

Resilient Enviroment 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:	05/04/2022						
To:	County Attorney's Office Attention: Maite Azcoitia, Office of County Attorney						
From:	Planning and Development Management Division						
	Vacation Petition No.: 2022-V-02						
	Petitioner(s): City of Parkland						
	Agent for Petitioner(s): Planning and Entitlements, LLC						
	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						
Ordinance	to Florida Statute Chapter 177.101 and the above sections of the Broward County Administrative Code and Code of es, the following determined that the requested vacation petition would not affect the ownership or right of convenient persons owning other parts of the subdivision:						
	Designated Review Agencies and Organizations Date:						
Requir	red Documentation						
	Vacation Petition Application Date Accepted: 05/04/2022						
×	File Fee (made payable to Broward County Board of County Commissioners and deposited)						
	Petitioner Notice of Intent Dates Published: 03/26/2022 and 04/02/2022						
	Certificate of Real Estate Taxes Paid [Revenue Collection Division] Date: 02/22/2022						
	Property Location I Municipality of City of Parkland						
	Certified Copy of Municipal Resolution No: 2022-006 Date(s): 04/20/2022						
	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: Evelyn Branas         Date:         03/24/2022						
	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						
×	Drait Resolution of Adopted Vacation						
Appro							
	d subject to the Office of the County Attorney's receipt, review, and approval of a Title Certificate dated within 45 days						
1000	ne Public Hearing. Deanna Kalil Date: 2022.07.26 14:05:21						
0.000 0.00	ed and Approved as to Form by.						
Print Na	ame: Deanna Kalil Date: 7/26/22						



F L O R I D A

Application Number 013-MP-03

Resilient Environment Department URBAN PLANNING DIVISION

1 N. University Drive, Box 102A · Plantation, FL 33324 · T: 954-357-6634 · F: 954-357-6521 · Broward.org/Planning

### **Development and Environmental Review Online Application**

Project Information				
Plat/Site Plan Name				
Brewer Plat Two				
Plat/Site Number		Plat Book - Page (if recorded)		
013-MP-03		PB 175 PG 53		
Owner/Applicant/Petitioner Name				
R&D Parkland LLC				
Address		City	State	Zip
10 Fairway Drive		Deerfield Beach	FL	33441
Phone	Email			
Agent for Owner/Applicant/Petitioner		Contact Person		
Tara-Lynn Patton		Tara-Lynn Patton		
Address		City	State	Zip
10805 Gleneagles Road		Boynton Beach	FL	33436
Phone	Email			
561-337-0878	pattontnt@e	earthlink.net		
Folio(s)				
484103220010 & 484103220020				
Location				
North	NIVA	/ 15th Way N	Andrews	Avenue
North	t/between/and	street name / side/corner and/of	street n	
north side/corner north street name		street name / side/comer	street n	anie

#### Type of Application (this form required for all applications)

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

D 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: Dentire Project	X Portion of Pr	oject		N/A			
What was the project number assigned by the Urban Planning Division?	Project Number 013-MP-03		C	A/N E	Don't Know		
Project Name Brewer Plat Two			٦	A/N C	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.							
Demist Otativa							
Replat Status							
Is this plat a replat of a plat approved and/or recorded	l after March 20, 19	79? 🛛	Yes	🗆 No	Don't Know		
If YES, please answ	ver the following que	stions.					
Project Name of underlying approved and/or recorded plat			oject Num	nber			
Brewer Plat Two 013-MP-03							
Is the underlying plat all or partially residential? Xes Don't K					Don't Know		
If YES, please answ	ver the following que	stions.			, <b>1</b>		

Number and type of units approved in the underlying plat. 4 dwelling units - single family

Number and type of units proposed to be deleted by this replat.

n/a

Difference between the total number of units being deleted from the underlying plat and the number of units proposed in this replat.

n/a

# 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 □ Yes □ No If the application is a replat, are there any new or additional residential units being added to □ Yes □ No

the replat's note restriction?

Is this application subject to an approved Declaration of Restrictive Covenants or Tri-Party Agreement entered into with the Broward County School Board?

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.** 

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Land Use and Zoning	to metalo.
EXISTING	PROPOSED
Land Use Plan Designation(s)	Land Use Plan Designation(s)
Residential 1 DU/1 AC (R-1)	Residential 1 DU/1 AC (R-1)
Zoning District(s)	Zoning District(s)
AE-2	AE-2

#### 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 three (3) years 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 three (3) years 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

		EXISTING STUCTURE(S)			
Land Use	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	Remain the Same?	Change Use?	Has been or will be Demolished?
			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 id 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	
Single-family	1 du			
		en en menje oger for en første likke etter mensen vore men me		

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NOTARY PUBLIC: Owner/Agent Certific	cation
information supplied herein is true and correct	of the property described in this application and that all at to the best of my knowledge. By signing this application, ess to described property at reasonable times by County ormation provided by owner/agent. 4-19-2022
Owner/Agent Signature	Date
NO	TARY PUBLIC
STATE OF FLORIDA	
COUNTY OF BROWARD	ore me by means of physical presence    online notarization,
	20 <u>→</u> , who I is personally known to me I I has produced
FL OL as identification.	
Stereps Milord	1 h hul
Name of Notary Typed, Printed or Stamped	Signature of Notary Public – State of Florida
STEVENS MILORD Commission # HH 133 Expires September 9, 2 Bended Thru Budget Notary Se	3331 2025
	171+133331
Notary Seal (or Title or Rank)	Serial Number (if applicable)
Far Office Use Only	
For Office Use Only Application Type	
Vacation Application	
Application Pate Acceptance Date 5 4 2	2022 \$ 1200.00
Comments Due Report Due NIA	CC Meeting Date
Adjacent City or Cities	
IV IN In Plats III Surveys III Site P	Plans   Landscaping Plans  Lighting Plans
City Letter	
De Other: Skecthes	
Distribute To	School Board 😽 🛛 Land Use & Permitting
Health Department     Zoning Code	Services (BMSD only)
Other:	
Received By Dence Ander	17 - 19C
Diego penaloza.	

#### STEP II. Petitioner Completes Application For Vacation And Abandonment

The following list of document requirements will assist the Petitioner/Owner in completing a Broward County Application for Vacation and Abandonment ("Application"). Please refer to the Vacation Application Checklist for a summary of requirements.

Important: Only a complete and accurate Application, including all required attachments, will be accepted for review and approval by Broward County Urban Planning Division.

#### Submit Application with Required Documents to Urban Planning Division

#### Application for Vacation and Abandonment

- Submit complete and accurate Application 1 original, 1 copy.
- For Petitioners, include all property owners of record and with property interest, using additional pages to identify all co-Petitioners.
- If any of the Petitioners is a business entity (corporation, partnership or other) or government or quasigovernment entity, attach an official, business and/or legal written authorization for an individual to act/sign on behalf of that entity.
- Identify agent for Petitioner (if applicable) and include Petitioner written authorization for agent to act on the behalf of the Petitioner.
- Each signature requires two (2) witnesses.
- Each signature requires an Acknowledgment signed by a notary public (use the appropriate Individual or Business/Government Entity Acknowledgment based on the Petitioner status).
- Must include a narrative which states the petitioner's request and provides justification for the request.

#### **Application Fee**

- Attach non-refundable fee of \$1200 (all three types of Vacation).
- Payment made by money order (no cash) or personal/business/government check made payable to Broward County Board of County Commissioners.
- Check must be dated within 90 days of date of Application acceptance by Urban Planning Division.
- Application must include the additional notary pages provided.

#### Resolution/Ordinance of Municipality (for platted property interests)

- Attach approved, signed, and certified Municipal Resolution or Ordinance 1 original, 1 copy.
- When: If any portion of the lands proposed to be vacated or abandoned lie within the boundaries of municipality of Broward County, a portion of the platted land must be vacated by the governing board of that municipality prior to submitting an Application to Urban Planning Division for processing a vacation by resolution to the Board of County Commissioners (Broward County Code of Ordinances Section 5-205 and Broward County Administrative Code Section 27.29).
- Application to vacate submitted to Broward County must replicate the contents of and attachments to the Municipal Resolution or Ordinance.
- May submit Notice to Municipality in lieu of municipal resolution or ordinance, however, the resolution or ordinance will be required prior to review by the Office of the County Attorney.

#### Petitioner's Notice of Intent to Vacate (select one)

#### Notice by Newspaper Publication (for property interests created by plat)

- Attach signed and certified newspaper documentation of advertisement 1 original.
- Within sixty (60) days prior to acceptance of the Application by Urban Planning Division, Petitioner is required to publish a "Notice of Intent to Vacate" in a newspaper of general circulation within the County, once a week for two consecutive weeks, pursuant to Section 177.101(3), Florida Statutes, as amended. The "Notice of Intent to Vacate" shall state the intent of the Petitioner to file a Petition pursuant to this Florida Statute.

If the Application (petition) of the plat, or any portion thereof, is not fully processed and considered by the Board of County Commissioners at a public hearing within one (1) year from the date of publication of the Petitioner's Notice of Intent, the Application will expire and be of no further force and effect. In such an occurrence, the Petitioner will forfeit the Application Fee paid to Broward County. □ Notice to Municipality (for property interests created by separate instrument) Attach Petitioner's letter to Municipality - 1 copy (include original U.S. postal service receipt of certified mailing and original, green, signed "Return Receipt Requested". □ If any portion of the property interest to be released is located within a municipality, the Petitioner must provide it with notice of its Application to vacate to Broward County. (Broward County Administrative Code, Section 27.30). Letter must include description of property interest to be vacated and include a statement that any questions should be directed to Broward County Urban Planning Division. See Attachment 2: Petitioner Notice of Intent – Municipality. Title Opinion, Title Insurance Policy, or Certificate of Title (Two: For Application and Board) Attach sufficient evidence of a current title search reflecting each and every person owning fee simple title to property interests sought to be vacated - 1 original, 2 copies For Application: Date of title search must be within 30 days of Application acceptance. □ For Public Hearing with Board: date of updated title must be within 30 days of public hearing See Attachment 3: Opinion of Title Sketch and Legal Description Attach a precise sketch and legal description of property interest to be vacated - 2 originals (signed, certified and sealed), 2 copies. Prepared by a registered land surveyor and mapper. Size: 8-1/2" by 11". Identify exact acreage and square footage of property. Plat Map When requesting the vacation of the entire plat - attach one (1) certified copy of the Plat Map. When requesting the vacation of a portion of the plat - attach one (1) copy of the Plat Map. Certification of Property Tax Clearance Attach Letter from Broward County Office of Delinquent Real Estate Tax - 1 original. Provides result of a search of property tax records to confirm that all real estate taxes have been paid through the current tax year and that there are no liens or encumbrances on the property. See Attachment 4: Certificate of Property Tax Clearance. Waivers of Objection from Utilities Attach letters/memorandums from all utility authorized to operate within the vicinity of the property interest proposed to be vacated - 1 set. See Attachment 5: Waiver by Utilities and Governmental Entities. Other Relevant Documentation (examples include) Copy of the recorded separate instrument by which a property interest was created. Supportive documents, letters, memoranda.

Conceptual site plans that demonstrate the conflict.

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#### STEP III. Processing of Application By Broward County [Approx. 4-6 months]

- Review for acceptance/rejection of Petition to Vacate by Urban Planning Division.
- Review of Petition by reviewing agencies and organizations, with Petitioner response to comments and issues and review agency(ies) review of revisions. Agency review period is 15 business days.
- Petitioner submits updated Title Opinion, Title Insurance Policy, or Certificate of Title.
- Final Review of Application by County Attorney's Office.
- Prepare and process Board Agenda item to set public hearing.
- Board of County Commission meeting to set public hearing (first meeting).
- Response to Board comments (if any).
- Prepare and process Board Agenda item for public hearing.
- Broward County Notice of Public Hearing published.
- Board of County Commission public hearing for Resolution to adopt vacation (second meeting).
- Resolution to adopt vacation approved/denied (if denied, Petitioner may respond to comments).
- Broward County Notice of Public Hearing published.
- Approved Resolution to Vacation recorded.
- Distribution of documents.



Application Number 2022-V-02

AFFIDAVIT TO AUT	HORIZE PE	TITIONER'S A	GENT			
I/We, R&D Parkland,	LLC	, the property	owner(s) ("A	ffiant") of th	e property to b	be vacated in the
subject of the Application	n, being duly sv	worn, depose(s) an	d say(s):			
1. That I/we am/are	the owner(s)	and record title hold	ler(s) of the la	ands that are	e to be vacated	and abandoned.
My/our folio num	ber(s) is/are as	s follows:				
484103220010	0 & 4841032	20020				
2. That I/we do her	eby appoint the	e following Agent to	act on my/or	ur behalf in	the processing	of the subject of
the Application to	the Broward	County Board of Co	ounty Commi	ssioners.		
Name:	Tara Pattor	h, AICP	1.10	_		
Address:	10805 Gler	neagles Road				
City, Sate, Zip:	Boynton Be	each, FL 33436				
Telephone:	561-337-08	378				
Contact Person:	Tara Pattor	1				
		2 24 2022		N.	/	
R&D Parkland, LLC-Richard Cro Name of Owner/Petitioner	owder, Manager	3-21-2022 Date		Signature o	of Owner/Petitioner	(requires notarization)
I. Tara Patton		hereby a	ccept the apr	pointment a	s Agent to the	above listed
owner/petitioner.			ecopi ale opt	~	$\wedge$	
		a Pressi		(x	2	_
Tara-Lynn Patton		3-21-2022 Date		Signature o	f Agent	
Name of Agent		Date		Signature o	Agen	
		NOTARY	PUBLIC			
STATE OF FLORIDA						
COUNTY OF BROW	ARD					
The foregoing instrument			~	1		0.5
Dephysical presence					. 20	dd.
by RIChard Cr	owder	, ofR	AD Pa	rkland	LLC, o	n behalf of
-			01.			
He/she □ is personally kr	nown to me   Z	has produced	DIL		as identificat	ion.
IVAN FERGUS				to		
Name of Noting Type of Primes of	Otamped	1	Signature of N	otary Public -	State of Florida	
Notary Publ	lic State of Florida erguson	5		1		
Ivan Fo My Comm HH 213 Exp. 1/4	1706 4/2026	1				
Lop. In		•				
Votani Seal (or Title or Pank)			MH o	113.H	10	
Notary Seal (or Title or Rank)			Serial Number	(if applicable)		

DEVELOPMENT AND ENVIRONMENTAL REVIEW ONLINE APPLICATION: NOTARY CONTINUATION FORM Revised 7/2021

Vacation and Aba to Broward Count of County Comm Petitioner(s), the	ndonment and understa by acceptance and review nissioners to vacate a undersigned certifies a	fully reviewed the instructions concerning the Application for and(s) that the Application must be complete and accurate prior w. The undersigned hereby petitions the Broward County Board and abandon the property described herein. By signing as uthenticity of ownership and, when applicable, authorizes the cation to Vacate and Abandon process.
PETITIONER	3-21-2022	R&D Parkland LLC - Richard Crowder, Manager
LinioiLin	Date	Print Name Signature
	WITNESS	Alykhan Ladha Print Name Madha Mykhan Signature
OWNER	3-21-2022	Same as above
f not petitioner)	Date	Print Name
	WITNESS	DIANA HARRINGTON Print Name Dumm Harrington Signature
TATE OF FLC COUNTY OF B The foregoing instr	ROWARD	before me by means of physical presence 1 online notarization , 20 DD, by RICHARD Clowder
FRADP	avilland UL,	
le/she □ is persor	nally known to me   🛛 fias	produced as identification.
ame of Notary Typed, P Notar IV My	RGUSON inned or State of Florida an Ferguson Commission HH 213706 p. 1/4/2026	Signature of Notary Public - State of Florida
		111213201

## **R&D PARKLAND, LLC**

# WRITTEN CONSENT OF MANAGER

The undersigned R&D Parkland, LLC, a Florida limited liability company ("Manager"), as Manager of Parkland R&D LLC, a Florida limited liability company ("the **Company**"), hereby consents to the adoption of the following resolutions on behalf of the Company:

WHEREAS, The Company was formed as a Florida limited liability company on September 7, 2021, by the filing of Articles of Organization with the Florida Department of State with the effective date of September 1, 2021; and

WHEREAS, the Manager has the sole and exclusive right to manage the Company's business and alfairs as it pertains to the property described in EXHIBIT A ("the Property)"; and

WHEREAS, Manager has determined it to be advisable and in the best interest of the Company to file the appropriate applications to abandon or vacate two 15 FT Drainage Easements located on the Property;

#### NOW THEREFORE, it is hereby

**RESOLVED**, that Richard Crowder, designated as the Manager, is authorized to negotiate and execute any applications or agreements encumbering the Property. Any and all agreements, instruments and documents to be executed by the Company shall be executed by the Manager on behalf of the Company; and further

**RESOLVED**, that all actions heretofore taken by the Manager in furtherance of any of the foregoing resolutions and the transactions contemplated thereby are hereby approved, ratified and confirmed in all respects; and

FURTHER RESOLVED, that the authority hereby conferred shall be deemed retroactive (and any and all acts authorized herein which were performed prior to the passage of this resolution are hereby approved and ratified) and irrevocable.

IN WITNESS WHEREOF, the undersigned Manager of the Company has caused this Written Consent to be executed as of the date set forth above, and hereby directs that this Written Consent be kept with the records of the Company.

(Signature(s) appear on the following page)



Exhibit 1 Page 12 of 13

Witnesses

(Signature) Ladhe Print name: Alykhan

Alaskha (Signature) Lalka Print name: Ladh Alykhan Un an no 1 Dano HARRING ON DIANA ACKNOWLEDGMENT STATE OF FLOEDER )SSCOUNTY OF BROWTHAN)

R&D Parkland LLC a Florida limited liability company

By (Signature)

Print Name: Richard Crowder st 142 V Title: Manager Address: 10 Fair WAY Dr. VC Decifie R

The foregoing instrument was acknowledged before me by means of physical presence (or online notarization) this  $\underline{05}$  day of  $\underline{Apell}$ , 20,22 by the Manager, Richard Crowder, on behalf of R&D Parkland LLC, a Florida limited liability company. He/She is personally known to me or produced identification. Type of identification produced D/L

(Seal)

	Notary Public State of Florida
	Notary Public State of Florida
	Ivan Ferguson
	My Commission
Statement of the local division of the local	HH 213706
	Exp. 1/4/2026

(Signature)	
Printed Name: IVAN REEQUSON	
Notary Title/Rank: Notary	
Notary Serial Number, if any: HH 21370k	2

#### PETITIONER & NARRATIVE JUSTIFICATION

#### PETITIONER

The lots subject to the vacation are Lots 1 and 2 of the Brewer Plat Two. The property owner for each lot is the same. There are no other owners with interest in the property. Lot 1: R&D Parkland, LLC

Lot 2: R&D Parkland, LLC

#### NARRATIVE & JUSTIFICATION

This is a request for a vacation of a platted Drainage Easement (DE) within the City of Parkland. The platted DE is 30 FT wide and approximately 316 FT long and is located on Lots 1 and 2 of the Brewer Plat Two recorded in PB 175, Page 53. 15 FT is located on Lot 1 and 15 FT is located on Lot 2. The lot line between Lots 1 and 2 separates the DE. The purpose of the vacation is to unify Lots 1 and 2. Lots 1 and 2 will be unified to make one (1) large lot which is typical for properties in this area of Parkland. As a result of the unification, there is no further need for a 30 FT DE. The DE is being released by the City of Parkland in addition to Broward County.

