

## EXHIBIT "A"

(Legal Description of Property Owned by Developer  
in fee Simple)

A portion of Parcel "A", New River Center, according to the plat thereof, recorded in Plat Book 151, Page 15, of the Public Records of Broward County, Florida described as follows:

Begin at the Westerly – most Northwest corner of said "Parcel A", thence North  $44^{\circ}56'30''$  East along the North line of said Parcel "A", said line also being a non – vehicular access line as shown on said plat, 42.47 feet; thence South  $90^{\circ}00'00''$  East, along said line, 220.28 feet; thence South  $45^{\circ}00'00''$  East along said line, 42.43 feet; thence South of  $00^{\circ}00'00''$  East along the East line of said Parcel "A" and said non – vehicular access line, 110.00 feet; thence South  $90^{\circ}00'00''$  West, 280.05 feet; thence North  $00^{\circ}07'00''$  West, along the West line of said Parcel "A" and said non – vehicular access line, 109.94 feet to the Point of Beginning.

EXHIBIT "B"

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DEVELOPMENT ORDER  
FOR DESIGNATION  
OF  
THE NEW RIVER CENTER  
IN THE CITY OF FT. LAUDERDALE  
AS A  
FLORIDA QUALITY DEVELOPMENT  
UNDER  
SECTION 380.061, FLORIDA STATUTES

THIS IS NOT AN  
OFFICIAL COPY



ISSUED BY  
SECRETARY THOMAS G. PELHAM  
DEPARTMENT OF COMMUNITY AFFAIRS  
ON  
May 5, 1989

Certified as true  
and correct copy

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WHEREAS, the Florida Quality Developments Program was established to encourage development which has been thoughtfully planned to take into consideration protection of Florida's natural amenities, the cost to local government of providing services to a growing community, and the high quality of life Floridians desire; and

WHEREAS, under the program a development may be designated as a Florida Quality Development if the local government with jurisdiction, the appropriate regional planning council and the state land planning agency (the "R") concur that a proposed development meets the es of the Florida Quality Developments Progr designated as

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issued by the Florida Department of Community Affairs (the "Department") as the state land planning agency; and

WHEREAS, News/Sun-Sentinel Company (the "Applicant") has sought designation as a Florida Quality Development for its development, the New River Center (the "Development"), located within the City of Fort Lauderdale, Florida; and

WHEREAS, The Applicant has met with representatives of the City of Fort Lauderdale, the South Florida Regional Planning Council, the Department and other local, regional, state, and federal agencies, and the Applicant has worked closely with those agencies in addressing agency concerns; and

WHEREAS, the Applicant cooperatively formulated a development plan with those agencies that demonstrates high development standards; addresses the costs to local government for providing services; makes special provisions for the preservation and conservation of natural resources; meets or exceeds the statutory requirements of Section 380.061, Florida Statutes; and ensures a high quality of life standard for those who will live and work in and near the Development; and

WHEREAS, the Applicant formulated a plan that furthers appropriate and relevant goals and objectives of the adopted

State Comprehensive Plan and the State Land Development Plan; and  
WHEREAS, based upon that plan, the City of Fort Lauderdale  
met and approved the designation of New River Center as a Florida  
Quality Development, subject to the terms, general provisions and  
conditions of this Development Order; and

WHEREAS based upon that Plan, the South Florida Regional  
Planning Council met and approved the designation of New River  
Center as a Florida Quality Development, subject to the terms,

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Developer to create a development uniquely suitable to the site,  
the urban environment and the City within which it is located,  
and the Development is worthy of designation as a Florida Quality  
Development.

NOW, THEREFORE, BE IT ORDERED BY THE SECRETARY OF THE DEPARTMENT  
OF COMMUNITY AFFAIRS:

#### I. FINDING OF FACT

A. The Applicant submitted to the Reviewing Entities an  
application for designation of the Development as a Florida  
Quality Development. Hereinafter, the word "Applicant" shall  
refer to the News/Sun-Sentinel Company and its successors in  
interest and assigns. Hereinafter, the word "Application" shall  
refer to the application for designation as a Florida quality  
Development, the Appendices to that document, and all application  
completeness review information submitted by the Applicant to the  
Reviewing Entities: said Application being incorporated herein  
by reference and being on file and available for public  
inspection at the City of Ft. Lauderdale, Department of Planning  
and Community Development, 101 North Andrews Avenue, Ft.  
Lauderdale, Florida 33302; the South Florida Regional Planning

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Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33031; and the Florida Department of Community Affairs, Division of Resource Planning and Management, 2740 Centerview Drive, Tallahassee, Florida 32399.

B. The real property that is the subject of the Application is comprised of 6.4 acres and is located in the downtown area of the City of Fort Lauderdale and more specifically described in the descr of to

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Regulation, the Florida Game and Fresh Water Fish Commission, the Florida Department of Natural Resources, the Division of Historical Resources of the Florida Department of State, the Florida Department of Transportation, and Broward County.

D. On April 17, 1989 the South Florida Regional Planning Council met and, based upon the Application, found that the proposed Development is consistent with the South Florida Regional Planning Council's adopted Comprehensive Regional Policy Plan for South Florida, and approved the designation of New River Center as a Florida Quality Development, subject to the terms, general provisions and conditions of this Development Order which incorporate the recommendations of the South Florida Regional Planning Council.

E. On April 18, 1989 the City of Fort Lauderdale met and found that the proposed Development is consistent with the City's Local Government Comprehensive Plan and approved the designation of New River Center as a Florida Quality Development, subject to the terms, general provisions, and conditions of this Development Order which incorporate the terms and conditions of the the City of Fort Lauderdale.

F. On March 13, 1989, the Department found that:

1. The Development is not in an area of critical state

concern;

2. The Development is above 145 percent of the multi-use threshold in Broward County for Developments of Regional Impact, pursuant to s.380.06, Florida Statutes, and is thereby a development of regional impact;

3. The Application meets the requirements of Section 380.061(3), Florida Statutes; and

4. The Application was determined to be complete.

5. Based upon the representations made in the Application

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property that are known to be significant to threatened or endangered species.

3. There are no beaches or primary and secondary dunes on the Development property.

4. There are no known significant archaeological or historical sites on the Development property as determined by the Division of Historical Resources of the Department of State.

5. The Development will not produce or dispose of any substances designated as hazardous or toxic by the U.S. Environmental Protection Agency, the Department of Environmental Regulation or the Department of Agriculture and Consumer Services.

6. The Development will incorporate no dredge and fill activities in, and no stormwater discharge into, waters designated as Florida Class II waters, Florida Aquatic Preserves or Outstanding Florida Waters.

7. The Development will include open space, recreation areas, energy conservation features and will minimize impermeable surfaces.

8. The Applicant, through the Application and this Development Order, has entered into a binding commitment to

provide for the construction and maintenance of all onsite infrastructure necessary to support the project, and will phase development so that facilities will be operational when needed.

9. The Applicant has entered into a binding commitment with the City of Fort Lauderdale as committed to in the Application, to provide an appropriate fair-share contribution toward offsite impacts which the Development will impose on publicly funded infrastructure and will phase the Development to that  
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which is consistent with the adopted State Comprehensive Plan, the State Land Development Plan, and the adopted City of Fort Lauderdale Local Government Comprehensive Plan. As proposed and as committed to in this Development Order, the Development will contribute to furthering the goals and objectives of the State Comprehensive Plan in the following areas: downtown revitalization, employment, the economy, transportation, land use, hazardous waste, public facilities, water resources, and housing; and will be constructed consistent with the State Land Development Plan.

## II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms, general provisions and conditions of this Development Order, provisions, commitments, and representations of the Application, other information as set forth in Exhibits A, B, C, D, 1, 2, 2A, 2B, 3, 3B, 3C, 3D, 4, and Appendix 1, and as represented in the Findings of Fact, it is concluded that the Development complies with the provisions of Section 380.061, Florida Statutes.

B. Based upon the findings of fact that the Development, as

a development of regional impact and as a designated Florida Quality Development authorized by a Chapter 380, Florida Statutes, development order, it is concluded that the Development is exempt from development of regional impact review, pursuant to Section 380.06, Florida Statutes, subject to the terms, general provisions and conditions of this Development Order.

C. The designation of the Development as a Florida Quality Development under Section 380.061, Florida Statutes, and its authorization to commence development under a Chapter 380

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A. This Development Order constitutes the Development Order of the Florida Department of Community Affairs, as the state land planning agency, to designate the New River Center as a Florida Quality Development, pursuant to Paragraph 380.061(5)(d), Florida Statutes, and to thereby authorize development for a development of regional impact through this Chapter 380 development order.

B. The legal description and conceptual master development plan of the Development set forth in Exhibits A and B are hereby incorporated into and by reference made part of this Development Order.

C. It is the intent of the Department, as the governmental agency responsible for issuing the Development Order, to preserve and protect the natural resources located within and around the boundaries of the Development and otherwise ensure that the goals and objectives of the Florida Quality Developments Program are met through the terms of this Development Order. Therefore, in the event any provisions of this Development Order and the Exhibits and Appendix attached hereto are ambiguous, any such provisions shall be construed in a manner consistent with the intent of the Department expressed herein.

D. The definitions contained in Chapter 380, Florida

Statutes, shall govern and apply to this Development Order.

X. This Development Order shall be binding upon the Applicant, its assigns, or successors in interest, including any entity that may assume any of the responsibilities imposed on the Applicant by this Development Order. Reference herein to any governmental agency shall be construed to mean any agency that may in the future be created or designated as a successor in interest to, or that otherwise will possess any of the powers and

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been initiated pursuant to the Development Agreement attached as Appendix 1 and may be further undertaken upon the execution of this Development Order subject to the terms and conditions herein. Physical development of the project shall be substantially commenced within one (1) year of the date of issuance of this FGD Development Order. For purposes of this FGD Development Order, vertical development of the subparcel covered in the Development Agreement between the News/Sun Sentinel and the Department as identified in Appendix 1 or any other vertical construction on site shall satisfy this condition. This date may be extended, with concurrence from the other Reviewing Entities, on the Department's finding of excusable delay, and no adverse impacts resulting from the delay, in any proposed development activity. The right to develop subject to the terms, general provisions and conditions of this Development Order shall terminate on December 31, 1993, unless otherwise extended in accordance with the provisions of Paragraph III.B.4., herein. The termination date of development rights granted by this Development Order shall not affect the continuing obligations of the Applicant hereunder, or the rights and obligations of the applicant pertinent to any development completed hereunder, nor the enforcement authority of the Department, and the Applicant

shall continue to be bound by the terms, general provisions and conditions of this Development Order.

G. Whenever this Development Order provides for or otherwise necessitates reviews, approvals or determinations of any kind subsequent to its issuance, the right to review and approve or determine shall include the Reviewing Entities and all directly affected governmental agencies, and departments as are or may be designated by the Department, including all governmental agencies and departments set forth under applicable

opment.

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of Development it will submit its proposed change to the Reviewing Entities. Within 30 days of receipt of the proposed change, the Reviewing Entities will notify the Applicant in writing whether or not the change is a substantial change and, if the change is determined to be nonsubstantial, whether a modification of the Development Order is needed.

a. If the Reviewing Entities determine that the proposed change is not a substantial change and does not require a modification of the Development Order, the Applicant may proceed with the change, subject to applicable regulatory requirements.

b. If the Reviewing Entities determine that the proposed change is not a substantial change, but requires a modification of the Development Order, the Department shall, subject to the approval of the other Reviewing Entities, modify the Development Order in the manner specified in Part V. of this Development Order within 60 days of the receipt of the proposed change to the Reviewing Entities or shall notify the Applicant in writing that it will not modify the Development Order.

c. If the Reviewing Entities determine that the proposed change is a substantial change, the change shall require

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the review and approval of the Reviewing Entities prior to commencing such development activity. This review and approval shall follow the procedures and timetables used for the designation of a development as a Florida Quality Development as set forth in Section 380.061, Florida Statutes. Following approval of a substantial change by the Reviewing Entities, the Department shall modify the Development Order in the manner specified in Part V. of this Development Order to incorporate that approved substantial change.

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2. For the purposes of this Development Order, "substantial change" shall mean either:

a. A proposed change that creates a reasonable likelihood of causing additional regional impacts not previously reviewed by the Reviewing Entities. A proposed change greater than the criteria specified in Paragraph 380.06(19)(b), Florida Statutes, for a substantial deviation shall be presumed to be a substantial change. However, based upon the determination by the Reviewing Entities, the developer may not be required to undergo further FOD review. These criteria shall be applied to proposed modifications to the Plan of Development such as the following: an increase in the square footage of office or retail space or an increase in hotel rooms as set forth in the Plan of Development in this Development Order; a change in timing, location, or type of facilities, services or the commitments or conditions described in Part IV. of this Development Order or committed to in the Application for Designation and completeness responses; or, an increase in the amount of acreage, square footage for office and retail uses, and an increase in hotel rooms provided, however, that such a proposed increase is consistent with the Rules of Flexibility of the Broward County Land Use Plan.

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b. A change involving any of the FQD Designation criteria pursuant to the provisions of Subsection 380.061(3), Florida Statutes, as represented in the Application and recited in this Development Order;

c. Any deviation in the carrying out of a condition, commitment, or agreement set forth in the Application or recited in this Development Order which so alters the condition, commitment, or agreement that it can be fairly said to change the intent or result of the condition, commitment, or agreement; or, other similar

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Application. "Substantial change" shall not include such modifications as the following:

- a. Architectural or landscape architectural changes necessitated by the soil, topography, or other onsite conditions;
- b. Reduction in the square feet of approved office use;
- c. Reduction in the number of approved hotel rooms;
- b. Reduction of the total area devoted to commercial uses;
- c. Reduction of the amount of impervious surface area area; or
- d. Reduction in open space due to governmental requirements for transportation improvements.

4. Any proposed change in the date of buildout of the Development shall be evaluated by the Reviewing Entities according to the substantial deviation criteria identified in Paragraph 380.06(19)(c), Florida Statutes, for purposes of determining whether the proposed change constitutes a substantial change.

5. The Department may order the suspension of development activity only for that portion of the FQD project which is proposed for change pending the review of the Reviewing Entities. Development within the previously approved FQD project may continue

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as approved in those portions of the FGD project which are not affected by the proposed change. If the reviewing Entities determine that the proposed change, as it relates to the entire development should be approved, any new conditions in the amendment to the Development Order shall address only those issues raised by the proposed change.

I. The Reviewing Entities will monitor the development to ensure compliance with the terms, general provisions and conditions of this Development Order. The Director of Planning and Community Development of the City of Ft. Lauderdale will monitor the

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J. The Applicant shall file an annual report in accordance with Subsection 380.06(18), Florida Statutes and Rule SJ-2.025(6), Florida Administrative Code. The report shall be submitted on the official Department form for annual reports of developments of regional impact, (Bureau of State Planning Form BLM-07-88). Annual reports shall be due on the anniversary of the effective date of this Development Order until termination of development activity. Annual reports shall be submitted to the Reviewing Entities. The Department shall review the report for compliance with the terms, general provisions and conditions of this Development Order. Based upon the review of the annual report by the Reviewing Entities, the Department may issue only those further orders and conditions to ensure compliance with the terms, general provisions and conditions of this Development Order. Based upon the review of the annual report by the Reviewing Entities, the Applicant shall be notified of any finding of noncompliance; provided, however, that the receipt and review of the monitoring report by the Department shall not be considered a substitute or a waiver of any terms, general provisions or conditions of the Development Order.

The annual report shall include a statement by the Applicant

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regarding the status of private and publicly funded infrastructure and facilities needed to meet the needs of proposed development for the upcoming year. This statement on infrastructure and facilities shall include, but not be limited to, transportation facilities, potable water supply, solid waste disposal, sewage and waste water treatment, and police and fire protection.

K. The terms, general provisions and conditions of this Development Order shall not be construed or interpreted as a waiver of or exception to a requirement to obtain any permit, approval or authorization from the City of Ft. Lauderdale, its agencies or

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Developer shall have the right to use for the Development the certification mark registered with the Secretary of the Florida Department of State for developments designated as Florida Quality Developments under Section 380.061, Florida Statutes. The use of this certification mark shall extend solely to promotional, informational or advertising purposes in order to identify this Development as a development approved and designated under Section 380.061, Florida Statutes. Any future addition, change or extension to this Development shall not have the authorization to use the certification marks without the written consent of the Reviewing Entities.

N. Within thirty (30) days of the issuance of this Development Order, the Applicant shall cause the Development Order to be recorded among the Public Records of Broward County and the City of Ft. Lauderdale and shall not engage in any construction activities or convey any portion of the Development, other than those conveyances required herein, prior to recordation.

O. Through the representations in the Application, the terms and conditions of this Development Order the Applicant has agreed to contribute the Applicant's proportionate fair-share contribution

toward the offsite impacts which the Development will impose on all publicly funded infrastructure and has agreed to phase the Development to ensure that all publicly funded infrastructure, including transportation, potable water supply, solid waste disposal, sewage treatment and other facilities and services will be operational when needed. For the purposes of this Development Order, the term "operational when needed" shall mean the availability of public facilities and services needed to support the development concurrent with the impacts of the development. Development authorization is conditioned upon the availability of

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shall stay the effectiveness of this Development Order as to the tract or parcel, or portion of tract or parcel, in which the violative activity or conduct has occurred and shall instruct the City to withhold further permits, approvals and services for development of said tract or parcel, or portion of tract or parcel, upon the filing of a Notice of Violation pursuant to Section 380.11, Florida Statutes, finding that such violative activity has occurred. The Notice of Violation shall be served on the Violator and shall state: 1) the nature of the alleged violative activity, and 2) that unless the violative activity is cured within 15 days of such notice, the Notice will be referred to the Division of Administrative Hearings within 30 days of the date of said notice. The Department, at the Department's sole discretion, may revoke the designation of the parcel in violation as a Florida Quality Development. In the event the designation of a parcel is revoked, the parcel may be required to undergo development-of-regional-impact review pursuant to Section 380.06, Florida Statutes. In the event that the violative activity is not curable within 15 days, the Violator's diligent good faith efforts to cure the violative activity within that period will obviate the need to hold a hearing

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if so found by the Department in its sole discretion and the Development Order shall remain in full force and effect unless the Violator fails to diligently pursue the curative action to completion within a reasonable period of time. For purposes of this section, the words "tract" or "parcel" shall be defined as any area of the New River Center Florida Quality Development, created by deed, plat, or other conveyance.

Q. The Development is subject to the conditions of this Development Order and all other applicable laws, ordinances, or regulations of those governmental entities which have jurisdiction

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as conditions to this Development Order.

#### B. DESCRIPTION OF DEVELOPMENT

The Development is hereby authorized to contain and the Applicant is authorized to develop the property located in the City of Ft. Lauderdale (Exhibits A and B) as follows:

##### Phase I

Office	295,000	square feet
Retail	13,000	square feet

Phase I is generally defined as the land area located in the northeast quadrant of the site that is bounded by East Las Olas Boulevard to the north and S.E. 3rd Avenue to the east. This phase is currently under construction based upon a development agreement issued by the Department on September 1, 1988.

##### Phase IIA

Retail	5,000	square feet
Hotel	400	rooms

Phase IIA is generally defined as the land located in the

southwest quadrant of the site that is bounded by the New River to the south.

**Phase IIB**

Office	250,000	square feet
Retail	5,000	square feet

Phase IIB is generally defined as the land located in the southeast quadrant of the site that is bounded by the New River to the south and S.E. 3rd Avenue to the east.

**Phase IIX**

Office	500,000	square feet
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**C. AFFORDABLE HOUSING**

In order to analyze and address the linkage between non-residential land use decisions, the creation of new employment opportunities, the generation of housing needs for new employees, and housing opportunities for employees reasonably accessible to places of employment, the Applicant has committed to contribute towards the funding of a housing linkage study to be conducted by the Florida Atlantic University/Florida International University Joint Center for Environmental and Urban Problems. This study shall examine affordable housing, the appropriateness of linking employment opportunities with the need for affordable housing for very low, low and moderate income households, and the appropriateness of such linkages depending on local and regional demographic conditions and other local and regional factors. The study shall be conducted in the South Florida Regional Planning District, the Northeast Florida Regional Planning District, and the Apalachee Regional Planning District. The Developer has committed to be responsible for funding the general part of the study and the

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particular part of the study taking place in the South Florida Regional Planning District. This funding commitment shall be calculated at seventy-five percent (75%) of the sum of \$55,000, and the Applicant shall enter into a contract to provide such funding within 30 days after the effective date of this development order.

**D. HISTORIC PRESERVATION**

The Applicant shall notify state archaeological officials at the Division of Historical Resources of the Florida Department of

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into the design and operation of the development. At a minimum, the developer shall construct all development so that it is in conformance with the specifications of the State of Florida Energy Efficiency Code for Building Construction (State Energy Code). Within six months of the effective date of the development order, the Applicant shall submit an energy conservation plan. The plan shall consider, where appropriate, but not be limited to:

- a. The use of solar water heaters or waste heat recovery units to preheat water for cooking, drinking, and washing;
- b. Maximum water temperature settings for hot water heaters of 110 degrees Fahrenheit unless otherwise required by health codes;
- c. High efficiency air conditioning systems with a seasonal energy efficiency ratio of greater than or equal to 12.0;
- d. Use of non-electric energy sources for cooking, water heating and space heating, where feasible;
- e. Minimum use of incandescent lighting;
- f. Maximum flexibility of air conditioning systems to cool only occupied areas and the precooling of outside air and heat recovery wheels; and
- g. Design and installation of computerized energy management

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systems, suitable for the scale and character of the buildings within the development.

**F. TRANSPORTATION CONDITIONS**

The Applicant shall:

1. Limit project vehicle access points to the off-site network to the location shown in Exhibit 1 herein.
2. Prior to the issuance of any certificates of occupancy, complete the construction of project access improvements A and B identified in Exhibit 2 herein.

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five (5) years beginning from the issuance of the first certificate of occupancy. The Applicant's total contribution shall be \$266,189 (1989 dollars). The minimum contribution shall be \$20,000 each year during the five-year period.

b. Prior to the issuance of certificates of occupancy for more than 300,000 square feet of office/retail use, contribute \$266,189 (1989 dollars) to Broward County to be used for improvements to the transit system serving the Ft. Lauderdale downtown area.

4. Prior to the issuance of any certificates of occupancy for hotel use, complete 50% of improvement A in the amount of \$313,857 (1989 dollars) identified in Exhibit 3 herein.

5. Prior to the issuance of any certificates of occupancy for office/retail use, complete the construction of improvement B identified in Exhibit 3 herein.

6. Prior to the issuance of certificates of occupancy for more than 300,000 square feet of office/retail use, complete the construction of 50% of improvement A in the amount of \$313,857 (1989 dollars) identified in Exhibit 3 herein.

7. Conform to either a. or b. below as applicable:

a. At the request of the City, the Applicant shall bond improvement C identified in Exhibit 3 herein prior to the issuance of building permits for more than 308,000 square feet of office/retail use.

b. Prior to the issuance of certificates of occupancy for more than 308,000 square feet of office/retail use, complete the construction of improvement C identified in Exhibit 3 herein.

8. Prior to the issuance of certificates of occupancy for more than 563,000 square feet of office/retail use, complete the construction of improvement D identified in Exhibit 3 herein, and conform to either a. or b. below as applicable:

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be used for any improvement(s) identified in Exhibit 4 herein.

9. Within ninety days of a. or b. below as applicable:

a. the day of receiving notice from Broward County that the right-of-way needed for improvement D identified in Exhibit 3 can not be acquired before January 1, 1992

b. January 1, 1992, in the event that the right-of-way needed for improvement D identified in Exhibit 3 has not been acquired by this date the Applicant shall request the Council, Broward County, the City of Ft. Lauderdale, the Florida Department of Transportation, and the Florida Department of Community Affairs to reach a new agreement for the allocation of the Developer's \$300,000 responsibility for improvement D identified in Exhibit 3. Any agreement made must meet the criteria of Section 180.06(16)(d), Florida Statutes (1987).

The City of Ft. Lauderdale shall:

10. Limit project vehicle access points to the off-site roadway network to the locations shown in Exhibit 1 herein.



11. Withhold the issuance of any certificates of occupancy until the Applicant is in compliance with Condition F.2. herein.

12. Withhold the issuance of any certificates of occupancy for more than 308,000 square feet of office/retail use until the Applicant is in compliance with Condition F.3. herein.

13. Withhold the issuance of certificates of occupancy for hotel use until the Applicant is in compliance with Condition F.4. herein.

14. Withhold the issuance of any certificates of occupancy for office/retail use until the Applicant is in compliance with Condition F.5. herein.

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issuance of building permits for more than 308,000 square feet of office/retail use, until the Applicant is in compliance with Condition F.7.a. herein.

b. Withhold the issuance of any certificates of occupancy for more than 308,000 square feet of office/retail use, until the Applicant is in compliance with Condition F.7.b. herein.

17. Withhold the issuance of any certificates of occupancy for more than 563,000 square feet of office/retail use, until the Applicant is in compliance with Condition F.8. herein.

18. Beginning from the ninetieth day after a. or b. below as applicable:

a. the date of receiving notice from Broward County that the right-of-way for improvement D identified in Exhibit 3 cannot be acquired before January 1, 1992.

b. January 1, 1992, in the event that the right-of-way needed for improvement D identified in Exhibit 3 has not been acquired by this date withhold the issuance of any further certificates of occupancy until the Applicant is in compliance with Condition F.9. herein.



3. Vacuum sweep all parking lots and private roadways serving the parking lots at least once per week.

**I. HAZARDOUS SUBSTANCES**

The Developer shall incorporate into the development, by restrictive covenants or lease or sales agreements, as applicable, the prohibition of onsite storage or production of hazardous substances as identified in Exhibit C, and allow reasonable access to the site pursuant to applicable regulation for monitoring by Broward County Environmental Quality Control Board, Broward Water is to a the laws

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1. Use only those plant species listed in Exhibit D, for project landscaping. Additional species may be used only if written approval is provided by Council staff, the City, and the Department of Community Affairs. Approval will be granted if the species:

- a. does not require excessive irrigation,
- b. does not require excessive fertilization,
- c. is not prone to insect infestations,
- d. is not prone to disease,
- e. does not have invasive root systems, and
- f. meets other criteria as may be appropriate.

2. As feasible, use xeriscape and similar techniques in project landscaping.

3. Incorporate the use of water sensors and other low water volumes landscape irrigation techniques to reduce the demand on the region's potable water supply.

**K. PUBLIC SAFETY**

The Developer shall coordinate with the Ft. Lauderdale Police and Fire departments to incorporate security measures into the design and operation of the project.

**L. CONSOLIDATED APPLICATION FOR DEVELOPMENT DESIGNATION**

The Developer shall integrate all original and supplemental application for development designation information into a Consolidated Application for Development Designation (CADD) and submit two copies of the CADD to the Council, one copy to the City of Ft. Lauderdale, and one copy to the Florida Department of Community Affairs within thirty (30) days of the effective date of this Development Order. The CADD shall be prepared as follows:

1. Where new, clarified, or revised information was prepared to of nce o

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date of the revision

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE DEVELOPMENT WITHIN THE CITY OF FT. LAUDERDALE BY THE NEWS/SUN SENTINEL COMPANY KNOWN AS THE NEW RIVER CENTER IS HEREBY DESIGNATED AS A FLORIDA QUALITY DEVELOPMENT, SUBJECT TO THE TERMS, GENERAL PROVISIONS AND CONDITIONS IN THIS DEVELOPMENT ORDER.

SIGNED

*Thomas G. Pelham*

THOMAS G. PELHAM  
SECRETARY, DEPARTMENT OF COMMUNITY AFFAIRS

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(initials) Clerk

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**PART V. DEVELOPMENT ORDER AMENDMENTS**

This Part V. shall specify and contain any and all approved changes or amendments in this Development Order from the original Application and Development Order issued by the Department on \_\_\_\_\_, 1989, and recorded within the Broward County Official Records Book \_\_\_\_\_, Page \_\_\_\_\_. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions and conditions of the Development Order except as that Development Order has been specifically altered by the changes and amendments identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated in this Development Order shall be specified below sequentially and identified in this Part V. by the dates of their approval and incorporation in new Development Orders issued by the Department.

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EXHIBIT A  
LEGAL DESCRIPTION

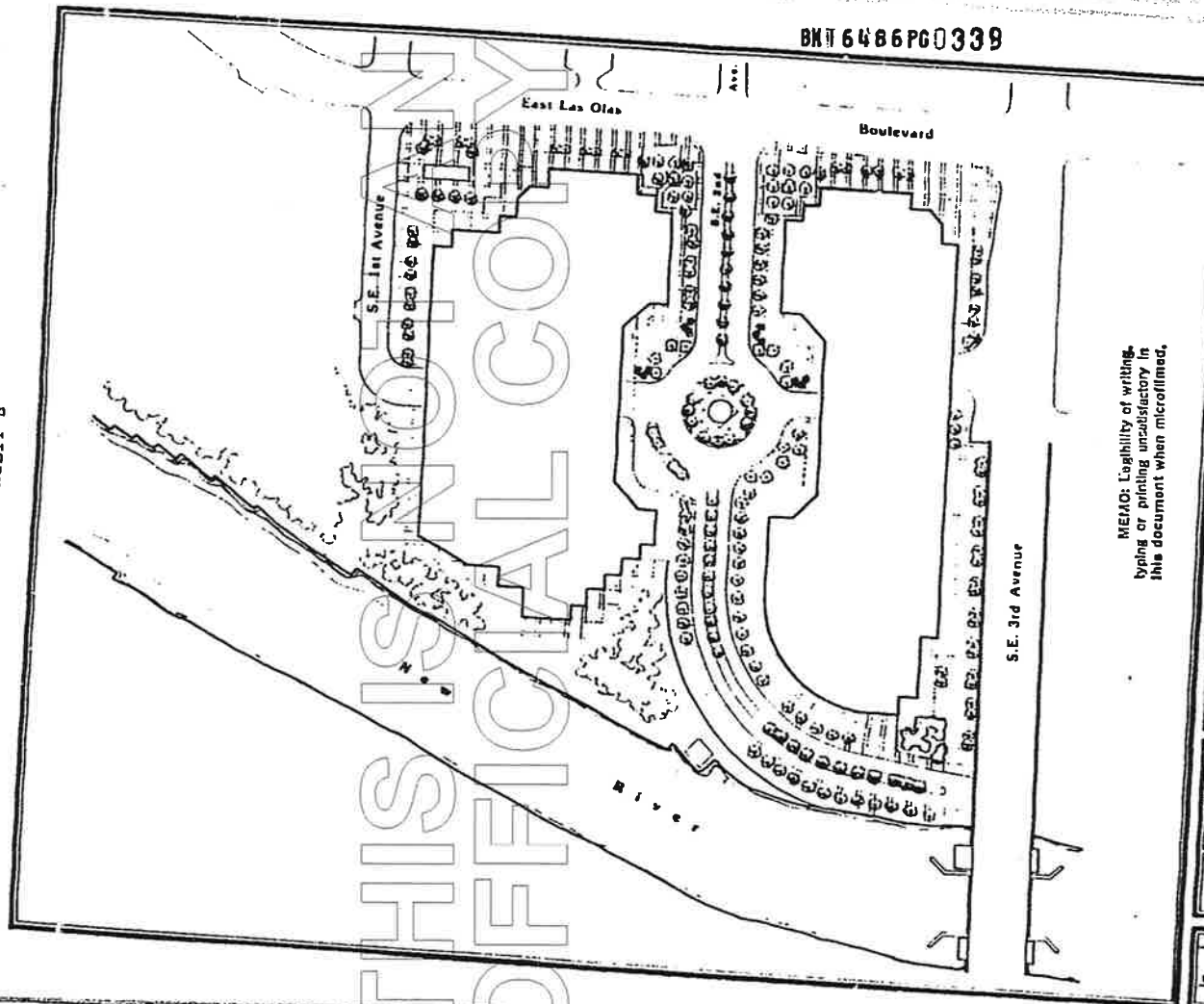
BLOCK 30, "TOWN OF FORT LAUDERDALE" ACCORDING TO THE PLAT THEREOF  
RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DALLAS  
COUNTY, FLORIDA.

Section 10, Township 50, Range 42 East

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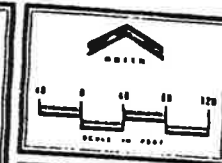
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EXHIBIT B



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**MASTER  
DEVELOPMENT  
PLAN**  
FLORIDA QUALITY DEVELOPMENT  
APPLICATION FOR DEVELOPMENT DELEGATION



Keith and Scherer, P.A.  
Landmark Planning Services

McMahon Associates, Inc.  
Transportation Consultants

Greenberg, Young, Hoffman,  
Lipoff, Rosen and Quastel, P.A.  
Attorneys at Law

DATE	REVISION	BY	DATE
1/1/88			

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EXHIBIT C

CODE FOR WASTE TYPES COMMONLY ASSOCIATED WITH EACH SIC INDUSTRY

- A Waste pesticides
- B Washing and rinsing solutions containing pesticides
- C Empty pesticide containers
- D Spent toxaphene solutions or sludges from dipping
- E Spent pesticide solutions or sludges other than toxaphene from dipping
- F Dust containing heavy metals
- G Washings and rinsing solutions containing heavy metals
- H Wastewater treatment sludges containing heavy metals
- I Waste ink
- J Ignitable paint wastes containing flammable solvents (flash point less than 140°F)
- K Liquid paint wastes containing heavy metals (cadmium, chromium, mercury or lead)
- L Spent solvents
- M Still bottoms from the distillation of solvents
- N Filtration residues from dry cleaning operations
- O Cyanide wastes
- P Strongly acidic or alkaline wastes
- Q Spent plating wastes
- R Waste ammonia
- S Photographic wastes
- T Ignitable wastes (flash point less than 140°F)
- U Wastewater sludges containing pentachlorophenol, creosote, or arsenic
- V Waste formaldehyde
- W Lead-acid batteries
- X Waste explosives
- Y Waste oil
- Z Other ignitable, corrosive, reactive and EP toxic, as these waste types are defined in 40 CFR 261.21, 261.22, 261.23 and 261.24.

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EXHIBIT D

# List of Trees Recommended for South Florida (May, 1985)

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- Acacia cyanophylla*\* (Beach acacia)
- Acacia farnesiana* (Sweet acacia)
- Achras zapota* (Sapodilla)
- Asclepias wrightii* (Pauotie palm, Cape sabel palm)
- Areca palm* (Queen palm)
- Azadirachta indica* (Black mangrove)
- Brassia actinophylla* (Schefflera)
- Bucida buxifolia* (Black olive)
- Bursera simaruba* (Cuebo limbo)
- Bursera capitata* (Pindo palm)
- Calliandra haematocephala* (Powderpuff)
- Callistemon rigidus* (Bottlebrush)
- Callistemon citrinus* (Bottlebrush)
- Cassia winterana* (Wild cinnamon)
- Cassia fistula*\* (Golden shower)
- Cecropia peltata* (Cecropia)
- Chamaedorea* spp. (Household palms)
- Chamaedorea humilis*\* (European fan palm)
- Chorisia zebrifera* (Ploss silk tree)
- Chrysobalanus icaya*\* (Arenia palm, Madagascar palm)
- Chrysophyllum oliviforme* (Satinleaf)
- Citrus aurantiifolia*\* (Key lime)
- Citrus paradisi*\* (Minneola Tangelo)
- Citrus reticulata*\* (Minneola Tangelo)
- Clusia rosea* (Pitch apple)
- Coccoloba diversifolia* (Pigeon plum)
- Coccoloba grandiflora* (Big leaf sea grape)
- Coccoloba uvifera* (Sea grape)
- Coccothrinax argentata* (Florida silver palm)
- Cochlospermum vitifolium* (Buttercup tree)
- Cocos nucifera* "May pan" (May pan coconut palm)
- Conocarpus erectus* (Buttonwood)
- Conocarpus erectus* "sericea" (Silver buttonwood)
- Cordia alliodora* (Ceiba tree)
- Delonix regia*\* (Royal poinciana)
- Drypetes lateriflora* (Guiana plum)
- Eriobotrya japonica*\* (Loquat)
- Erythrina* spp. (Coral tree)
- Eugenia axillaris* (White stoppers)
- Eugenia confusa* (Red berry)
- Eugenia foetida* (Spanish stoppers)
- Ficus citrifolia* (Short leaf fig)
- Grevillea banksii* (Banks grevillea)
- Grevillea robusta* (Silk oak)  
Very large tree, not for residential use
- Gualacum sanctum* (Lignum-vitae)
- Ilex cassine* (Dahoon holly)
- Jacaranda acutifolia*\* (Jacaranda)
- Juniperus silicicola* (Southern red cedar)

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*Jacquinia brevifolia* (Joe Wood)  
*Jatropha multifida*\* (Pecurina)  
*Juniperus chinensis columnaris*\* (Juniper)  
*Juniperus conferta*\* (Shore Juniper)  
*Lamprocarpa indica*\* (Cape Myrtle)  
*Lantana depressa* (Dwarf Lantana)  
*Lantana montevidensis* (Dwarf Lantana)  
*Ligustrum* spp.\* (Privet)  
Pests  
*Lilione muscari*\* (Lilly turf)  
*Myrsine fraxinea* (Simpson stopper)  
*Myrsine cauliflora*\* (Jaboticaba)  
*Myrica cerifera* (Southern wax myrtle, Bayberry)  
*Nephrolepis bostonensis* (Boston fern)  
*Ophiopogon japonicus*\* (Mondo grass)  
*Peperomia obtusifolia* (Peperomia)  
*Pilea volubilis*\* (Queen's wreath)  
*Phoradendron speciosa*\* (Torch ginger)  
*Philodendron* spp.\* (Climber, philodendron)  
*Pinus elliotii* variety *densa* (Dade County pine)  
*Platanus guadalupensis*\* (Blackbead)  
*Plumbago* spp. (Frangipani)  
*Podocarpus* spp.\* (Podocarpus)

*Polyria balfouriana*\* (Balfour aralia)  
*Poncirus* (Pomelo)  
*Psychotria nervosa* (Wild coffee)  
*Randia aculeata* (Randia, White Indian berry)  
*Ravenscroftia repens* (Darling plum)  
*Sagittaria* (Arrowhead)  
*Scorpaenia plumieri* (Inkberry)  
*Scirpus* (Bulrush)  
*Sesuvium portulacastrum* (Purslane)  
*Sipholobium alabastrum*\* (Yellow elder)  
*Suriana maritima* (Bay cedar)  
*Tecomaria capensis* (Cape honeysuckle)  
*Taxodium* (Cypress)  
*Tecomaria capensis* (Cape honeysuckle)  
*Tetradlea bicolor* (Tetradlea, West Indian lily)  
*Thunbergia erecta*\* (Kings - Mantle)  
*Thunbergia* spp.\* (Clock vine)  
*Thyrsalis glauca* (Thyrsalis)  
*Trachelospermum jasminoides*\* (Confederate jasmine)  
*Uniola paniculata* (Sea oats)  
*Viburnum suspensum*\* (Sandankva viburnum)  
*Yucca elephantipes* (Spineless yucca)  
*Zamia floridana* (Coontie)  
*Zanthoxylum armatum* (Wild lime)

# List of Shrubs, Vines, and Ground Covers Recommended for South Florida

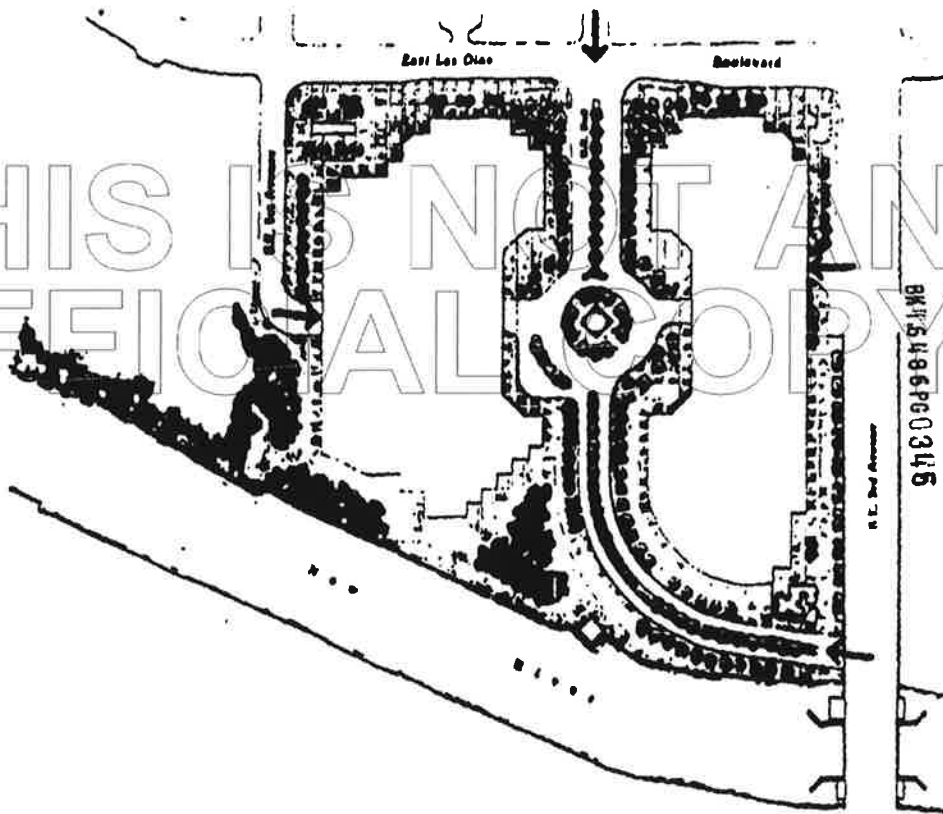
(May, 1985)

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- Acalypha hispida*\* (Chenille plant)  
*Acalypha wilkesiana*\* (Copperleaf)  
*Alocasia* spp. (Elephant ear)  
*Alsinia* spp. (Shell flower)  
*Amonium*\* (Torch ginger)  
*Ardisia crenata* (Christmas berry)  
 Penta  
*Asparagus* spp. (Asparagus fern)  
*Begonia* spp.\* (Mex begonia)  
*Baucarnea recurvata* (Pony-tail)  
*Bougainvillea* spp. (Bougainvillea)  
 Thorns  
*Brassia actinophylla* (Schefflera)  
*Byrsonima lucida* (Locustberry)  
*Calliandra haematocephala* (Pouderpuff)  
*Calliandra americana* (American beautybush)  
*Campsis radicans*\* (Trumpet vine)  
*Cassia* spp.\* (Cassia)  
*Cassia bahamensis*\* (Cassia)  
*Chrysobalanus icaco* (Cocoplum)  
*Cladium* (Sawgrass)  
*Codiaeum variegatum*\* (Croton)  
*Conocarpus erectus* (Green buttonwood)  
*Conocarpus erectus variegatus* (Silver buttonwood)  
*Costus* spp. (Spiral flag)  
*Drysothea kerchouana* (False aralia)  
*Dodonaea viscosa* (Vernish leaf)  
*Dombeya vallischii* (Pink ball)  
*Franklinia nervosa*\* (Blue sage)  
*Eugenia axillaris* (White stopper)  
*Eugenia confusa* (Red berry)  
*Eugenia foetida* (Spanish stopper)  
*Eugenia myrsinoides* (Spanish stopper)  
*Forsteria segetalis* (Florida privet)  
*Gardenia jasminoides*\* (Gardenia)  
*Guapira discolor* (Blolly)  
*Hamelia patens* (Scarletbush, firebush)  
*Hedyclium coronarium* (Butterfly lilly)  
*Hedyclium flavum* (Yellow lilly)  
*Hedyclium garnerianum* (Kahili lilly)  
*Hedyclium* spp. (Giner lilly)  
*Helianthus divaricatus* (Beach sunflower)  
*Hibiscus rosa-sinensis*\* (Hibiscus)  
*Hymenocallis latifolia*\* (Spider lilly)  
*Ilex glabra*\* (Callberry)  
*Ilex vomitoria nana*\* (Dwarf yaupon holly)  
*Ipomoea* spp. (Morning glories, railroad vine)  
*Iva frutescens* (Marsh elder)  
*Iva imbricata* (Seacoast marsh elder)


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<b>PROJECT ACCESS</b>	
 <b>Project Access</b>	
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**EXHIBIT 2**

**IMPROVEMENTS NEEDED FOR PROJECT ACCESS\***

**Recommended Improvement:**

**Exhibit:**

- A. Las Olas Boulevard/S.E. 2nd Avenue  
• Add a northbound through lane  
• Add a northbound left-turn lane
- B. Project Access/S.E. 3rd Avenue  
• Add a southbound right-turn lane

2A

2B

\* Applicant is required to construct all project access improvements, paying 100 percent of the associated costs.

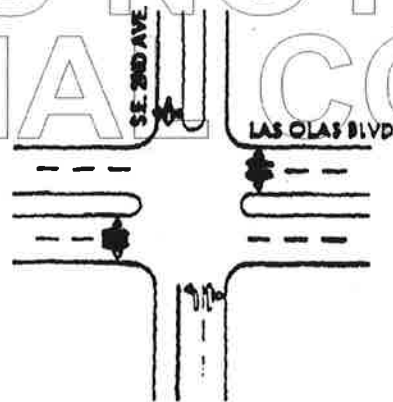
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**RECOMMENDED IMPROVEMENTS**

Las Olas Boulevard / S.E. 2nd Avenue

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### RECOMMENDED IMPROVEMENTS

Project Access / S.E. 3rd Avenue

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EXHIBIT

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# EXHIBIT 3

## OFF-SITE IMPROVEMENTS NEEDED FOR ACCOMMODATE PROJECT AND OTHER TRAFFIC IMPACTS

<u>Recommended Improvement:</u>	<u>Improvement Cost*</u>	<u>Exhibit</u>
A. Construction of the infrastructure elements of the Riverwalk pedestrian corridor from S.E. 3rd Avenue to Andreve Avenue, including two pedestrian ramps for the S.E. 3rd Avenue bridge	\$627,714	
B. Las Olas Boulevard/S.E. 3rd Avenue • Add an eastbound right-turn lane	\$371,080	3B
C. S.W. 2nd Street • Five-lane widening from S.W. 4th Avenue to S.W. 7th Avenue	\$530,800	3C
D. S.E. 3rd Avenue/S.E. 2nd Street • Add an eastbound left-turn lane • Add a westbound left-turn lane	\$300,000**	3C
E. S.W. 5th Avenue • Four-lane widening from Broward Boulevard to S.W. 2nd Street	\$400,000	

\* 1989 dollars.

\*\* Design and construction costs only.

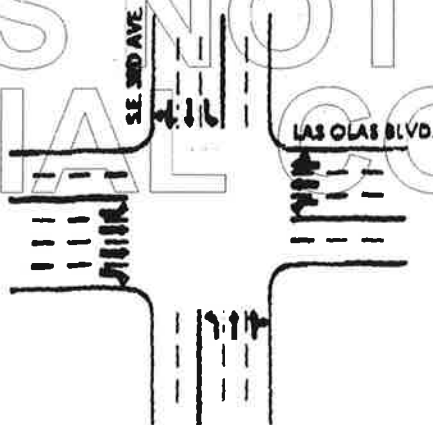
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### RECOMMENDED IMPROVEMENTS

Las Olas Boulevard / S.E. 3rd Avenue

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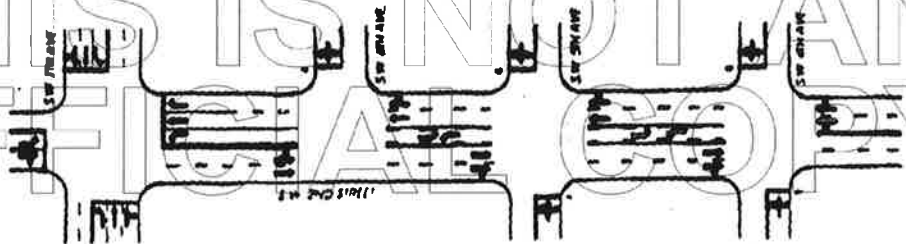
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### RECOMMENDED IMPROVEMENTS

S.W. 2nd Street  
From S.W. 7th Ave. to S.W. 4th Ave.

— EXISTING

- - - RECOMMENDED

Source: ADA

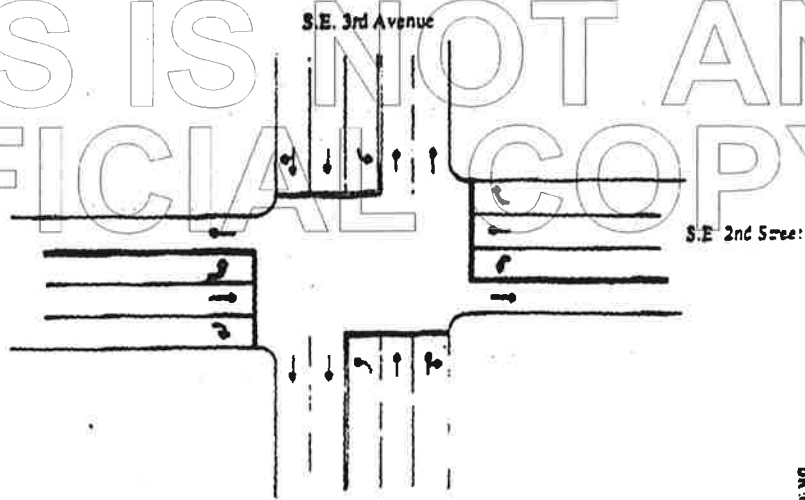
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### RECOMMENDED IMPROVEMENTS

S.E. 3rd Avenue / S. E. 2nd Street

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EXHIBIT  
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EXHIBIT 4

ADDITIONAL OFF-SITE IMPROVEMENTS

Recommended Improvements

- A. Sunrise Boulevard/N.W. 9th Avenue  
a Modify timing and phasing of existing traffic signal  
b Add turn lanes, modify geometry of northbound approach, modify north-south signal phasing
- B. Sunrise Boulevard/N.W. 7th Avenue  
a Add turn lanes, modify existing geometry and signal phasing
- C. Eistrunk Boulevard/N.W. 7th Avenue  
a Modify timing and signal phasing
- D. Broward Boulevard/N.W. 7th Avenue  
a Add through lane for both northbound and southbound lanes
- E. S.W. 2nd Street/S.W. 7th Avenue  
a Modify existing timing and signal phasing

SOURCE: "Northwest 7th/9th Avenue Connector Study - Executive Summary" (Table 1, page 17), Prepared for Broward County Public Works Department, Engineering Division, by Keith and Schnars, P.A., February, 1989.

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APPENDIX 1

~~CONFIDENTIAL~~  
~~THIS IS A CONFIDENTIAL DOCUMENT~~  
~~IT IS NOT TO BE DISCLOSED~~

THIS AGREEMENT is entered into between NEWS & SUN SENTINEL COMPANY, a Delaware corporation ("Sun Sentinel"), Riverwalk Center I, Joint Venture ("Joint Venture") and the State of Florida Department of Community Affairs ("Department"), subject to all other applicable governmental approvals.

WHEREAS, the Department is the State land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to:

Developments of Regional Impact (DRI); and

WHEREAS, the Department is authorized pursuant to Subsection 38C.03(1), Florida Statutes, to enter into agreements with developers and property owners to implement and effectuate the intent of Chapter 38C, Florida Statutes; and

WHEREAS, the Sun Sentinel and the Joint Venture wish to enter into this Agreement with the Department in order to clearly set forth the requirements of Section 38C.06, Florida Statutes, with respect to property owned by the Sun Sentinel in Fort Lauderdale, Florida; and

WHEREAS, Sun Sentinel and the Joint Venture state and represent as follows:

a. Sun Sentinel is a Delaware corporation which owns in fee simple absolute 6.4177 acres located in Broward County, Florida, more particularly described as follows ("Property"):

Block 3C, TOWN OF FORT LAUDERDALE according to the plat thereof recorded in Plat Book "B", Page 4C, of the Public Records of said County, and as depicted on Exhibit A attached hereto.

At the present time no other person or legal entity has any interest in said land; and

b. The Joint Venture has been formed for the development of a portion of the Property with the News & Sun Sentinel Company and Stiles Riverwalk Ltd. as joint venture partners. The project will be called "Riverwalk Center"; and

c. Sun Sentinel plans to convey fee simple title in a portion of the Property, approximately 3.5 acres in size, to the Joint Venture, which property is particularly described in Exhibit B attached hereto ("Sub Parcel"); and

d. The Sub-Parcel is planned to be developed in 287,000 square feet.

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2. A traffic analysis was performed which indicated the regional road/rail system will not be significantly impacted by the proposed development traffic.

INTEGRAL, THE PROJECT IS CONSISTENT WITH THE GOALS AND POLICIES OF THE

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WHEELS, the Sun Division is the owner of an additional parcel of land  
containing 10  
100 acres.

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2. The Department agrees that the Sub-parcels may be developed, permitted and utilized for office and retail uses along with the development of a adjacent internal access road and utilization to serve the Sub-parcels, as generally depicted on Exhibit "A" attached hereto, consistent with all other applicable permitting requirements, which do not exceed the applicable SMI increases established in Section 38A.03(1), Florida Statute. This development may occur prior to the issuance of a development order and without any requirements for review pursuant to Chapter 38C, Florida Statute.

3. The San Manuel and the Joint Venture agree that the development of the Property will be a DDC requiring review and approval pursuant to Section 306.04, Florida Statute. The San Manuel agrees that no development as defined by Section 306.04, Florida Statute, shall occur until the development of the S-M-V as defined above, shall occur within the Property until a DDC or a Development Order pursuant to Chapter 306.04 is approved for the Property. The San Manuel and the Joint Venture agree that the development of the Property shall be in accordance with the terms of the DDC or Development Order.

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provide for the following:

- a. That all of the Property, including the Sub-Parcel, be subject to the requirements of the Development Order.
- b. That the impacts of the development within the Sub-Parcel will be  
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to

agrees that  
\$80.00,

that

after the execution of this agreement without the consent of the Department. The ADA shall assume all the impacts associated with the entire development of the Project, including the Sub-Parcel and shall include the land described in Exhibit A.

5. The San Antonio confirms that it presently has no plans for development of the Parking Lot and hereby acknowledges that at such time as the San Antonio has plans for the development of the Parking Lot that development shall be aggregated with development upon the Property pursuant to the aggregation criteria contained in Chapter 380, Florida Statutes and the rules promulgated thereunder as they may be amended from time to time.

6. The San Antonio or the Joint Venture shall not claim vested rights or assert equitable estoppel arising from this Agreement or any expenditures or actions taken in reliance on this Agreement to complete the total proposed development beyond the development of the Sub-Parcel. This Agreement shall not entitle the San Antonio to a final Development Order approving the total development nor to particular conditions in the final Development Order.

7. In the event of a breach of this Agreement or failure to comply with any condition of this Agreement or if this Agreement is based upon material, inaccurate information, the Department may terminate this Agreement or file suit to enforce this Agreement, including a suit to enjoin all development. The prevailing party in any administrative, judicial or appellate proceeding arising from this Agreement shall be entitled to an award of reasonable attorney's fees.

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short costs and cost of investigation.

8. Nothing in this agreement shall constitute a waiver by any party of the right to appeal any Development Order pursuant to Section 350.07, Florida Statute.

9. The restrictions and conditions of the final Development Order issued pursuant to Chapter 340, Florida Statutes, shall supersede any restrictions and

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Included in the regional agency's report on the RCB.

11. The terms and conditions of this Agreement shall arise to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. San Antonio shall ensure and provide that any successor in interest in and to any lands or parcels affected by this Agreement as stated in the terms of this Agreement. San Antonio shall record this Agreement in the Official Records of Howard County, Florida and shall provide the Department with a copy of the recorded Agreement (including book and page number within 100 words of the date of execution of this Agreement).

12. The date of execution of this Agreement shall be the date that the last party signs and acknowledges this Agreement.

Witnesses:

NOT A SAN ANTONIO COUNTY

*[Signature]*

SEAL OF  
COUNTY OF

The foregoing instrument was  
signed, 1981,  
by me, or behalf

Witnessed before me this 10<sup>th</sup> day of  
the Month of May, 1981

*[Signature]*  
Notary Public

NOTE: Legibility of witness  
signatures is preliminary to  
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roadway when viewed

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The foregoing instrument was acknowledged before me this 15th day of July 1966 by Terry M. Stiles, President Stiles Development Associates, Inc., General Partner of Stiles Riverwalk Ltd.

STATE OF FLORIDA  
COUNTY OF BROWARD

DAILY M. STILES, President, STILES  
DOWNTOWN ASSOCIATES, INC., General  
Partners of STILES RIVERVALLEY Ltd.

STILES RUBENSON, LTD., 60111/112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927,

NOTARY PUBLIC

[illegible]

STATE OF FLORIDA  
COUNTY OF BROWARD

THESE ARE THE ONLY TWO PLACES WHERE THE  
THESE ARE THE ONLY TWO PLACES WHERE THE

DEPARTMENT OF COMMUNITY AFFAIRS

Approved as to form and legal  
sufficiency:

Jeffrey D. Hines  
Attorney, Department of  
Community Affairs:

By: Thomas G. Pella

2740 Centerview Drive  
Tallahassee, Florida 32399  
(904)488-4925

Witnesses:

Timothy C. Allen

Myrona Gonzalez

STATE OF FLORIDA  
COUNTY OF Leon

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of December, 1988, by James B. Peltier of the Department of Community Affairs, an agency of the State of Florida, on behalf of the Department.

Eric R. Bart  
Notary Public

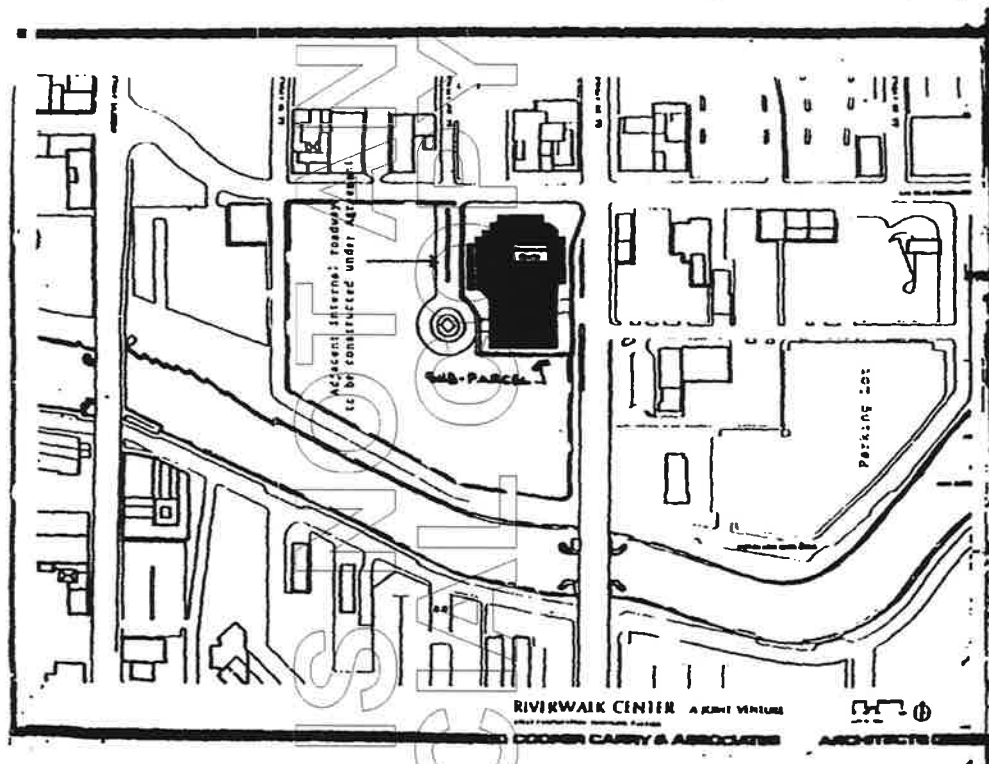
Notary Public, State of Florida  
My Commission Expires June 24, 1992

THIS IS NOT AN  
OFFICIAL COPY

BK 6486P00360

MEMO: Legibility of original  
typing or printing unsatisfactory in  
this document when microfilmed.

Filed as true  
and correct copy.



MEMO: Legibility of writing,  
typing or printing unsatisfactory in  
this document when microfilmed.

EXHIBIT A

BK16486PG0361

Certified as true  
and correct copy.

1. REPRODUCTIONS OF THIS SHEET ARE NOT VALID UNLESS BEARING WITH AN EMBOSSED SURVEYOR'S SIGNATURE.  
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.  
3. RECORDS.  
4. BEARINGS SHOWN HEREON ARE RELATIVE TO ASSUMED DATUM.  
5. THE "LAND DESCRIPTION" HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.  
6. "UNDERGROUND FOUNDATIONS" NOT LOCATED.  
7. "UNDERGROUND ENCUMBRANCES" NOT LOCATED OR SHOWN.  
8. "INTERIOR IMPROVEMENTS" ARE NOT SHOWN.  
9. THIS SHEET DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

LAND DESCRIPTION:  
A PORTION OF LOTS 1, 2, 3 AND 11 OF BLOCK 3D, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THERE-  
OF, AS RECORDED IN PLAT 8001 B, PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SECOND MORE  
PARTICULARS DESCRIBED AS FOLLOWS:

[illegible]

8000 LANDS LING IN THE CITY OF FORT LAUDERDALE BROWARD CO. FL 33304 CONTAINING 1. 424. 4. 424.

**SECRET**

IDENTIFIERS  
WE HEREBY CERTIFY THAT THE ATTACHED SECTION OF DESCRIPTION OF THE HEREIN DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS DELINEATED UNDER OUR DIRECTION TO EXAMINE THE SAME. WE FURTHER CERTIFY THAT THIS SECTION OF DESCRIPTION MEETS THE MINIMUM TECHNICAL REQUIREMENTS SET FORTH IN RULE 100-00-00001 ADOPTED BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO FLORIDA STATUTE, CHAPTER 349, SUBJECT TO THE QUALIFICATIONS SET FORTH.

01:27:35 VERB: 1063

RECEIVED AND FORWARDED TO  
FEDERAL BUREAU OF INVESTIGATION

BY J. F. WARD F.  
FLORIDA REGISTRATION NO. 451

<b>SKETCH OF DESCRIPTION</b> 100' x 100' AT CORNERS 1, 2 AND 30 TOWN OF FORT LAUDERDALE P. 10 PAGE 46. P. 10	DATE: 7-2-88	DATE: 8-15-88	<b>Keith and Schnars, P.A.</b> 1001 N. W. 10th Ave., Suite 100 Fort Lauderdale, FL 33311 (305) 441-1111
	STATE: FL	CITY: FORT LAUDERDALE	
	FILED BY: J.A.		
	DRAWN BY: J.A.		
	ENG. BY: J.A.		
100' x 100' AT CORNERS 1, 2 AND 30		SHEET NO. 1 OF 1 DRAWING NO. 17488	

EXH: P: 7 'B'

MEMO: Legibility of writing:  
typing or printing unsatisfactory in  
this document when microfilmed.

8K11 6486 PG 0362

certified as true  
and correct copy

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OFFICIAL COPY

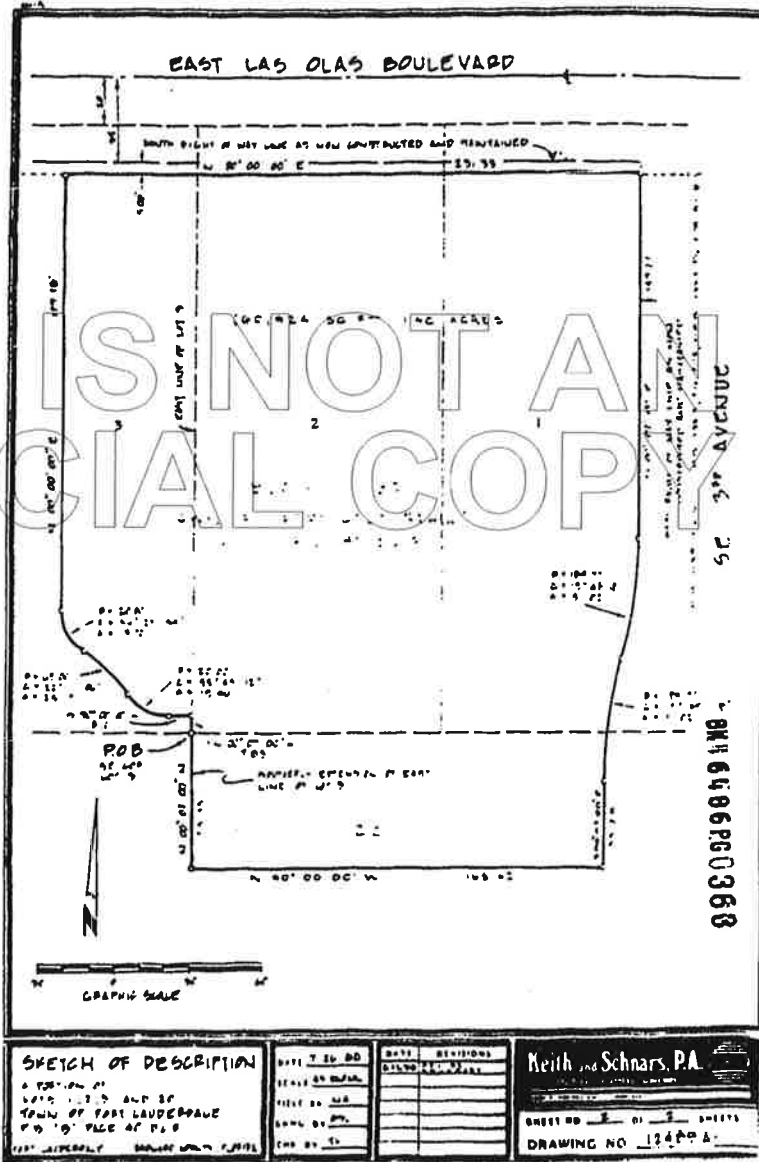


EXHIBIT "C"

LEGAL DESCRIPTION OF PARKING LOT

Lots 24, 26, 27, 28, 29, 30, 31, and 32, and Lot 25, less the west 15 feet thereof, for street-widening purposes, in WHEELER'S SUBDIVISION in Block "B", Fort Lauderdale, Florida, according to the plat thereof, recorded in Plat Book 3, Page 59, of the public records of Dade County, Florida.

Lots 1 and 2, Block 2, STRAHAN and BROWN'S SUBDIVISION, according to the plat thereof, recorded in Plat Book 1, page 7, of the public records of Broward County, Florida.

MEMO: Legibility of original  
typing or printing unsatisfactory in  
this document when microfilmed.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
L. A. HESTER  
COUNTY ADMINISTRATOR

OK 6406 PC0364

EXHIBIT "C"

This is to certify that the foregoing is a true and correct copy of *The New River Center in the City of Ft. Lauderdale, FLA* as contained in the files of the Department of Community Affairs.

*Jane R. Bass*  
JANE R. BASS, AGENCY CLERK

Date: *May 5, 1989*

Certified as true  
and correct copy.



FIRST AMENDMENT  
TO THE  
DEVELOPMENT ORDER  
FOR

NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT  
DESIGNATED UNDER SECTION 380.061, FLORIDA STATUTES

AND

RULE 9J-28, FLORIDA ADMINISTRATIVE CODE

File: DCA 93-174-FOI-DRI

ISSUED BY

DEPARTMENT OF COMMUNITY AFFAIRS

ATTACHMENT 1

BK2J600P60838

## **V. Development Order Amendments**

This Part V. shall specify and contain any and all approved changes or amendments to this Development Order from the original Application and Development Order issued by the Department on May 5, 1989, and recorded in the Official Records of Broward County. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions and conditions of the Development Order, except as that Development Order has been specifically altered by the changes and amendments identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated in this Development Order shall be specified below sequentially and identified in this Part V. by the dates of their approval and incorporation in new Development Orders issued by the Department.

### **A. First Amendment to the New River Center Development Order**

**WHEREAS**, on May 5, 1989, a Development Order was issued by the Department designating New River Center as a Florida Quality Development under Section 380.061, Florida Statutes, and recorded in the Official Records of Broward County at OR 6486, Pages 314-364; and

**WHEREAS**, on September 1, 1993, the Department received from the Developer a notice of proposed change requiring an amendment to the New River Center Development Order; and

**WHEREAS**, on November 10, 1993, the South Florida Regional Planning Council notified the Department that the proposed change to the New River Center Development Order does not constitute a substantial change and is consistent with the intent of the Development Order; and

**WHEREAS**, on November 2, 1993, City of Fort Lauderdale notified the Department that the proposed change to the New River Center Development Order does not constitute a substantial change and is consistent with the intent of the Development Order; and

**WHEREAS**, the Department has reviewed the proposed change, as well as all related testimony and evidence submitted by the Developer, the other Reviewing Entities and other commenting agencies; and

**WHEREAS**, the Department has found that the proposed change does not constitute a substantial change and furthers the purposes of Section 380.061, Florida Statutes.

NOW, THEREFORE, BE IT ORDERED BY THE DEPARTMENT OF COMMUNITY AFFAIRS THAT THE MAY 5, 1989, NEW RIVER CENTER DEVELOPMENT ORDER IS HEREBY AMENDED AS FOLLOWS:

1. The fifth sentence of General Provision III.F. of the Development Order is hereby amended as follows:

This Development Order shall terminate on December 31, 2003, unless otherwise extended in accordance with the provisions of Paragraph III.H.4., herein.

2. Condition IV.B. of the Development Order is hereby amended as follows:

**B. DESCRIPTION OF DEVELOPMENT**

The Development is hereby authorized to contain and the Applicant is authorized to develop the property located in the City of Fort Lauderdale (Exhibits A and B) as follows:

**Phase I:** 295,000 square feet office; 13,000 square feet retail. Phase I is generally defined as the land area located in the northeast quadrant of the site that is bounded by East Las Olas Boulevard to the north and S.E. 3rd Avenue to the east. This phase was constructed pursuant to a development agreement issued by the Department on September 1, 1988.

**Phase IIA:** 5,000 square feet office; 400 hotel rooms.

**Phase IIB:** 250,000 square feet office; 5,000 square feet retail.

**Phase III:** 500,000 square feet office; 12,000 square feet retail.

Phasing of the Development is contingent upon the fulfillment of the conditions identified in Part IV. of this Development Order. Buildout of the project shall be completed by December 31, 2003.

BK21600PG0840

3. Condition IV.F.9. of the Development Order is replaced by the following:

Within 90 days after receiving written notice from the City that the "Urban Core Amendment Area Transportation Study" is completed, the Applicant shall meet with the South Florida Regional Planning Council, the Florida Department of Transportation, Broward County, the City, and in consultation with the Florida Department of Community Affairs, reach a new agreement for the allocation of the Applicant's \$300,000 (1989 dollars) responsibility for a traffic related improvement (or portion thereof). The \$300,000 shall be allocated towards an improvement recommended in the "Urban Core Development Area Transportation Study." Any agreement made must meet the criteria of Section 380.06(15)(d), Florida Statutes.

4. Condition IV.F.18. of the Development Order is replaced by the following:

The Applicant shall pay \$300,000 (1989 dollars) for a transportation related improvement pursuant to Condition IV.F.9. (as amended herein), within 90 days after receiving written notice from the City that the "Urban Core Development Area Transportation Study" is completed. If the Applicant fails to satisfy this requirement, the City of Fort Lauderdale shall not issue any further certificates of occupancy, until the Applicant has paid the funds.

5. The Developer shall record this First Amendment to the New River Center Florida Quality Development Order within the Public Records of Broward County, within thirty days of issuance.

DEPARTMENT OF COMMUNITY AFFAIRS

Date: 4/17/93

By: Charles Patterson

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, with the designated  
Department Clerk, receipt of which  
is hereby acknowledged.

3

Jane R. Bass 4/18/93  
Department Clerk Date

SK21600PG0841

EXHIBIT "A"

DESCRIPTION:

A PORTION OF LOTS 1, 18, 19 AND 20, AND ALL OF LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 AND 17, BLOCK 30, "TOWN OF FORT LAUDERDALE" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 30; THENCE NORTH 80° 00' 00" WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00° 07' 00" EAST ALONG A LINE 41.00 FEET WEST OF AND PARALLEL WITH THE CENTERLINE OF VALENTINE AVENUE, AS SHOWN ON SAID PLAT (NOW KNOWN AS S.E. THIRD AVENUE), A DISTANCE OF 188.27 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 184.77 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15° 49' 18", A DISTANCE OF 51.02 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 184.77 FEET; THENCE CONTINUING SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15° 49' 18", A DISTANCE OF 51.02 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00° 07' 00" EAST ALONG A LINE 58.00 FEET WEST OF AND PARALLEL WITH THE CENTERLINE OF SAID S.E. THIRD AVENUE, A DISTANCE OF 225.37 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF AFORESAID LOT 18; THENCE NORTH 88° 21' 21" WEST ALONG THE SOUTH LINE OF LOTS 18, 14, 15, 16, 17 AND 18 OF SAID BLOCK 30, A DISTANCE OF 217.74 FEET TO THE SOUTHEAST CORNER OF AFORESAID LOT 12; THENCE NORTH 61° 00' 00" WEST ALONG THE SOUTH LINE OF LOTS 7, 8, 9, 10, 11 AND 12 OF SAID BLOCK 30, A DISTANCE OF 297.08 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 00° 07' 00" WEST ALONG THE WEST LINES OF LOTS 6 AND 7 OF SAID BLOCK 30, A DISTANCE OF 578.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 90° 00' 00" EAST ALONG THE NORTH LINE OF LOTS 1, 2, 3, 4, 5 AND 6 OF SAID BLOCK 30, A DISTANCE OF 578.42 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 6.745 ACRES, MORE OR LESS.

12B104.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
COUNTY ADMINISTRATOR

BK21600Pg0842

ATTACHMENT 2

THIS DOCUMENT PREPARED BY:  
RECORD AND RETURN TO:  
Barbara A. Hall, Esq.  
Greenberg, Traurig, Hoffman,  
Lipoff, Rosen & Quentel, P.A.  
515 E. Las Olas Boulevard, Suite 1500  
Fort Lauderdale, Florida 33301  
(305) 783-7236

96-512483 T#801  
10-14-96 03:30PM

**NOTICE OF ADOPTION OF  
AN AMENDMENT TO DEVELOPMENT ORDER FOR  
THE NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT  
IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

Florida

'A'

2. The Second Amendment to the Development Order dated September 19, 1996 shall become effective on November 4, 1996, provided no appeals are filed pursuant to Section 380.07 Florida Statutes. A copy of the Second Amendment to the Development Order is attached hereto as Exhibit "B." As of the date of this Notice, there are no modifications to the Development Order made after the adoption of the Second Amendment to the Development Order.

3. The Development Order and amendments thereto constitute a land development regulation applicable to the Property.

4. The Development Order runs with the land and is binding on the applicant, its successors and/or assigns, jointly or severally.

5. The recordation of this Notice and of the amendment to the Development Order shall not constitute a lien, cloud, or encumbrance on any real property or actual or constructive notice of the same.

Prepared by:

GREENBERG, TRAUIG, HOFFMAN,  
LIPOFF, ROSEN & QUENTEL, P.A.  
515 E. Las Olas Blvd., 14th Floor  
Fort Lauderdale, FL 33394

FILED IN PUBLIC RECORDS, FORT LAUDERDALE, FLORIDA

0625523P50165

164  
234  
CJ  
EPL

STATE OF FLORIDA )

SS:

COUNTY OF BROWARD )

Sworn to and subscribed before me this 24 day of October, 1994.  
~~He/she/they~~ personally appeared before me, is personally known to me, and ~~did not take~~  
~~an oath.~~

[NOTARIAL SEAL]

Notary: *Amy L. Miller*

Print Name: Amy L. Miller

Notary Public, State of Florida

My commission expires: 11-18-97

OFFICIAL NOTARY SEAL  
AMY L. MILLER  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC331493  
MY COMMISSION EXP. NOV. 18, 1997

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BK25523PG0166

**EXHIBIT 'A'**

**Legal Description**

The New River Center Plat as recorded in Plat Book 151, Page 15 of  
the public records of Broward County, Florida.

THIS IS NOT AN  
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EX 25523PG0167



**EXHIBIT 'B'**

**THIS IS NOT AN  
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**SECOND AMENDMENT**

**TO THE**

**DEVELOPMENT ORDER**

**FOR**

**NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT**

**DESIGNATED UNDER SECTION 380.061, FLORIDA STATUTES**

**AND**

**RULE 9J-28, FLORIDA ADMINISTRATIVE CODE**

**File: DCA96-198-FOI-FQD**

**BK 25523PG0168**

**ISSUED BY**

**THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS**

## **V. Development Order Amendments**

This Part V. shall specify and contain any and all approved changes or amendments to this Development Order from the original Application and Development Order issued by the Department on May 5, 1989, and recorded in the Official Records of Broward County. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions and conditions of the Development Order, except as that Development Order has been specifically altered by the changes and amendments as identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated in this Development Order shall be specified below sequentially and identified in the Part V. by the dates of their approval and incorporation in new

Order

Whereas, on March 7, 1996, the Department received from the Developer a second notice of proposed change requiring an amendment to the New River Center Development Order; and

Whereas, on June 25, 1996, the Florida Department of Transportation notified the Department that the change to the New River Center Development Order would not have a significant impact on traffic; and

Whereas, on July 2, 1996, the South Florida Regional Planning Council notified the Department that the change to the New River Center Development Order would not create any additional regional impacts; and

Whereas, on August 5, 1996, the City of Fort Lauderdale notified the Department that the change to the New River Center Development Order is consistent with the intent of the Development Order; and

Whereas, the Department has reviewed the change, as well as all related testimony and evidence submitted by the Developer, the other Reviewing Entities and other commenting agencies; and

Whereas, the Department has found that the change does constitute a substantial change due to the reduction of previously required mitigation and the addition of a new land use. However, the Department finds that no regional impacts

EX-25523PG0169

will be created by these changes and these changes further the purposes of Section 380.061, Florida Statutes.

**NOW, THEREFORE, BE IT ORDERED BY THE DEPARTMENT OF COMMUNITY AFFAIRS THAT THE MAY 5, 1989, NEW RIVER CENTER DEVELOPMENT ORDER IS HEREBY AMENDED AS FOLLOWS:**

1. Condition IV.B of the Development Order is hereby amended as follows:

**B. DESCRIPTION OF DEVELOPMENT**

The Development is hereby authorized to contain and the Applicant is  
the in

295

area

the

by  
to

Department on September 1, 1988

**Phase II:**

1. A hotel with up to 400 hotel rooms
2. Up to 22,000 square feet of retail use.
3. Up to 750,000 square feet of office
4. Up to 300 residential units may be developed on the property provided that, if residential units are developed on the property, the hotel rooms and/or office use on the property shall be reduced in accordance with the switch-out rates provided in Exhibit 5, attached hereto and incorporated herein. Whenever residential use is introduced, the note on the face of the New River Plat shall be amended to reflect the addition of residential units and the commensurate reduction in office and/or hotel rooms to accommodate the switch-out.

Development of Phase II is contingent upon the fulfillment of the conditions identified in Part IV. of this Development Order. Buildout of the project shall be completed by December 31, 2003.

2. Condition IV.F.3 of the Development Order is replaced by the following:

Prior to the issuance of any certificates of occupancy for office/retail use, complete the construction of improvement B identified in Exhibit 3 herein.

3. Condition IV.F.4 of the Development Order is replaced by the following:

Pay the City of Fort Lauderdale \$437,714.00 ("Infrastructure Improvement Fee") for impacts associated with the development. The City may use these funds for whatever purpose the City deems appropriate. Payment to the City shall be made as follows:

the the  
shall  
00 until

c. The Developer shall pay the Remaining Infrastructure Fee before a Certificate of Occupancy is issued for the first building constructed as permitted by Condition IV.B., Phase II of the D.O.

4. Condition IV.F.5 of the Development Order is replaced by the following:

Pay \$100,000 to fund pedestrian and/or streetscape improvements to Las Olas Boulevard Corridor from (and including) Southeast 3rd Avenue to Andrews Avenue (Las Olas Boulevard Corridor). The improvements to be constructed shall be determined by the Downtown Development Authority ("DDA"), the City and the Developer. The DDA shall set up an initial meeting for the three parties to reach agreement upon the improvements to be funded. The parties shall be required to use reasonable efforts over a ninety (90) day period, running from the date of the initial meeting, to reach agreement on the improvements to be funded. If the Developer is unable to reach an agreement with the DDA and the City on the improvements to be funded, the DDA and City may make that decision. However, if the decision is made by the DDA and City without participation by the Developer, the improvements shall be limited to the following improvements to be installed within the Las Olas Corridor; special paving materials, crosswalk improvements, street furniture and landscape improvements. Upon the three parties reaching agreement as to the improvements to be funded, the DDA shall send a request for payment to the Developer. The request for payment shall specify the time within which the DDA shall install the improvements. The Developer shall be required to make the payment within ninety (90)

0625523PC0171

days from the date of the letter, or within twenty (20) days of the date DDA executes a contract for design of the improvements, whichever is later.

5. Condition IV.F.6 of the Development Order is replaced by the following:

Limit project vehicle access points to the off-site roadway network to the locations shown in Exhibit 1 herein.

6. Condition IV.F.7 of the Development Order is replaced by the following:

Withhold the issuance of any certificates of occupancy until the Applicant is in compliance with Conditions F2.3.4 and 5. herein.

7. Conditions IV.F.8 through IV.F.18 of the Development Order are hereby deleted.

8. The Developer shall record this Second Amendment to the New River Center Florida Quality Development Order within the Public Records of Broward County, within thirty (30) days of issuance.

DEPARTMENT OF COMMUNITY AFFAIRS

Date: 9/19/96

By: Charles Pettison

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, with the designated  
Department Clerk, receipt of which  
is hereby acknowledged.

Jane R. Bass 9/15/96  
Jane R. Bass Date  
Department Clerk

BK 25523 PG0172

EXHIBIT 5

SWITCH-OUT RATES FOR INTRODUCTION OF RESIDENTIAL USE

<u>Use Introduced</u>	<u>Use Reduced</u>
1 residential unit	251.57 square feet of office
1 residential unit	0.6 hotel rooms

THIS IS NOT AN  
OFFICIAL COPY

BK 25523 PG 0173

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
COUNTY ADMINISTRATOR

3  
Prepared by:  
Thomas Beck  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Revised to: Gunter, Yockley, Valdes-Fauli & Stewart, P.A.  
P.O. Box 14636

Fort Lauderdale, Florida 33302-4636

ATTN: MICHELLE RAAB

THIRD AMENDMENT

TO THE DEVELOPMENT ORDER

FOR

NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT  
DESIGNATED UNDER SECTION 380.061, FLORIDA STATUTES

AND

RULE 9J-28, FLORIDA ADMINISTRATIVE CODE

DCA No. 1188-063

ISSUED BY

THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

EX 27223 PG 0156

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## V. Development Order Amendments

This Part V shall specify and contain any and all approved changes or amendments to this Development Order from the original Application and Development Order issued by the Department on May 5, 1989, and subsequently on November 7, 1993 and September 19, 1996 and recorded in the Official Records of Broward County. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions and conditions of the Development Order, except as that Development Order has been specifically altered by the changes and amendments as identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated in this Development Order shall be specified below sequentially and identified in the Part V. by the dates of their approval and incorporation in new Development Orders issued by the Department.

### **B. Third Amendment to the New River Center Development Order**

**Whereas**, on May 5, 1989, a Development Order was issued by the Department designating New River Center as a Florida Quality Development under Section 380.061, Florida Statutes, and recorded in the Official Records of Broward County at OR 6486, Pages 314-364; and

**Whereas**, on July 18, 1997, the Department received from the Developer a third notice of proposed change requiring an amendment to the New River Center Development Order; and

**Whereas**, on August 6, 1997, the Florida Department of Transportation notified the Department that the change to the New River Center Development Order would not have a significant impact on traffic; and

**Whereas**, on August 18, 1997, the South Florida Regional Planning Council notified the Department that the change to the New River Center Development Order would not create any additional regional impacts; and

**Whereas**, on October 16, 1997, the City of Fort Lauderdale notified the Department that the change to the New River Center Development Order is consistent with the intent of the Development Order; and

**Whereas**, the Department has reviewed the change, as well as all related testimony and evidence submitted by the Developer, the Reviewing Entities and other commenting agencies; and

**Whereas**, the Department has found that the change does not constitute a substantial change pursuant to 9J-28.024(c), Florida Administrative Code.



**NOW, THEREFORE, BE IT ORDERED BY THE DEPARTMENT OF  
COMMUNITY AFFAIRS THAT THE MAY 5, 1989, NEW RIVER CENTER  
DEVELOPMENT ORDER IS HEREBY AMENDED AS FOLLOWS:**

1. Condition IV.B. of the Development Order is hereby amended as follows:

**B. DESCRIPTION OF DEVELOPMENT**

The Development is hereby authorized to contain and the Applicant is authorized to develop the property located in the City of Fort Lauderdale (Exhibits A and B) as follows:

Phase I: 295,000 square feet office; 13,000 square feet retail. Phase I is generally defined as the land area located in the northeast quadrant of the site that is bounded by East Las Olas Boulevard to the north and S.E. 3rd Avenue to the east. This phase was constructed pursuant to the development agreement issued by the Department on September 1, 1988.

- Phase II:
1. A hotel with up to 400 hotel rooms.
  2. Up to 22,000 square feet of retail use.
  3. Up to 750,000 square feet office.
  4. Up to 300 375 residential units may be developed on the property provided that, if residential units are developed on the property, the hotel rooms and/or office on the property shall be reduced in accordance with the switch-out rates provided in Exhibit 5, attached hereto and incorporated herein. Whenever residential use is introduced, the note on the face of the New River Plat shall be amended to reflect the addition of residential units and the commensurate reduction in office and/or hotel rooms to accommodate the switch-out.

Development of Phase II is contingent upon the fulfillment of the conditions identified in Part IV. of this Development Order. Buildout of the project shall be completed by December 31, 2003.

II. The developer shall record this Third Amendment to the New River Center Florida Quality Development Order within the public records of Broward County within thirty (30) days of issuance.

**DEPARTMENT OF COMMUNITY AFFAIRS**

Date: 10/16/97  
**FILING AND ACKNOWLEDGEMENT**  
FILED, on this date, with the designated  
Agency Clerk, receipt of which is hereby  
acknowledged.

By:

Charles G. Pattison  
Charles G. Pattison, Director  
Division of Resource Planning and Management

Paula P. Ford  
Paula P. Ford  
Agency Clerk

Date

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
COUNTY ADMINISTRATOR

**Prepared by:**  
Roger Wilburn  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

**Return to:**  
Donald R. Hall  
Gunster, Yoakley & Stewart, P.A.  
500 E. Broward Blvd., Ste. 1400  
Fort Lauderdale, FL 33394

**FOURTH AMENDMENT**

**TO THE DEVELOPMENT ORDER**

**FOR THE NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT**

**DESIGNATED UNDER SECTION 380.061, FLORIDA STATUTES,**

**AND**

**RULE 9J-28, FLORIDA ADMINISTRATIVE CODE**

**DCA File No. ADA-11-88-063**

**ISSUED BY**

**THE DEPARTMENT OF COMMUNITY AFFAIRS**

14

# V. DEVELOPMENT ORDER AMENDMENTS

This Part V shall specify and contain any and all approved changes or amendments to this Development Order from the original Application and Development Order issued by the Department of Community Affairs on May 5, 1989, and recorded in the official records of Broward County. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions, and conditions of the Development Order, except as that Development Order has been specifically altered by the changes and amendments identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated in this Development Order shall be specified below sequentially and identified in this Part V by the dates of their approval and

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the Official Records of Broward County at OR 6486, pages 314 - 364; and

WHEREAS, on September 29, 2004, the Department received from the Developer a Notice of Proposed Change requiring an amendment to the New River Center Development Order; and

WHEREAS, on January 26, 2005, the Florida Department of Transportation notified the Department that the change to New River Center Development Order would not have a significant impact on traffic; and

WHEREAS, on January 27, 2005, the South Florida Regional Planning Council notified the Department that staff review had identified no significant regional issues and the Council had no objection to the proposed changes; and

WHEREAS, on February 1, 2006, the Department received notice that the City Commission of the City of Fort Lauderdale had approved by Resolution No. 05-147 the issuance by the Department of the proposed amended Development Order for the New River Center Florida Quality Development; and

WHEREAS, the Department has reviewed the proposed change, as well as all related testimony and evidence submitted by the Developer, the Reviewing Entities, and other commenting agencies; and

WHEREAS, the Department has found that the proposed change does not constitute a substantial change pursuant to Rule 9J-28.024(c), Florida Administrative Code;

NOW, THEREFORE, BE IT ORDERED BY THE DEPARTMENT OF COMMUNITY AFFAIRS THAT THE MAY 5, 1989, NEW RIVER CENTER AMENDED AND RESTATED DEVELOPMENT ORDER IS HEREBY AMENDED AS FOLLOWS:

1. General Provision III.F of the Development Order is hereby amended as follows. The fifth sentence shall now read:

The right to develop subject to the terms, general provisions and conditions of this Development Order shall terminate on December 31, 2008, except Parcel C of the New River Center plat as recorded in Plat Book 151, Page 15, of the                      of                      -out

is

The Development is hereby authorized to contain and the Applicant is authorized to develop the property located in the City of Fort Lauderdale (Exhibits A and B) as follows:

Phase I: 298,000 square feet of office use; 13,000 square feet of retail use. Phase I is generally defined as the land area located in the northeast quadrant of the site that is bounded by East Las Olas Boulevard to the north and S.E. 3rd Avenue to the east. This phase was constructed pursuant to the development agreement issued by the Department on September 1, 1988.

Phase II: 1. A hotel with up to 400 hotel rooms  
2. Up to 22,000 square feet of retail use  
3. Up to 850,000 square feet of office  
4. Up to 375 residential units may be developed on the property provided that, if residential units are developed on the property, the hotel rooms and/or office on the property shall be reduced in accordance with the switch-out rates provided in Exhibit 5, attached hereto and incorporated herein. Whenever residential use is introduced, the note on the face of the New River Plat shall be amended to reflect the addition of residential units and the

commensurate reduction in office and/or hotel rooms to accommodate the switch-out.

Development of Phase II is contingent upon the fulfillment of the conditions identified in Part IV of the Development Order. Build-out of the project shall be completed by December 31, 2008, which project does not include Parcel C as referenced in Paragraph 1 of this Fourth Amendment.

3. The Developer shall record this Fourth Amendment to the New River Center Florida Quality Development Order within the public records of Broward County within 30 days of issuance.

DEPARTMENT OF COMMUNITY AFFAIRS

Date: 4/18/06

By: K. Valerie Hubbard

Valerie J. Hubbard, Director  
Division of Community Planning

THIS IS NOT AN  
OFFICIAL COPY

FILING AND ACKNOWLEDGEMENT

FILED, on this date, with the designated  
Agency Clerk, receipt of which is hereby  
acknowledged.

Paula P. Ford 4/18/06  
Paula P. Ford Date  
Agency Clerk

FIFTH AMENDMENT  
TO THE DEVELOPMENT ORDER  
FOR THE NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT  
DESIGNATED UNDER SECTION 380.061, FLORIDA STATUTES  
AND  
RULES 73C-42, FLORIDA ADMINISTRATIVE CODE  
DEO FILE NO. ADA-11-88-063

## V. DEVELOPMENT ORDER AMENDMENTS

This Part V shall specify and contain any and all approved changes or amendments to this Development Order from the original Application and Development Order issued by the Department of Community Affairs on May 5, 1989, and recorded in the official records of Broward County, Florida. It is the purpose and intent of the Reviewing Entities that this Development Order shall continue in full force and effect all terms, general provisions, and conditions of the Development Order, except as the Development Order has been specifically altered by the changes and amendments identified in this Part V. Any future changes or amendments to the original Development Order as approved and incorporated shall be specified below sequentially and identified in this Part V by the dates of their approval and incorporation in new Development Orders issued by the Department.

### E. FIFTH AMENDMENT TO THE NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT ORDER

WHEREAS, on May 5, 1989, a Development Order was issued by the Department of Community Affairs designating New River Center as a Florida Quality Development under Section 380.061, Florida Statutes, and recorded in the Official Records of Broward County, Florida, at OR 6486, pages 314-364; and

WHEREAS, on February 2, 2015, the Department of Economic Opportunity, the successor agency to the Department of Community Affairs, received from the Developer of Parcel C a Notice of Proposed Change requiring an amendment to the New River Center Development Order; and

WHEREAS, on March 2, 2015 and March 19, 2015, the Department issued letters, after consultation with the South Florida Regional Planning Council and the City of Ft. Lauderdale, stating that the Proposed Change did not fall within the definition of a "substantial change" as defined in Rule 73C-42.024 (Substantial Change), Florida Administrative Code but that an amendment to the New River Center Development Order would still be necessary; and

WHEREAS on March 18, 2015, the Department received notice from the City of Ft. Lauderdale that the City Commission, on March 17, 2015, approved by Resolution No. 15-55 the finding that the Proposed Change is not a "substantial change" and expressing no objection to the modification of the Development Order.

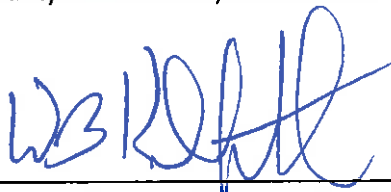
NOW, THEREFORE, BE IT ORDERED BY THE DEPARTMENT OF ECONOMIC OPPORTUNITY THAT THE MAY 5, 1989 NEW RIVER CENTER AMENDED AND RESTATED DEVELOPMENT ORDER IS HEREBY AMENDED AS FOLLOWS:

1. General Provision III of the Development Order is hereby amended as follows. The fifth sentence shall now read:

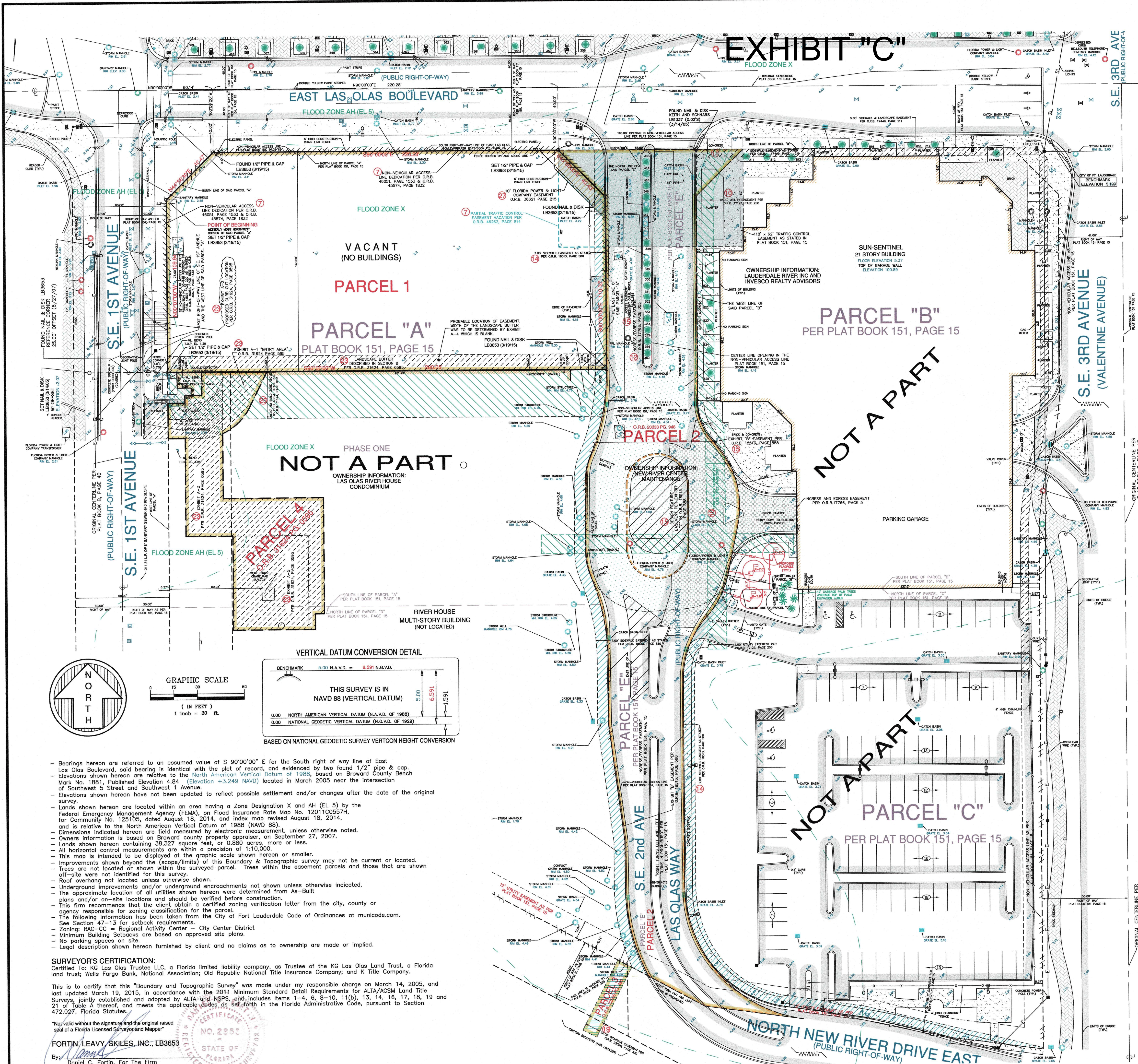
The right to develop subject to the terms, general provision and conditions of this Development Order shall terminate on December 31, 2008, unless otherwise extended in accordance with the provisions of Paragraph III.H.4 herein. Parcel C (as demarcated in Plat Book 151, Page 15 of the Official Records of Broward County) of the New River Center FQD is removed from the FQD and is no longer subject to the terms and conditions contained therein.

2. The Developer of Parcel C shall record this Fifth Amendment to the New River Center Florida Quality Development Order within the public records of Broward County within 30 days of issuance.

Dated: 3 APR 15

By:   
William B. Killingsworth, Director  
Division of Community Development  
Department of Economic Opportunity





### LEGAL DESCRIPTION:

**Parcel 1: (Fee Simple)**  
A portion of Parcel "A", New River Center, according to the plat thereof, recorded in Plat Book 151, Page 15, of the Public Records of Broward County, Florida, described as follows:  
Begin at the Westerly-most Northwest corner of said Parcel "A", thence North 44°56'30" East along the North line of said Parcel "A", said line also being a non-vehicular access line as shown on said plat, 42.47 feet; thence South 90°00'00" East, along said line, 220.28 feet; thence South 45°00'00" East along said line, 42.43 feet; thence South 07°00'00" East along the East line of said Parcel "A" and said non-vehicular access line, 110.00 feet; thence South 90°00'00" West, 280.05 feet; thence North 07°00'00" West, along the West line of said Parcel "A" and said non-vehicular access line, 109.94 feet to the Point of Beginning.  
**Parcel 2: (Easement) (Not Surveyed)**  
Together with non-exclusive easement, for the benefit of Parcel 1 above, as created by that certain Declaration of Covenants, Conditions and Restrictions for New River Center recorded in Official Records Book 20033, Page 948, as amended by Amendment to the Declaration and Assignment of Developer's Rights recorded in Official Records Book 26652, Page 491, both of the Public Records of Broward County, Florida, for the intended use and enjoyment of Common Areas defined and described therein, including access over and across the private road described as follows: Parcel "C", New River Center, according to the plat thereof, recorded in Plat Book 151, Page 15, of the Public Records of Broward County, Florida.  
**Parcel 3: (Easement) (Not Surveyed)**  
Together with non-exclusive easement, for the benefit of Parcel 1 above, as created by that certain Drainage Easement recorded in Official Records Book 22565, at Page 320, of the Public Records of Broward County, Florida, for drainage purposes over, under and across the following:  
A ten-foot-wide strip of land being a portion of North New River Drive, Town of Fort Lauderdale, according to the plat thereof, recorded in Plat Book 151, Page 40, of the Public Records of Miami-Dade (now Broward) County, Florida, the centerline being more particularly described as follows:  
Commence at the Southeast corner of Lot 7, Block 30, Town of Fort Lauderdale; thence South 61°41'08" East along the Southerly line of said Block 30, a distance of 282.43 feet to the Point of Beginning; thence South 26°52'49" West to the Southerly face of an existing bulkhead, also being a point on the Southerly boundary of said North New River Drive, a distance of 49.93 feet to the Point of Termination.  
**Parcel 4: (Easement) (Not Surveyed)**  
This site lies in Section 10, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.  
All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.  
The East line of Parcel 1, is contiguous with a portion of the West line of Parcel 2 without gap, gore or hiatus, and a portion of the South line of Parcel 1 appears to be contiguous with a North line of Parcel 4, without gap, gore or hiatus, based on the intent described in Section 2 of the Amendment to Entrance and Easements Agreement recorded in Official Records Book 31624, Page 595 of the Public Records of Broward County, Florida, to provide direct and uninterrupted vehicular ingress and egress, and from the parking garage to be constructed, as well as other language contained therein. No formal legal descriptions were provided in said amendment describing the easements; the easements are described using sketches instead.  
Lands shown hereon were abstracted for easements and/or rights-of-way of records per Old Republic National Title Insurance Company File No. 15016015 with an effective date of March 24, 2015, Revised April 1, 2015. All easements and/or rights of way of record per title commitment that are plottable are shown on this "ALTA/ACSM Land Title Survey".

### SURVEYOR'S NOTES:

1. All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.  
2. The East line of Parcel 1, is contiguous with a portion of the West line of Parcel 2 without gap, gore or hiatus, and a portion of the South line of Parcel 1 appears to be contiguous with a North line of Parcel 4, without gap, gore or hiatus, based on the intent described in Section 2 of the Amendment to Entrance and Easements Agreement recorded in Official Records Book 31624, Page 595 of the Public Records of Broward County, Florida, to provide direct and uninterrupted vehicular ingress and egress, and from the parking garage to be constructed, as well as other language contained therein. No formal legal descriptions were provided in said amendment describing the easements; the easements are described using sketches instead.  
3. Lands shown hereon were abstracted for easements and/or rights-of-way of records per Old Republic National Title Insurance Company File No. 15016015 with an effective date of March 24, 2015, Revised April 1, 2015. All easements and/or rights of way of record per title commitment that are plottable are shown on this "ALTA/ACSM Land Title Survey".

### SCHEDULE B - Section 2

1. Standard Exceptions not addressed.  
2. Restrictions, covenants, conditions, dedications, easements and other matters contained on the Plat of New River Center, as recorded in Plat Book 151, Page 15; together with Agreement for Amendment of Notation on Plat recorded in O.R.B. 28271, Page 373.  
3. Affects parcel but not subject to location.  
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### LOCATION SKETCH

SCALE: 1"=200'

### LEGAL DESCRIPTION:

**Parcel 1: (Fee Simple)**  
A portion of Parcel "A", New River Center, according to the plat thereof, recorded in Plat Book 151, Page 15, of the Public Records of Broward County, Florida, described as follows:  
Begin at the Westerly-most Northwest corner of said Parcel "A", thence North 44°56'30" East along the North line of said Parcel "A", said line also being a non-vehicular access line as shown on said plat, 42.47 feet; thence South 90°00'00" East, along said line, 220.28 feet; thence South 45°00'00" East along said line, 42.43 feet; thence South 07°00'00" East along the East line of said Parcel "A" and said non-vehicular access line, 110.00 feet; thence South 90°00'00" West, 280.05 feet; thence North 07°00'00" West, along the West line of said Parcel "A" and said non-vehicular access line, 109.94 feet to the Point of Beginning.  
**Parcel 2: (Easement) (Not Surveyed)**  
Together with non-exclusive easement, for the benefit of Parcel 1 above, as created by that certain Declaration of Covenants, Conditions and Restrictions for New River Center recorded in Official Records Book 20033, Page 948, as amended by Amendment to the Declaration and Assignment of Developer's Rights recorded in Official Records Book 26652, Page 491, both of the Public Records of Broward County, Florida, for the intended use and enjoyment of Common Areas defined and described therein, including access over and across the private road described as follows: Parcel "C", New River Center, according to the plat thereof, recorded in Plat Book 151, Page 15, of the Public Records of Broward County, Florida.  
**Parcel 3: (Easement) (Not Surveyed)**  
Together with non-exclusive easement, for the benefit of Parcel 1 above, as created by that certain Drainage Easement recorded in Official Records Book 22565, at Page 320, of the Public Records of Broward County, Florida, for drainage purposes over, under and across the following:  
A ten-foot-wide strip of land being a portion of North New River Drive, Town of Fort Lauderdale, according to the plat thereof, recorded in Plat Book 151, Page 40, of the Public Records of Miami-Dade (now Broward) County, Florida, the centerline being more particularly described as follows:  
Commence at the Southeast corner of Lot 7, Block 30, Town of Fort Lauderdale; thence South 61°41'08" East along the Southerly line of said Block 30, a distance of 282.43 feet to the Point of Beginning; thence South 26°52'49" West to the Southerly face of an existing bulkhead, also being a point on the Southerly boundary of said North New River Drive, a distance of 49.93 feet to the Point of Termination.  
**Parcel 4: (Easement) (Not Surveyed)**  
This site lies in Section 10, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.  
All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.  
The East line of Parcel 1, is contiguous with a portion of the West line of Parcel 2 without gap, gore or hiatus, and a portion of the South line of Parcel 1 appears to be contiguous with a North line of Parcel 4, without gap, gore or hiatus, based on the intent described in Section 2 of the Amendment to Entrance and Easements Agreement recorded in Official Records Book 31624, Page 595 of the Public Records of Broward County, Florida, to provide direct and uninterrupted vehicular ingress and egress, and from the parking garage to be constructed, as well as other language contained therein. No formal legal descriptions were provided in said amendment describing the easements; the easements are described using sketches instead.  
Lands shown hereon were abstracted for easements and/or rights-of-way of records per Old Republic National Title Insurance Company File No. 15016015 with an effective date of March 24, 2015, Revised April 1, 2015. All easements and/or rights of way of record per title commitment that are plottable are shown on this "ALTA/ACSM Land Title Survey".

### SURVEYOR'S NOTES:

1. All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.  
2. The East line of Parcel 1, is contiguous with a portion of the West line of Parcel 2 without gap, gore or hiatus, and a portion of the South line of Parcel 1 appears to be contiguous with a North line of Parcel 4, without gap, gore or hiatus, based on the intent described in Section 2 of the Amendment to Entrance and Easements Agreement recorded in Official Records Book 31624, Page 595 of the Public Records of Broward County, Florida, to provide direct and uninterrupted vehicular ingress and egress, and from the parking garage to be constructed, as well as other language contained therein. No formal legal descriptions were provided in said amendment describing the easements; the easements are described using sketches instead.  
3. Lands shown hereon were abstracted for easements and/or rights-of-way of records per Old Republic National Title Insurance Company File No. 15016015 with an effective date of March 24, 2015, Revised April 1, 2015. All easements and/or rights of way of record per title commitment that are plottable are shown on this "ALTA/ACSM Land Title Survey".

### SCHEDULE B - Section 2

1. Standard Exceptions not addressed.  
2. Restrictions, covenants, conditions, dedications, easements and other matters contained on the Plat of New River Center, as recorded in Plat Book 151, Page 15; together with Agreement for Amendment of Notation on Plat recorded in O.R.B. 28271, Page 373.  
3. Affects parcel but not subject to location.  
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### LOCATION SKETCH

SCALE: 1"=200'

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003633  
180 Northeast 68th Street / North Miami Beach, Florida 33162  
Phone 305-653-4493 / Fax 305-651-7152 / Email flt@flsurvey.com

**ALTA/ACSM LAND TITLE SURVEY**  
LAS OLAS RIVER HOUSE - PHASE II  
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

Original Date	Scale	Drawn By	CAD No.	Plotted	Ref. Dwg.	Field Book	Job No.	Dwg. No.	Sheet
3/14/05	1"=30'	DWF	020050	4/13/15 11:56a	2001D-213	536/58 - JWL	050451	2001D-213-1-NAVD	1 of 1