



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: 05/04/2022

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

From: Planning and Development Management Division

Subject: Vacation Petition No.: 2022-V-02

Petitioner(s): City of Parkland

Agent for Petitioner(s): Planning and Entitlements, LLC

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: 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 ☒ Municipality of City of Parkland ☐ Municipal Service District
- ☒ Certified Copy of Municipal Resolution No: 2022-006 Date(s): 04/20/2022
- ☒ Sketch and Legal Description by: Paul Brewer, Surveyor No 3240
- ☒ 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

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: 2022.07.26 14:05:21 -04'00'

Print Name: Deanna Kalil

Date: 7/26/22



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

Application Number 013-MP-03

Development and Environmental Review Online Application

Project Information

Plat/Site Plan Name

Brewer Plat Two

Plat/Site Number

013-MP-03

Plat Book - Page (if recorded)

PB 175 PG 53

Owner/Applicant/Petitioner Name

R&D Parkland LLC

Address

10 Fairway Drive

City

Deerfield Beach

State

FL

Zip

33441

Phone

Email

Agent for Owner/Applicant/Petitioner

Tara-Lynn Patton

Contact Person

Tara-Lynn Patton

Address

10805 Gleneagles Road

City

Boynton Beach

State

FL

Zip

33436

Phone

561-337-0878

Email

pattontnt@earthlink.net

Folio(s)

484103220010 & 484103220020

Location

North

side of

north side/corner north

street name

at/between/and

NW 15th Way

street name / side/corner

and/of

N Andrews Avenue

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 Urban Planning Division? Project Number 013-MP-03 ☐ N/A ☐ Don't Know

Project Name Brewer Plat Two ☐ 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 Brewer Plat Two Project Number 013-MP-03

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. 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 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) Residential 1 DU/1 AC (R-1)	Land Use Plan Designation(s) Residential 1 DU/1 AC (R-1)
Zoning District(s) AE-2	Zoning District(s) 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					
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?
			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
Single-family	1 du		

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.

Jan. Lynn Dns
Owner/Agent Signature

4-19-2022
Date

NOTARY PUBLIC

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 19th day of April, 2022, who ☐ is personally known to me | ☒ has produced FL 02 as identification.

Stevens Milord
Name of Notary Typed, Printed or Stamped

[Signature]
Signature of Notary Public – State of Florida



STEVENS MILORD
Commission # HH 133331
Expires September 9, 2025
Bonded Thru Budget Notary Services

Notary Seal (or Title or Rank)

HH 133331
Serial Number (if applicable)

For Office Use Only

Application Type <u>Vacation Application</u>		
Application Date <u>4/19/2022</u>	Acceptance Date <u>5/4/2022</u>	Fee <u>\$ 1200.00</u>
Comments Due <u>5/25/22</u>	Report Due <u>N/A</u>	CC Meeting Date <u>TBD</u>
Adjacent City or Cities <u>N/A</u>		
☒ Plats ☒ Surveys ☒ Site Plans ☐ Landscaping Plans ☐ Lighting Plans ☒ City Letter ☐ Agreements		
☒ Other: <u>Sketches</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 Pandoza</u>		

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 quasi-government 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.

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 AUTHORIZE PETITIONER'S AGENT

I/We, R&D Parkland, LLC, 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:

484103220010 & 484103220020

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: Tara Patton, AICP

Address: 10805 Gleneagles Road

City, State, Zip: Boynton Beach, FL 33436

Telephone: 561-337-0878

Contact Person: Tara Patton

R&D Parkland, LLC-Richard Crowder, Manager

Name of Owner/Petitioner

3-21-2022

Date

Signature of Owner/Petitioner (requires notarization)

I, Tara Patton, hereby accept the appointment as Agent to the above listed owner/petitioner.

Tara-Lynn Patton

Name of Agent

3-21-2022

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

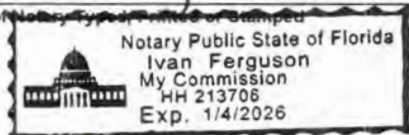
☒ physical presence | ☐ online notarization, this 05 day of April, 20 22,

by Richard Crowder, of R&D Parkland LLC, on behalf of

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

IVAN FERGUSON

Name of Notary Public (Printed or Stamped)



Signature of Notary Public - State of Florida

Notary Seal (or Title or Rank)

HH 213706
Serial Number (if applicable)

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

3-21-2022

Date

R&D Parkland LLC - Richard Crowder, Manager

Print Name

Signature

WITNESS

Print Name

Signature

OWNER

(if not petitioner)

3-21-2022

Date

Same as above

Print Name

Signature

WITNESS

Print Name

Signature

NOTARY PUBLIC

**STATE OF FLORIDA
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 05 day of April, 2022, by Richard Crowder of R&D Parkland LLC, on behalf of —.

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

IVAN FERGUSON
Name of Notary Typed, Printed or Stamped



Signature of Notary Public - State of Florida

Notary Seal (or Title or Rank)

Serial Number (if applicable)

R&D PARKLAND, LLC

WRITTEN CONSENT OF MANAGER

4-5 (RC)
~~March 22~~, 2022

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 affairs 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

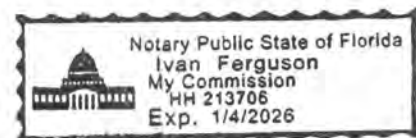
RESOLVED, that all actions heretofore taken by the Manager in furtherance of any of the foregoing resolutions and the transactions contemplated thereby are hereby approved, ratified and confirmed in all respects; and

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.

(RC)

(Signature(s) appear on the following page)



Witnesses

Ladha Alykhan
(Signature)

Print name: Alykhan Ladha

(Signature) *Ladha Alykhan*

Print name: Alykhan Ladha

X *Diana Harrington*
X DIANA HARRINGTON

ACKNOWLEDGMENT

STATE OF Florida)

) SS

COUNTY OF Broward

R&D Parkland LLC
a Florida limited liability company

By *Richard Crowder*
(Signature)

Print Name: Richard Crowder

Title: Manager

Address: 10 Fairway Drive St 142 V
Deerfield Beach, FL 33441

The foregoing instrument was acknowledged before me by means of physical presence (or online notarization) this 05 day of April, 2022 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)



(Signature) *Ivan Ferguson*

Printed Name: Ivan Ferguson

Notary Title/Rank: Notary

Notary Serial Number, if any: HH 213706

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.