

ORDINANCE NO. C-19-26

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, CONSOLIDATING DEVELOPMENT ORDERS FOR THE NORTHPORT/BROWARD COUNTY CONVENTION CENTER DEVELOPMENT OF REGIONAL IMPACT; AMENDING ORDINANCE NO. C-89-9 AS AMENDED BY ORDINANCE NO. C-89-34, ORDINANCE NO. C-90-100, ORDINANCE NO. C-95-40, ORDINANCE NO. C-97-2, ORDINANCE NO. C-97-63, ORDINANCE NO. C-98-25, ORDINANCE C-98-45, ORDINANCE NO. C-98-68 AND ORDINANCE NO. C-02-01 OF THE CITY OF FORT LAUDERDALE, FLORIDA, WHICH ORDINANCES AMENDED THE DEVELOPMENT ORDER FOR THE NORTHPORT/BROWARD COUNTY CONVENTION CENTER DEVELOPMENT OF REGIONAL IMPACT ("DRI") LOCATED SOUTH OF SE 17TH STREET, EAST OF EISENHOWER BOULEVARD AND NORTH OF SE 20TH STREET, WITHIN THE JURISDICTIONAL BOUNDARIES OF PORT EVERGLADES, IN THE CITY OF FORT LAUDERDALE TO REVISE THE DRI BOUNDARIES, REVISE THE PERMITTED USES, CONSOLIDATE THE DEVELOPMENT PARCEL AND TO REVISE THE CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. C-89-9 adopted on February 7, 1989, as amended by Ordinance No. C-89-34 adopted on April 18, 1989, Ordinance C-90-100 adopted on December 18, 1990, Ordinance No. C-95-40 adopted on July 18, 1995, Ordinance No. C-97-2 adopted on February 18, 1997, Ordinance No. C-97-63 adopted on December 16, 1997, Ordinance No. C-98-25 adopted on April 21, 1998, Ordinance No. C-98-45 adopted on October 6, 1998, Ordinance No. C-98-68 adopted on December 15, 1998, Ordinance C-02-1 adopted on February 26, 2002 and Ordinance C-06-21 adopted on July 18, 2006 (collectively referred to as the "Development Order") the City Commission of the City of Fort Lauderdale issued a Development Order for the Northport/Broward County Convention Center Development of Regional Impact ("DRI"); and

WHEREAS, Broward County, a political subdivision of the State of Florida ("County" or "Applicant"), is the Applicant; and

WHEREAS, Applicant represents that the County is the owner of the property described in Exhibit "A" ("Prior DRI Parcel"); and

WHEREAS, Applicant represents that the County is the owner of the property described in Exhibit "B" ("Revised DRI Parcel"); and

WHEREAS, the DRI, through prior amendments and statutory extensions, remains in full force and effect until June 10, 2028 and until that time, the DRI is not subject to down-zoning, density reduction, or intensity reduction; and

WHEREAS, the prior Development Order bifurcated developer entitlements and development conditions between property controlled by the County and property that was the subject of a lease known as the Northport Leasehold Area; and

WHEREAS, the Applicant represents that the leasehold interest has been terminated and the County has complete control of the property subject to this DRI Development Order; and

WHEREAS, the Applicant wishes to modify the permitted development to include future convention center uses, reduce the number of permitted hotel rooms, reduce the square footage of permitted retail use, reduce the square footage of permitted office use, revise the boundaries of the DRI to more accurately reflect the proposed development program and to consolidate, amend and revise the conditions of approval; and

WHEREAS, the proposed amendments, taken together, result in a reduction in development intensity and a reduction of daily and PM peak hour traffic attributable to the DRI; and

WHEREAS, the Applicant filed an application on April 2, 2019 with the City of Fort Lauderdale to amend the Development Order; and

WHEREAS, the City of Fort Lauderdale has reviewed the application and the requirements of Chapter 380, Florida Statutes; and

WHEREAS, the City Commission of the City of Fort Lauderdale, after complying with all applicable notice requirements will have conducted a public hearing on September 3, 2019 and determined that the proposed amendment subject to the conditions and requirements specified in this Development Order will further the interests of the health, safety and welfare of the citizens of the City of Fort Lauderdale;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the Development Order for the Northport/Broward County Convention Center Development of Regional Impact ("DRI") is amended as follows:

SECTION 2. Findings of fact and conclusions of law. The City Commission of the City of Fort Lauderdale makes the following findings of fact and reaches the following conclusions of law regarding this Development Order.

A. Findings of Fact.

1. The above recitals are true and correct and are incorporated herein by reference.
2. The City Commission of the City of Fort Lauderdale will have held a public hearing on September 3, 2019 and considered the criteria set forth in Section 380, Florida Statutes and the City of Fort Lauderdale Unified Land Development Regulations.
3. The City Commission of the City of Fort Lauderdale determined at the public hearing that all legal requirements of notice and publication as required by Section 380, Florida Statutes, as well as local procedural requirements, for the issuance of this Development Order have been met or have occurred.
4. The DRI is not in an Area of Critical State Concern.
5. Physical development of the DRI has commenced. For purposes of this paragraph, physical development means development as defined in Section 380, Florida Statutes.

B. Conclusions of Law.

1. The DRI (including its designated uses and intensities), as approved herein, is consistent with the City of Fort Lauderdale and Broward County Comprehensive Plans.
2. Approval of this Development Order is consistent with the requirements of Chapter 380.06 (7), Florida Statutes, and is in conformity with all other applicable local and state laws and regulations.
3. This Development Order consolidates, amends, and restates all previous development orders for the DRI and shall be the only DRI Development Order which shall govern the DRI.

SECTION 3. Development Identification.

- A. Legal Description. The legal description of the property to be developed subject to this Development Order is attached hereto as Exhibit "B" ("Revised DRI Parcel" or "Property").

B. Name of Development. The development shall be known as the "Broward County Convention Center." ("Project").

C. Name of Developer. The Developer is the Broward County Board of County Commissioners.

D. Authorized Agent of Developer. The authorized agent is:

Bertha W. Henry
County Administrator
115 South Andrews Avenue, Room 409
Fort Lauderdale, Florida 33301

E. Development Summary.

The development will consist of:

1. 1,203,000 square feet of convention center (550,000 square feet existing; 653,000 square feet future expansions);
2. 800 hotel rooms, including ancillary restaurants and lounges, retail uses, meeting and banquet rooms within the hotel;
3. 15,000 square feet of stand-alone restaurants; and
4. 24,000 square feet of stand-alone retail and office uses.

SECTION 4. Development Approval.

The Northport/Broward County Convention Center DRI, as described in this Development Order, is hereby approved subject to the following conditions, stipulations, and requirements:

A. THE DEVELOPER, ITS SUCCESSORS, AND/OR ASSIGNS, JOINTLY OR SEVERALLY, SHALL:

1. Comply with all applicable requirements of the City of Fort Lauderdale Unified Land Development Regulations in effect at the time of adoption of this Development Order.
2. Incorporate the following Alternative Modes of Transportation amenities into the project design and operation:

The developer shall provide a program to facilitate commuter and assist alternate transportation. This plan shall include at a minimum:

- a. Guidelines for locations of kiosks that enable the posting of program information in locations within the development which are readily visible to employees, commuters and residents.
 - b. Identification of reserved High Occupancy Vehicle (HOV) (e.g., carpools and van pools) parking spaces with identifiable signage. The preferred location for these parking spaces is near building entrances and may also consist of covered or sheltered parking spaces.
 - c. Formal designation of an individual as the Employee Transportation Coordinator (ETC) for the purpose of implementing and administering the program at the development.
 - d. A commitment by the Developer to a protocol to introduce new owners or property management to the program upon sale or lease of properties within the development.
 - e. Procedures for monitoring and implementing of the program.
 - f. Kiosks with bus system maps, route maps, schedules and fare information;
 - g. Bicycle racks and storage facilities; and
 - h. The Developer shall provide, design, locate, and construct pedestrian and bicycle facilities to maximize transportation access on-site and connectivity with adjacent properties facilities, including onsite bicycle storage facilities to encourage the use of alternative modes of transportation.
3. Design, construct and maintain any additions, expansions, or replacements to the stormwater management system to meet the following standards:
- a. Comply with the regulations and requirements of the South Florida Water Management District (SFWMD), Broward County Code of Ordinances, Chapter 27, and Broward County Ordinance 2017-16, as applicable, related to surface water management design criteria for antecedent conditions.
 - b. Install pollutant retardant structures to pre-treat all stormwater runoff at each of the new project outfall structures in accordance with the master drainage plan, and periodically remove pollutant or solid accumulations.

- c. Use silt screens and aprons or other best management practices during any phase of project construction to prevent an increase of turbidity in adjacent surface waters.
 - d. Mulch, spray, or grass exposed areas to prevent soil erosion and minimize air pollution and storm water runoff.
4. Design, construct, and maintain any additions, expansions, or replacements to the on-site irrigation system to minimize salt-water intrusion and excessive irrigation in accordance with SFWMD guidelines. When practicable, use recycled water for landscape irrigation and other water conserving techniques to reduce the demand on the region's potable water supply; including the installation of rain sensors or irrigation timers, and compliance with City of Fort Lauderdale and Broward County Code restrictions on irrigation timing.
 5. Incorporate the use of water sensors, ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, and other water conserving devices/methods to reduce the demand on the region's potable water supply. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Fort Lauderdale by the SFWMD.
 6. Comply with the tree preservation requirements and the landscaping standards of Section 47-21 of the City of Fort Lauderdale Code of Ordinances, and other applicable local government requirements and standards.
 7. Utilize, to the best of its ability, economic development enhancement resource agencies and programs to involve small and disadvantaged businesses in the development and expansion of permanent job opportunities. The Developer is specifically encouraged to concentrate on efforts to assist the economically disadvantaged by adopting a plan of action. The economic disparity action plan may be accomplished by utilizing programs designated for enterprise zones as well as other economic and employment opportunity programs. The Developer should provide goals and policies defining steps and procedures that affirmatively address social and economic disparity. The Developer is further encouraged to work with community development corporations and other community-based agencies to promote its plan and achieve its obligations.
 8. Incorporate energy conservation measures and green building design into the design and operation of the project with a goal of acquiring LEED "Gold" certification for both building construction and operations.

9. All excavation, dredging and filling on site shall be subject to all provisions of the City of Fort Lauderdale land development regulations. All other excavation operations undertaken by developers on such lands, which are not incidental to construction work, shall be governed by applicable City of Fort Lauderdale and Broward County Ordinances. Assure that any fill material utilized at the site, whether from onsite excavation activities or from offsite sources, meets the clean soils criteria of the Department of Environmental Protection.
10. Notify state archeological officials at the Division of Historical Resources of the Florida Department of State of construction schedules. Delay construction up to three months in any area where potentially significant historical or archeological artifacts are uncovered, and permit state and local historical preservation officials to survey and excavate the site.
11. Limit primary project vehicle access points for demolition and construction vehicles associated with the physical construction of the Project to Port Everglades roadway network south of the Property. The intent of this section is to prohibit demolition or construction vehicles used in the construction of the project elements from utilizing Grand Avenue and SE 17th Street for ingress or egress to the development site.
12. Comply with the requirements of Section 17 Noise Control, Fort Lauderdale Code of Ordinances.
13. Prohibit the installation or projection of animated and/or scintillating electronic signage on the hotel structure. It is the intent of this provision that Developer will not allow large electronic displays to be projected on or constructed on the hotel structure. This provision does not prohibit City approved message center signs within the DRI or other hotel brand name identification signage customary to a convention center hotel.
14. Substantially complete construction of the Port Everglades By-Pass Road as generally described on the attached Exhibit "C" ("By-Pass Road") prior to the issuance of a final certificate of occupancy for the hotel use. Once completed, the By-Pass Road will provide vehicular access to the public between Eisenhower Boulevard and SE 24th Street.
15. Within 30 days of the effective date of the development order, record notice of the adoption of the development order pursuant to Section 380, Florida Statutes specifying that the development order runs with the land and is binding on the Applicant, its successors, and assigns, jointly or severally.

B. THE CITY OF FORT LAUDERDALE SHALL:

1. Review project landscape plans to ensure that only those plant species identified in Chapter 39, Article VIII, Broward County Code of Ordinances and applicable portions of the City of Fort Lauderdale codes are used for project landscaping.
2. Monitor site development to ensure that exotic plant species are removed.
3. In the event the Applicant, its successors, or assigns violates any of the conditions of the Development Order or otherwise fails to act in substantial compliance with the Development Order (hereinafter "violator"), stay the effectiveness of the Development Order as to the tract, or portion of the tract, in which the violative activity or conduct has occurred and withhold further permits, approvals, and services for development in said tract, or portion of the tract, upon passage of any appropriate resolution by the local governments of jurisdiction, adopted in accordance with this section, finding that such violation has occurred. The violator will be given written notice by the local government of jurisdiction that states: 1) the nature of the purported violation, and 2) that unless the violation is cured within 15 days of said notice, the local government of jurisdiction will hold a public hearing to consider the matter within 30 days of the date of said notice.

If the violation is not curable in 15 days, the violator's diligent good faith efforts to cure the violation within that period will obviate the need to hold a public hearing and the Development Order will remain in effect unless the violator does not diligently pursue the curative action to completion within a reasonable time, in which event the local government of jurisdiction will give 15 days' notice to the violator of its intention to stay the effectiveness of the Development Order and withhold further permits, approvals, and services as to the tract, or portion of the tract, in which the violation has occurred and until the violation is cured. For purposes of this paragraph, the word "tract" shall be defined to mean any area of development identified within the Project

4. The City of Fort Lauderdale hereby designates the Director of the Department of Sustainable Development, or his/her designee, or such other person designated by the City Manager as the local official responsible for monitoring all conditions of this Development Order ("Development Order Administrator").

SECTION 5. Vested Rights and Buildout Date.

June 10, 2028 is the buildout date for the Project and is the date until which the City of Fort Lauderdale agrees that the Project shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes made by the C-19-26

Applicant in the facts or circumstances underlying the approval of this Development Order have occurred, or that this Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare.

SECTION 6. Approval of Revisions to the Development Order.

Any revisions from the maximum levels of development intensity described herein shall be subject to approval by the City of Fort Lauderdale. Any proposed revisions that do not increase PM peak hour traffic or substantially change the development program (Section 3(E)) shall be subject to the approval of the City's Development Order Administrator. Any revisions that would increase PM Peak hour traffic impacts shall be subject to approval by the City Commission. Any such deviations shall only be effective after a document evidencing approval has been recorded with the Broward County Clerk of Court and such approval shall run with the property and shall be considered an amendment to this Development Order.

SECTION 7. Recordation.

Applicant shall, within thirty (30) days of the effective date of this Development Order, record this Development Order with the Clerk, Broward County Circuit Court, pursuant to Section 380.06 (4) (c), Florida Statutes, specifying that this Development Order runs with the land and is binding on the Applicant, its grantees, lessees, successors, or assigns.

SECTION 8. Binding Effect.

This Development Order shall be binding upon the City and the Applicant, its successors, assigns or both, and shall be a covenant running with the subject land. The terms and conditions of this Development Order shall control over all previous Development Orders. All property that was the subject of previous Development Orders but is not included within Exhibit "B" (Revised DRI Parcel) is released from any obligations of this or any previous DRI Development Orders.

SECTION 9. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Development Order is for any reason held or declared to be unconstitutional, inoperative, or void, such holdings of invalidity shall not affect the remaining portions of this Development Order and it shall be construed to have been the legislative intent to pass this Development Order without such unconstitutional, invalid or inoperative part herein, and the remainder of this Development Order after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Development Order or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of C-19-26

property, circumstances or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 10. Conflicts.

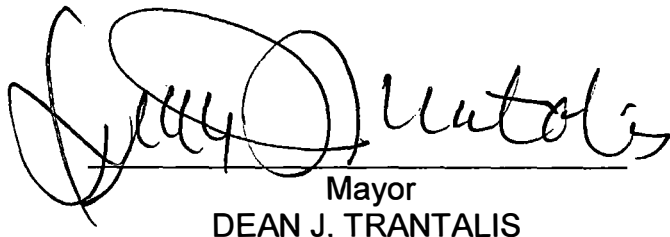
That all ordinances or parts of ordinances in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 11. Effective Date.

The effective date of this Development Order shall be upon adoption by the City Commission; provided, however, that if this Development Order is appealed, this Development Order will take effect on the date after all appeals have been withdrawn or finally resolved pursuant to Section 380, Florida Statutes.

PASSED FIRST READING the 20th day of August, 2019.

PASSED SECOND READING the 12th day of September, 2019.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI

EXHIBIT "A"
PRIOR DRI PARCEL

DESCRIPTION:

A PORTION OF PARCEL "A", PORT EVERGLADES PLAT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 108, PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND ALSO BEING A PORTION OF THE EAST ONE-HALF (E. 1/2) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 14 AND THE WEST ONE-HALF (W. 1/2) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 42 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 42 EAST, SAID CORNER ALSO BEING ON A WESTERLY LINE OF SAID PARCEL "A" AND ON THE WEST LINE OF GOVERNMENT LOT 2; THENCE NORTH $01^{\circ}07'30''$ WEST, ALONG SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 1081.00 FEET; THENCE NORTH $88^{\circ}52'30''$ EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH $01^{\circ}07'30''$ WEST, ALONG A LINE PARALLEL WITH AND 80.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 168.61 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "A"; THENCE NORTH $88^{\circ}28'07''$ EAST, ALONG THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 1611.85 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH $14^{\circ}02'34''$ EAST, A DISTANCE OF 243.79 FEET; THENCE NORTH $89^{\circ}45'59''$ WEST, A DISTANCE OF 198.54 FEET; THENCE NORTH $50^{\circ}22'44''$ WEST, A DISTANCE OF 99.82 FEET; THENCE SOUTH $88^{\circ}24'34''$ WEST, A DISTANCE OF 101.60 FEET TO A POINT ON AN EASTERLY LINE OF SAID PARCEL "A", THE LAST FOUR (4) COURSES AND DISTANCES BEING ALONG A PORTION OF THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID PARCEL "A"; THENCE SOUTH $01^{\circ}37'50''$ EAST ALONG THE WATER'S EDGE OF THE EAST BULKHEAD OF PIER 4; A DISTANCE OF 20.00 FEET; THENCE SOUTH $88^{\circ}24'34''$ WEST, A DISTANCE OF 80.00 FEET; THENCE SOUTH $01^{\circ}37'50''$ EAST PARALLEL WITH AND 80.0 FEET WEST OF THE SAID EAST WALL OF PIER 4, A DISTANCE OF 681.37 FEET; THENCE SOUTH $88^{\circ}21'51''$ WEST, ALONG THE NORTH WALL OF TERMINAL BUILDING NO. 2 AND THE EASTERLY PROJECTION THEREOF, A DISTANCE OF 199.16 FEET TO THE NORTHWEST CORNER OF SAID TERMINAL BUILDING NO. 2; THENCE SOUTH $01^{\circ}38'09''$ EAST, ALONG THE WEST WALL AND THE SOUTHERLY PROJECTION THEREOF, OF SAID TERMINAL BUILDING NO. 2, A DISTANCE OF 532.01 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY PROJECTION OF THE CENTERLINE OF AN EXISTING RAILROAD SPUR; THENCE NORTH $78^{\circ}02'48''$ WEST, A DISTANCE OF 430.53 FEET; THENCE NORTH $80^{\circ}18'51''$ WEST, A DISTANCE OF 80.30 FEET TO A POINT ON AN EASTERLY LINE OF THAT CERTAIN 16.9 ACRE TRACT, THE LAST TWO (2) COURSES AND DISTANCES BEING ALONG THE SAID CENTERLINE OF AN EXISTING RAILROAD SPUR AND THE SOUTHEASTERLY PROJECTION THEREOF; THENCE SOUTH $01^{\circ}35'12''$ EAST, ALONG SAID EASTERLY LINE OF THAT CERTAIN 16.9 ACRE TRACT, A DISTANCE OF 72.67 FEET; THENCE SOUTH $88^{\circ}24'48''$ WEST, ALONG THE SOUTH MOST LINE OF SAID 16.9 ACRE TRACT, ALSO BEING ALONG A LINE PARALLEL WITH 103.67 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO THE THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SAID SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 14, A DISTANCE OF 505.25 FEET; THENCE NORTH $01^{\circ}07'30''$ WEST, ALONG A LINE PARALLEL WITH AND 80.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE SAID WESTERLY LINE OF PARCEL "A" AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 103.67 FEET TO A POINT ON THE SAID SOUTH LINE OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 14; THENCE CONTINUE NORTH $01^{\circ}07'30''$ WEST, A DISTANCE OF 288.36 FEET TO A POINT ON THE SOUTH LEASE LINE OF THAT CERTAIN LEASE PROPERTY AS SHOWN ON PORT EVERGLADES AUTHORITY DRAWING NO. 78P 3085, DATED 8/10/78 & REVISED 6/15/84; THENCE NORTH $88^{\circ}52'30''$ EAST, A DISTANCE OF 235.00 FEET; THENCE NORTH $01^{\circ}07'30''$ WEST, ALONG A LINE PARALLEL WITH AND 315.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 792.00 FEET; THENCE

STATE OF FLORIDA
REGISTERED LAND SURVEYOR NO. 1606
DENNIS M. BEALE

[Signature]
I HAVE NOT VALID UNLESS
IT BE FOR THE PURPOSES OF
THE STATE OF FLORIDA

CLAYTON THOMPSON & ASSOCIATES, INC.

OF MY KNOWLEDGE AND BELIEF
OF LAND SURVEYORS, IN SEPTEMBER 1981, AND IS TRUE AND CORRECT TO THE BEST
OF FLORIDA AS ADOPTED BY THE DEPARTMENT OF PROFESSIONAL REGULATION, BOARD
21MM-6-06(1). MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE
WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO CHAPTER

CERTIFICATE:

SAID LANDS SITUATE, LYING AND BEING IN HOWARD COUNTY, FLORIDA AND
CONTAINING 13.066 ACRES, MORE OR LESS.
NORTH LINE OF SAID LEASE PROPERTY
THE LAST THREE (3) COURSES AND DISTANCES BEING ALONG THE SOUTH, EAST AND
SOUTH 88° 30' WEST, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B" REVISED DRI PARCEL

DESCRIPTION (PROPOSED DRI BOUNDARY)

A PORTION OF PARCEL "A", PORT EVERGLADES PLAT NO. 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 108, PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 42 EAST, SAID CORNER ALSO BEING ON A WESTERLY LINE OF SAID PARCEL "A" AND ON THE WEST LINE OF GOVERNMENT LOT 7, THENCE NORTH 01°07'30" WEST, ALONG SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 1081.00 FEET, THENCE NORTH 88°32'30" EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 01°07'30" WEST, ALONG A LINE PARALLEL WITH AND 80.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 168.61 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "A", THENCE NORTH 88°25'07" EAST, ALONG THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 161.45 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A", THENCE SOUTH 14°02'34" EAST, A DISTANCE OF 243.79 FEET, THENCE NORTH 89°45'59" WEST, A DISTANCE OF 192.54 FEET, THENCE NORTH 59°32'44" WEST, A DISTANCE OF 99.82 FEET, THENCE SOUTH 88°24'34" WEST, A DISTANCE OF 101.60 FEET TO A POINT ON AN EASTERLY LINE OF SAID PARCEL "A", THE LAST FOUR (4) COURSES AND DISTANCES BEING ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID PARCEL "A", THE LAST SIX (6) COURSES AND DISTANCES BEING ALONG THE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY LINES OF THAT CERTAIN DRI BOUNDARY DESCRIBED IN OFFICIAL RECORDS BOOK 24129, PAGE 0924 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, THENCE SOUTH 01°37'50" EAST, ALONG THE WATER'S EDGE OF THE EAST BULKHEAD OF PIER 4, A DISTANCE OF 285.37 FEET TO A POINT 1321.00 FEET NORTH OF THE WATER'S EDGE OF THE SOUTH BULKHEAD OF PIER 4, THENCE SOUTH 88°22'10" WEST, A DISTANCE OF 75.00 FEET, THENCE SOUTH 01°37'50" EAST, PARALLEL WITH AND 75.00 FEET WEST OF THE SAID EAST BULKHEAD OF PIER 4, A DISTANCE OF 335.94 FEET, THENCE SOUTH 88°21'41" WEST, ALONG A LINE PARALLEL WITH AND 60.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO THE NORTH WALL OF TERMINAL BUILDING NO. 2 AND THE EASTERLY AND WESTERLY PROJECTIONS THEREOF, A DISTANCE OF 250.29 FEET TO A POINT ON THE EAST WALL OF THE EXISTING PARKING GARAGE, THENCE SOUTH 01°22'48" EAST, ALONG SAID EAST WALL A DISTANCE OF 61.94 FEET, THENCE NORTH 88°27'12" EAST, A DISTANCE OF 12.79 FEET, THENCE SOUTH 01°32'48" EAST, A DISTANCE OF 22.64 FEET, THENCE SOUTH 88°27'12" WEST, A DISTANCE OF 12.79 FEET TO A POINT ON SAID EAST WALL OF THE EXISTING PARKING GARAGE, THENCE SOUTH 01°32'48" EAST, ALONG SAID EAST WALL A DISTANCE OF 356.51 FEET, THENCE NORTH 88°27'12" EAST, A DISTANCE OF 12.79 FEET, THENCE SOUTH 01°32'48" EAST, A DISTANCE OF 22.64 FEET, THENCE SOUTH 88°27'12" WEST, A DISTANCE OF 12.79 FEET TO A POINT ON SAID EAST WALL OF THE EXISTING PARKING GARAGE, THENCE SOUTH 01°32'48" EAST, ALONG SAID EAST WALL AND ITS SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 116.91 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID DRI BOUNDARY, THENCE NORTH 78°02'48" WEST, A DISTANCE OF 402.17 FEET, THENCE NORTH 80°18'51" WEST, A DISTANCE OF 91.06 FEET, THE LAST TWO (2) COURSES AND DISTANCES BEING ALONG THE SOUTHERLY LINE OF SAID DRI BOUNDARY, AND ITS WESTERLY EXTENSION THEREOF, THENCE SOUTH 88°24'48" WEST, A DISTANCE OF 364.02 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 109.80 FEET, A CENTRAL ANGLE OF 71°41'57", FOR A DISTANCE OF 136.30 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID DRI BOUNDARY, THENCE SOUTH 88°24'48" WEST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 27.20 FEET, THENCE NORTH 01°07'30" WEST, ALONG A LINE PARALLEL WITH AND 80.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO SAID WESTERLY LINE OF PARCEL "A", A DISTANCE OF 1184.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 36.213 ACRES (1,571,422 SQUARE FEET) MORE OR LESS.

NOTE: BEARINGS SHOWN HEREON ARE REFERENCED TO THE PLAT OF "PORT EVERGLADES PLAT NO. 2", PLAT BOOK 108, PAGE 31, BROWARD COUNTY RECORDS. THE NORTH LINE OF PARCEL "A" BEARS NORTH 88°28'07" EAST.

CERTIFICATE

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 61G1-6 (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.022 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. LB271

THOMAS C. SHAHAN
PROFESSIONAL SURVEYOR AND MAPPER NO. 4387
STATE OF FLORIDA

THIS SKETCH & DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 1 OF 3 SHEETS
JOB NO. 87-0028-022
DATED: February 7, 2008
REVISED: August 7, 2008
REVISED: January 16, 2009
REVISED: January 26, 2009

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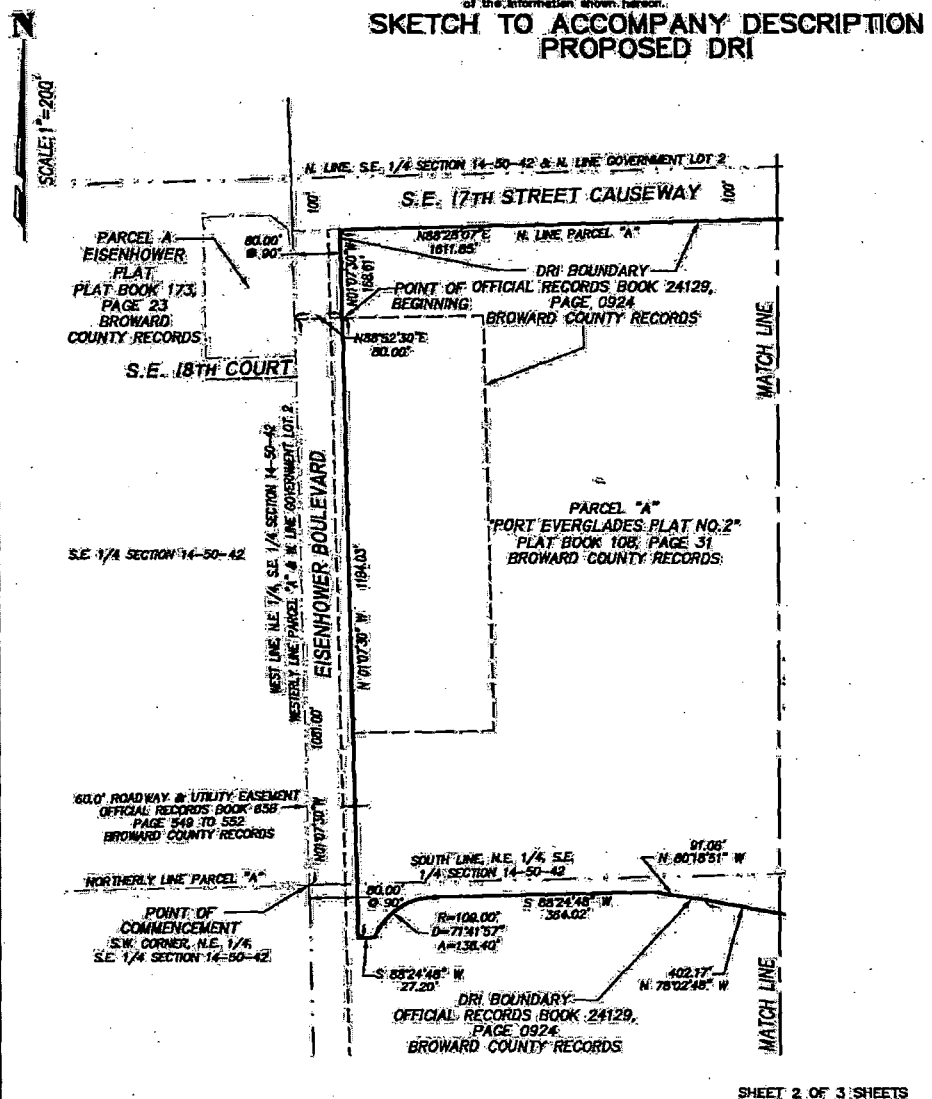


Craven • Thompson & Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
3563 N.W. 53RD STREET FORT LAUDERDALE, FLORIDA 33309 (954) 739-6400
FAX: (954) 738-6409

FOR: **BROWARD COUNTY**

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

**SKETCH TO ACCOMPANY DESCRIPTION
PROPOSED DRI**



SHEET 2 OF 3 SHEETS

UPDATES and/or REVISIONS	DATE	BY	CHK'D	NOTE
REVISE: BNDY PER COMMENTS	8-07-08	T.S.	R.P.	NOTE: The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representation or guarantee as to the information reflected herein pertaining to: easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification.
REVISE: BNDY PER COMMENTS	1-18-09	T.S.	R.P.	
REVISE: SOUTH LINE	1-28-09	T.S.	R.Y.	
				NOTE: Lands shown herein were not obstructed for right-of-way and/or easements of record.
R:\SURVEY\1987\870028-022\DWG\SD-PROPOSED DRI.DWG				
JOB NO.: 87-0028-022	DRAWN BY: T.S.	CHECKED BY: R.P.	F.B.N/A	PG:N/A
DATED: 02-07-08				

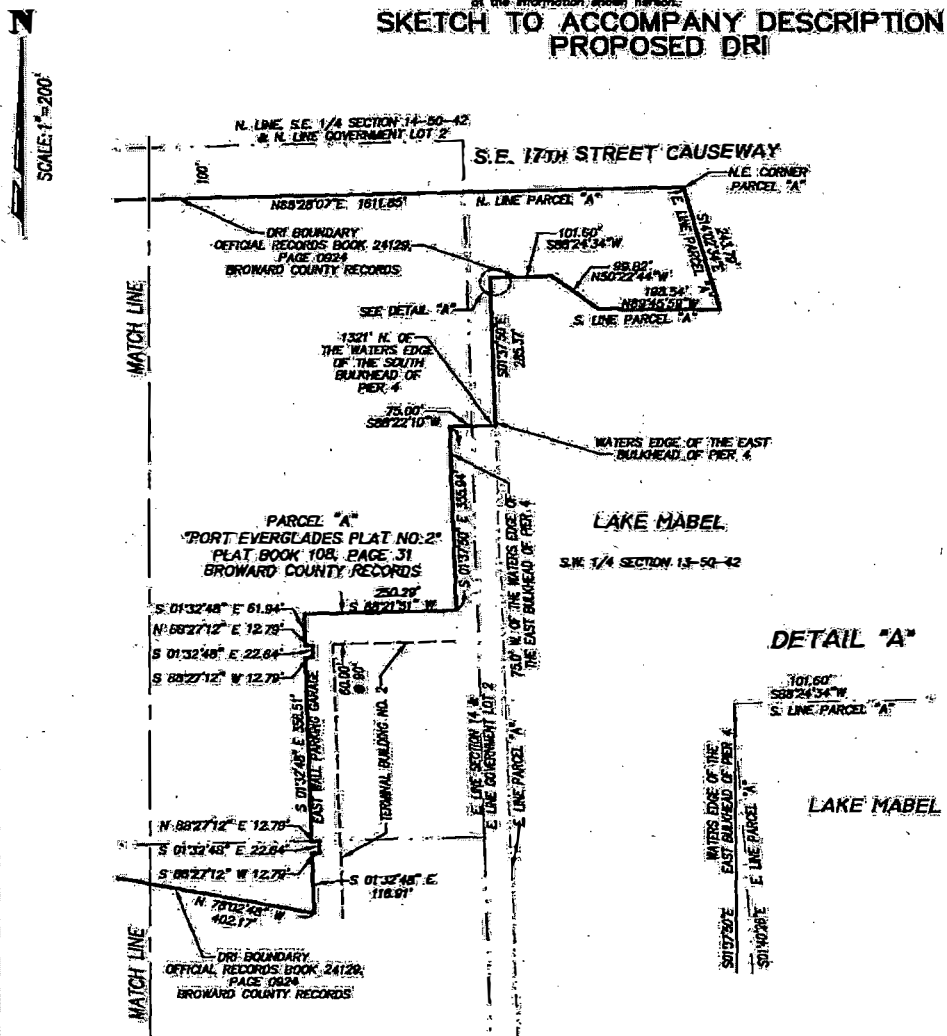


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FAX: (954) 739-6408

FOR: **BROWARD COUNTY**

**SKETCH TO ACCOMPANY DESCRIPTION
PROPOSED DRI**

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



SHEET 3 OF 3 SHEETS

UPDATES and/or REVISIONS	DATE	BY	CK'D	NOTE
REVISE BNDY PER COMMENTS	9-07-08	T.S.	R.P.	NOTE: The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected herein pertaining to easements, rights-of-way, set back lines, rezonings, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth of such matters. Such information should be obtained and confirmed by others through appropriate title verification.
REVISE BNDY PER COMMENTS	1-16-09	T.S.	R.P.	
REVISE SOUTH LINE	1-28-09	T.S.	R.V.	
				NOTE: Lands shown herein were not abstracted for right-of-way and/or easements of record.
				R:\SURVEY\1987\870028-022\DWG\SD-PROPOSED DRI.DWG.
JOB NO.: 87-0028-022	DRAWN BY: T.S.	CHECKED BY: R.P.	F.B.N/A	P.G.N/A
				DATED: 02-07-08

EXHIBIT "C"
BY-PASS ROAD

