



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



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

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

**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)

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

<b>Replat Status</b>	
Is this plat a replat of a plat approved and/or recorded after March 20, 1979?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know
<b>If YES, please answer the following questions.</b>	
Project Name of underlying approved and/or recorded plat	Project Number
Is the underlying plat all or partially residential?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know
<b>If YES, please answer the following questions.</b>	
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.	

<b>School Concurrency (Residential Plats, Replats and Site Plan Submissions)</b>	
Does this application contain any residential units? (If "No," skip the remaining questions.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If the application is a replat, is the type, number, or bedroom restriction of the residential units changing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the application is a replat, are there any new or additional residential units being added to the replat's note restriction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is this application subject to an approved Declaration of Restrictive Covenants or Tri-Party Agreement entered into with the Broward County School Board?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If the answer is "Yes" to any of the questions above</b>	
<b>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.</b>	

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 will 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 J. Ford August 31, 2021  
 Owner/Agent Signature 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 Kathleen E. Shiskin  
 Name of Notary Typed, Printed or Stamped Signature of Notary Public - State of Florida

KATHLEEN E. SHISKIN  
 Notary Public - State of Florida  
 Commission # GG 953500  
 My Comm. Expires Mar 11, 2024  
 Bonded through National Notary Assn.

Notary Seal (or Title or Rank) Serial Number (if applicable)

**For Office Use Only**

Application Type  
Vacation Application

Application Date <u>8/31/2021</u>	Acceptance Date <u>12/29/21</u>	Fee <u>\$ 1200.00</u>
Comments Due <u>1/28/22</u>	Report Due <u>TBD</u>	CC Meeting Date <u>TBD</u>

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

08/31/21  
Date

[Signature]  
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

8/31/21  
Date

[Signature]  
Signature of Agent

**NOTARY PUBLIC**

**STATE OF FLORIDA  
COUNTY OF BROWARD**

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

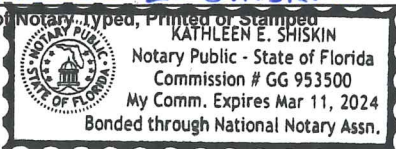
physical presence |  online notarization, this 31 day of August, 2021,

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

[Signature]  
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.

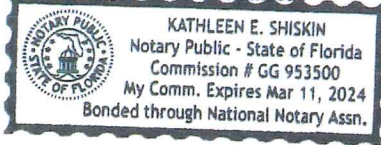
He/she  is personally known to me |  has produced ---- as identification.

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]

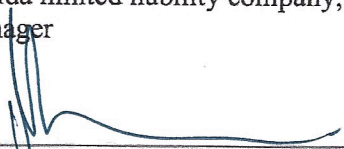
[SIGNATURES ON FOLLOWING PAGES]

Handwritten signatures and initials in the bottom right corner of the page. There are two distinct signatures, one appearing to be a stylized 'f' and another more complex signature, with some initials or marks next to them.

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 12<sup>th</sup> day of April, 2022.

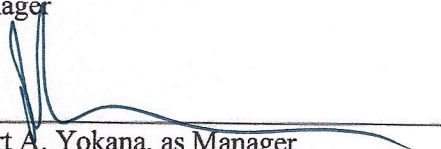
MANAGERS:

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

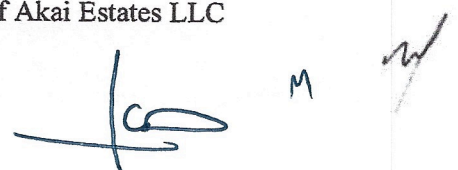
By:   
Albert A. Yokana, as Manager

MEMBERS:

OPUS CAPTIAL & 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 12<sup>th</sup> day of April, 2022.

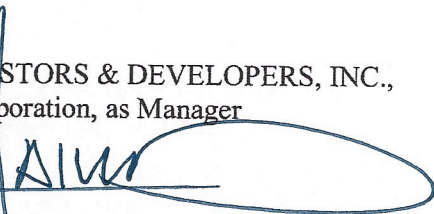
MANAGERS:

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

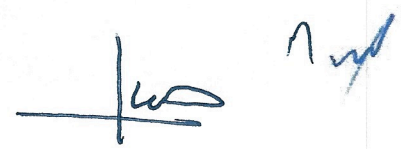
  
By: \_\_\_\_\_  
JAIRO H. VELA, as President

MEMBERS:

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

  
By: \_\_\_\_\_  
JAIRO H. VELA, as President

[SIGNATURES ON FOLLOWING PAGE]

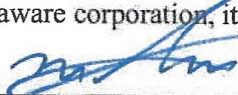


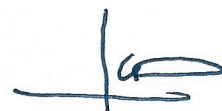
IN WITNESS WHEREOF, the undersigned, being all the managers and all the members of Akai Estates LLC, has executed this Written Consent as of the 12<sup>th</sup> day of April, 2022.

MEMBERS:

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

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

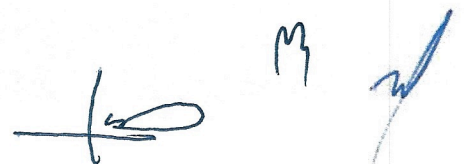
By:   
Michael Sochaczewski, its President



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.**

Handwritten signatures and initials in blue ink, including a large signature, the number '13', and another signature.



**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.

