DEVELOPMENT REVIEW COMMITTEE (DRC)
Right-of-way / Easement Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Required Documentation / Submittal Checklist
Page 3: Other Property & Right-of-Way related items for discussion

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email, if plans do not meet the submittal requirements and if changes are required.

NOTES: Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding subject proposals, especially right-of-way vacation requests, as well as any other considerable development projects. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on design and preparation of submittal documents.

Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre-City Commission and Final DRC plans) from all representatives at one time, in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

Other Property & Right-of-Way related items for discussion: the application and submittal requirements are attached on the last page of this application.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, license, encroachment, water and sanitary sewer agreements, shall be preceded by the execution and filing of the following application form and the payment with said application fee of $100.00, (Ordinance No. C-84-65), which shall be nonrefundable. This application must be presented and the fee paid before agreement is prepared or considered. If publication is necessary, applicant agrees to pay the cost of such publication

- [ ] Easement Vacation $680.00
- [ ] Right-of-Way Vacation $780.00
- [ ] Agreements with the City * $100.00
- [ ] Other Property & Right-of-Way related items for discussion $100.00

* Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, revocable license, encroachment, water and sanitary sewer agreements)
Page 1: DRC Vacation / Agreements - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDRA). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT.

Property Owner's Name: OCITA Properties
Property Owner's Signature: [Signature]
Address, City, State, Zip: 501 S. Andrews Ave, Fort Lauderdale, FL 33301
E-mail Address: ctricks@flynnengineering.com
Phone Number: 954-522-1004
Letter of Consent Submitted: see attached

Applicant / Agent's Name: Danny J. Ricks / Flynn Engineering Services P.A.
Applicant / Agent's Signature: [Signature]
Address, City, State, Zip: 241 Commercial Blvd, Lauderdale-by-the-Sea, Fl 33308
E-mail Address: ctricks@flynnengineering.com
Phone Number: 954-522-1004
Letter of Consent Submitted: see attached

Development / Project Name: Riverpark Square Easement Vacation 2
Development / Project Address: Existing: multiple, New: 501 S. Andrews Avenue
Legal Description: see survey

Tax ID Filing Numbers: 504210014530
(For all parcels in development)

Request / Description of Project: Vacation of (Access) Utility Easement

Applicable ULDRA Sections: Sec 47-24.7 Vacation of easement; Sec. 47-25.2 Adequacy

Total Estimated Cost of Project: $ (Including land costs)

Current Land Use Designation: D-RAC
Current Zoning Designation: RAC-CC
Current Use of Property: Office Building (65,643sf); Office Building (17,281sf) and Parking Lots

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.

<table>
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<tr>
<th>Name and Signature</th>
<th>Folio Number</th>
<th>Subdivision</th>
<th>Block</th>
<th>Lot</th>
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NOTE: Applicant must indicate if/how the following provisions are met:

1. All utilities (list below) located within the easement and/or right-of-way must be relocated pursuant to a relocation plan; and
2. The owner of the utility facilities must consent to the vacation; or
3. A utilities easement must be retained over the area or portion thereof; or
4. An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or
5. Any combination of same and utilities maintenance are not disrupted.

6. Applicants shall satisfactorily support vacation requests by addressing each point listed in Sections 47-24.6 and 47-24.7 of the city's Unified Land Development Regulations (ULDRA) as applicable.

TECO, Peoples Gas
5101 NW 21st Avenue
Fort Lauderdale, FL 33309
(954) 453-0817, (954) 453-0804 fax

Florida Power and Light
Service Planning
3020 N.W. 19 St.
Fort Lauderdale, FL 33311
(954) 717-2057, (954) 717-2118 fax

BellSouth
9801 W. Sunrise Blvd., 2nd Floor
Plantation, FL 33322
(954) 476-2909

Comcast, Inc.
2525 SW 145 Ave, Suite 200
Miramar, FL 33027
(954) 534-7417, (954) 534-7083 fax

Updated 2/25/2013
Page 2: Required Documentation

INSTRUCTIONS: An application for a vacation of an easement, a right-of-way or other public place shall be reviewed in accordance with all applicable provisions of ULDR Sec. 47-24.6 Vacation of Rights-of-Way and/or Sec. 47-24.7 Vacation of Easement.

One (1) copy of the following documents:
- Completed application (all pages filled out as applicable)
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable. Proof of ownership by Title Co. or written Attorney’s opinion within the last 30 days.
- Property owner’s signature and/or agent letter signed by the property owner.
- Traffic study for projects that meet the trip threshold (see Sec. 47-24 or contact DRC Engineering Rep.)
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.

The following number of Plans:
- One (1) original set, signed and sealed at 24" x 36" (1"
- Six (6) copies sets, with plans at 11" x 17"
- One (1) electronic version of complete application and plans in PDF format

NOTE: For initial submittal, one signed and sealed set is required. Copied sets will be requested after completion review. If the development site is separated by a public right-of-way including alley or alley reservations, a separate application must be completed for each parcel.

Plan sets should include the following:
- Narrative describing project specifics, to include: architectural style and important design elements, utilities affected and the plan to address them, trash disposal system, security/gating system, hours of operation, etc. Narrative response referencing all applicable sections of the ULDR, with point-by-point responses of how project complies with criteria. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet including project name and table of contents.
- Land Use and Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- Current survey(s) of property, signed and sealed, showing existing conditions. The survey should consist of the proposed project site alone excluding adjacent properties or portions of lands not included in the proposal. A current certified boundary survey (within last 6 months) is required for agreements with City of Fort Lauderdale applications.
- Most current recorded plat including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Sketch and legal description of easement or ROW proposed to be vacated (must be prepared by Engineer or Surveyor).

NOTES:
- All plans and documents must be bound, stapled and folded to 8 1/2" x 11";
- All copy sets must be clear and legible and should include any graphic material in color;
- Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details;

Applicant’s Affidavit
I acknowledge that the Required Documentation and Technical Specifications of the application are met:

Damon T. Ricks / Flynn Eng.

Print Name

Signature

Date 3/15/18

Staff Intake Review
For Urban Design & Planning Division use only:

Date

Received By

Tech. Speca

Reviewed By

Case No.
APPLICATION FORM

Legal name of applicant – (if corporation, names and titles of officers as well as exact name of corporation – if individuals doing business under a fictitious name, correct names of individuals (must be used). Not fictitious name:

NAME:  Dwayne Parks
PHONE:  954.522.1004

APPLICANTS ADDRESS:  241 COMMERCIAL BLVD., LBS

IF AVAILABLE CONTACT:  RELATIONSHIP OR TITLE

ADDRESS:  501 S. ANDREWS AVE.

ADDRESS AND LEGAL DESCRIPTION OF PREMISES OR AREA AFFECTED.

SITE ADDRESS:  501 S. ANDREWS  ZONED:  PAC-CC

LEGAL DESCRIPTION:  ATTACHED

DISCUSSION ITEM:  Easement vacation

APPLICANTS SIGNATURE & TITLE

NOTICE TO APPLICANT

1. Payment – $100.00 application fee payable to the City of Fort Lauderdale.
2. Proof of ownership by Title Co. or written Attorney’s opinion within the last 30 days.
3. Project Description – Briefly describe the proposed project, any items to explain the request and related property and/or right-of-way items.
4. Six (6) copies, size 11”x17” of Land Surveyor’s sketch of plan delineating the area including legal description, property and/or right-of-way lines. Current certified boundary survey (within last 6 months).
5. Ground photos of the area and other material to depict the project.
April 12, 2017

Jeffrey Modarelli, City Clerk
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301

Dear Mr. Modarelli:

We hereby authorize Flynn Engineering Services, P.A. and Southside River, LLC its representatives, affiliates and/or consultants to act as agents in connection with all land use, zoning and development approvals related to the property located at 501 S. Andrews Avenue, Fort Lauderdale, Florida 33301.

Sincerely,
Ocita Properties

By:  

Printed Name: Steve Felkowitz
Title: Authorized Signatory; Partner
Date: April 12, 2017

STATE OF FLORIDA
 )
) ss
COUNTY OF BROWARD  )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Steve Felkowitz the Authorized Signatory and Partner of Ocita Properties who [ ] is personally known to me or [x] has produced his Florida Driver License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 12th day of April, 2017.

My Commission Expires:

Notary Public
Typed, printed or stamped name of Notary Public

19257277v1 0971487
The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

### Property Assessment Values

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<th>Year</th>
<th>Land</th>
<th>Building / Improvement</th>
<th>Just / Market Value</th>
<th>Assessed / SOH Value</th>
<th>Tax</th>
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<td>$5,308,580</td>
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### 2018 Exemptions and Taxable Values by Taxing Authority

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### Sales History

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<td>$1,750,000</td>
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<td>11/22/1994</td>
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<td>22859 / 434</td>
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<td>11/1/1969</td>
<td>WD</td>
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* Denotes Multi-Parcel Sale (See Deed)

### Land Calculations

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<td>$25.00</td>
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**Adj. Bldg. S.F. (Card, Sketch)**: 65643

**Eff./Act. Year Built**: 1971/1971

### Special Assessments

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<th>Light</th>
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<th>Impr</th>
<th>Safe</th>
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http://www.bcpa.net/ReclInfo.asp?URL_Folio=504210014530

3/8/2018
March 8, 2018

DRC NARRATIVE – UTILITY ‘Ingress/Egress’ ACCESS EASEMENT VACATION
Project: RIVERPARC SQUARE
Address: 501 S. Andrews Avenue - Ft. Lauderdale

Sec. 47-24.7 - Vacation of easement.

A. *Vacation of easement (city commission).*

1. *Applicant.* The applicant shall be the owner of property subject to public easement sought to be vacated or the city.
   RESPONSE: The applicant owns the property subject to the public easement to be vacated.

2. *Application.* An application for a vacation of easement shall be made to the department, and shall include a legal description of the easement or portion thereof proposed to be vacated and written consent executed by every utility company with existing utilities or a right to locate such utilities within the easement.
   RESPONSE: The applicant will comply as applicable. See utility letters of ‘NO OBJECTION’ and sketch & legal description both attached.

   a. An application shall be submitted to the development review committee for review to consider if the application meets the criteria for a vacation of easement.
   b. The DRC shall prepare a report to be included with the application regarding existing utilities within the easement and whether the criteria have been met.
   c. The DRC shall forward its recommendation for a vacation of an easement to the city commission.
   d. During a regular public meeting, the city commission consider the application and the record and recommendations forwarded by the DRC and shall hear public comment on the application.
   e. If the city commission determines that the application meets the criteria for vacation, the city commission shall approve the vacation. If the city commission determines that the proposed development or use does not meet the criteria, the city commission shall deny the vacation.
   f. Approval of a vacation of an easement shall be by resolution adopted by the city commission.
   RESPONSE: The applicant will comply as applicable.
4. **Criteria.** An application for a vacation of an easement shall also be reviewed in accordance with the following criteria:

   a. The easement is no longer needed for public purposes.
      
      RESPONSE: The Ingress/Egress Easement is no longer needed for public purposes as the prior ROW alley vacations have or are being vacated and all utilities removed.

   b. All utilities located within the easement have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.
      
      RESPONSE: The applicant is working with the utility providers to remove or to re-route any existing utilities. See attached letters of 'NO OBJECTION' provided by the utility companies.

5. **Appeal.** If an application for vacation is denied by the city commission, the applicant may appeal the decision in accordance with the procedures provided in Section 47-26B, Appeals.

   RESPONSE: The applicant has taken this comment under advisement.

6. **Effect upon approval.** The resolution approving a vacation of easement shall be recorded in the public records of the county within thirty (30) days after adoption. The resolution may provide for the retention of a utility or other type of easement needed by the city, and may have a delayed effective date in order that any necessary conditions relating to the vacation may be made.

   RESPONSE: The applicant has taken this comment under advisement.

Respectfully,

[Signature]

Damon T. Ricks
Flynn Engineering Services, P.A.
March 8, 2018

DRC – UTILITY ‘Ingress/Egress’ EASEMENT Vacation Narrative
Project: RIVERPARC SQUARE
Address: 501 S. Andrews Avenue - Ft. Lauderdale

Sec. 47-25.2 ADEQUACY REQUIREMENTS

A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.
Response: The applicant has taken this comment under advisement.

B. Communications network. Buildings and structures shall not interfere with the city’s communication network. Developments shall be modified to accommodate the needs of the city’s communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city’s communication network within the development proposal.
Response: N/A – Utility Easement

C. Drainage facilities. Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.
Response: N/A – Utility Easement

D. Environmentally sensitive lands.
1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and well field protection which ordinances are incorporated herein by reference:
   a. Broward County Ordinance No. 89-6.
   b. Section 5-198(l), Chapter 5, Article IX of the Broward County Code of Ordinances.
   c. Broward County Ordinance No. 84-60.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.
Response: There are no environmentally sensitive lands on this site.
E. **Fire protection.** Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.
Response: N/A – Utility Easement

F. **Parks and open space.** New ordinance adopted in June 2006.
Response: N/A – Utility Easement

G. **Police protection.** Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.
Response: N/A – Utility Easement

H. **Potable water.**

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. **Potable water facilities.**
   a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
   b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
   c. Where the county is the projected service provider, a similar written assurance will be required.
Response: N/A – Utility Easement
I. **Sanitary sewer.**
   1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
   2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
   3. Where the county is the projected service provider, a written assurance will be required.
   4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

   **Response:** N/A – Utility Easement

J. **Schools.** For all residential plats, the applicant shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

   **Response:** N/A – Utility Easement

K. **Solid waste.**
   1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
   2. **Solid waste facilities.** Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

   **Response:** N/A – Utility Easement

L. **Stormwater.** Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

   **Response:** N/A – Utility Easement
M. Transportation facilities.

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

2. Regional transportation network. The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies; the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and FDOT traffic engineering standards and plans as applicable.

3. Local streets. Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

4. Traffic impact studies.
   a. When the proposed development may generate over one thousand (1,000) daily trips; or
   b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour;
or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in traffic ways impact analysis which shall:

i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.

ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed traffic ways.

iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.

iv. A further detailed analysis and any other information that the review committee considers relevant.

v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.

vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

5. **Dedication of rights-of-way.** Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations & accepted applicable traffic engineering standards.
   
   **Response:** N/A – Utility Easement

6. **Pedestrian facilities.** Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.
   
   **Response:** N/A – Utility Easement
7. **Primary arterial street frontage.** Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

Response: Acknowledged.

8. **Other roadway improvements.** Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

Response: Acknowledged.

9. **Street trees.** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development’s compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

Response: N/A – Utility Easement

N. **Wastewater.**

1. **Wastewater.** Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for
water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.
Response: N/A – Utility Easement

O. Trash management requirements. A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.
Response: Acknowledged.

P. Historic and archaeological resources.
1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.
Response: There are no structures within the easement, and the property itself has not been identified as having archaeological or historical significance.

Q. Hurricane evacuation. If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.
Response: N/A. Project is not located east of the Intracoastal Waterway.

Respectfully,

Damon T. Ricks
Flynn Engineering Services, P.A.
SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
INGRESS/EGRESS EASEMENT
IN BLOCK 46, TOWN OF FORT LAUDERDALE
(PLAT BOOK "B", PAGE 40, D.C.R.)
SHEET 1 OF 2 SHEETS

LEGAL DESCRIPTION:

Lot 5 and a portion of that certain 14.00 foot
Vacated Alley lying East of and adjacent to said
Lot 5; Block 46, TOWN OF FORT LAUDERDALE,
according to the plat thereof as recorded in Plat
Book "B", Page 40, of the public records of Dade
County, Florida, more full described as follows:

Commencing at the Southwest corner of said Lot 5; thence North 00°00'00" East, on the West line of said Lot 5, a distance of 23.00 feet to the Point of Beginning; thence continuing North 00°00'00" East, on said West line, a distance of 24.00 feet; thence South 89°34'00" East, a distance of 158.97 feet; thence South 00°00'00" East, on the East line of said 14.00 foot Vacated Alley, a distance of 47.00 feet; thence North 89°34'00" West, on the Westerly extension of the South line of Lot 16 of said Block 46, a distance of 7.00 feet; thence North 00°00'00" West, a distance of 3.00 feet; thence North 89°34'00" West, on the Easterly extension of the South line of the North 47.00 feet, of said Lot 5, a distance of 7.00 feet; thence North 00°00'00" West, on the East line of said Lot 5, a distance of 12.00 feet; thence North 44°47'00" West, a distance of 11.36 feet; thence North 89°34'00" West, a distance of 136.98 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing, 4,148 square feet or 0.0952 acres, more or less.

CERTIFICATION
Certified Correct. Dated at Fort Lauderdale, Florida this 14th day of March, 2018.

McLAUGHLIN ENGINEERING COMPANY

JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
State of Florida.

FIELD BOOK NO. 
JOB ORDER NO. V–3135
REF. DWG.: T–86

DRAWN BY: JMM
CHECKED BY: JST

C: \JMM\2018\V3135 (EASE)
LEGAL DESCRIPTION:
Lot 5 and a portion of that certain 14.00 foot Vacated Alley lying East of and adjacent to said Lot 5, Block 46, TOWN OF FORT LAUDERDALE, according to the plat thereof as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida, more full described on Sheet 1 of 2 Sheets.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing, 4,148 square feet or 0.0952 acres, more or less.

FIELD BOOK NO. DRAWN BY: JMM Jr
JOB ORDER NO. V-3135 CHECKED BY: JST
REF. DWG.: T-86 C: \JMM Jr\2018\V3135 (EASE)
RETURN TO:
SHARON P. MILLER, ASST. CITY ATTORNEY
CITY OF FORT LAUDERDALE
P.O. Drawer 14250
Fort Lauderdale, FL 33302

PREPARED BY: devon
Walter L. Morgan
315 N.E. 3rd Avenue, Suite 200
Fort Lauderdale, FL 33301

Folio No. 5042-10-01-453

EASEMENT DEED NO. __________

THIS INDENTURE, made 2nd day of October, 1995, between:

OCITA PROPERTIES, a Florida general partnership,
of the County of Broward, of the State of Florida, Grantor,*

and

CITY OF FORT LAUDERDALE, a municipal corporation
existing under the laws of the State of Florida,
whose Post Office address is P.O. Drawer 14250,
Fort Lauderdale, Florida 33302, of the County of Broward,
State of Florida, Grantee;

WITNESSETH:

That the said Grantor, for and in consideration of the sum
of TEN DOLLARS ($10.00) and other good and valuable consideration
to said Grantor in hand paid by said Grantee, receipt of which is
hereby acknowledged, has granted, bargained and sold unto the
said Grantee, its successors and assigns two easements to, in,
over, along, through, above and under the two certain parcels of
land situated, lying and being in Fort Lauderdale, Broward
County, Florida, designated as Parcel "A" and Parcel "B" said
easements being described as follows:

AS TO PARCEL "A"

See Exhibit "A" attached hereto and made a part hereof,

for the purpose of maintaining, repairing, and replacing a
sanitary sewer main and any and all other utilities which may now
or in the future be located therein, and any necessary
appurtenances, thereto which Grantor may install within said
easement. As used herein, utilities may include, but not be
limited to, those owned by Grantee and telephone, cable, gas,
electric and other utilities owned by private franchise holders.

FEE ITEM 1
RETURN TO FRONT RECORDING
AS TO PARCEL "B"

See Exhibit "B" attached hereto and made a part hereof,
for the purpose of public vehicular and pedestrian ingress and
egress between Southwest 6 Street and Southwest 1 Avenue, Fort
Lauderdale, Florida.

AS TO THE PARCEL "A" EASEMENT:

The Grantor shall have the right to use the area on or over
the easement area described above for parking and landscaping,
(other than parking, landscaping, or both, required to be
provided by law or regulation of Grantee) and may construct
improvements related to such use whenever such portion is not
actually being used by the Grantee upon the prior written
approval of and permitting by the Grantee, provided that upon the
Grantee's request based on the need to repair, maintain or
construct utilities in the easement area, the Grantor shall
discontinue its use and shall remove without delay, at no expense
to Grantee, any landscaping, paving or other improvements placed
on or constructed within the easement area.

In the event the Grantee determines that it is necessary to
exercise its rights pursuant to this easement prior to Grantor's
removal of such improvements, upon notice to Grantor, Grantee
shall have the right to remove such improvements as are necessary
to conduct repairs on the force main, water main or other
utilities located within the easement area. Grantor shall be
responsible for the cost of removal and repair and replacement of
Grantor's improvements in or on the easement area.

In the event the Grantee determines that temporary sheeting
is necessary to be installed to prevent the work area from
expanding outside of the easement boundaries, the Grantee shall
notify the Grantor of same and the cost of purchase, placement
and removal of such temporary sheeting by Grantee shall be the
responsibility of the Grantor.

AS TO BOTH EASEMENTS:

The easements described herein shall run with the land and
the title thereto, and it shall be binding on the Grantor, the
successors and assigns and their heirs and any person who shall
hereafter acquire title to Grantor's property.

In the event any such portion of the easement area is used
by Grantor as allowed herein, Grantor agrees to fully indemnify
and hold harmless the Grantee from any claim, suit, judgment,
decree and from any cause of action whatsoever, for any injury to
or death of any person, or any damage to any property, which
arises out of or occurs as a direct or indirect result of any such use by Grantor.

* ("Grantor" and "Grantee" are used for singular or plural, as context requires.)

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Linda A. Newsom

(Witness - print or type name)

Rogie H. Smith

(Witness - print or type name)

(Corporate Seal)

State of FLORIDA

County of BROWARD

The foregoing instrument was acknowledged before me this 
Oct 2, 1995, by Steve Felkowitz, as General Partner, respectively, of Ocita Properties, a Florida general partnership on behalf of the corporation. They are personally known to me or have produced identification and did not 
(did) take an oath.

Linda A. Newsom

Notary Public, State of Florida

(Name of Notary taking
Acknowledgement)

Name of Notary Typed,
Printed or Stamped

My Commission Expires:
Commission Number
APPROVED:

Victor Vega
Real Estate Officer II

APPROVED AS TO FORM:

Sharon P. Mills
Asst. City Attorney
EXHIBIT "A"

All that portion of the west 1/2 of the 14.00 foot alley lying east of and adjacent to Lots 1, 2, 3, 4 and the north 47.00 feet of Lot 5, Block 46

and

All that portion of the east 1/2 of the 14 foot alley lying west of and adjacent to Lots 16, 17, 18, 19 and 20, Block 46; all of the above being shown on the plat of "TOWN OF FORT LAUDERDALE", as recorded in Plat Book "B" at Page 40 of the Public Records of Dade County, Florida; lying and being in Fort Lauderdale, Broward County, Florida.

EXHIBIT "B"

A portion of Lot 5, Block 46, together with a portion of the 14 foot wide Alley lying East of and adjacent thereto, TOWN OF FORT LAUDERDALE, according to the plat thereof as recorded in Plat Book B at Page 40 of the Public Records of Dade County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the said Lot 5; thence North 0 degrees 26 minutes 45 seconds West along the West line of Lot 5 for 23.00 feet to the Point of Beginning; thence continue North 0 degrees 26 minutes 45 seconds West for 24.00 feet; thence East for 199.00 feet; thence South 0 degrees 26 minutes 45 seconds East along the East line of the said 14 foot wide alley for 47.00 feet; thence "West" for 7.00 feet; thence North 0 degrees 26 minutes 45 seconds West for 3.00 feet; thence "West" for 7.00 feet; thence North 0 degrees 26 minutes 45 seconds along the West line of the said 14 foot wide alley for 12.00 feet; thence North 45 degrees 13 minutes 26 seconds West for 11.36 feet; thence West for 137.00 feet to the Point of Beginning, lying and being in the City of Fort Lauderdale, Broward County, Florida.
JOINDER, CONSENT AND PARTIAL RELEASE BY MORTGAGEE

THIS IDENTURE, made this 21st day of October, 1995,
by and between:

SunBank/Miami, N.A., hereinafter "MORTGAGEE",
and

CITY OF FORT LAUDERDALE, of the County of Broward, State
of Florida, hereinafter "CITY".

WITNESSETH:

That MORTGAGEE, the holder of that certain mortgage executed
by Ocita Properties, a Florida general partnership, dated
November 22, 1994, recorded November 23, 1994, at Official
Records Book 22885, Page 200 of the Public Records of Broward
County, Florida, being in the original principal sum of
$2,083,994.00, in consideration of Ten Dollars ($10.00) and other
good and valuable considerations received from CITY, does hereby
join and consent to execution and delivery of the foregoing
Easement and does furthermore release from the lien of the
above-referenced mortgage the real property described in that
Easement, without impairing the lien of the above described
mortgage on the remaining portion of the property described in
said mortgage.

IN WITNESS OF THE FOREGOING, the Mortgagee has set
Mortgagor's hand and seal the day and year first above written.

WITNESSES:

[Signatures]

SUNBANK MIAMI, N.A.
By: [Signature]
Senior Vice President

STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this
21st day of October, 1995, who is personally known to me
or has produced ___________________ as identification and
who did not (did) take an oath.

[Signature]
Notary Public, State of Florida

Print Name
My Commission Expires:
My Commission Number:

RECORD IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
COUNTY ADMINISTRATOR
Zoning
Easement & Right-of-Way Vacation Letter

To: Damon Ricks
Flynn Engineering Services P.A.
241 Commercial Blvd
Lauderdale By The Sea, FL 33308

Subject: Riverparc Square vacation

(X) We have no facilities in the area to be vacated; therefore, we have no objections to this vacation.

David Rivera
Gas Design Technician

( ) We have facilities in the area to be vacated; however, we have no objections to this vacation providing the applicant will pay for the relocation retirement or replacement of these facilities.

David Rivera
Gas Design Technician

( ) We have facilities in the area to be vacated which cannot be relocated for technical reasons, however, we have no objections to the vacation providing a utility easement is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

David Rivera
Gas Design Technician

( ) We have objection to the proposed vacation for the following reasons: PGS has facilities in the easement and cannot be relocated.

David Rivera
Gas Design Technician
March 9th, 2018

Marc Isaac
Flynn Engineering Services, P.A
241 Commercial Blvd,
Lauderdale-By-The-Sea, Florida 33308

Subject: No Objection Letter for vacation of Utility 14’ Easement/Egress easement vacation, City of Fort Lauderdale, Riverparc Square FES #17-1351.00

Dear Jacqueline:
ATT does not object to your request for a vacation of the 14’ easement/ Egress easement vacation at the property described in the attached page 2. Applicants property is AT 501 S Andrews Ave and legally described as FT LAUDERDALE B-40 D LOT 1 TO 4,5 N 47,16 TO 20,LESS E 15 FOR ST BLK 46.

It is understood that any relocation of existing ATT facilities associated with the proposed project and encroachments will be at the owner’s expense. Additional future easements in another location may be required to provide service to the proposed project.

Should you have any questions, please contact me at 954-577-5602.

Sincerely,

[Signature]

Dyke Tittle
Manager - OSP Planning & Engineering Design
March 9, 2018

To:
MARC ISAAC
FLYNN ENGINEERING SERVICES, P.A.
241 COMMERCIAL BLVD
LAUDERDALE-BY-THE-SEA, FL 33308

Re:
RIVERPAC SQUARE PROJECT
FORT LAUDERDALE PLAT BOOK “B” PAGE 40

Dear MARC ISAAC,

FPL has no objection to abandoning or vacating the above requested easement.

However, FPL has existing overhead facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer’s expense. Prior to this being done, provisions must be made, new easements secured and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at 954 717 2062 should you have any questions or concerns.

Yours truly,

Lucas Cornish
Associate Engineer
March 5, 2018

Rick Johnson  
City of Fort Lauderdale  
949 NW 38th Street  
Fort Lauderdale, FL 33309  
(954)828.7809 / RJohnson@fortlauderdale.gov

Re: 14’ Utility Easement Vacation & Ingress/Egress easement vacation  
City of Fort Lauderdale  
Riverparc Square Easement Vacations  
FES #17-1351.00

Dear Mr. Johnson,

We are requesting a LETTER OF NO OBJECTION for the vacation of an existing 14’ utility easement (formally vacated alley) and vacation of ingress/egress easement associated with the attached re-development plan for Riverparc Square project. The project includes removal of all existing uses on the development site for re-development of the site which includes 3 new buildings that include 790 residential units, 297 hotel rooms, 44,698sf retail, 296,459sf of office.

Attached, you will find a survey with the highlighted 14’ utility easement & highlighted ingress/egress easement requested to be vacated.

We respectfully request a letter of NO OBJECTION to the easement vacation request as required by the City of Fort Lauderdale for the vacation process of these existing easements. As is customary, the owner will assume any costs associated with the relocation of utilities, if required.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Marc Isaac  
Flynn Engineering Services, P.A.
March 6, 2018

Leonard Maxwell-Newbold
Comcast
leonard_maxwell-newbold@comcast.com

Re: 14' Utility Easement Vacation & Ingress/Egress easement vacation
City of Fort Lauderdale
Riverparc Square Easement Vacations
FES #17-1351.00

Dear Mr. Maxwell-Newbold,

We are requesting a LETTER OF NO OBJECTION for the vacation of an existing 14’ utility easement (formally vacated alley) and vacation of ingress/egress easement associated with the attached re-development plan for Riverparc Square project. The project includes removal of all existing uses on the development site for re-development of the site which includes 3 new buildings that include 790 residential units, 297 hotel rooms, 44,698sf retail, 296,459sf of office.

Attached, you will find a survey with the highlighted 14’ utility easement & highlighted ingress/egress easement requested to be vacated.

We respectfully request a letter of NO OBJECTION to the easement vacation request as required by the City of Fort Lauderdale for the vacation process of these existing easements. As is customary, the owner will assume any costs associated with the relocation of utilities, if required.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Marc Isaac
Flynn Engineering Services, P.A.
PROJECT:
RIVERPARC SQUARE
501 S ANDREWS AVENUE, Fort Lauderdale

DRC EASEMENT VACATION
UTILITY ACCESS EASEMENT - ORB 24050, PAGE 803

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4 and the North 47.00 feet of Lot 5, together with Lots 16, 17, 18, 19 and 20, less the East 15.00 feet thereof, as in Book 20, TOWN OF FORT LAUDERDALE, according to the plat thereof recorded in Plat Book "E", Page 40, of the Public Records of Broward County, Florida. The above described property now lying and being in Broward County, Florida.

TOGETHER with

All that portion of the West 1/2 of the East 1/2, lying East of and adjacent to Lots 1, 2, 3, 4 and the North 47.00 feet of Lot 5, Book 20, TOWN OF FORT LAUDERDALE, together with all that portion of the East 1/2 of the West 1/2 of the above described property lying West of and adjacent to Lots 16, 17, 18, 19 and 20, Book 20, TOWN OF FORT LAUDERDALE, as recorded in Plat Book "E", Page 40, of the Public Records of Broward County, Florida.

AND

Lot 5, LESS the North 47 foot thereof, and Lots 6 through 11, LESS the East 15 feet of the lots lying within 15 feet thereof, Book 46, "OWN OF FORT LAUDERDALE", according to the plat thereof recorded in Plat Book "F", Page 45, of the Public Records of Broward County, Florida.

TOGETHER with

All of that portion of the East 1/2 of the East 1/2, lying East of and adjacent to Lots 12 and 13, Book 46, "OWN OF FORT LAUDERDALE", according to the plat thereof recorded in Plat Book "F", Page 45, of the Public Records of Broward County, Florida.

NOTES:

- "As the line in Section 10, Township 50 South, Range 40 East, City of Fort Lauderdale, Broward County, Florida.
- Lots shown herein containing 144,496 square feet, less 2.51 acres, more or less.
- To D. Nunnally of Broward County, property and buildings not visible.
- Z-420019450, Z420019451, Z420019400, Z420019400 & Z420019400

DRC SHEET INDEX

SURVEY
PLAY
AERIAL
SKETCH & LEGAL DESCRIPTION
X1 EASEMENT EXHIBIT