

Prepared By and Return To:

Melissa Groisman, Esq.
Greenspoon Marder LLP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Folio No.: 4842-30-17-0190

DRAINAGE, FLOWAGE AND STORAGE EASEMENT

THIS DRAINAGE, FLOWAGE AND STORAGE EASEMENT is granted this _____ day of _____, 2023, by the **CITY OF MARGATE**, whose address is _____ hereinafter referred to as "Grantor", to **ALLIANCE XVI LLC**, a Florida limited liability company, with a mailing address of 4973 SW 75th Ave., Miami, FL 33155, hereinafter referred to as "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey:

To Grantee, its successors and assigns, a perpetual and non-exclusive Drainage, Flowage and Storage Easement (the "Easement") for the drainage, flowage and storage of stormwater, together with any necessary appurtenances incidental and necessary thereto, over, across and through that certain portion of the real property owned by Grantor in fee simple legally described in Exhibit "A" attached hereto and made a part hereof ("Easement Area"), together with ingress and egress across the Easement Area, for the purpose of constructing, maintaining and repairing the lake/pond, drainage system and appurtenances contained therein and to make a proper and adequate drainage system that Grantee, its successors and assigns may establish, for the benefit of that certain real property more particularly described in Exhibit "B" attached hereto and made a part hereof ("Grantee's Property").

This Easement is subject to the following terms, conditions and covenants:

1. The rights granted herein to the Grantee may be released or modified by a written, recordable release or modification approved by the Grantor and executed by the Grantee.

2. Grantor and Grantee acknowledge that Grantee shall be responsible for construction, maintenance, and repair of the lake/pond and all drainage facilities constructed within the Easement Area and that Grantee shall have the right and the obligation to maintain and repair said lake/pond, drainage facilities within the Easement Area.

3. Grantor and Grantee acknowledge and affirm that Grantee shall be responsible for maintaining the lake/pond bank slope located within the limits of Grantor's Property and on the Easement Area to the lake/pond deep cut line, which is defined as the bank slope beginning at three feet below the Grantee's water control elevation. Any erosion or change in grade of the lake/pond bank slope from design grade within the limits of the Easement Area and lake/pond deep cut line shall be repaired/corrected by the Grantee.

4. Intentionally omitted.

5. This Easement is subject to the Easement Area remaining in perpetuity as a lake/pond area.

6. Intentionally omitted.

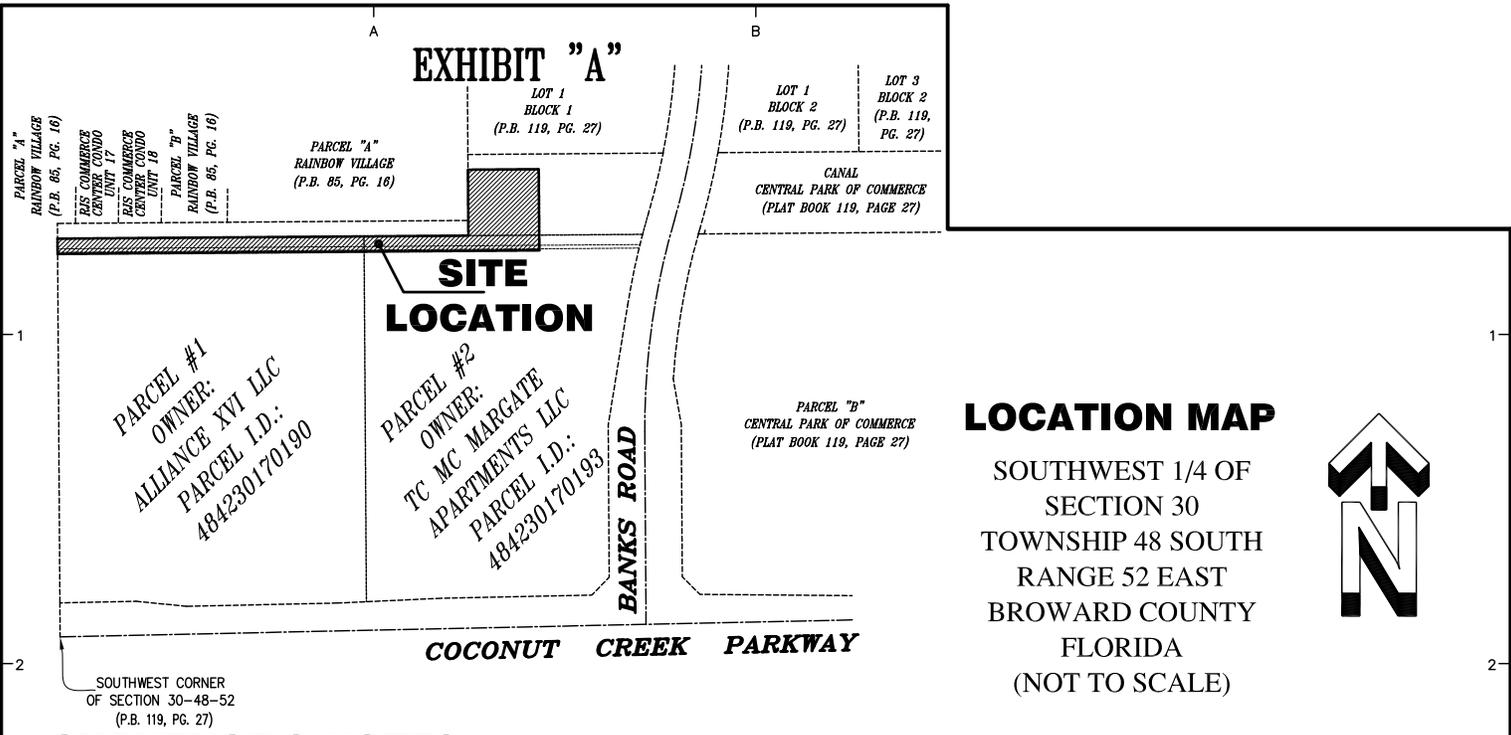
7. Any proposed change to this Easement must be approved by The Broward County Surface Water Management program before being executed.

8. Grantee's Property was part of the Central Park of Commerce Plat recorded in the Broward Records, Plat Book 119, Page 27 on March 30, 1984. In said plat, included 5.86 acres of canals and dedicated 20-foot Canal Maintenance Easement along all parcels abutting the existing and proposed canals. Also, the plat dedicated the 5.86 acres of canals and the 20-foot canal maintenance easement to the Margate Waterway Association, Inc. Further, on August 29, 1985, Broward County issued a Master Surface Water Management license (SWM 17-30-48-42) for the Central Park of Commerce, based on said plat. Therefore, Grantee shall work with the other current owners within the Central Park of Commerce Plat to reestablish the Margate Waterway Association, Inc., (the "Association") or any other similar property owner association, with the purpose of having the Association own, operate and maintain the 5.86 acres of canals shown on the plan and the dedicated 20-foot Canal Maintenance Easement shown on the plat, in accordance with the Broward County Master Surface Water Management license No. SWM 17-30-48-42.

IN WITNESS WHEREOF, the said Grantor has caused this presents to be signed in its name by their proper officer, the day and year above written.

[SIGNATURE PAGE FOLLOWS]

Q:\FORD COMPANIES\Engineering & Surveying\Survey\Sketch & Legal\01C167 COCONUT CREEK CENTER (MARQUESA)\01C167-1002 COCONUT CREEK ENTER FLOWAGE DRAINAGE EASEMENT PARCEL 1.dwg



SURVEYOR'S NOTES:

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North Arrow Direction and Bearing shown hereon are based on an assumed value of S89°34'36"W, along the North Line of Parcel "A", of CENTRAL PARK OF COMMERCE, Plat Book 119, at Page 27, Public Records of Broward County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of TITLE COMMITMENT will have to be made to determine recorded instruments, if any affecting this property.
- 5) The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) No Title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

SURVEYOR'S CERTIFICATE:

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17, Florida Administrative Code, and conforms to the Standards of Practices set forth by the Florida Board of Land Surveyors and Mappers pursuant to Section 472.027, Florida Statutes.

Ford, Armenteros & Fernandez, Inc., L.B.#6557

Date: MAY 26th, 2023

Date: JUNE 14th, 2023 (REVISED AS PER COUNTY'S COMMENTS)

By: _____
Ricardo Rodriguez, P.S.M., for the firm
Professional Land Surveyor
State of Florida, LS No. 5936

PARCEL I.D.: 484230170190

PARCEL #1 (STORAGE, FLOWAGE AND RETENTION)



FORD, ARMENTEROS & FERNANDEZ, INC.
1950 N.W. 94th AVENUE, 2nd FLOOR
DORAL, FLORIDA 33172
PH. (305) 477-6472
FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		SHEET: 1
SHEET NAME: LOCATION MAP AND SURVEYOR'S CERTIFICATE		
PREPARED FOR: LEGACY RESIDENTIAL GROUP		
DRAWN BY: R.RODRIGUEZ	DATE: MAY 26th, 2023	PROJECT No: 01C167-1002
DWG. CHECKED BY: O.A.	SCALE: AS SHOWN	
CHECKED BY: O.A.		

A

B

LEGAL DESCRIPTION:

A PORTION OF CANAL AND OF A 30 FEET WIDE FLOWAGE EASEMENT, AS SHOWN ON PLAT OF CENTRAL PARK OF COMMERCE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 119, AT PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE N00°22'24"W, ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID PARCEL "A" FOR A DISTANCE OF 30.00 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID 30 FEET WIDE FLOWAGE EASEMENT; THENCE N89°34'36"E, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 809.72 FEET TO THE SOUTHEAST CORNER OF PARCEL "A", OF RAINBOW VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, AT PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE N00°22'24"W, ALONG THE LAS DESCRIBED LINE FOR A DISTANCE OF 130.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 1, OF SAID PLAT OF CENTRAL PARK OF COMMERCE; THENCE N89°34'36"E, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 139.41 FEET TO A POINT; THENCE S00°25'24"E FOR A DISTANCE OF 160.00 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "A", OF SAID PLAT OF CENTRAL PARK OF COMMERCE; THENCE S89°34'36"W, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 949.27 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE SITUATE, BEING AND LYING IN BROWARD COUNTY, FLORIDA AND CONTAINING 46,609 SQUARE FEET AND/OR 1.07 ACRES MORE OR LESS.

PARCEL IDENTIFICATION NUMBER: 484230170190

LEGEND/ABBREVIATION

- P.B. - PLAT BOOK
- PG. - PAGE
- P.O.C. - POINT OF COMMENCE
- P.O.B. - POINT OF BEGINNING

PARCEL I.D.: 484230170190

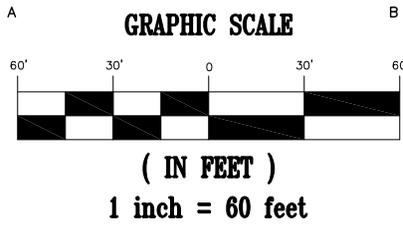
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 DORAL, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		SHEET: 2	
SHEET NAME: LEGAL DESCRIPTION TO ACCOMPANY SKETCH		DATE: MAY 26th, 2023	
PREPARED FOR: LEGACY RESIDENTIAL GROUP		SCALE: N/A	
DRAWN BY: R.RODRIGUEZ	DATE: MAY 26th, 2023	PROJECT No: 01C167-1002	
DWG. CHECKED BY: O.A.	SCALE: N/A		
CHECKED BY: O.A.	PROJECT No: 01C167-1002		

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PARCEL "A"
RAINBOW VILLAGE
(P.B. 85, PG. 16)

RJS COMMERCE
CENTER CONDO
UNIT 17

RJS COMMERCE
CENTER CONDO
UNIT 18

PARCEL "B"
RAINBOW VILLAGE
(P.B. 85, PG. 16)

N00°22'24"W
30.00'

TRACT "A"
SCOTT'S HOME IMPROVEMENT
CENTER OF MARGATE
(P.B. 114, PG. 38)

WEST LINE OF
PARCEL "A"
(P.B. 119, PG. 27)

P.O.B.
NORTHWEST
CORNER PARCEL "A"
(P.B. 119, PG. 27)

NORTH LINE OF PARCEL "A"
(P.B. 119, PG. 27)

PARCEL #1
STORAGE, FLOWAGE AND
RETENTION
(46,609 S.F. +/-)
(1.07 ACRES +/-)

N89°34'36"E 809.72'
30' Canal and Flowage Easement
(P.B. 119, PG. 27)
S89°34'36"W 949.27'

20' Canal Maintenance Easement
(P.B. 119, PG. 27)

PARCEL #1
STORAGE, FLOWAGE AND
RETENTION
(46,609 S.F. +/-)
(1.07 ACRES +/-)

7' Utility Easement
(P.B. 119, PG. 27)

PARCEL "A"
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)

OWNER:
ALLIANCE XVI LLC
PARCEL I.D.: 484230170190

PARCEL "A"
RAINBOW VILLAGE
(P.B. 85, PG. 16)

PARCEL #1
STORAGE, FLOWAGE AND
RETENTION
(46,609 S.F. +/-)
(1.07 ACRES +/-)

N89°34'36"E 809.72'
30' Canal and Flowage Easement
(P.B. 119, PG. 27)
S89°34'36"W 949.27'

NORTH LINE OF PARCEL "A"
(P.B. 119, PG. 27)

20' Canal Maintenance
Easement
(P.B. 119, PG. 27)

PARCEL #1
STORAGE, FLOWAGE AND
RETENTION
(46,609 S.F. +/-)
(1.07 ACRES +/-)

7' Utility Easement
(P.B. 119, PG. 27)

PARCEL "A"
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)

OWNER:
ALLIANCE XVI LLC
PARCEL I.D.: 484230170190

PARCEL "A"
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)

OWNER:
TC MC MARGATE APARTMENTS
LLC
PARCEL I.D.: 484230170193

PARCEL I.D.: 484230170190

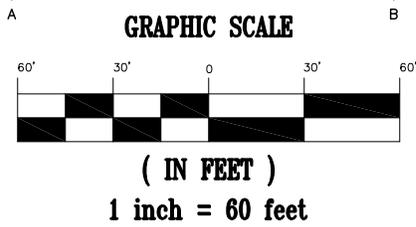
PARCEL #1 (STORAGE, FLOWAGE AND RETENTION)



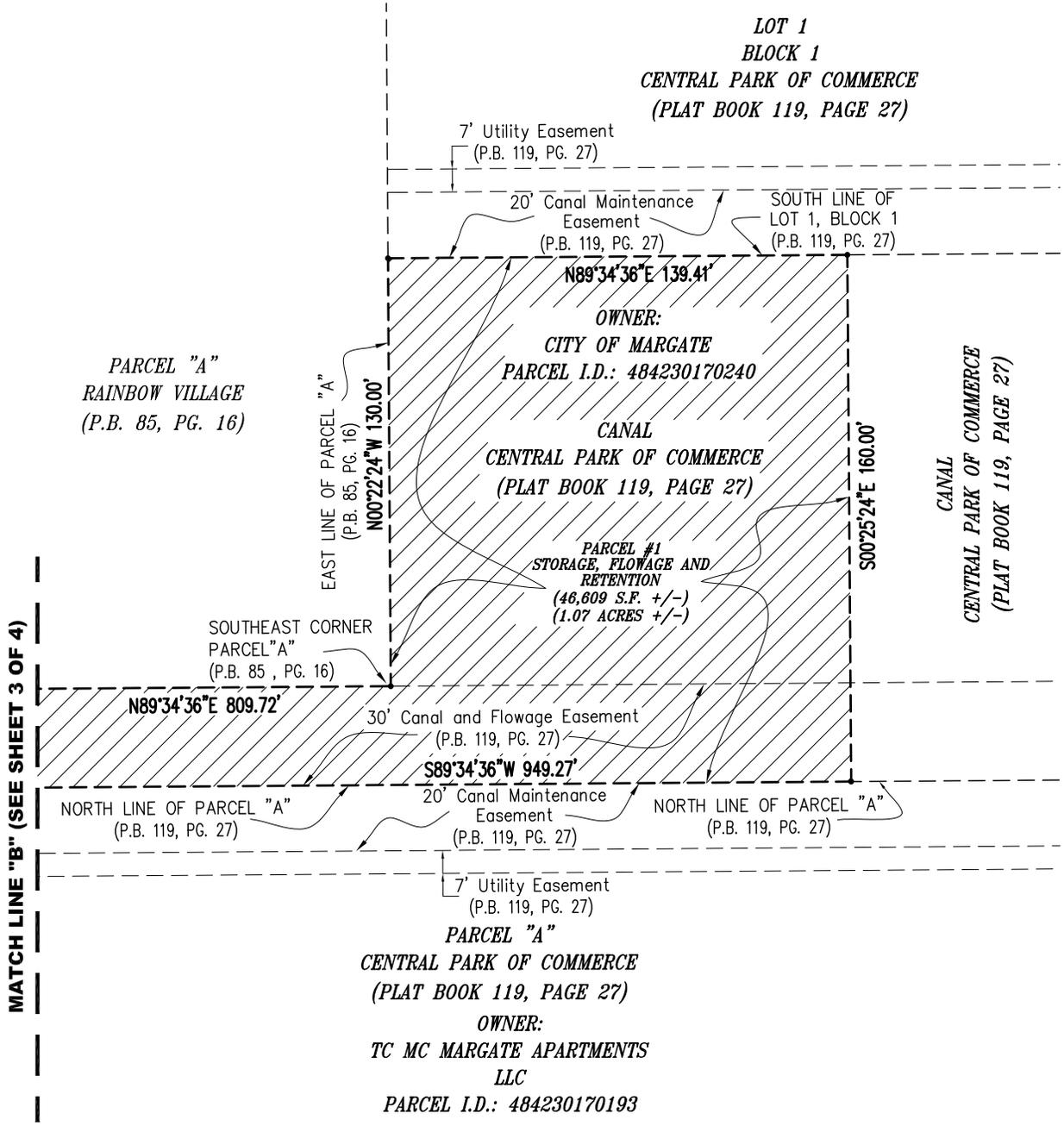
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TYPE OF PROJECT:	SKETCH AND LEGAL DESCRIPTION		
SHEET NAME:	SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
PREPARED FOR:	LEGACY RESIDENTIAL GROUP		
DRAWN BY:	R.RODRIGUEZ	DATE:	MAY 26th, 2023
DWG. CHECKED BY:	O.A.	SCALE:	AS SHOWN
CHECKED BY:	O.A.	PROJECT No:	01C167-1002
			SHEET: 3
			OF 4 SHEETS

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TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		SHEET: 4	
SHEET NAME: SKETCH TO ACCOMPANY LEGAL DESCRIPTION		DATE: MAY 26th, 2023	
PREPARED FOR: LEGACY RESIDENTIAL GROUP		SCALE: AS SHOWN	
DRAWN BY: R.RODRIGUEZ	DATE: MAY 26th, 2023	PROJECT No: 01C167-1002	
DWG. CHECKED BY: O.A.	SCALE: AS SHOWN	SHEET: 4	
CHECKED BY: O.A.	PROJECT No: 01C167-1002	OF 4 SHEETS	

Exhibit "B"

Grantee's Property

LEGAL DESCRIPTION

A PORTION OF PARCEL "A", CENTRAL PARK OF COMMERCE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 119, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 89°34'14" EAST, ALONG THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 604.01 FEET; THENCE SOUTH 00°22'46" EAST, A DISTANCE OF 720.32 FEET; THENCE ALONG THE SOUTH LINE OF SAID PARCEL "A" THE FOLLOWING FOUR (4) COURSES: SOUTH 87°19'55" WEST, A DISTANCE OF 55.61 FEET; THENCE SOUTH 88°45'50" WEST, A DISTANCE OF 298.88 FEET (298.25 FEET PER PLAT); THENCE NORTH 84°21'27" WEST (NORTH 84°23'17" WEST PER PLAT), A DISTANCE OF 100.17 FEET; THENCE SOUTH 88°45'50" WEST, A DISTANCE OF 150.00 FEET; THENCE NORTH 00°22'46" WEST, ALONG THE WEST LINE OF SAID PARCEL "A", A DISTANCE OF 718.22 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF MARGATE, BROWARD COUNTY, FLORIDA.