REVIEW AND APPROVAL OF VACATION PETITION APPLICATION

Date: 01/27/2021				
	coitia, Office of County Attorney			
From: Planning and Development Management Division				
Subject: Vacation Petition No. 2021-V-01				
Petitioner(s): FR Lyons Road LLC a Delaware LLC do First Industrial Realty Trust Inc.				
Agent for Petitioner(s): FR Lyons Road LLC a Greenspoon Marder LLP				
Type: Chapter 25.99 – Vacate Plat or any F Chapter 25.100 – Abandon Street, Al Chapter 25.101 – Release Public East	leyway, Road or Other Travel Place			
Project: ■ Easement □Right-of-V	Vay 🛛 Other			
Pursuant to Florida Statute Chapter 177.101 and Browar 25.100 and 25.101, the following determined that the re ownership or right of convenient access of persons owning Designated Review Agencies and Organizations	equested vacation petition would not affect the other parts of the subdivision:			
Required Documentation:				
Vacation Petition Application Date Accepted:	01/26/2021			
File Fee (made payable to Broward County Board of Co	ommissioners and deposited)			
	12-14-2020 and 12-21-2020			
Certificate of Real Estate Taxes Paid [Revenue Collect				
Property Location Municipality of Coconut Creek				
Certified Copy of Municipal Resolution: No: 2020-036	Certified Copy of Municipal Resolution: No: 2020-036 Date(s): 12-03-2020			
Sketch and Legal Description by: <u>Caulfied and Wheeler IN</u>	IC, Surveyor No.4318			
Location Map (Created by County Surveyor)				
Aerial Photograph and Section Map (No longer provide	a; advise if needed for review)			
 Plat, if applicable Written Consent of All Abutting Owners in Plat, if applic 	Plat, if applicable Certified Copy			
 Certificate or Opinion of Title by: <u>Paramount Title Services</u> 				
 Documentation of all reviewers responding "no objection 				
Waivers of Objection by Utility Companies				
Affidavit of Posting of Notice of Vacation Signage				
Draft Resolution to Set Public Hearing				
Draft Resolution of Adopted Vacation				
Comments: Approved subject to the Office of the County approval of a Title Certificate dated within 45				
Reviewed and Approved as to Form by:	a Kalil Digitally signed by Deanna Kalil Date: 2021.04.06 13:02:57 -04'00'			
	Signature			
Print Name: Deanna Kalil	Date:4/6/2021			



Application Number _____049-MP-97

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			" de	dir	
Owner/Applicant/Petitioner Name FR Lyons Road, LLC a Delaware LLC c/o First Industrial Realty Trust, Inc					
1 N WACKER DR STE 4	200	Chicago		State	^{Zip} 60606
(312)3444357	mpierski	@firstindustria	al.cor	n	
Agent for Owner/Applicant/Petitioner Greenspoon Marder, LLP Marla Meufeld, Esq.					
200 E. Broward Blvd. Su	ite 1800	Ft. Laud.		^{State} FLORIDA	^{Zip} 33301
954-761-2929	marla.neufeld@gmlaw.com				
Plat/Site Plan Name Springs-McKenzie Plat					
Plat/Site Number 049-MP-97		Plat Book - Page (if recorded) Plat Book 165	5, Pa	ge 7	
Folio(s) 4842 0628 0021 and 484206280020					
Location <u>West</u> <u>north side/corner north</u> <u>side of</u> <u>Sawgrass Blvd.</u> <u>street name</u> <u>street name</u> <u>street name</u>					
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)

D Note Amendment (fill out/PRINT Questionnaire Form, Note Amendment Checklist)

X 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	Portion o	f Project	🖾 N/A	
What was the project number assigned by the Planning and Development Division?	Project Number		🖾 N/A	Don't Know
First Sawgrass Commerce Cer	nter		□ N/A	Don't Know
Are the boundaries of the project exactly the same as the previously submitted project?	□ Yes	🗆 No		図 Don't Know
Has the flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?	□ Yes	🗆 No		図 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	s 🗆 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	s 🖾 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	ng plat and the number	of units proposed in th	iis 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 prejects that generate less than one student are restricted		

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)	Land Use Plan Designation(s)
Industrial	Industrial
Zoning District(s)	Zoning District(s)
IO-1	IO-1

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

			EX	ISTING STUC	CTURE(S)
Land Use	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	Remain the Same?	Change Use?	<u>Has</u> been or <u>will</u> be Demolished?
office/industrial	103,790 sqt	t 12/20	¥es NO	YES NO	HAS WILL NŎ
			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			
RESID	ENTIAL USES	NON-RI	ESIDENTIAL USES
Land Use	Number of Units/Rooms	Land Use	Net Acreage or Gross Floor Area
office/industrial	1	office/industrial	103,790 sq.ft.

NOTARY PUBLIC: Owner/Agent Certification			
information supplied herein is true and co	ent of the property described in this application and that all rrect to the best of my knowledge. By signing this application, access to described property at reasonable times by County information provided by owner/agent. 12/9/30		
Owner/Agent Signature	Date		
	NOTARY PUBLIC		
STATE OF FLORIDA COUNTY OF BROWARD			
	before me by means of ${\bf i}$ physical presence ${f \Box}$ online notarization,		
this day of dec.	, 20 <u>, ≫</u> , who ⊠ is personally known to me □ has produced		
as identification.			
	(() m & m D		
Name of Notary Typed, Printed or Stamped	Signature of Alotary Public – State of Florida		
I A ™ c	JLIANNE CUSMANO ommission # GG 301239		
E Bo	xpires June 12, 2023 Andrew State St		
Sanarananananananananananananananananana	๛๛๛๛๛๛๛๛๛๛๛๛๛๚๚๚๛๛๛๛๛๚		
Notary Seal (or Title or Rank)	Serial Number (if applicable)		
For Office Use Only Application Type			
Vacution Application.			
Application Date Acceptance			
Comments Due, Report Du	5 2 (P /200.60.		
2116 21 NF	4 5 18 21 \notin 6 1 21.		
Adjacent City or Cities	/		
Preis De Surveys De S	ite Plans 🛛 Landscaping Plans 🖓 Lighting Plans		
City Letter Agreements			
□ Other:			
Distribute To	cil 🛛 School Board 🔹 Land Use & Permitting		
Health Department Zoning C	ode Services (BMSD only)		
□ Other:			
Received By Dreyo Panaloza.			

Exhibit 1 Page 6 of 13



Application Number

AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT				
I/We FR Lyons Road, LLC a Delaware LLC c/o First Industrial Realty Trust, Inc				
the property owner(s) 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: 4842 06 28 0021				
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: Greenspoon Marder, LLP				
Address: 200 E. Broward Blvd. Suite 1800				
City, Sate, Zip: Ft. Laud, FL 33301 Telephone: 954-761-2929				
marla naufald@amlaw.com				
Contact Person: IIIalia.neureid@giiiaw.com				
FR Lyons Road, LLC a Delaware LLC c/o First Industrial Realty Trust, Inc 12/9/20				
Name of Agent Date Date Signature of Agent				
NOTARY PUBLIC				
STATE OF FLORIDA COUNTY OF BROWARD				
The foregoing instrument was acknowledged before me by means of 🗖 physical presence 🗖 online notarization,				
this day of Dec, 20 N, by CHRIS WILLSON,				
of <u>SR Rey. JR</u> , on behalf of <u>First Industrial, LP</u> , the member of FR Lyons Road, LLC				
He/she 💢 is personally known to me 🗖 has producedas identification.				
Almons				
Name of Notary Typed, Printed or Stamped Signature of Notary Public – State of Florida JULIANNE CUSMANO Commission # GG 301239 Expires June 12, 2023 Bonded Thru Troy Fain Insurance 800-385-7019				
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.

Agent Signature for Business/Government Entity	12/9/28 Date
STATE OF FLORIDA COUNTY OF BROWARD	
The foregoing instrument was acknowledged by this <u>9</u> day of <u>Dec</u> the <u>54. Bre</u> Delaware limited liability company	efore me by means of physical presence □ online notarization, _, 20 <u>20</u> , by <u>Chrus Withson</u> , _, on behalf of First Industrial, LP, the member of FR Lyons Road, LLC, a
He/she 🛱 is personally known to me □ has p	roduced as identification.
Name of Notary Typed, Printed or Stamped	Signature of Notary Public – State of Florida JULIANNE CUSMANO Commission # GG 301239 Expires June 12, 2023 Bonded Thru Troy Fain Insurance 800-385-7019
Notary Seal (or Title or Rank)	Serial Number (if applicable)

BROVVARD	Application Number
FLORIDA	Application Number
AFFIDAVIT TO AUTHORIZE PETITIONER'S AGENT	
I/We Food for the Poor, Inc., a Florida not	t for profit corp.
the property owner(s) 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: 4842 06 28 0020	
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 Co	
Name: Greenspoon Marder, LL	
Address: 200 E. Broward Blvd. St	lite 1800
City, Sate, Zip: Ft. Laud, FL 33301	
Telephone: 954-761-2929	
Contact Person: marla.neufeld@gmlaw.c	;om
Food for the Poor, Inc., a Florida not for profit corp.	12/14/2020
Name of Owner/Petitioner Date DENNIS A. NORTH Name of Agent Signate	Jire of Agent
NOTARY PUBLI	с
STATE OF FLORIDA COUNTY OF BROWARD	
The foregoing instrument was acknowledged before me by means	of D physical presence D online notarization,
	Dermis North
of, on behalf of	e Poor, Inc., a Florida not for profit corp.
He/she I is personally known to me I I has produced	as identification.
Call Stampton Stamped	re of Notary Public – State of Florida
GAIL HAMATY-BIRD My Commission HH 066122 By War Expires 02/23/2025	
Notary Seal (or Title or Rank) Serial N	lumber (if applicable)

BR



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.

FOOD FOR THE POOR, INC.	1 1
A home	12/12/2020
Agent Signature for Business/Government Entity	Date
NOTARY	PUBLIC
STATE OF FLORIDA COUNTY OF BROWARD	
The foregoing instrument was acknowledged before me by	v means of ⊑ physical presence □ online notarization,
this 12 day of Decenne, 20 h	by Denie Nort
the CFO , on beha	If of Food for the Poor, Inc., a Florida not for profit corp. , a
Florida not for profit corporation	
He/she Lis personally known to me L has produced	as identification.
Gail Hanger 31-1	Signature of Notary Public – State of Florida
Notary Public State of Florida GAIL HAMATY-BIRD My Commission HH 066122 Expires 02/23/2025	
Notary Seal (or Title or Rank)	Serial Number (if applicable)



Application Number _____

Vacation Submission Continuation Form

Additional Petitioner Information		
Petitioner 2 Food for the Poor, Inc., a Florida not for profit corp. Folio(s) 4842 06 28 0020		
6401 LYONS ROAD		
Coconut Creek, FL 33073	Phone	
Email		
Additional Petitic	oner Information	
Petitioner 3	Folio(s)	
Address		
City, State, Zip	Phone	
Email		
Additional Petitic	oner Information	
Petitioner 4	Folio(s)	
Address		
City, State, Zip	Phone	
Email		
Additional Petitic	oner Information	
Petitioner 5	Folio(s)	
Address		
City, State, Zip	Phone	

Email



Additional Petitioner Information		
Petitioner 6	Folio(s)	
Address		
City, State, Zip Phone		
Email		

Additional Petitioner Information		
Petitioner 7	Folio(s)	
Address		
City, State, Zip	Phone	
Email		

Additional Petitioner Information		
Petitioner 8	Folio(s)	
Address		
City, State, Zip	Phone	
Email		

Additional Petitioner Information		
Petitioner 9	Folio(s)	
Address		
City, State, Zip	Phone	
Email		

Additional Petitioner Information		
Petitioner 10	Folio(s)	
Address		
City, State, Zip	Phone	
Email	· · · · · · · · · · · · · · · · · · ·	

AUTHENTICITY OF OWNERSHIP		
The undersigned Petitioner(s) has/have fully reviewed the instructions concerning the Application for Vacation and Abandonment and understand(s) that the Application must be complete and accurate prior to Broward County acceptance and review. The undersigned hereby petitions the Broward County Board of County Commissioners to vacate and abandon the property described herein. By signing as Petitioner(s), the undersigned certifies authenticity of ownership and, when applicable, authorizes the Agent to be its representative in the Application to Vacate and Abandon process.		
PETITIONER		Print Name
		Signature
WITNES	S	Print Name
/		Signature
OWNER12/19(if not petitioner)Date	1/2020	DENNIS A. NORTH
FOOD FOR THE POOF	R, INC.	Signature
WITNES	S	Ponna C. Bly Print Name Janua Bly Signature
	NOTAR	Y PUBLIC
STATE OF FLORIDA COUNTY OF BROWARD		
		by means of physical presence a online notarization,
this 14 day of <u>December</u> , 20 202 by <u>Denie</u> <u>both</u> , of <u>CRO</u> , on behalf of <u>Food for the Poor, Inc., a Florida not for profit corp.</u>		
He/she I is personally known to me I has producedas identification.		
Gail Hannah Bird Name of Notary Typed, Printed or Stamped Signature of Notary Public – State of Florida		
Notary Public S GAIL HAMAT My Commission Por rule Expires 02/23/2	Y-BIRD 4	
Notary Seal (or Title or Rank)		Serial Number (if applicable)

VACATION NARRATIVE

The Applicant, FR Lyons Road, LLC, c/o First Industrial Realty Trust, Inc. ("Applicant") is the owner of the land located along Lyons Road just north of Sawgrass Boulevard in the City of Coconut Creek at Folio ID: 4842 0628 0021 ("Property"). The easement to be abandoned also is on a portion of land just to the north of the Applicant's Property owned by Food for the Poor, Inc. on Folio ID: 4842 06 28 0020. The Property is located on the Springs – McKenzie Plat, recorded at Plat Book 165, Page 7 ("Plat")

The Plat dedicated two (2) right turn lanes, and a 12' utility easement ("Abandoned Easement") behind the two (2) turn lanes. First Sawgrass Commerce Center is proposing a new right turn lane for their site at the Property. The new right turn lane is over the Abandoned Easement which Broward County is requiring the Applicant to abandon. Broward County is also requiring (i) a new 12' utility easement outside of the new right turn lane ("Replacement Easement") and (ii) a roadway easement dedication for the new right turn lane.

From the standpoint of the benefit of the community as a whole, the request to vacate the Abandoned Easement does not have any negative impacts as the Applicant will be providing a Replacement Easement to service the Property. The Replacement Easement has been analyzed to ensure it is provided in an area that will continue a regular and harmonious system for pedestrian and traffic circulation in the area. The 6' FP&L easement located within the Abandoned Easement is going to remain in place.