

Prepared By and Return To:

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

Folio No.: 4842-30-17-0193

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 **TC MC MARGATE APARTMENTS LLC**, a Florida limited liability company, with a mailing address of 3850 Bird Rd., 8th Floor, Coral Gables, FL 33146, 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 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 (the "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 Grantor to the satisfaction of 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.

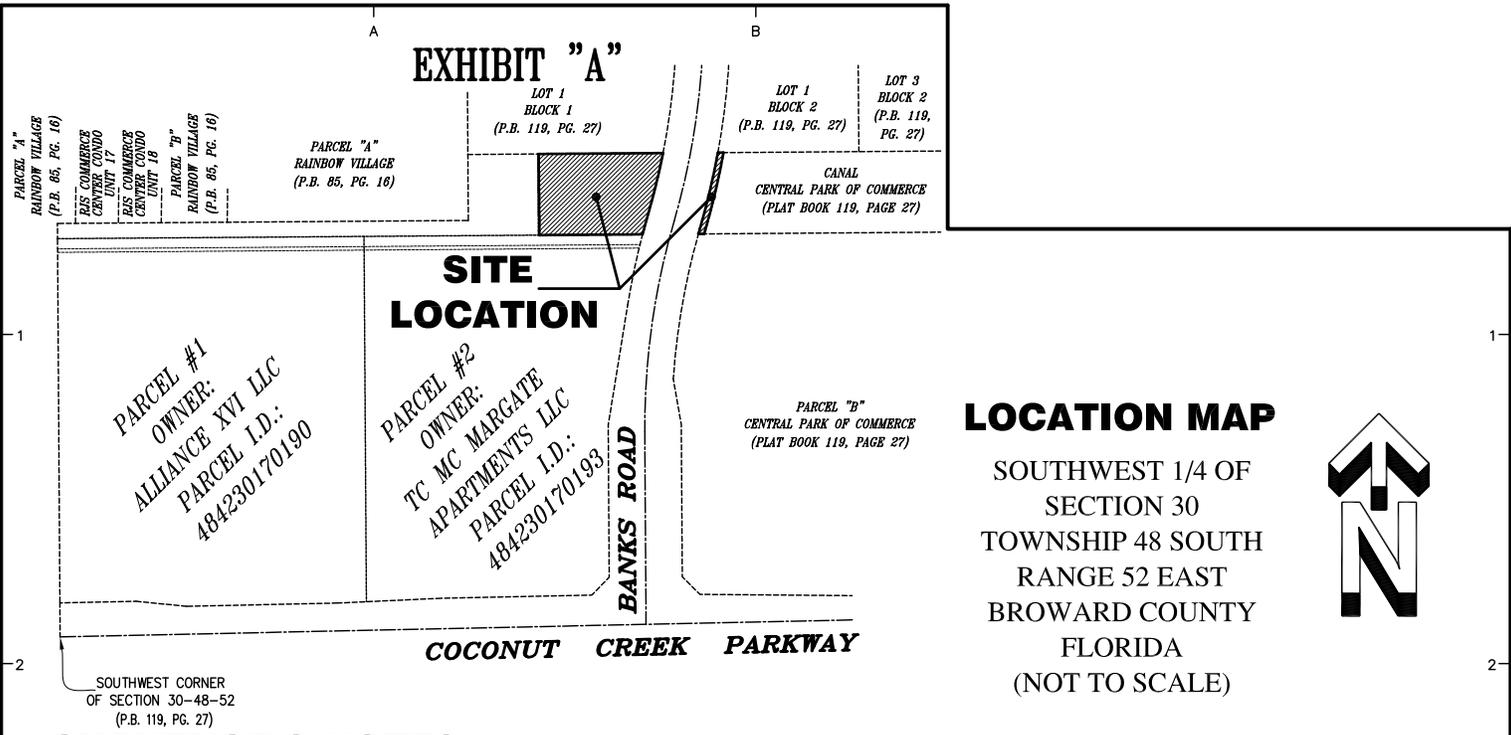
7. Any proposed change to this Easement must be approved by The Broward County Surface Water Management program before being executed.

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)\01C167-1003 COCONUT CREEK ENTER FLOWAGE DRAINAGE EASEMENT PARCEL 2.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.: 484230170193

PARCEL #2 (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 | | OF 5 SHEETS | |
| 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: 01C167-1003 | | |

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:

COMMENCE AT THE NORTHEAST CORNER OF PARCEL "A", OF SAID PLAT OF CENTRAL PARK OF COMMERCE; THENCE S89°34'36"W, ALONG THE NORTH LINE OF SAID PARCEL "A" FOR A DISTANCE OF 203.64 FEET; THENCE N00°25'24"W FOR A DISTANCE OF 160.00 FEET TO ITS INTERSECTION WITH 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 245.25 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "A", SAID LINE BEING COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF BANKS ROAD, AS SHOWN ON SAID PLAT OF CENTRAL PARK OF COMMERCE, AND LYING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, A RADIAL LINE FROM SAID POINT BEARS N78°48'26"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1397.00 FEET, THROUGH A CENTRAL ANGLE OF 05°02'47" FOR AN ARC DISTANCE OF 123.04 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR TO THE LEFT, CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1503.00 FEET, THROUGH A CENTRAL ANGLE OF 01°36'51" FOR AN ARC DISTANCE OF 42.34 FEET TO THE POINT OF BEGINNING.

AND

BEGIN AT THE NORTHWEST CORNER OF PARCEL "B", OF SAID PLAT OF CENTRAL PARK OF COMMERCE, SAID POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF BANKS ROAD, AS SHOWN ON OF SAID PLAT OF CENTRAL PARK OF COMMERCE, AND LYING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, A RADIAL LINE FROM SAID CURVE BEARS N74°12'11"W; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1397.00 FEET, THROUGH A CENTRAL ANGLE OF 00°26'31" FOR AN ARC DISTANCE OF 10.78 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1503.00 FEET, THROUGH A CENTRAL ANGLE OF 05°57'16" FOR AN ARC DISTANCE OF 154.13 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 2, OF SAID PLAT OF CENTRAL PARK OF COMMERCE; THENCE N89°34'36"E, ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 2, FOR A DISTANCE OF 11.11 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, A RADIAL LINE FROM SAID POINT BEARS N79°42'56"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1513.92 FEET, THROUGH A CENTRAL ANGLE OF 05°57'16" FOR AN ARC DISTANCE OF 157.33 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY

PARCEL I.D.: 484230170193

PARCEL #2 (STORAGE, FLOWAGE AND RETENTION)



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

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|---|--|-------------------------|--|-----------------------------------|
| TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION | | DATE: MAY 26th, 2023 | | SHEET: 2 OF 5 SHEETS |
| SHEET NAME: LEGAL DESCRIPTION TO ACCOMPANY SKETCH | | SCALE: N/A | | |
| PREPARED FOR: LEGACY RESIDENTIAL GROUP | | DRAWN BY: R.RODRIGUEZ | | |
| DRAWN BY: R.RODRIGUEZ | | CHECKED BY: O.A. | | |
| DWC. CHECKED BY: O.A. | | PROJECT No: 01C167-1003 | | |

Q:\FORD COMPANIES\Engineering & Surveying\Survey\Sketch & Legal\01C167 COCONUT CREEK CENTER (MARQUESA)\01C167-1003 COCONUT CREEK CENTER FLOWAGE DRAINAGE EASEMENT PARCEL 2.dwg

A

B

ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1386.08 FEET, THROUGH A CENTRAL ANGLE OF 00°18'38" FOR AN ARC DISTANCE OF 7.51 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "B", OF SAID PLAT OF CENTRAL PARK OF COMMERCE; THENCE S89°34'36"W, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 11.38 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE SITUATE, BEING AND LYING IN BROWARD COUNTY, FLORIDA AND CONTAINING 37,896 SQUARE FEET AND/OR 0.87 ACRES MORE OR LESS.

PARCEL IDENTIFICATION NUMBER: 484230170193

LEGEND/ABBREVIATION

P.B. - PLAT BOOK

PG. - PAGE

P.O.C. - POINT OF COMMENCE

P.O.B. - POINT OF BEGINNING

PARCEL I.D.: 484230170193

PARCEL #2 (STORAGE, FLOWAGE AND RETENTION)



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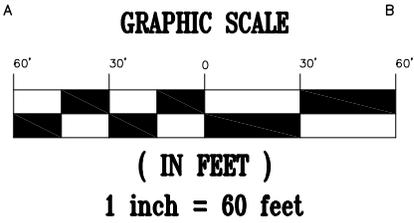
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| TYPE OF PROJECT: | | SKETCH AND LEGAL DESCRIPTION | |
| SHEET NAME: | | LEGAL DESCRIPTION TO ACCOMPANY SKETCH | |
| PREPARED FOR: | | LEGACY RESIDENTIAL GROUP | |
| DRAWN BY: | R.RODRIGUEZ | DATE: | MAY 26th, 2023 |
| DWG. CHECKED BY: | O.A. | SCALE: | N/A |
| CHECKED BY: | O.A. | PROJECT No: | 01C167-1003 |

SHEET:

3

OF 5 SHEETS

Q: \FORD COMPANIES\Engineering & Surveying\Survey\Sketch & Legal\01C167 COCONUT CREEK CENTER (MARQUESA)\01C167-1003 COCONUT CREEK ENTER FLOWAGE DRAINAGE EASEMENT PARCEL 2.dwg



**LOT 1
BLOCK 1
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)**

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

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

SOUTH LINE OF LOT 1, BLOCK 1
(P.B. 119, PG. 27)

WEST RIGHT-OF-WAY LINE OF BANKS ROAD
(P.B. 119, PG. 27)

53.00'

53.00'

$N89^{\circ}34'36''E$ 245.25'

$N79^{\circ}42'56''W$
(RADIAL)

**OWNER:
CITY OF MARGATE
PARCEL I.D.: 484230170240**

**CANAL
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)**

**PARCEL #2
STORAGE, FLOWAGE AND RETENTION
(36,096 S.F. +/-)
(0.83 ACRES +/-)**

**CANAL
CENTRAL PARK OF COMMERCE
(PLAT BOOK 119, PAGE 27)**

$N00^{\circ}25'24''W$ 160.00'

50' Canal and Flowage Easement
(P.B. 119, PG. 27)

$N78^{\circ}48'26''W$
(RADIAL)

BANKS ROAD

$R=1397.00'$
 $\Delta=05^{\circ}02'47''$
 $A=123.04'$

$R=1503.00'$
 $\Delta=5^{\circ}52'32''$
 $A=154.13'$

12' Road Easement
(P.B. 119, PG. 27)

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

BANKS ROAD

$R=1397.00'$
 $\Delta=0^{\circ}26'31''$
 $A=10.78'$

30' Canal and Flowage Easement
(P.B. 119, PG. 27)

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

$S89^{\circ}34'36''W$ 203.64'

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

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

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

WEST RIGHT-OF-WAY LINE OF BANKS ROAD
(P.B. 119, PG. 27)

EAST RIGHT-OF-WAY LINE OF BANKS ROAD
(P.B. 119, PG. 27)

53.00'

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

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

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

PARCEL I.D.: 484230170193

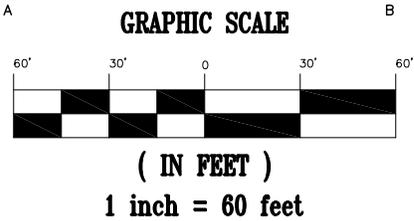
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|------------------|---------------------------------------|-------------------------|--------|
| TYPE OF PROJECT: | SKETCH AND LEGAL DESCRIPTION | | SHEET: |
| SHEET NAME: | SKETCH TO ACCOMPANY LEGAL DESCRIPTION | | |
| PREPARED FOR: | LEGACY RESIDENTIAL GROUP | | 4 |
| DRAWN BY: | R.RODRIGUEZ | DATE: MAY 26th, 2023 | |
| DWG. CHECKED BY: | O.A. | SCALE: AS SHOWN | |
| CHECKED BY: | O.A. | PROJECT No: 01C167-1003 | |

Q:\FORD COMPANIES\Engineering & Surveying\Survey\Sketch & Legal\01C167 COCONUT CREEK CENTER (MARQUESA)\01C167-1003 COCONUT CREEK ENTER FLOWAGE DRAINAGE EASEMENT PARCEL 2.dwg



**LOT 1
BLOCK 2
CENTRAL PARK OF COMMERCE**
(PLAT BOOK 119, PAGE 27)

SOUTHWEST
CORNER OF
LOT 1, BLOCK 2
(P.B. 119, PG. 27)

SOUTH LINE OF
LOT 1, BLOCK 2
(P.B. 119, PG. 27)

OWNER:
CITY OF MARGATE
PARCEL I.D.: 484230170240

**CANAL
CENTRAL PARK OF COMMERCE**
(PLAT BOOK 119, PAGE 27)

**PARCEL #2
STORAGE, FLOWAGE AND
RETENTION**
(1,800 S.F. +/-)
(0.04 ACRES +/-)

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

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

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

OWNER:
**REFLECTIONS OF
PRESERVATION LP**
PARCEL I.D.: 484230170200

(SEE SHEET 4 OF 5)

PARCEL I.D.: 484230170193

PARCEL #2 (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: | 01C167-1003 |
| | | | SHEET: 5 |

Q:\FORD COMPANIES\Engineering & Surveying\Survey\Sketch & Legal\01C167 COCONUT CREEK CENTER (MARQUESA)\01C167-1003 COCONUT CREEK ENTER FLOWAGE DRAINAGE EASEMENT PARCEL 2.dwg

Exhibit "B"

Grantee's Property

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:

Commencing at the Northwest corner of said Parcel "A"; thence North $89^{\circ}34'36''$ East, along the North line of said Parcel "A", a distance of 604.01 feet to the point of beginning, thence continue North $89^{\circ}34'36''$ East, along said North Line, a distance of 548.98 feet (548.90' per plat) to the Northeast corner of said Parcel "A" and a point on the arc of a circular curve to the left at which a radial line bears South $75^{\circ}22'31''$ East, thence along the East and South lines of said Parcel "A" the following six (6) courses: Southerly along the arc of said curve, having a radius of 1503.00 feet and a central angle of $05^{\circ}25'00''$, a distance of 142.09 feet (central angle of $6^{\circ}50'08''$ and a distance of 179.31 feet per plat) to a point of tangency; thence South $09^{\circ}12'29''$ West, a distance of 240.11 feet (South $09^{\circ}20'17''$ West, a distance of 202.91 feet per plat), thence South $00^{\circ}22'24''$ East, a distance of 300.00 feet, thence South $44^{\circ}11'54''$ West, a distance of 49.13 feet, thence South $88^{\circ}46'12''$ West, a distance of 300.00 feet, thence South $87^{\circ}20'17''$ West, a distance of 144.45 feet, thence North $00^{\circ}22'24''$ West, a distance of 720.32 feet to the point of beginning.

Said lands situate in the City of Margate, Broward County, Florida.