2021-V-13**
Sheet 1 of 2 Sheets

SUBMITTAL PACKAGE 1-A: (55-foot-wide Drainage Easement)

55-foot-wide Drainage Easement lying within Lot 9

SUBMITTAL PACKAGE 1-E: (15-foot-wide Lake Maintenance Easement)

15-foot-wide Lake Maintenance Easement lying within Lot 9

SUBMITTAL PACKAGE 1-G: (15-foot-wide Utility Easement)

15-foot-wide Utility Easements lying within Lot 9

SUBMITTAL PACKAGE 1-J: (Road Easement)

A portion of that certain Road Easement lying within Parcel "A" and Lot 4.



EXHIBIT "A"
Sheet 3 of 3 Sheets

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

**BROWARD COUNTY PROPERTY APPRAISER
PROPERTY IDENTIFICATION NUMBERS
BROWARD COUNTY APPLICATION NUMBER 2021-V-13
Sheet 2 of 2 Sheets**

NOTE:

All of the above easements 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 Southeast 1/4 of Section 25, Township 50 South, Range 39 East and the Northeast 1/4 of Section 36, Township 50 South, Range 39 East, Town of Southwest Ranches, Broward County, Florida.





Application Number _____

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT

I/We, Prasad Hedge & Ruby Hedge, 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:

5039-36-15-0090 (See Attached Exhibit "A")

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: Sshwebke-Shiskin & Associates, Inc.

Address: 3240 Corporate Way

City, State, Zip: Miramar, Florida 33025

Telephone: (954) 435-7010

Contact Person: Ronald A. Fritz, Assistant Vice President

Prasad Hedge & Ruby Hedge

Name of Owner/Petitioner

Date

Signature of Owner/Petitioner (requires notarization)

I, Ronald A. Fritz, Assistant Vice President, hereby accept the appointment as Agent to the above listed owner/petitioner.

Ronald A. Fritz, Assistant Vice President

Name of Agent

Date

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 9 day of June, 2022,
by Albert Yokawa, Manager, of AKAI Estates, LLC, on behalf of
AKAI Estates, LLC

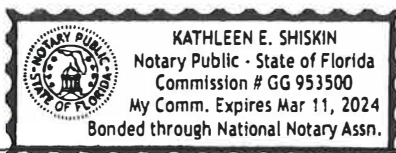
He/she ☒ is personally known to me | ☐ has produced _____ as identification.

KATHLEEN E. SHISKIN

Name of Notary Typed, Printed or Stamped

Kathleen E. Shiskin

Signature of Notary Public - State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)



Application Number _____

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.

SCHWEBKE-SHISKIN & ASSOCIATES, INC.

Ronald A. Fritz
Agent Signature for Business/Government Entity

06/09/2022
Date

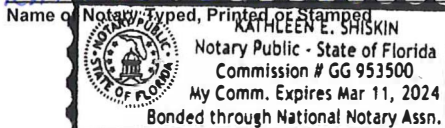
NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 9 day of June, 2022, by Ronald A. Fritz, the asst. Vice President, on behalf of Schwabke - Shiskin, a Florida Corporation.

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

KATHLEEN E. SHISKIN



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

Notary Seal (or Title or Rank)

Serial Number (if applicable)

This instrument prepared by:
M. Scott Kleiman, Esq.
Kalis, Kleiman & Wolfe
7320 Griffin Road, Suite 109
Davie, Florida 33314
954-791-0477

LIMITED LIABILITY COMPANY AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, a Notary, personally appeared **ALBERT A. YOKANA**, hereinafter referred to as "**AFFIANT**", who, upon being duly sworn and cautioned, deposes and says:

1. That **ALBERT A. YOKANA**, is the **Manager of OPUS CAPITAL & MANAGEMENT LLC, a Florida limited liability company.**

2. That **OPUS CAPITAL & MANAGEMENT LLC, a Florida limited liability company**, is the Managing Member of **AKAI ESTATES LLC, a Florida limited liability company.**

3. **AKAI ESTATES LLC, a Florida limited liability company**, is the Owner of the following described real property:

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, less and except Lot 9 thereof.

4. That the management of **AKAI ESTATES LLC, a Florida limited liability company**, is vested in its Managing Member, **OPUS CAPITAL & MANAGEMENT, LLC, a Florida limited liability company.**

3. That as the Manager of **OPUS CAPITAL & MANAGEMENT, LLC, a Florida limited liability company**, as **Manager of AKAI ESTATES LLC, a Florida limited liability company**, Affiant is authorized to execute and deliver any and all documents relating to the above referenced property, including but not limited to the signing of any and all instruments required by any governmental agency or entity and/or other instruments affecting the limited liability company's development, modification and/or transfer of the subject above described real property or any portion thereof, pursuant to the regulations of **AKAI ESTATES LLC, a Florida limited liability company.**

4. That **AKAI ESTATES LLC, a Florida limited liability company**, is currently in existence and has not been dissolved as a result of the death, bankruptcy, or dissolution of a member, or the transfer or termination of a member's interest, nor has **Affiant** filed bankruptcy since the LLC acquired title; and Owner/Affiant has not become dissociated pursuant to Sections 605.0302(11) F.S., (by filing a statement of dissociation), Sections 605.0601, or 605.0602, F.S., nor has Affiant wrongfully caused dissolution of the LLC.

AFFIANT further certifies that AFFIANT has read this Affidavit and understand its content.



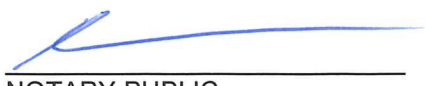
ALBERT A. YOKANA

STATE OF FLORIDA

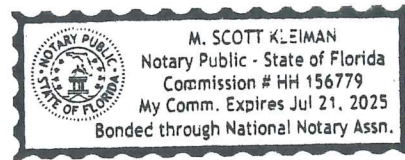
COUNTY OF Broward

Sworn to and subscribed before me by means of (☒) physical presence or (☐) online notarization,
this 9 day of June, 2022, by **ALBERT A. YOKANA**, who is (☒) personally known to me or has
(☐) produced _____ as identification.

My Commission Expires:



NOTARY PUBLIC



This Instrument Prepared By:
Neal R. Kalis, Esq.
Kalis & Kleiman, P.A.
7320 GRIFFIN ROAD, SUITE 109
DAVIE, FLORIDA 33314

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, **PRASAD HEDGE and RUBY HEDGE, husband and wife**, have made, constituted and appointed, and by these presents do make, constitute and appoint **ALBERT YOKANA**, our true and lawful attorney for us and in our name, place and stead, to execute and deliver any and all documents on our behalves to effectuate the granting, dedication and/or rededication of easements, and agreements, amendments to the site plan for AKAI ESTATES, and/or the TARA plat, and/or right of way vacations and dedications, including, without limitation, a recreational trail easement, a non-vehicular access line and the making of certain roadway improvements for AKAI ESTATES in favor of the Town of Southwest Ranches, Florida, the South Broward Drainage District, Broward County, Florida and/or such other governmental entities as may require or direct that the same be provided in connection therewith and for those matters relating to the approval of the site plan for AKAI ESTATES, and/or matters relating to the TARA plat, as the same may relate to the following described property:

Lot 9 of TARA according to the Plat thereof, as recorded in Plat Book 162 Page 20 of the Public Records of Broward County, Florida (the "Property")

provided, however, as this Power of Attorney relates to the Property, this Power of Attorney shall be exercisable by our attorney in fact only as to any matters which lie within the Property and are located between the boundary lines of the Property and the building setback lines on the Property. Matters outside the boundaries of the Property may be otherwise modified by our attorney in fact. Subject to the limitations imposed herein, giving and granting unto our said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully, to all intents and purposes as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that our said attorney or his substitute, appointee or designee shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 11 day of March, 2022.

Signed, sealed and delivered in the presence of:

Louis Pardo
Witness Louis Pardo

Printed Witness Name
HARDEEP S. CHAWLA
Witness
HARDEEP S. CHAWLA
Printed Witness Name

Prasad Hedge
PRASAD HEDGE

Ruby Hedge
RUBY HEDGE

STATE OF FLORIDA

COUNTY OF Broward

THE FOREGOING INSTRUMENT was acknowledged before me by means of (X) physical presence or () online notarization, this 11 day of March, 2022, by **PRASAD HEDGE and RUBY HEDGE**, who are personally known to me or who have produced CT Drivers License as identification.

My Commission Expires  LOUIS PARDO
Notary Public, State of Florida
My Comm. Expires 01/07/2024
Commission No. GG944074

Louis Pardo
Notary Public
Louis Pardo
Printed Notary Name

7320 GRIFFIN ROAD, SUITE 109

DAVIE, FLORIDA 33314

TELEPHONE (954) 791-0477

FAX (954) 791-0506

E-MAIL INFO@KKLAW.US

TREASURE COAST OFFICE

P.O. BOX 13075

FORT PIERCE, FLORIDA 34979-3075

E-MAIL INFO@KKLAW.US



NEAL R. KALIS
M. SCOTT KLEIMAN
TAMI R. WOLFE

June 6, 2022

Diego Penaloza, Senior Planner
Resilient Environment Department
Urban Planning Division
1 N. University Drive, Box #102A
Plantation, FL 33324

Re: Akai Estates – Opinion of Title

Dear Mr. Penaloza:

My office is legal counsel for Akai Estates LLC. In connection with the pending applications for modifications to certain of the plat related matters, and at the request of Ronald A. Fritz, PLS, of Schwebke Shiskin and Associates, the project's engineer, enclosed please find the Opinion of Title requested and required by Broward County.

Should you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

M. Scott Kleiman

cc: Ronald A. Fritz, PLS
Alex Yokana, Manager, Akai Estates LLC



NEAL R. KALIS
M. SCOTT KLEIMAN
TAMI R. WOLFE

★ **MAIN OFFICE**
7320 GRIFFIN ROAD, SUITE 109
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OPINION OF TITLE

Broward County Land Development Code - Section 5-1 89(c)(3)
Florida Statutes Chapter 177

To: **Broward County Board of County Commissioners**

With the understanding that this Opinion of Title is furnished to the Broward County Board of County Commissioners, as an inducement for the 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 20th day of July, 2021, at the hour of 11:00 p.m., inclusive, (Base title information -First American Title Insurance Company Owner's Policy of Title Insurance Policy No. 5011412-0166326 effective February 13, 2014 at 8:48 a.m. and update certified through May 17, 2022 at 11:00 p.m., and such other additional information as may be necessary to deliver this opinion to the Broward County Board of County Commissioners) of the following described property:

Legal Description

All of TARA, according to the Plat thereof as recorded in Plat Book 162, Page 20, Public Records of 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:

AKAI ESTATES LLC, a Florida limited liability company, by that certain Warranty Deed from PNN INVESTMENTS, LLC, a Florida limited liability company, recorded February 13, 2014 in Instrument Number 112098982, in the Public Records of Broward County, Florida (as to all of TARA, less Lot 9 of Tara, according to the Plat thereof as recorded in Plat Book 162, Page 20, of the Public Records of Broward County, Florida).

-AND-

PRASAD HEDGE and RUBY HEDGE, husband and wife, by that certain Special Warranty Deed from AKAI ESTATES LLC, a Florida limited liability company, recorded March 4, 2022, in Instrument Number 117983769, in the Public Records of Broward County, Florida (as to Lot 9, TARA, according to the Plat thereof as recorded in Plat Book 162, Page 20, of the Public Records of Broward County, Florida).

Subject to the following:

Mortgage(s) of Record: Mortgage, Assignment of Rents and Security Agreement in favor of City National Bank of Florida recorded in Instrument No. 115947153, of the Public Records of Broward County, Florida; along with UCC-I Financing Statement recorded in Instrument No. 115947154, and Mortgage Modification and Notice of Future Advance Agreement recorded March 28, 2022 in Instrument# 118036233, all of the Public Records of Broward County, Florida (as to all of TARA, less Lot 9 of Tara, according to the Plat thereof as recorded in Plat Book 162, Page 20, of the Public Records of Broward County, Florida. Partial Release of Mortgage for Lot 9, of TARA, recorded March 28,2022, in Instrument # 118036117, of the Public Records of Broward County, Florida).

-AND-

Mortgage in favor of City National Bank of Florida recorded March 4, 2022 in Instrument No. 117983770, of the Public Records of Broward County, Florida; along with UCC-I Financing Statement recorded in Instrument No. 117983771, of the Public Records of Broward County, Florida (only as to Lot 9, TARA, according to the Plat thereof as recorded in Plat Book 162, Page 20, of the Public Records of Broward County, Florida).

Note: There is a Notice of Commencement recorded March 28, 2022 in Instrument No. 118036234, of the Public Records of Broward County, Florida; and a Notice of Commencement recorded March 10, 2022 in Instrument No. 117997839, of the Public Records of Broward County, Florida (as to Lot 9 only).

List of easements and Rights-of-Way lying within the plat boundaries:

1. Restrictions, dedications, conditions, reservations, easements and other matters shown on the Plat of The Everglades Land Company(s Subdivision of Section 36 & South Half of Section 25, Township 50 S. , Range 39 E., as recorded in Plat Book 1, Page 63, of the Public Records of Miami-Dade County, Florida.
2. Restrictions, dedications, conditions, reservations, easements and other matters shown on the Plat of TARA, as recorded in Plat Book 162, Page 20, of the Public Records of Broward County, Florida; as effected by: Release and Vacation of 55 foot Drainage Easement (Tara Plat) by South Broward Drainage District in favor of Akai Estates, LLC, a Florida limited liability company recorded August 17, 2016 in Instrument No. 1 13876896, of the Public Records of Broward County, Florida; Release and Vacation of 50 foot Drainage Easement (Tara Plat) by South Broward Drainage District in favor of Akai Estates, LLC, a Florida limited liability company recorded August 17, 2016 in Instrument No. 1 13876895, of the Public Records of Broward County, Florida; Release and Vacation of 25 foot Drainage Easements (Tara Plat) by South Broward Drainage District in favor of Akai Estates, LLC, a Florida limited liability company recorded August 17, 2016 in . Instrument No. 113876894, of the Public Records of Broward County, Florida; Release and Vacation of 15 foot Lake Maintenance Easements (Tara Plat) by South Broward Drainage District in favor of Akai Estates, LLC, a Florida limited liability company recorded August 17, 2016 in Instrument No. 113876893, of the Public Records of Broward County, Florida; Release and Vacation of 20 foot Lake Maintenance Easements (Tara Plat) by South Broward Drainage District in favor of Akai Estates,

LLC, a Florida limited liability company recorded August 17, 2016 in Instrument No. 1 13876892, of the Public Records of Broward County, Florida; Release and Vacation of Lake Easement (Tara Plat) by South Broward Drainage District in favor of Akai Estates, LLC, a Florida limited liability company recorded August 17, 2016 in Instrument No. 113876891, of the Public Records of Broward County, Florida.

3. Reservations as contained in those Deeds recorded in Deed Book 46, Page 252; Deed Book 65, Page 357; and in Deed Book 67, Page 72, all of the Public Records of Miami-Dade County, Florida, together with Reservations as contained in those Deeds recorded in Deed Book 1, Page 243; Deed Book 1, Page 370; Deed Book 5, Page 483; Deed Book 6, Page 44; Deed Book 50, Page 12; Deed Book 140, Page 1 ; Deed Book 165, Page 170; and in Deed Book 179, Page 323, all of the Public Records of Broward County, Florida, as affected by that Quit-Claim Deed recorded in Deed Book 472, Page 234; Deed recorded in Deed Book 670, Page 200, and by that Quit Claim Deed recorded January 8, 1979 in Official Records Book 7973, Page 45, all of the Public Records of Broward County, Florida, which right of entry has been barred.
 4. Road Right of Way as contained in that Warranty Deed, recorded September 20, 1978 in Official Records Book 7776, Page 150, of the Public Records of Broward County, Florida.
 5. Terms and conditions as contained in Resolution No. 88-6 recorded August 26, 1987 in Official Records Book 14748, Page 391, of the Public Records of Broward County, Florida.
 6. Terms and conditions as contained in that Educational Impact Agreement, recorded January 15, 1997 in Official Records Book 25909, Page 642, of the Public Records of Broward County, Florida. Lot 9, TARA Plat has been released by that certain Partial Release of Educational Impact Agreement recorded May 16, 2022 in Instrument No. 118147083 of the Public Records of Broward County, Florida.
 7. (Intentionally deleted).
 8. Terms and conditions as contained in that Agreement for Installation of Required Improvements Relating to TARA Plat, recorded January 15, 1997 in Official Records Book 25909, Page 660, of the Public Records of Broward County, Florida.
 9. Terms and conditions as contained in that South Broward Drainage District Resolution No. 2000-06, recorded December 21, 2000 in Official Records Book 31125, Page 1113, of the Public Records of Broward County, Florida.
 10. Canal Easement in favor of the South Broward Drainage District, recorded July 13, 2005 in Official Records Book 40057, Page 1714, of the Public Records of Broward County, Florida.
 11. Terms, conditions and easements as contained in that Surface-Water Management Area Designation, recorded in Official Records Book 40057, Page 1718, of the Public Records of Broward County, Florida.
 12. Terms and conditions as contained in Ordinance No. 2005-006, recorded August 1, 2005 in Official Records Book 40192, Page 75, of the Public Records of Broward County, Florida.
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13. Terms and conditions as contained in that South Florida Water Management District Notice of Environmental Resource Or Surface Water Management Permit, recorded November 25, 2009 in Official Records Book 46691, Page 532, of the Public Records of Broward County, Florida.
 14. Terms and conditions as contained in the Town of Southwest Ranches Resolution No. 2017-018, recorded January 13, 2017 in Instrument No. 1 14149478, of the Public Records of Broward County, Florida.
 15. Drainage Easement (20 Foot) (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876903, of the Public Records of Broward County, Florida.
 16. Drainage Easement (36 Foot) (Downey Ranches) for Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876902, of the Public Records of Broward County, Florida
 17. Drainage Easement (15 Foot) (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876900, of the Public Records of Broward County, Florida.
 18. Drainage Easement (20 Foot) (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 1 13876903, of the Public Records of Broward County, Florida.
 19. Drainage Easement (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876899, of the Public Records of Broward County, Florida.
 20. Lake Maintenance Easement (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876898, of the Public Records of Broward County, Florida.
 21. Drainage Easement (Downey Ranches) by Akai Estates, LLC, a Florida limited liability company in favor of South Broward Drainage District recorded August 17, 2016 in Instrument No. 113876897, of the Public Records of Broward County, Florida.
 22. Recorded Notice of Environmental Resource Permit recorded March 22, 2016 in Instrument No. 1 13583349, of the Public Records of Broward County, Florida.
 23. Ordinance No. 2022-009 recorded April 7, 2022 in Instrument No. 118062517, of the Public Records of Broward County, Florida.
 24. Resolution No. 2022-017 recorded January 28 2022 in Instrument No. 117899177 of the Public Records of Broward County, Florida.
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25. Declaration of Covenants, conditions and Restrictions for Akai Estates Homeowners' Association, Inc., dated December 20, 2021 and recorded on January 26, 2022 in Instrument No. 117891281 of the Public Records of Broward County, Florida.

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

Respectfully submitted this 3 day of June, 2022.



M. SCOTT KLEIMAN, ESQ.
KALIS, KLEIMAN & WOLFE
7320 Griffin Road, Suite 109
Davie, FL 33314
954-791-0477