

ITEM #2-D

**ADDITIONAL MATERIAL
REGULAR MEETING**

JUNE 16, 2026

**SUBMITTED AT THE REQUEST OF
COUNTY ATTORNEY'S OFFICE**



ANDREW J. MEYERS, County Attorney

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MEMORANDUM

TO: Board of County Commissioners

FROM: Annika E. Ashton, Deputy County Attorney

DATE: June 15, 2026

RE: **Spirit Airlines Property Due Diligence**

The County Attorney's Office and County staff continue to conduct due diligence related to the proposed purchase of the Spirit Airlines headquarters, consisting of an office building, parking structure, and training center building (collectively, the "Campus"). We apologize for the late distribution of this memo, but it is a function of the ongoing extensive due diligence and the rapid speed at which this transaction is progressing. The matters identified below are not atypical for a mixed-use development of this size and complexity and are disclosed to ensure the Board is informed about documents and restrictions that may affect the County's future use and development of the Campus.

The Campus is part of the larger Dania Pointe Development, a 102-acre mixed-use development with over 740,000 square feet of retail and restaurant space, apartments, hotels, Class A offices, and public event space ("Dania Pointe"). As a result, Dania Pointe and the Campus are subject to numerous declarations and other agreements relevant to the use and development of the Campus. A summary of several key documents is provided below:

- 1. Declarations of Covenants, Restrictions and Easements for Dania Pointe ("Dania Pointe Declaration")**
 - a. Establishes a Common Facilities Manager ("CFM") for Dania Pointe, including the Campus, with general approval rights over matters contained in the Dania Pointe Declaration.
 - b. Establishes assessments of common area expenses, rules and regulations, and design guidelines for all of Dania Pointe, including the Campus.

- 2. Declarations of Covenants, Restrictions and Easements for the Campus**
 - a. Provides that the Campus owner cannot seek a variance, amendment, or other modification to the Planned Mixed-Use Development, Design

Development Guidelines and Development Standards, or the City's Code of Ordinances without the CFM's prior written consent.

- i. Ordinary modifications are subject to the CFM's reasonable discretion.
 - ii. Variances or modifications that would diminish the rights of any owner or tenant of the Campus, or the rights established by any other recorded document relating to the Campus, are subject to the CFM's sole discretion.
 - iii. Establishes a minimum number of parking spaces for the Campus.
- b. CFM approval must be obtained prior to seeking or beginning any changes listed in a.ii.

3. Additional Use Restrictions

- a. The Campus is subject to use restrictions related to other occupants of Dania Pointe. To date, none of the use restrictions that have been identified would preclude the intended use of the Campus as a government building.
- b. A 35-foot utility easement between the parking garage and the office building limits aboveground construction.

4. Right-of-Way Access

The Campus borders Bryan Road to the east, which is a public right-of-way. As is typical for this type of development, the other roads surrounding the Campus - Mariner Street and Meridian Street - appear to be private roads that are part of the Dania Pointe development. The owner of the Campus is entitled to use those private roads under the relevant declarations.

County staff and the County Attorney's Office continue to conduct due diligence, including reviewing the survey, title commitments, common area documents, and contracts related to the Campus. Please contact County Attorney Andrew Meyers or me (x5728) should you have any questions or concerns about this potential project of the specific matters addressed in this memorandum.

AEA/sr

cc: Monica Cepero, County Administrator
Kevin Kelleher, Deputy County Administrator
Isami Ayala-Collazo, Assistant County Administrator
Bob Melton, County Auditor
Andrew J. Meyers, County Attorney