

PLAT REL

Return recorded to:

Broward County Highway Construction &
Engineering Division
1 North University Drive, Suite 300B
Plantation, FL 33324-2038

Document prepared by:

Catherine A. Donn
Craven Thompson & Associates, Inc.
3563 NW 53 ST
Fort Lauderdale, FL 33309-6311

**NOTICE: PURCHASERS, GRANTEES, HEIRS, SUCCESSORS AND
ASSIGNS OF ANY INTEREST IN THE PROPERTY SET FORTH ON EXHIBIT
"A" ARE HEREBY PUT ON NOTICE OF THE OBLIGATIONS SET FORTH
WITHIN THIS AGREEMENT WHICH SHALL RUN WITH THE PROPERTY
UNTIL FULLY PERFORMED.**

AMENDMENT TO NONVEHICULAR ACCESS LINES

This is an Agreement, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

CHIEFTAIN PEMBROKE, LP _____, its successors and assigns, hereinafter referred to as "DEVELOPER."

WHEREAS, the DEVELOPER holds fee simple title to the property described in Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as "Property"; and

WHEREAS, vehicular access to said Property is restricted by virtue of that certain Nonvehicular Access Line which is reflected on the SOLOMON OFFICE PARK

Plat, Plat No./Clerk's File No.
103-MP-82 _____, hereinafter referred to as the "PLAT"; or, if applicable, which is reflected on a previous Amendment to the Nonvehicular Access Line approved by the COUNTY on _____; and

WHEREAS, a description of the platted area, including the Nonvehicular Access Line, is attached hereto as Exhibit "B" and made a part hereof; and

WHEREAS, the DEVELOPER desires to modify vehicular access to said Property at locations over and across the existing Nonvehicular Access Line; and

CAF#457
Rev 02/05/2015

Approved BCC 12-8-154541
Submitted By HCED
RETURN TO DOCUMENT CONTROL



WHEREAS, on DECEMBER 8, 2015 the COUNTY approved DEVELOPER's Delegation Request for an amendment to the Nonvehicular Access Line in order to establish a new configuration more particularly described in Exhibit "C," attached hereto and made a part hereof; and

WHEREAS, Chapter 5, Article IX of the Broward County Code of Ordinances permits the amendment of Nonvehicular Access Lines; and

WHEREAS, the DEVELOPER has submitted the required approval of the amendment to the Nonvehicular Access Line by other governmental entities with jurisdiction over the adjacent roadways; and

WHEREAS, the COUNTY has no objection to amending the Nonvehicular Access Line; and

WHEREAS, the DEVELOPER has complied with all the conditions of approval imposed by the COUNTY, including execution of this Agreement; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, considerations, and promises set forth below, the COUNTY and DEVELOPER agree as follows:

1. The above recitals are true and correct and incorporated herein.
2. The COUNTY hereby amends the Nonvehicular Access Line on the Property reflected on the PLAT described in Exhibit "B," and replaces said Nonvehicular Access Line by the establishment of a new Nonvehicular Access Line as described in Exhibit "C."
3. The DEVELOPER shall obtain vehicular access to said Property through driveway openings and connections which are consistent with the new Nonvehicular Access Line as described in Exhibit "C."
4. The DEVELOPER shall obtain all necessary permits for construction of the driveway opening and connections from the appropriate unit of government prior to construction of any driveway connections.
5. This Agreement shall be recorded in the Official Records of Broward County at the DEVELOPER's expense, and the Nonvehicular Access Line created herein and the DEVELOPER's obligation set forth herein shall run with the Property described in Exhibit "A."
6. **NOTICE.** Whenever any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving notice:

For the COUNTY:

Director of the Broward County Highway Construction
and Engineering Division
1 North University Drive, Suite 300B
Plantation, FL 33324-2038

For the DEVELOPER:

Mr. Dev Motwani, CHIEFTAIN PEMBROKE, LP
300 SW 1 AVENUE, SUITE 133
FORT LAUDERDALE, FL 33301

7. **VENUE; CHOICE OF LAW.** Any controversies or legal issues arising out of this Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State Courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the state of Florida.
8. **CHANGES TO FORM AGREEMENT.** DEVELOPER represents and warrants that there have been no amendments or revisions whatsoever to the form Agreement without the prior written consent of the County Attorney's Office. Any unapproved changes shall be deemed a default of this Agreement and of no legal effect.
9. **CAPTIONS AND PARAGRAPH HEADINGS.** Captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend, or limit the scope or intent of this Agreement, nor the intent of any provisions hereof.
10. **NO WAIVER.** No waiver of any provision of this Agreement shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.
11. **EXHIBITS.** All Exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.
12. **FURTHER ASSURANCES.** The parties hereby agree to execute, acknowledge, and deliver and cause to be done, executed, acknowledged, and delivered all further assurances and to perform such acts as shall reasonably be requested of them in order to carry out this Agreement.
13. **ASSIGNMENT AND ASSUMPTION.** DEVELOPER may assign all or any portion of its obligations pursuant to this Agreement to a grantee of the fee title to all or any

portion of the property described in Exhibit "A." DEVELOPER agrees that any assignment shall contain a provision which clearly states that such assignment is subject to the obligations of this Agreement and recorded in the public records of Broward County, Florida.

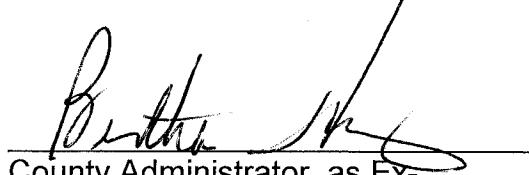
14. **AMENDMENTS.** No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the COUNTY and DEVELOPER.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the 8th day of December, 2015 and DEVELOPER, signing by and through its Manager duly authorized to execute same.

COUNTY

ATTEST:



Bertha _____
County Administrator, as Ex-
Officio Clerk of the Board of
County Commissioners of
Broward County, Florida



BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By 
Marty Frai
Mayor

11th day of January, 2016

Approved as to form by
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By 
Daniel T. Henlon
Assistant County Attorney

31st day of December, 2015

DEVELOPER-CORPORATION/PARTNERSHIP

Witnesses (if partnership):

(Signature)

Print name: M. Dek Reed

(Signature)

Print name: Jeff Lanco

Chieftain Pembroke, LP, a Delaware Limited Partnership

By: MW Pembroke, LLC

Name of Developer (corporation/partnership)

By

(Signature)

Print name: Dev Motwani

Title: Manager

Address: 300 SW 1st AVE, Suite 106
Fort Lauderdale, FL 333012 day of December, 2015

ATTEST (if corporation):

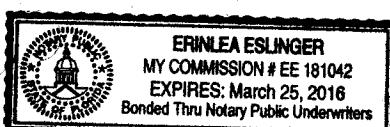
(CORPORATE SEAL)

(Secretary Signature)

Print Name of Secretary: _____

ACKNOWLEDGMENT - CORPORATION/PARTNERSHIPSTATE OF FLORIDA)
) SS.
COUNTY OF BROWARD)The foregoing instrument was acknowledged before me this 2nd day of December, 2015 by Dev Motwani, as Manager of MW Pembroke, LLC, a Delaware limited partnership, on behalf of the corporation/ partnership. He or she is: personally known to me, or produced identification. Type of identification produced _____

(Seal)



My commission expires:

March 25, 2016

NOTARY PUBLIC:

Erinlea ESLinger
 Print name: Erin ESLinger

EXHIBIT "A"

LEGAL DESCRIPTION

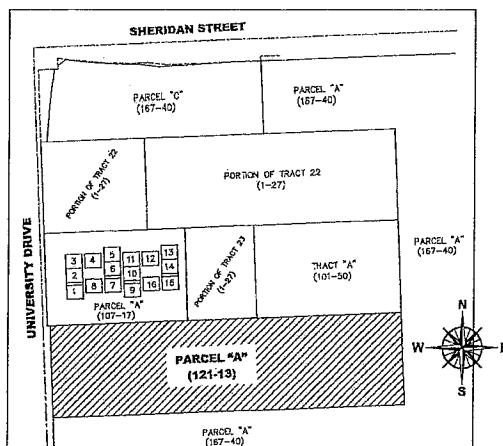
Parcel A, Solomon Office Park, Plat Book 121, Page 13, Broward County Records

EXHIBIT "B"

(Legal Description of Old Nonvehicular
Access Line, or Part Thereof)

See Sketch and Description for the Non-Vehicular Access Line Vacation,
Sheets 1 and 2 of 2 Sheets, attached.

FOR: CHIEFTAIN PEMBROKE, LP

SKETCH AND DESCRIPTION
NON-VEHICULAR ACCESS LINE VACATIONLOCATION MAP

Not to Scale

LEGAL DESCRIPTION:

THE NON-VEHICULAR ACCESS LINE FOR PARCEL A, SOLOMON OFFICE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 121, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE NORTH 02°21'28" WEST ALONG THE WEST BOUNDARY OF SAID PARCEL A, A DISTANCE OF 255.45 FEET; THENCE NORTH 42°14'52" EAST, A DISTANCE OF 42.13 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT FROM WHICH THE RADIUS POINT BEARS NORTH 03°08'48" WEST FROM THE LAST DESCRIBED POINT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1944.86 FEET, THROUGH A CENTRAL ANGLE OF 01°39'35", FOR AN ARC DISTANCE OF 56.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 85°11'37" EAST, A DISTANCE OF 151.86 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1874.86 FEET, THROUGH A CENTRAL ANGLE OF 02°31'58", FOR AN ARC DISTANCE OF 82.88 FEET TO THE POINT OF TERMINUS, THE LAST THREE (3) DESCRIBED COURSES LYING ALONG THE SOUTH BOUNDARY OF THAT CERTAIN ROAD AND UTILITY EASEMENT AS SHOWN ON SAID PLAT OF SOLOMON OFFICE PARK.

SAID NON-VEHICULAR ACCESS LINE BEING IN THE CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA..

NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN. THE WEST LINE OF SECTION 10, TOWNSHIP 51 SOUTH, RANGE 41 EAST IS ASSUMED TO BEAR NORTH 02°21'28" WEST.
2. THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY WAS MADE ON THE GROUND, CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 5J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES
 LICENSED BUSINESS NUMBER #21
 RAYMOND YOUNG
 PROFESSIONAL SURVEYOR AND MAPPER NO. 5799
 STATE OF FLORIDA
 THE SKETCH OF SURVEY AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT
 THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

G:\2015\15-0011_SOLOMON OFFICE PARK\DRAWINGS\SD_NVAL_VAC

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

The undersigned and CRAVEN THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

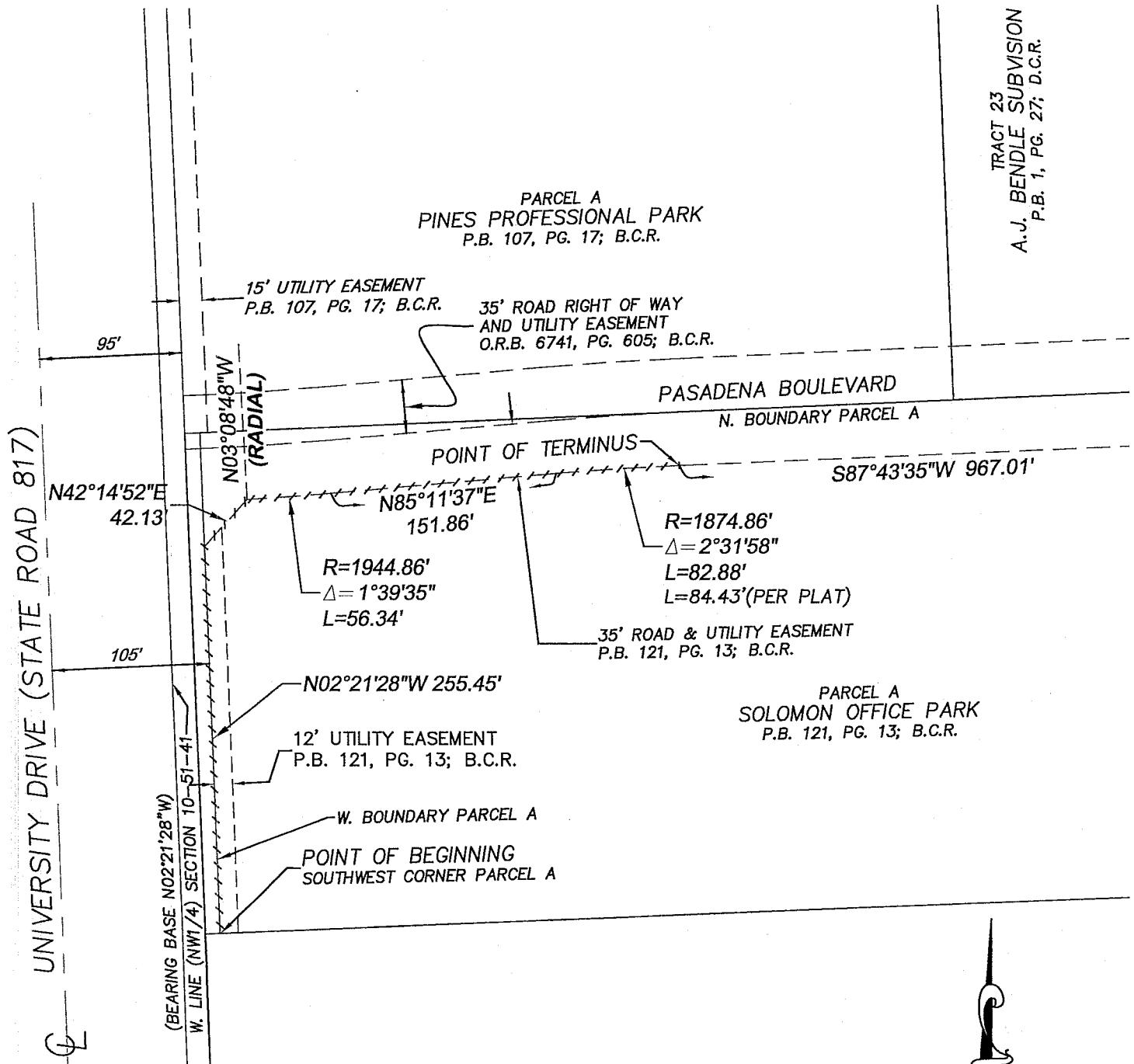
| UPDATES and/or REVISIONS | DATE | BY | CK'D |
|--------------------------|----------|----|------|
| 1. ADD LOCATION SKETCH | 8-4-15 | RY | CD |
| 2. PLOT 12' U.E. | 12-02-15 | RY | CD |
| | | | |

| | | | |
|-------------------------|---------------------|---------|-----------------|
| JOB NO.: 15-0011-002-01 | SHEET 1 OF 2 SHEETS | | |
| DRAWN BY: RY | F.B. N/A | PG. N/A | |
| CHECKED BY: TCS | | | DATED: 06-08-15 |



CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS • PLANNERS • SURVEYOR'S
 3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL: (954) 739-6400
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 MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN THOMPSON & ASSOCIATES, INC. AND SHALL
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NON-VEHICULAR ACCESS LINE VACATION



PRINTED ON

DEC 07 2015

0 100' 200'

GRAPHIC SCALE IN FEET



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| | | |
|------------------------|---------------------|---------|
| JOB NO.: 15-0011-02-01 | SHEET 2 OF 2 SHEETS | |
| DRAWN BY: RY | F.B. N/A | PG. N/A |
| CHECKED BY: TCS | DATED: 06-08-15 | |

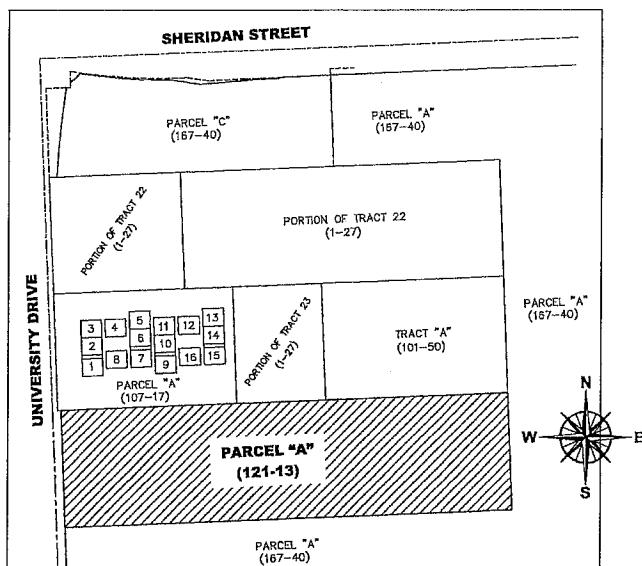
EXHIBIT "C"

(Legal Description of New
Nonvehicular Access Line)

See Sketch and Description for the Non-Vehicular Access Line Dedication,
Sheets 1 and 2 of 2 Sheets, attached.

FOR: CHIEFTAIN PEMBROKE, LP

**SKETCH AND DESCRIPTION
NON-VEHICULAR ACCESS LINE DEDICATION**



LOCATION MAP

Not to Scale

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A NON-VEHICULAR ACCESS LINE FOR PARCEL A, SOLOMON OFFICE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 121, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

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S A I D N O N - V E H I C U L A R A C C E S S L I N E L Y I N G I N T H E C I T Y O F P E M B R O K E P I N E S, B R O W A R D C O U N T Y, F L O R I D A.

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RAVEN THOMPSON & ASSOCIATES LTD.
PRINTED ON
LICENSED BUSINESS NUMBER #27

RAYMOND YOUNG
PROFESSIONAL SURVEYOR AND MAPPER NO. 5799
STATE OF FLORIDA

STATE OF FLORIDA
THE SKETCH OF SURVEY AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT
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G:\2015\15-0011_SOLOMON OFFICE PARK\DRAWINGS\SD_NVAL_DEDICATION

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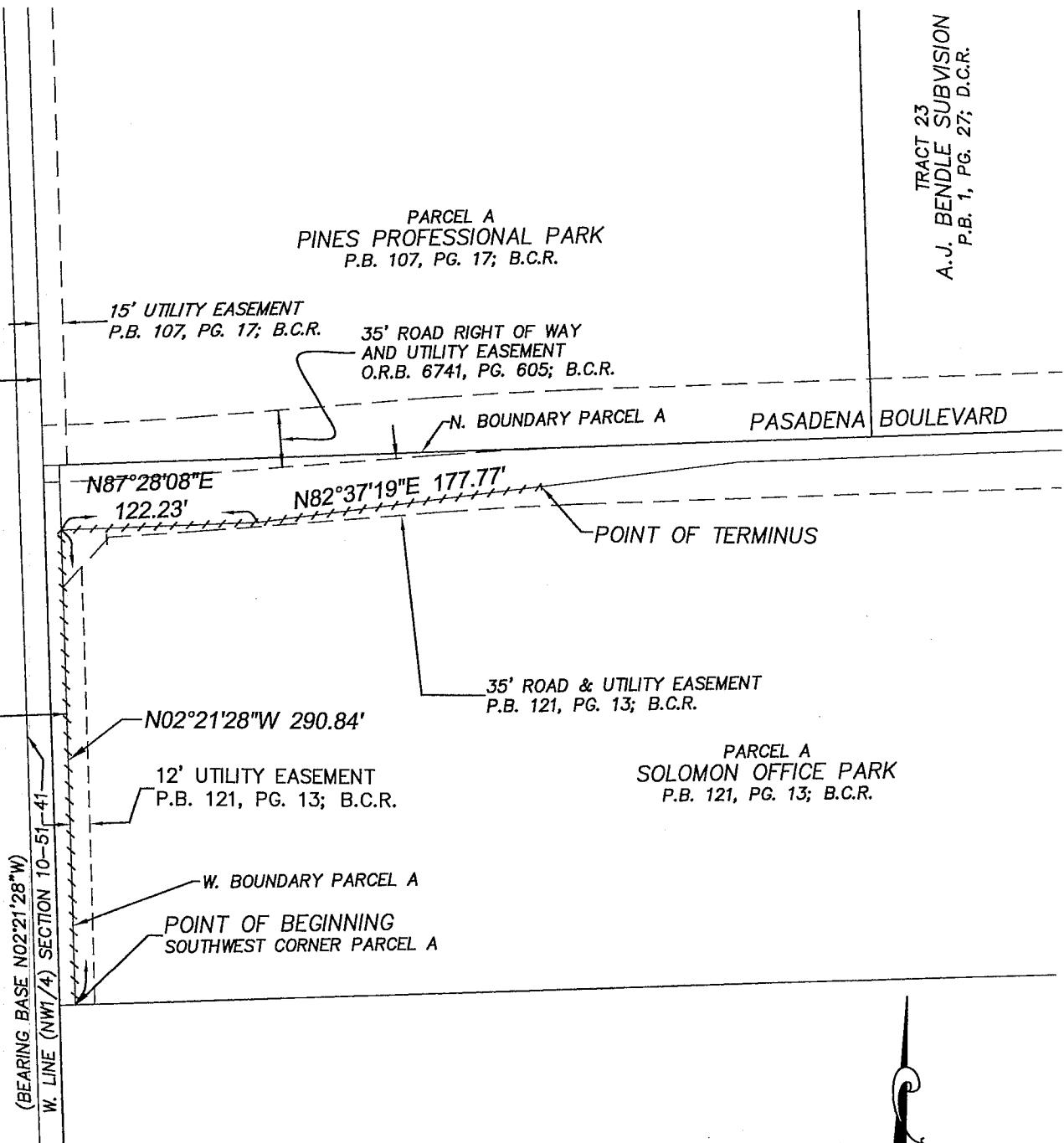
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| | | |
|-------------------------|---------------------|---------|
| JOB NO.: 15-0011-002-01 | SHEET 1 OF 2 SHEETS | |
| DRAWN BY: RY | F.B. N/A | PG. N/A |
| CHECKED BY: TCS | DATED: 06-08-15 | |

NON-VEHICULAR ACCESS LINE DEDICATION

UNIVERSITY DRIVE (STATE ROAD 817)

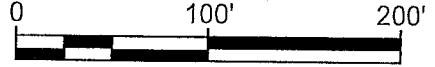
**LEGEND**

B.C.R. BROWARD COUNTY RECORDS
C CENTERLINE
D.C.R. DADE COUNTY RECORDS
L ARC LENGTH
O.R.B. OFFICIAL RECORD BOOK
P.B. PLAT BOOK
P.G. PAGE
R RADIUS
A CENTRAL ANGLE

NON-VEHICULAR ACCESS LINE

PRINTED ON

DEC 07 2015



GRAPHIC SCALE IN FEET



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|------------------------|---------------------|---------|
| JOB NO.: 15-0011-02-01 | SHEET 2 OF 2 SHEETS | |
| DRAWN BY: RY | F.B. N/A | PG. N/A |
| CHECKED BY: TCS | DATED: 06-08-15 | |