



## Broward County Commission Regular Meeting

62.

Meeting Date: 05/07/2019  
 Director's Name: Andrew J. Meyers  
 Department: County Attorney

## Information

## Requested Action

MOTION TO ADOPT Resolution No. 2019-264 the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, APPROVING A MODIFICATION OF THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE AND REMOVE THE RESTRICTIONS IMPOSED BY SUCH DECLARATION ON A PORTION OF WEST LAKE REGIONAL PARK; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

*(Per the Tuesday Morning Memorandum, Attachment 4 of the Resolution was distributed as Additional Material.)*

**ACTION: (T-1:06 PM) Approved with Yellow-Sheeted Additional Material, 50(2), dated April 16, 2019, submitted at the request of the County Attorney's Office. See Yellow-Sheeted Additional Material, 50, dated April 16, 2019, as well as Purple-Sheeted Additional Material, 62 (1, 2, 3, 4 and 5) dated May 7, 2019, (Refer to minutes for full discussion.)**

**VOTE: 8-1. Commissioner Furr voted no.**

## Why Action is Necessary

Board approval is necessary for the adoption of a Resolution.

## What Action Accomplishes

Enables adoption of the above Resolution.

## Is this Action Goal Related

## Previous Action Taken

## Summary Explanation/Background

On April 9, 2019, the Board of County Commissioners (the "Board") held a workshop to discuss a feasibility study regarding the potential placement of a radio communication tower and related communication equipment for the new Project 25 Public Safety Radio System ("P25 System") on the roof of the Circ Hotel and Residences (the "Circ"). The feasibility study concluded that locating the tower on top of the Circ would cost substantially more, take longer, and, most importantly, reduce the efficacy (coverage) of the new P25 System.

The County has identified two viable sites for placement of the required equipment. The first, on the site of the City of Hollywood wastewater treatment plant, is owned by the City of Hollywood and the City of Hollywood has objected to such placement. The second is a parcel within West Lake Regional Park ("Park").

The use of the Park is currently restricted by that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"). The Declaration requires modification to permit the County to use a portion of the Park, as more particularly described in the attached Resolution ("Premises"), for the P25 System.

At a regular Commission meeting held on April 16, 2019, the Board approved Resolution No. 2019-243, which directed the County Administrator to publish notice of a public hearing to consider a Resolution approving the modification of the Declaration to release and remove the restrictions imposed by the Declaration on the Premises, thereby permitting the Premises to be used for the P25 System, and further directed the Parks and Recreation Division to post signage at the Premises as required by the Declaration.

As required by the Declaration and Resolution No. 2019-243, the County Administrator published timely notice of the public hearing on May 7, 2019 ("May 7th hearing"), and the Parks and Recreation Division posted timely and visible signage providing information regarding the May 7th hearing and the attached proposed modification of the Declaration ("Modification").

This item would approve and authorize the execution of the Modification in order to release and remove the restrictions imposed by the Declaration on the Premises, thereby permitting the Premises to be used for the P25 System (subject to compliance with all applicable legal requirements).

Please note that Attachment 4 of the Resolution is being finalized by County staff and will be distributed under separate cover as additional material.

Source of Additional Information

Irma Qureshi, Assistant County Attorney, (954) 357-7600

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Fiscal Impact

Fiscal Impact/Cost Summary:  
None.

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Attachments

[Exhibit 1 - Copy of Resolution Approving a Modification of the Declaration of Restrictive Covenants for West Lake Regional Park](#)

[Exhibit 2 - Modification of the Declaration of Restrictive Covenants to Release a Portion of the Real Property Covered Thereby from the Stated Restrictive Covenants](#)

[Additional Material from Item No. 50 on 4/16/19 Agenda](#)

[Additional Material from Item No. 50 on 4/16/19 Agenda](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

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**PROPOSED**

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RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, APPROVING A MODIFICATION OF THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE AND REMOVE THE RESTRICTIONS IMPOSED BY SUCH DECLARATION ON A PORTION OF WEST LAKE REGIONAL PARK; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County (“County”) owns certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020, and 5142-11-00-0080, and known as West Lake Regional Park (“County Property”);

WHEREAS, the use of the County Property is restricted by that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida (“Declaration”);

WHEREAS, in order to protect the health, safety, and welfare of County residents and visitors, and after careful consideration of other sites proffered as being potentially viable, the County seeks to use (i) a portion of the County Property, as more particularly described in the sketch and legal description attached to and made a part of this Resolution as Attachment 1 (“Parcel”), in order to place a radio communication tower and related communication equipment for the Project 25 Public Safety Radio System (the “P25 System”); and (ii) a certain road on the County Property, more particularly described in Attachment 2, that provides vehicular access to the Parcel and is reasonably necessary to permit the County to have the right of ingress, egress, and access to and from the Parcel for the P25 System (“Access Road”);

1           WHEREAS, the Declaration requires modification to release and remove the  
2 restrictions imposed by the Declaration on the Parcel and the Access Road  
3 (collectively, the “Premises”), thereby permitting the Premises to be used for the  
4 P25 System;

5           WHEREAS, the Declaration provides that “[n]o modification or termination of this  
6 Declaration of Restrictive Covenants shall be permitted unless specifically approved by a  
7 four-fifths vote of the entire Board of County Commissioners of Broward County, Florida  
8 at a noticed public hearing. Notice of the proposed modification or termination shall be  
9 given at least ten (10) days prior to the action by the Commission by publication in a  
10 newspaper of general circulation in Broward County. In addition, at least ten (10) days  
11 prior to the public hearing, the Parks and Recreation Division, or its successor division or  
12 agency, shall post a sign visible from the street upon the property. The sign shall be in  
13 accordance with applicable municipal regulations relating to signs and shall provide  
14 pertinent information regarding the proposed modification or termination”;

15           WHEREAS, at a Commission meeting held on April 16, 2019, the Board of County  
16 Commissioners of Broward County, Florida (“Board”), approved Resolution  
17 No. 2019-243, which directed (i) the County Administrator to publish notice of the public  
18 hearing to be held on May 7, 2019 (“May 7<sup>th</sup> hearing”), where the Board would consider  
19 a resolution approving the proposed modification of the Declaration to release and  
20 remove the restrictions imposed by the Declaration on the Premises in order to permit the  
21 County to use the Premises for the P25 System, which modification is more particularly  
22 described in the release attached to and made a part of this Resolution as Attachment 3  
23 (“Proposed Modification”), and (ii) the Parks and Recreation Division to post signage in  
24 accordance with the Declaration;



1           WHEREAS, in accordance with the Declaration and Resolution No. 2019-243, the  
2 County Administrator published timely notice of the May 7<sup>th</sup> hearing, as shown in the proof  
3 attached to and made a part of this Resolution as Attachment 4, and the Parks and  
4 Recreation Division posted timely and visible signage providing information regarding the  
5 May 7<sup>th</sup> hearing and the Proposed Modification, as shown in the picture attached to and  
6 made a part of this Resolution as Attachment 5; and

7           WHEREAS, the Board has determined, by a four-fifths vote of the entire Board,  
8 that the approval of the Proposed Modification serves a public purpose and is in the best  
9 interest of the County, NOW, THEREFORE,

10  
11           BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
12 BROWARD COUNTY, FLORIDA:

13  
14           Section 1.    The recitals set forth in the preamble to this Resolution are true,  
15 accurate, and incorporated by reference herein as though set forth in full hereunder.

16  
17           Section 2.   The Board hereby approves and authorizes the Mayor or the  
18 Vice-Mayor to execute the Proposed Modification, attached hereto as Attachment 3, and  
19 the County Administrator to attest to the execution.

20  
21           Section 3.   Severability.

22           If any portion of this Resolution is determined by any court to be invalid, the invalid  
23 portion will be stricken, and such striking will not affect the validity of the remainder of this  
24 Resolution. If any court determines that this Resolution, in whole or in part, cannot be

1 legally applied to any individual, group, entity, property, or circumstance, such  
2 determination will not affect the applicability of this Resolution to any other individual,  
3 group, entity, property, or circumstance.

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Section 4. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2019.

Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

By /s/ Irma Qureshi 04/25/19  
Irma Qureshi (date)  
Assistant County Attorney

**PROPOSED**

By /s/ Maite Azcoitia 04/25/19  
Maite Azcoitia (date)  
Deputy County Attorney

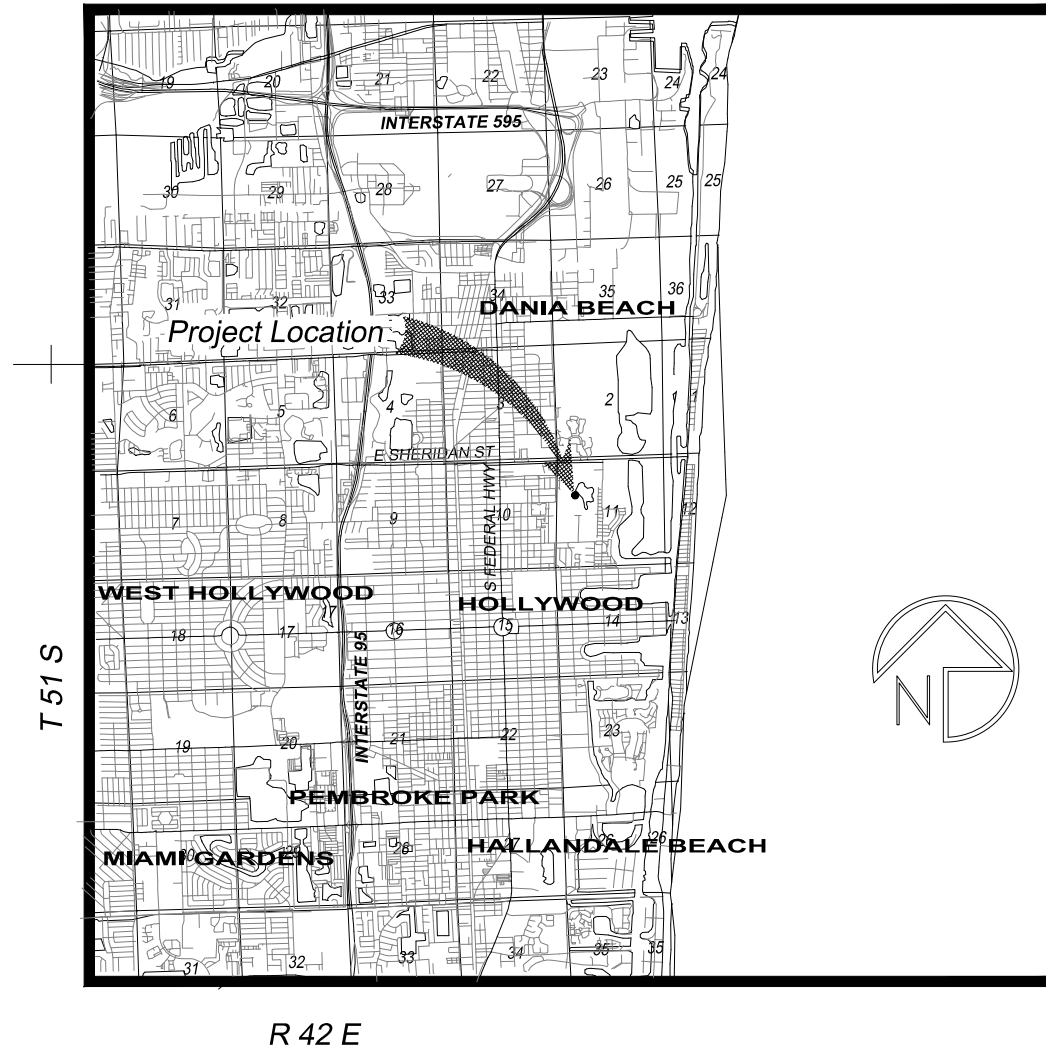
IQ/mdw  
Approving Modification of DRC for W. Lake Park Reso.doc  
04/25/19  
#429663

**ATTACHMENT 1**

**Legal Description and Sketch of Parcel**

Map of ALTA / NSPS Land Title Survey  
of  
West Lake Park - Tower Site  
Section 11, Township 51 South, Range 42 East  
Broward County, Florida

LOCATION MAP  
NOT TO SCALE



SURVEYOR'S NOTES

1. This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
2. The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
3. Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
4. Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
5. The field data acquisition phase of this survey was completed on July 19, 2017, as documented in AmecFW (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
6. This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
7. According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H; Effective date: August 18, 2014, the property described hereon is located in Zone AE (EL5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
8. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4' -	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:  
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,  
Wood Environment & Infrastructure Solutions, Inc.

**CHARLES B. GARDINER**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS 5046

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

**Wood Environment & Infrastructure Solutions, Inc.**  
550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576  
Certificate of Authorization Number LB-0007932

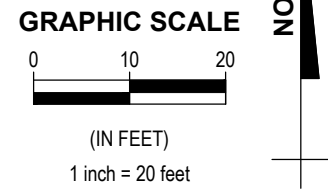
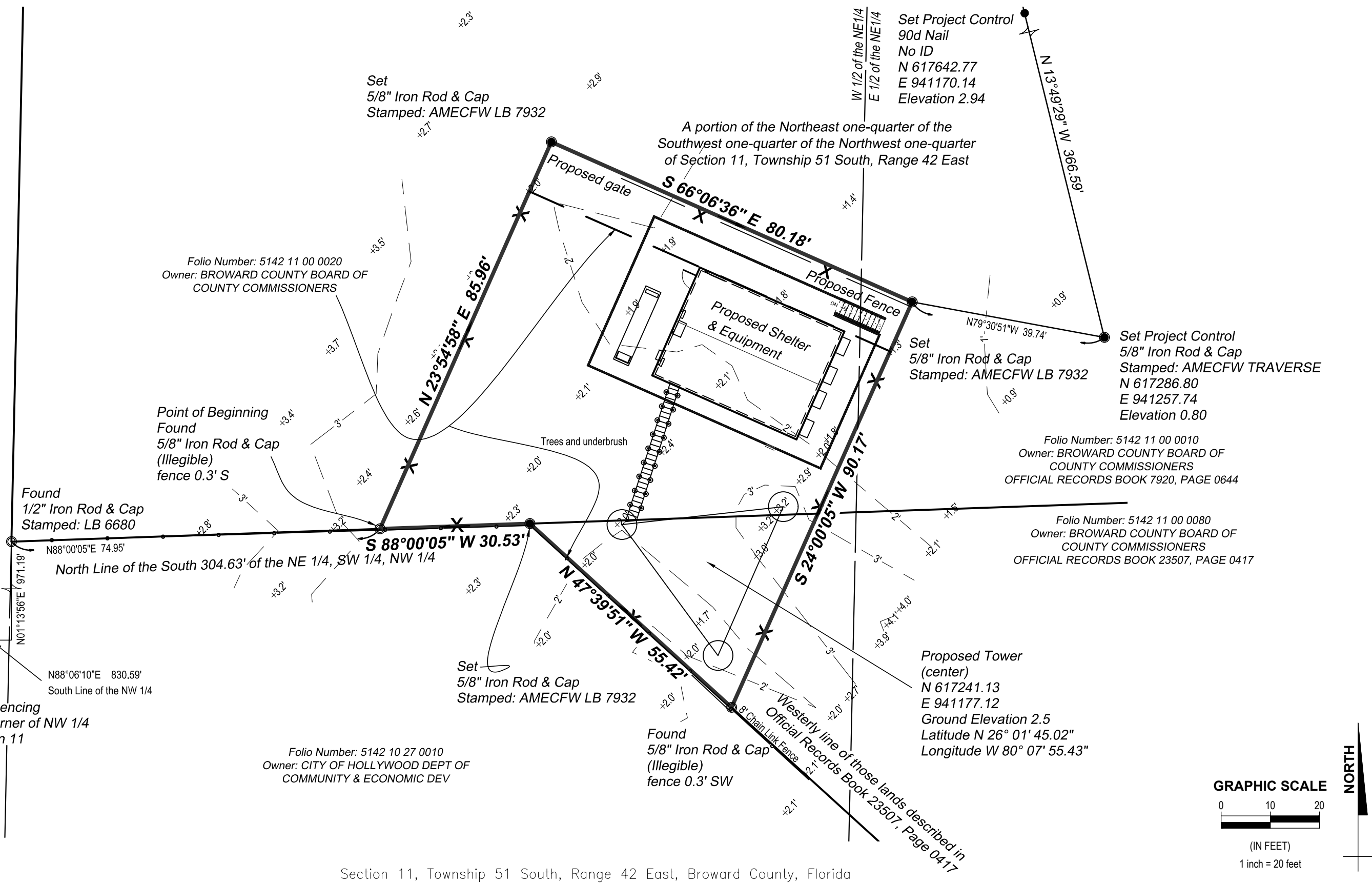
CLIENT:  
**MOTOROLA SOLUTIONS**  
8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240
DRAWN BY: M. RAMOS
CHECKED BY: C.B. GARDINER
APPROVED BY:
DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

P:\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST\_LAKE\_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
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**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

**wood.**

Certificate of Authorization Number LB-0007932

CLIENT:

**MOTOROLA SOLUTIONS**

8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
CHECKED BY: C.B. GARDINER  
APPROVED BY: DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 3 of 3

**ATTACHMENT 2**

**Legal Description and Sketch of Access Road**

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**

**Description:**

That part of the Northwest one-quarter of Section 11, Township 51 South, Range 42 East, Broward County, Florida; being more particularly described as follows:

A 60 foot wide Ingress/Egress Easement lying 30 feet each side of the following described centerline:

Commencing at the Southwest corner of Northwest one-quarter (NW 1/4) of said Section 11; thence N88°06'10" E along the south line of the Northwest one-quarter (NW 1/4) of said Section 11, a distance of 830.59 feet; thence N01°13'56"E, a distance of 971.19 feet to the North line of the South 304.63 feet of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 11; thence N88°00'05"E along said line, for a distance of 74.95 feet; thence N23°54'58"E, a distance of 85.96 feet; thence S66°06'36"E, a distance of 42.35 feet to the POINT OF BEGINNING of the herein described centerline; thence N68°47'20"E, a distance of 44.72 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the northwest; thence easterly along said curve to the left through a central angle of 82°36'48", a distance of 36.05 feet to a point of tangency; thence N13°49'29"W, a distance of 181.95 feet; thence N26°02'01"W, a distance of 70.27 feet to the point of curvature of a curve with a radius of 29.72 feet, concave to the east; thence northwesterly along said curve to the right through a central angle of 54°19'28", a distance of 28.17 feet to a point of tangency; thence N28°17'27"E, a distance of 89.77 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the west; thence northeasterly along said curve to the left through a central angle of 59°50'45", a distance of 26.11 feet to a point of tangency; thence N31°33'18"W, a distance of 86.49 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the east; thence northwesterly along said curve to the right through a central angle of 27°01'45", a distance of 11.79 feet to a point of tangency; thence N04°31'33"W, a distance of 112.82 feet; thence N04°20'57"W, a distance of 64.16 feet to the point of curvature of a curve with a radius of 123.61 feet, concave to the southeast; thence northerly along said curve to the right through a central angle of 97°27'45", a distance of 210.27 feet to a point of tangency; thence S86°53'12"E, a distance of 51.02 feet to the point of curvature of a curve with a radius of 157.58 feet, concave to the north; thence easterly along said curve to the left through a central angle of 34°11'12", a distance of 94.02 feet to a point of tangency; thence N58°55'36"E, a distance of 38.01 feet to the point of curvature of a curve with a radius of 108.05 feet, concave to the south; thence northeasterly along said curve to the right through a central angle of 24°10'52", a distance of 45.60 feet to a point of tangency; thence N83°06'28"E, a distance of 44.83 feet; thence N86°43'45"E, a distance of 60.06 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the northwest; thence easterly along said curve to the left through a central angle of 81°28'37", a distance of 35.55 feet to a point of tangency; thence N05°15'08"E, a distance of 94.71 feet; thence N05°49'12"E, a distance of 119.50 feet to the point of curvature of a curve with a radius of 194.56 feet, concave to the west; thence northerly along said curve to the left through a central angle of 20°40'29", a distance of 70.21 feet to a point of tangency; thence N14°51'17"W, a distance of 49.81 feet to the point of curvature of a curve with a radius of 148.86 feet, concave to the east; thence northerly along said curve to the right through a central angle of 65°48'56", a distance of 171.00 feet to a point of tangency; thence N50°57'38"E, a distance of 27.70 feet to the point of curvature of a curve with a radius of 126.58 feet, concave to the northwest; thence northeasterly along said curve to the left through a central angle of 49°07'08", a distance of 108.51 feet to a point of tangency; thence N01°50'31"E, a distance of 111.53 feet to the south right of way line of Sheridan Street and the Point of Terminus of said centerline.

The side lines of the above described easement are prolonged or shortened as necessary in order to form a 60 foot wide strip bounded on the South by the north line of a communication tower parcel (with a bearing of S 66°06'36" E) and on the North by the south right of way line of Sheridan Street (with a bearing of S 87°51'11" W).

Containing 125,068. square feet or 2.871 acres, more or less.

**THIS IS NOT A SURVEY**

PROJECT TITLE: <b>Sketch of Description</b> <b>West Lake Park</b> Section 11, Township 51 South, Range 42 East, Broward County, Florida			
		DATE	DESCRIPTION
		REVISION	
 <b>Wood Environment &amp; Infrastructure Solutions, Inc.</b> 550 Northlake Boulevard, Suite 1000 Altamonte Springs, FL 32701 USA Phone: (407) 522-7570 www.woodplc.com Certificate of Authorization Number LB-0007932		DRAWN BY: <u>MR</u>	CHKD. BY: <u>CBG</u>
		DATE: <u>04/23/2019</u>	DATE: <u>04/23/2019</u>
		JOB No. 6166170575.240	SCALE: <u>N/A</u>
		SHT. <u>1</u> OF <u>3</u>	
DRAWING NAME: WEST_LAKE_PARK_IE.dwg			

I:\ODD-FS\PROJECTS\6374\2017\16166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D 2016\WEST\_LAKE\_PARK\_IE.DWG



**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**

Line Table		
Line #	Direction	Length
L1	N88°06'10"E	830.59'
L2	N01°13'56"E	971.19'
L3	N88°00'05"E	74.95'
L4	N23°54'58"E	85.96'
L5	S66°06'36"E	42.35'
L6	N68°47'20"E	44.72'
L7	N13°49'29"W	181.95'
L8	N26°02'01"W	70.27'
L9	N28°17'27"E	89.77'
L10	N31°33'18"W	86.49'
L11	N04°31'33"W	112.82'

Line Table		
Line #	Direction	Length
L12	N04°20'57"W	64.16'
L13	S86°53'12"E	51.02'
L14	N58°55'36"E	38.01'
L15	N83°06'28"E	44.83'
L16	N86°43'45"E	60.06'
L17	N05°15'08"E	94.71'
L18	N05°49'12"E	119.50'
L19	N14°51'17"W	49.81'
L20	N50°57'38"E	27.70'
L21	N01°50'31"E	111.53'

Curve Table			
Curve #	Radius	Delta	Length
C1	25.00'	82°36'48"	36.05'
C2	29.72'	54°19'28"	28.17'
C3	25.00'	59°50'45"	26.11'
C4	25.00'	27°01'45"	11.79'
C5	123.61'	97°27'45"	210.27'
C6	157.58'	34°11'12"	94.02'
C7	108.05'	24°10'52"	45.60'
C8	25.00'	81°28'37"	35.55'
C9	194.56'	20°40'29"	70.21'
C10	148.86'	65°48'56"	171.00'
C11	126.58'	49°07'08"	108.51'

**Surveyors Notes**

1. This Sketch of Description is not valid without the signature and original raised seal of the signing Florida licensed Professional Surveyor and Mapper.
2. This Sketch of Description is based upon a Map of ALTA / NSPS Land Title Boundary and Topographic Survey executed by this firm, dated August 2018, Job No. 6166 17 0575.240.
3. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.
4. Bearings shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
5. The legal description shown hereon was prepared by this firm at the direction of the client.
6. This Sketch of Description is certified to and for the exclusive use of MOTOROLA SOLUTIONS and BROWARD COUNTY.

**CHARLES B. GARDINER**

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
 LICENSE NO. LS 5046

**THIS IS NOT A SURVEY**

PROJECT TITLE:

**Sketch of Description**  
**West Lake Park**

**Section 11, Township 51 South, Range 42 East, Broward County, Florida**

**Wood Environment & Infrastructure Solutions, Inc.**

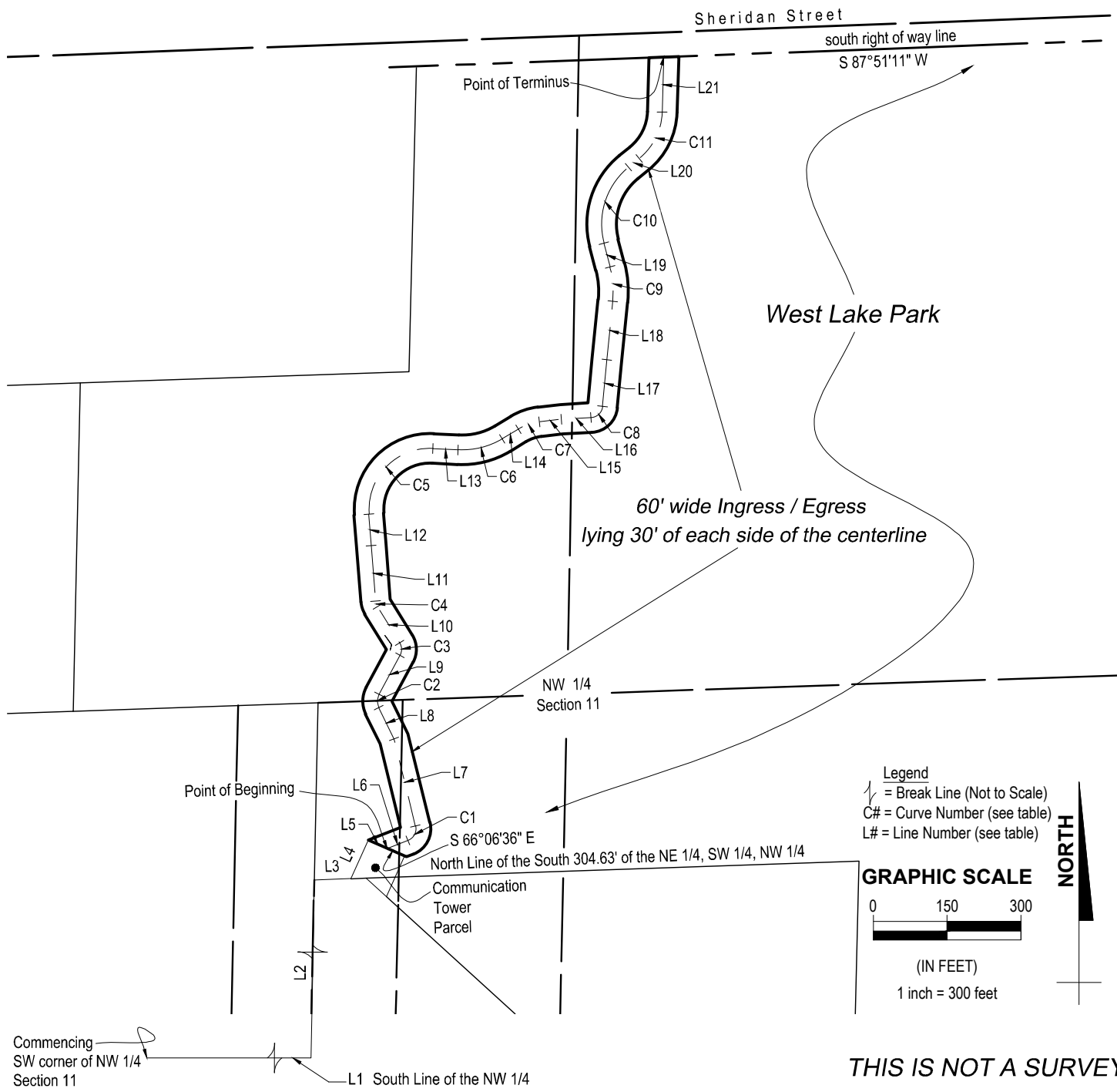


550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701 USA  
 Phone: (407) 522-7570  
 www.woodplc.com  
 Certificate of Authorization Number LB-0007932

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY:	MR	CHKD. BY: CBG
DATE:	04/23/2019	DATE: 04/23/2019
JOB No.	SCALE:	SHT. 2
6166170575.240	N/A	OF 3
DRAWING NAME: WEST_LAKE_PARK_IE.dwg		



**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**



**Legend**  
 ↯ = Break Line (Not to Scale)  
 C# = Curve Number (see table)  
 L# = Line Number (see table)

**GRAPHIC SCALE**  
 0 150 300  
 (IN FEET)  
 1 inch = 300 feet

**NORTH**

**THIS IS NOT A SURVEY**

<b>PROJECT TITLE:</b>		<i>Sketch of Description</i>	
		<i>West Lake Park</i>	
		<i>Section 11, Township 51 South, Range 42 East, Broward County, Florida</i>	
<b>Wood Environment &amp; Infrastructure Solutions, Inc.</b>			
550 Northlake Boulevard, Suite 1000			
Altamonte Springs, FL 32701 USA			
Phone: (407) 522-7570			
www.woodplc.com			
Certificate of Authorization Number LB-0007932			
DATE	BY	DESCRIPTION	
REVISION			
DRAWN BY: MR	CHKD. BY: CBG		
DATE: 04/23/2019	DATE: 04/23/2019		
JOB No. 6166170575.240	SCALE: 1"=300'	SHT. 3	OF 3
DRAWING NAME: WEST_LAKE_PARK_IE.dwg			



I:\ODD-FS\PROJECTS\6374\2017\16166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D 2016\WEST\_LAKE\_PARK\_IE.DWG

## ATTACHMENT 3

Return recorded copy to:  
Broward County Facilities Management Division  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, Florida 33301

This document prepared by  
and approved as to form by:  
Irma Qureshi  
Broward County Attorney's Office  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, Florida 33301

Folio Numbers:  
5142-11-00-0010  
5142-11-00-0020  
5142-11-00-0080

### **MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS**

This MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS ("Release") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by BROWARD COUNTY, a political subdivision of the State of Florida, whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County").

### **RECITALS**

A. The County owns that certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020 and 5142-11-00-0080, and known as West Lake Regional Park ("County Property").

B. On or about December 12, 2006, the Board of County Commissioners of Broward County, Florida (the "Board"), approved that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), which restricted the permitted uses on the County Property.

C. The County desires to use (i) a portion of the County Property, as more particularly described in **Exhibit A** attached to and made a part of this Release ("Parcel"), to construct and operate an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("Project"); and (ii) a certain road on the County Property, as more particularly described in **Exhibit A**, that provides vehicular access to the Parcel and is reasonably necessary to permit the County to access the Parcel for the construction and maintenance of the Project ("Access Road").

D. The Project is not a permitted use under the Declaration affecting the Parcel and the Access Road and, as a result, the Declaration needs to be modified to release and

remove the restrictions imposed by the Declaration on the Parcel and the Access Road.

E. The Declaration provides that “[n]o modification or termination of this Declaration of Restrictive Covenants shall be permitted unless specifically approved by a four-fifths vote of the entire Board of County Commissioners of Broward County, Florida at a noticed public hearing. Notice of the proposed modification or termination shall be given at least ten (10) days prior to the action by the Commission by publication in a newspaper of general circulation in Broward County. In addition, at least ten (10) days prior to the public hearing, the Parks and Recreation Division, or its successor division or agency, shall post a sign visible from the street upon the property. The sign shall be in accordance with applicable municipal regulations relating to signs and shall provide pertinent information regarding the proposed modification or termination.”

F. The Board, at a regular Commission meeting held on April 16, 2019, directed (i) the County Administrator to publish notice of the public hearing on May 7, 2019 (“May 7<sup>th</sup> hearing”), where the Board would consider a resolution approving a modification of the Declaration to release and remove the restrictions imposed by the Declaration on the Parcel and the Access Road; and (ii) the Parks and Recreation Division to post signage in accordance with the Declaration.

G. In accordance with the Declaration, the County Administrator published timely notice of the May 7<sup>th</sup> hearing, and the Parks and Recreation Division posted timely and visible signage providing information regarding the May 7<sup>th</sup> hearing and this Release.

H. At the May 7<sup>th</sup> hearing, this Release was approved by a four-fifths vote of the entire Board.

## RELEASE

1. Recitals. The recitals set forth above are true, accurate, and fully incorporated by reference herein.

2. Partial Release of the Declaration. The County hereby releases and removes all of the restrictions imposed by the Declaration on (i) the Parcel in order to permit the development of the Project on the Parcel; and (ii) the Access Road only for the purpose of permitting the County to have the right of ingress, egress, and access to and from the Parcel for the construction and maintenance of the Project (“County’s Access”), and the right to improve and repair the Access Road for the facilitation of the County’s Access. Upon the recording of this Release in the Official Records of Broward County, Florida, the Declaration shall be of no further force or effect on the Parcel and the Access Road.

3. Limitations. This Release is limited to the Parcel described in **Exhibit A** and the Access Road described in **Exhibit A**, and the components of and in furtherance of the Project specified in this Release. The County is not releasing the Declaration or any other restriction therein for any other development or area in the County Property, except as expressly referenced herein.

4. Severability. In the event any part of this Release is found to be invalid by a court of competent jurisdiction, that part shall be severed from this Release and the balance of this Release shall remain in full force and effect.

IN WITNESS WHEREOF, this Release is executed by BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_ day of \_\_\_\_\_, 2019.

COUNTY

(Official Seal)

ATTEST:

\_\_\_\_\_  
County Administrator and  
ex officio Clerk of the  
Board of County Commissioners  
of Broward County, Florida

BROWARD COUNTY, by and through its  
Board of County Commissioners

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_ day of \_\_\_\_\_, 2019.

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By: \_\_\_\_\_  
Irma Qureshi (Date)  
Assistant County Attorney

By: \_\_\_\_\_  
Maite Azcoitia (Date)  
Deputy County Attorney

**EXHIBIT A**

**LEGAL DESCRIPTION AND SKETCH OF PARCEL AND ACCESS ROAD**

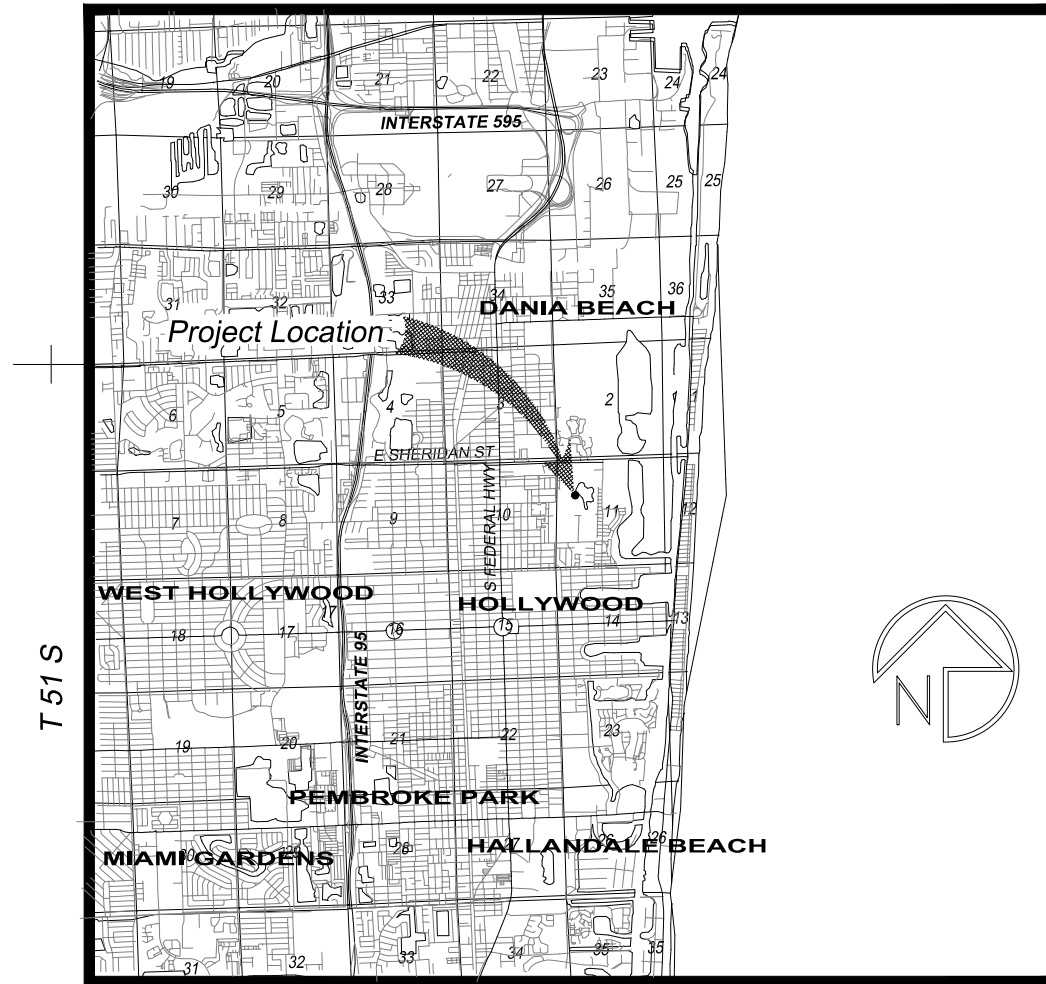
Map of ALTA / NSPS Land Title Survey  
of  
West Lake Park - Tower Site  
Section 11, Township 51 South, Range 42 East  
Broward County, Florida

LOCATION MAP  
NOT TO SCALE

SURVEYOR'S NOTES

1. This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
2. The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
3. Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
4. Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
5. The field data acquisition phase of this survey was completed on July 19, 2017, as documented in AmecFW (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
6. This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
7. According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H; Effective date: August 18, 2014, the property described hereon is located in Zone AE (EL5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
8. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)



Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:  
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,  
Wood Environment & Infrastructure Solutions, Inc.

**CHARLES B. GARDINER**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS 5046

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4' -	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

**Wood Environment & Infrastructure Solutions, Inc.**  
550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576  
Certificate of Authorization Number LB-0007932

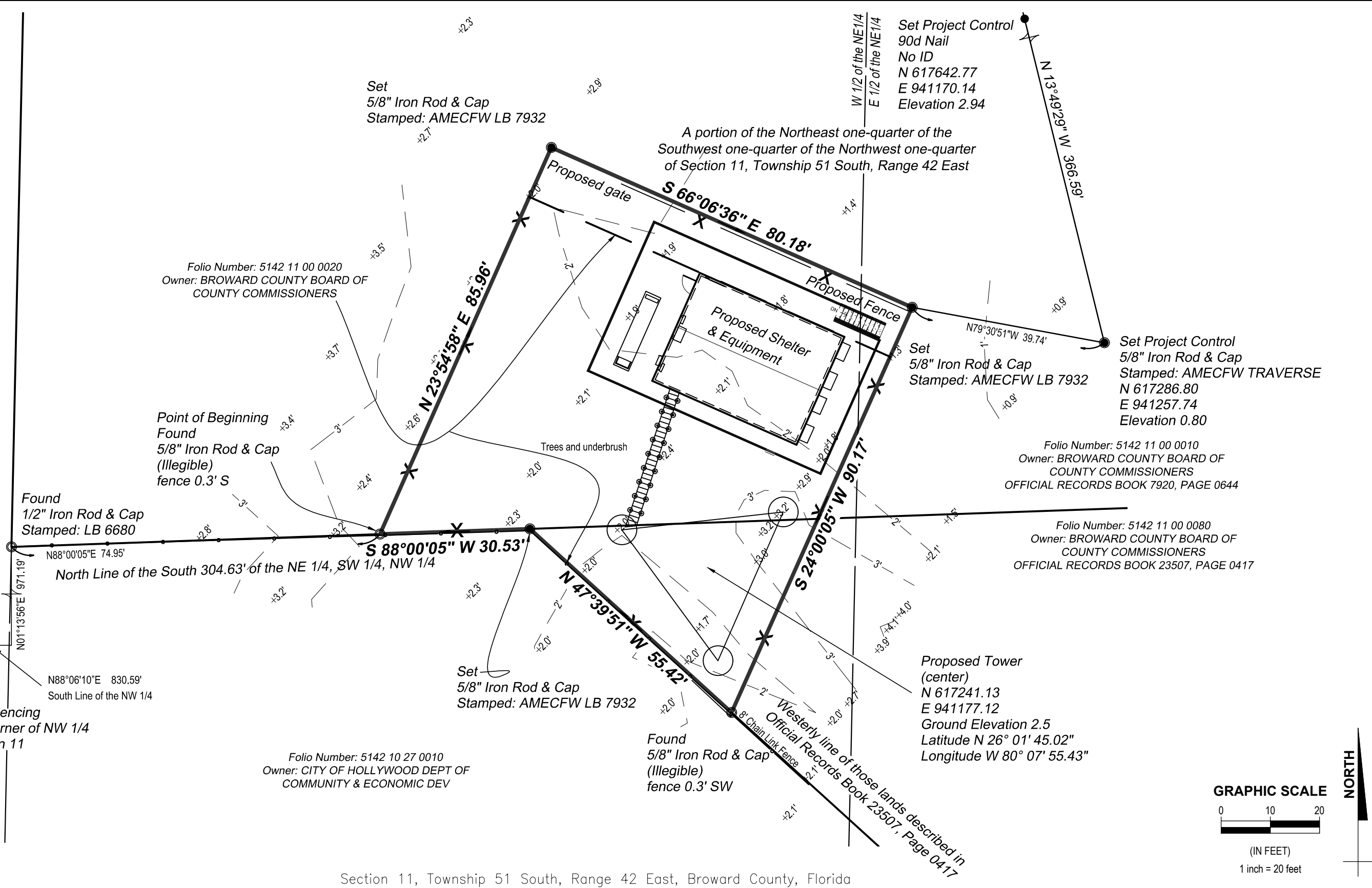
CLIENT:  
**MOTOROLA SOLUTIONS**  
8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

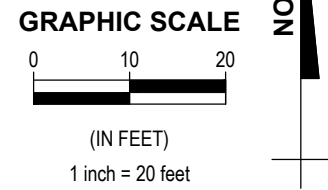
AMEC PROJECT NO: 6166170575.240
DRAWN BY: M. RAMOS
CHECKED BY: C.B. GARDINER
APPROVED BY:
DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

P:\0374\2017\06166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST\_LAKE\_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida



NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

**wood.**  
Certificate of Authorization Number LB-0007932

CLIENT:

**MOTOROLA SOLUTIONS**

8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
CHECKED BY: C.B. GARDINER  
APPROVED BY: DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 3 of 3







**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**

Line Table		
Line #	Direction	Length
L1	N88°06'10"E	830.59'
L2	N01°13'56"E	971.19'
L3	N88°00'05"E	74.95'
L4	N23°54'58"E	85.96'
L5	S66°06'36"E	42.35'
L6	N68°47'20"E	44.72'
L7	N13°49'29"W	181.95'
L8	N26°02'01"W	70.27'
L9	N28°17'27"E	89.77'
L10	N31°33'18"W	86.49'
L11	N04°31'33"W	112.82'

Line Table		
Line #	Direction	Length
L12	N04°20'57"W	64.16'
L13	S86°53'12"E	51.02'
L14	N58°55'36"E	38.01'
L15	N83°06'28"E	44.83'
L16	N86°43'45"E	60.06'
L17	N05°15'08"E	94.71'
L18	N05°49'12"E	119.50'
L19	N14°51'17"W	49.81'
L20	N50°57'38"E	27.70'
L21	N01°50'31"E	111.53'

Curve Table			
Curve #	Radius	Delta	Length
C1	25.00'	82°36'48"	36.05'
C2	29.72'	54°19'28"	28.17'
C3	25.00'	59°50'45"	26.11'
C4	25.00'	27°01'45"	11.79'
C5	123.61'	97°27'45"	210.27'
C6	157.58'	34°11'12"	94.02'
C7	108.05'	24°10'52"	45.60'
C8	25.00'	81°28'37"	35.55'
C9	194.56'	20°40'29"	70.21'
C10	148.86'	65°48'56"	171.00'
C11	126.58'	49°07'08"	108.51'

**Surveyors Notes**

1. This Sketch of Description is not valid without the signature and original raised seal of the signing Florida licensed Professional Surveyor and Mapper.
2. This Sketch of Description is based upon a Map of ALTA / NSPS Land Title Boundary and Topographic Survey executed by this firm, dated August 2018, Job No. 6166 17 0575.240.
3. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.
4. Bearings shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
5. The legal description shown hereon was prepared by this firm at the direction of the client.
6. This Sketch of Description is certified to and for the exclusive use of MOTOROLA SOLUTIONS and BROWARD COUNTY.

**CHARLES B. GARDINER**

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
 LICENSE NO. LS 5046

**THIS IS NOT A SURVEY**

PROJECT TITLE: **Sketch of Description**  
**West Lake Park**  
**Section 11, Township 51 South, Range 42 East, Broward County, Florida**



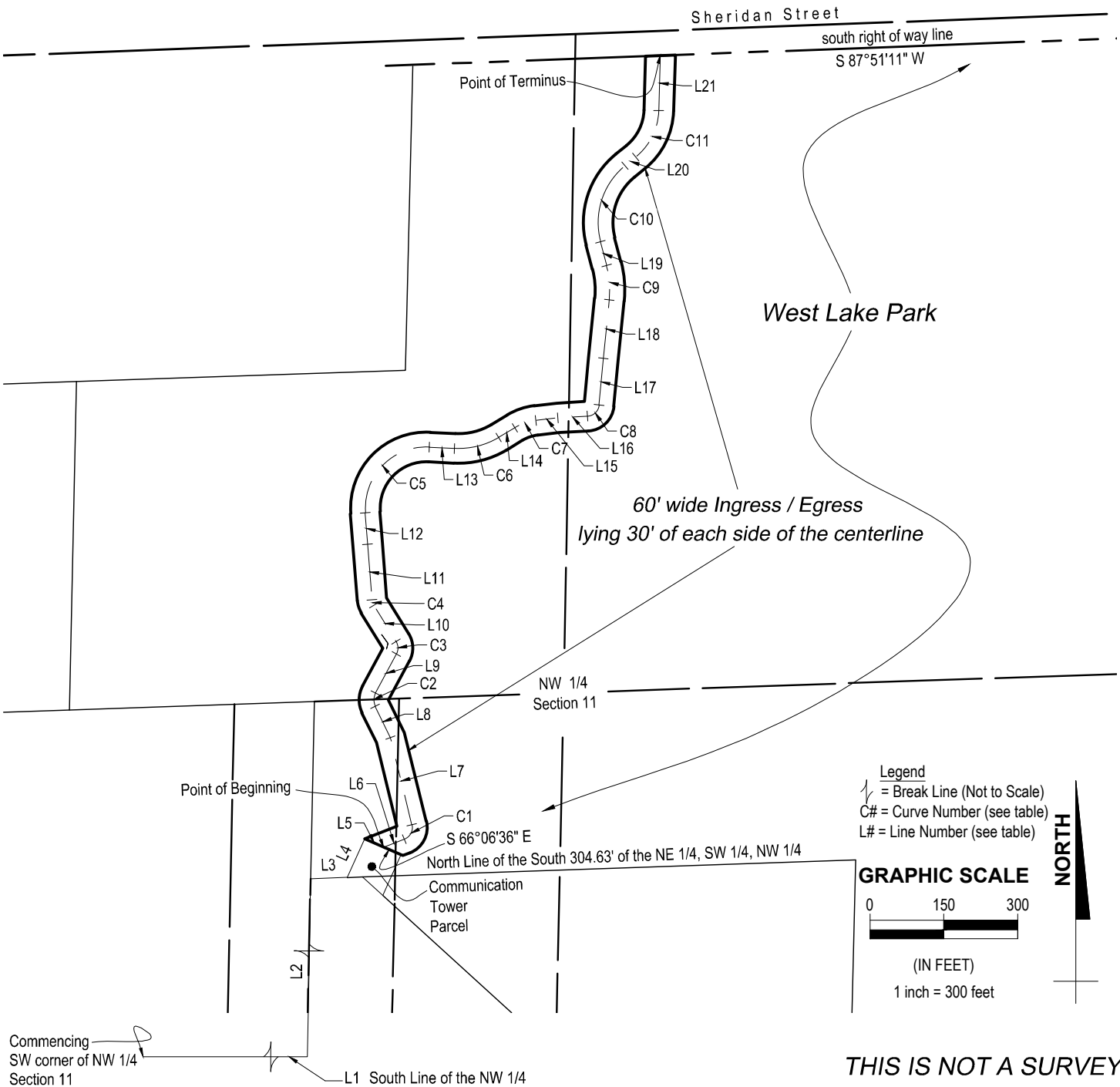
**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701 USA  
 Phone: (407) 522-7570  
 www.woodplc.com

Certificate of Authorization Number LB-0007932

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: <u>MR</u>	CHKD. BY: <u>CBG</u>	
DATE: <u>04/23/2019</u>	DATE: <u>04/23/2019</u>	
JOB No. 6166170575.240	SCALE: <u>N/A</u>	SHT. <u>2</u> OF <u>3</u>
DRAWING NAME: WEST_LAKE_PARK_IE.dwg		

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**



I:\ODD-FS\PROJECTS\6374\2017\16166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D 2016\WEST LAKE\_PARK\_IE.DWG

**PROJECT TITLE:**  
*Sketch of Description*  
*West Lake Park*  
*Section 11, Township 51 South, Range 42 East, Broward County, Florida*

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: <u>MR</u>	CHKD. BY: <u>CBG</u>	
DATE: <u>04/23/2019</u>	DATE: <u>04/23/2019</u>	
JOB No. 6166170575.240	SCALE: 1"=300'	SHT. <u>3</u> OF <u>3</u>
DRAWING NAME: WEST_LAKE_PARK_IE.dwg		



**Wood Environment & Infrastructure Solutions, Inc.**  
 550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701 USA  
 Phone: (407) 522-7570  
 www.woodplc.com  
 Certificate of Authorization Number LB-0007932

**ATTACHMENT 4**

**Proof of Publication**

**TO BE DISTRIBUTED UNDER SEPARATE COVER AS ADDITIONAL MATERIAL  
FOR THE MAY 7, 2019 AGENDA MEETING.**

**ATTACHMENT 5**

**Photos of Posted Sign**



**Notice of Public Hearing and Intent to Consider a Resolution  
Approving a Modification of the Declaration of Restrictive Covenants for  
West Lake Regional Park**

Notice is hereby given by the Board of County Commissioners of Broward County, Florida, that said Board will hold a public hearing at 10:00 A.M. on Tuesday, May 7, 2019, in the Broward County Governmental Center, room 422, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider a Resolution approving a modification of the Declaration of Restrictive Covenants, recorded as Instrument # 107227098 in the Official Records of Broward County, Florida ("Declaration"), to release and remove the restrictions imposed by the Declaration on (i) a portion of West Lake Regional Park located at 1200 Sheridan Street, Hollywood, Florida 33019, which portion consists of approximately 0.148 acres of land ("Parcel"), in order to permit the construction of an approximately three hundred twenty-five foot (325') tall Self-Supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County (P25 System); and (ii) a certain road that provides vehicular access to the Parcel, which release and removal is reasonably necessary to permit the County to have the right to ingress, egress, and access to and from the Parcel for the P25 System ("Access Road"), and the right to improve and repair the Access Road to facilitate the County's access to parcel. The full legal descriptions of the Parcel and the Access Road are Available for inspection at the Broward County Governmental Center, Real Property Section, 115 South Andrews Avenue, Room 501, Fort Lauderdale, Florida 33301. If due to a disability, you require auxiliary aids, accommodations, or alternative formats of materials to participate in a public hearing or meeting, contact Real Property Section at (954) 357-5535, or the Broward County Call Center TDD Line at (954) 370-3745. Please make any accommodation requests at least three days in advance of the public hearing.



**Notice of Public Hearing and Intent to Consider a Resolution  
Approving a Modification of the Declaration of Restrictive Covenants for  
West Lake Regional Park**

Notice is hereby given by the Board of County Commissioners of Broward County, Florida, that said Board will hold a public hearing at 10:00 A.M. on Tuesday, May 7, 2019, in the Broward County Governmental Center, room 422, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider a Resolution approving a modification of the Declaration of Restrictive Covenants, recorded as Instrument # 107227098 in the Official Records of Broward County, Florida ("Declaration"), to release and remove the restrictions imposed by the Declaration on (i) a portion of West Lake Regional Park located at 1200 Sheridan Street, Hollywood, Florida 33019, which portion consists of approximately 0.148 acres of land ("Parcel"), in order to permit the construction of an approximately three hundred twenty-five foot (325') tall Self-Supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County (P25 System); and (ii) a certain road that provides vehicular access to the Parcel, which release and removal is reasonably necessary to permit the County to have the right to ingress, egress, and access to and from the Parcel for the P25 System ("Access Road"), and the right to improve and repair the Access Road to facilitate the County's access to parcel. The full legal descriptions of the Parcel and the Access Road are Available for inspection at the Broward County Governmental Center, Real Property Section, 115 South Andrews Avenue, Room 501, Fort Lauderdale, Florida 33301. If due to a disability, you require auxiliary aids, accommodations, or alternative formats of materials to participate in a public hearing or meeting, contact Real Property Section at (954) 357-5535, or the Broward County Call Center TDD Line at (954) 370-3745. Please make any accommodation requests at least three days in advance of the public hearing.





Return recorded copy to:  
Broward County Facilities Management Division  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, Florida 33301

This document prepared by  
and approved as to form by:  
Irma Qureshi  
Broward County Attorney's Office  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, Florida 33301

Folio Numbers:  
5142-11-00-0010  
5142-11-00-0020  
5142-11-00-0080

**MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS  
TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY  
FROM THE STATED RESTRICTIVE COVENANTS**

This MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS ("Release") is made this \_\_\_\_ day of \_\_\_\_\_, 2019 by BROWARD COUNTY, a political subdivision of the State of Florida, whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County").

**RECITALS**

- A. The County owns that certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020 and 5142-11-00-0080, and known as West Lake Regional Park ("County Property").
- B. On or about December 12, 2006, the Board of County Commissioners of Broward County, Florida (the "Board"), approved that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), which restricted the permitted uses on the County Property.
- C. The County desires to use (i) a portion of the County Property, as more particularly described in **Exhibit A** attached to and made a part of this Release ("Parcel"), to construct and operate an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("Project"); and (ii) a certain road on the County Property, as more particularly described in **Exhibit A**, that provides vehicular access to the Parcel and is reasonably necessary to permit the County to access the Parcel for the construction and maintenance of the Project ("Access Road").
- D. The Project is not a permitted use under the Declaration affecting the Parcel and the Access Road and, as a result, the Declaration needs to be modified to release and



remove the restrictions imposed by the Declaration on the Parcel and the Access Road.

E. The Declaration provides that “[n]o modification or termination of this Declaration of Restrictive Covenants shall be permitted unless specifically approved by a four-fifths vote of the entire Board of County Commissioners of Broward County, Florida at a noticed public hearing. Notice of the proposed modification or termination shall be given at least ten (10) days prior to the action by the Commission by publication in a newspaper of general circulation in Broward County. In addition, at least ten (10) days prior to the public hearing, the Parks and Recreation Division, or its successor division or agency, shall post a sign visible from the street upon the property. The sign shall be in accordance with applicable municipal regulations relating to signs and shall provide pertinent information regarding the proposed modification or termination.”

F. The Board, at a regular Commission meeting held on April 16, 2019, directed (i) the County Administrator to publish notice of the public hearing on May 7, 2019 (“May 7<sup>th</sup> hearing”), where the Board would consider a resolution approving a modification of the Declaration to release and remove the restrictions imposed by the Declaration on the Parcel and the Access Road; and (ii) the Parks and Recreation Division to post signage in accordance with the Declaration.

G. In accordance with the Declaration, the County Administrator published timely notice of the May 7<sup>th</sup> hearing, and the Parks and Recreation Division posted timely and visible signage providing information regarding the May 7<sup>th</sup> hearing and this Release.

H. At the May 7<sup>th</sup> hearing, this Release was approved by a four-fifths vote of the entire Board.

## RELEASE

1. Recitals. The recitals set forth above are true, accurate, and fully incorporated by reference herein.

2. Partial Release of the Declaration. The County hereby releases and removes all of the restrictions imposed by the Declaration on (i) the Parcel in order to permit the development of the Project on the Parcel; and (ii) the Access Road only for the purpose of permitting the County to have the right of ingress, egress, and access to and from the Parcel for the construction and maintenance of the Project (“County’s Access”), and the right to improve and repair the Access Road for the facilitation of the County’s Access. Upon the recording of this Release in the Official Records of Broward County, Florida, the Declaration shall be of no further force or effect on the Parcel and the Access Road.

3. Limitations. This Release is limited to the Parcel described in **Exhibit A** and the Access Road described in **Exhibit A**, and the components of and in furtherance of the Project specified in this Release. The County is not releasing the Declaration or any other restriction therein for any other development or area in the County Property, except as expressly referenced herein.

4. Severability. In the event any part of this Release is found to be invalid by a court of competent jurisdiction, that part shall be severed from this Release and the balance of this Release shall remain in full force and effect.



**EXHIBIT A**

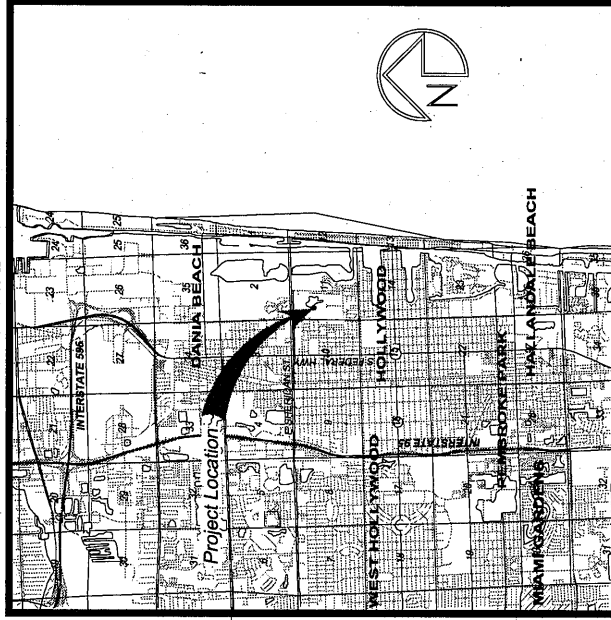
**LEGAL DESCRIPTION AND SKETCH OF PARCEL AND ACCESS ROAD**

**EXHIBIT A**

**LEGAL DESCRIPTION AND SKETCH OF PARCEL AND ACCESS ROAD**

Map of ALTA / NSPS Land Title Survey  
of  
West Lake Park - Tower Site  
Section 11, Township 51 South, Range 42 East  
Broward County, Florida

LOCATION MAP  
NOT TO SCALE



R 42 E

Section 11, Township 51 South, Range 42 East, Broward County, Florida

**SURVEYOR'S NOTES**

- This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
- The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
- Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (8901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
- Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
- The field data acquisition phase of this survey was completed on July 19, 2017, as documented in Anectw (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
- This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
- According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H, Effective date: August 18, 2014, the property described hereon is located in Zone AE (E5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
- Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)

**Legend**

R 42 E	Range XX East
+100.0'	Spot Elevation
T X S	Township XX South
-	Contour Line
○	Ownership and Encumbrance Report Item Number
○	Not to Scale

NO.	DATE	REVISION
1	07/19/2017	As-built field notes and address
2	07/19/2017	Revised field notes and address
3	08/02/2018	Updated to show ALTA / NSPS requirements, added sheets 2 and 3
4	04/15/2019	Added 1066 number
5	04/15/2019	removed "None" statement

**Wood.**  
Certificate of Authorization Number: 15-0007832

**Wood Environment & Infrastructure Solutions, Inc.**  
550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

CLIENT:

**MOTOROLA SOLUTIONS**  
8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 724-5000

**BROWARD COUNTY - WEST LAKE PARK**  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO.:	61867026.240
DRAWN BY:	M. RAMOS
CHECKED BY:	C.B. GARDINER
APPROVED BY:	
DATE:	07/19/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

**CHARLES B. GARDINER**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS 5046

Sheet 1 of 3

**Description**

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

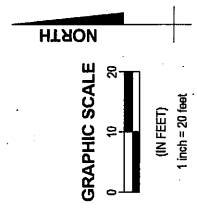
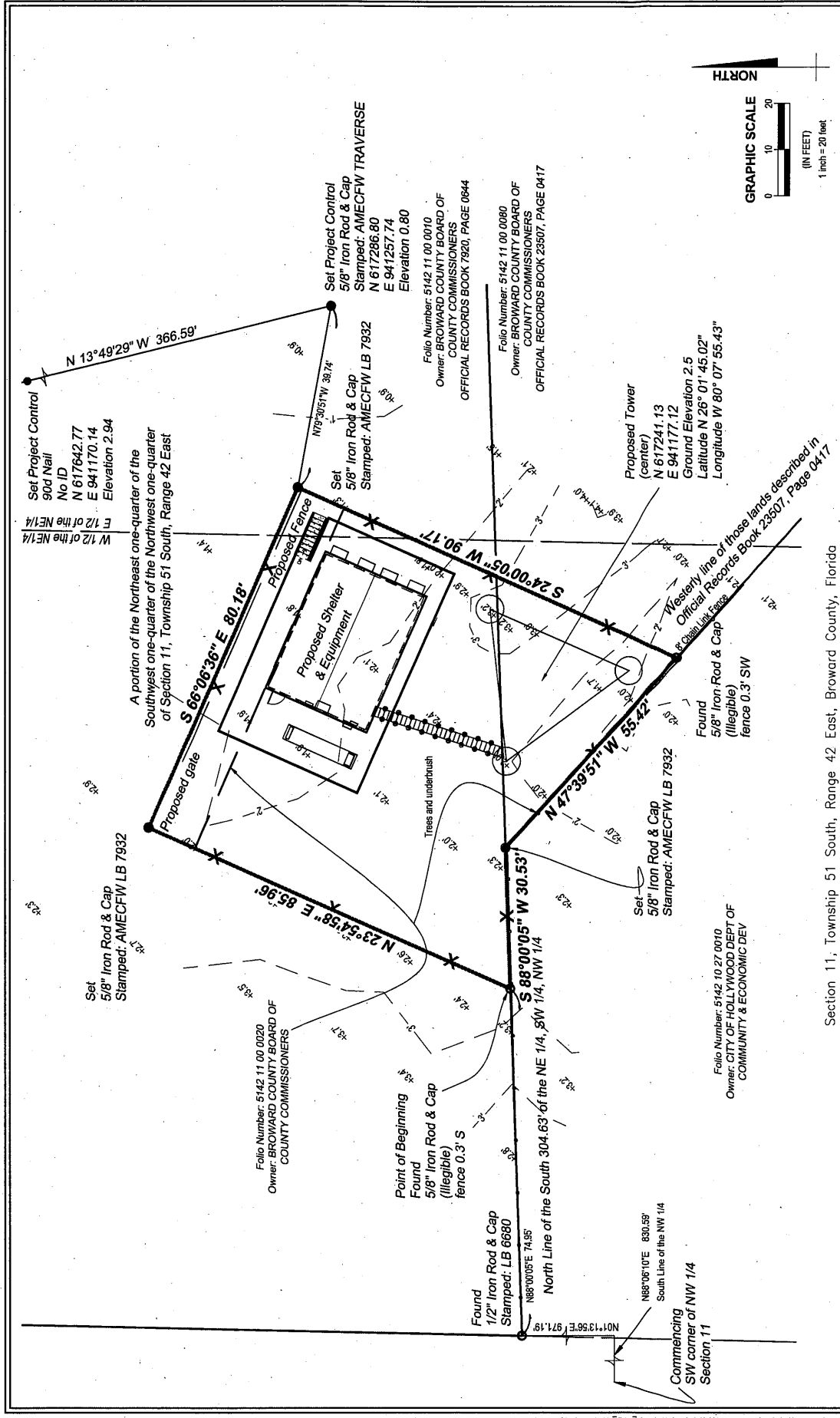
COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°15'55" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTH-EAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.55 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 65.96 FEET; THENCE SOUTH 68°06'38" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23587, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.33 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6.484 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

**Certification:**

To MOTOROLA:  
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 7(e), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,  
Wood Environment & Infrastructure Solutions, Inc.



<b>WOOD.</b> Certificate of Authorization Number LS-0007332		<b>Wood Environment &amp; Infrastructure Solutions, Inc.</b> 550 Northlake Blvd., Suite 1000 Altamonte Springs, FL 32711 USA Phone: (407) 522-7570 Fax: (407) 522-7576		<b>CLIENT:</b> <b>MOTOROLA SOLUTIONS</b> 8000 WEST SUNRISE BLVD. PLANTATION, FLORIDA 33322 PHONE: (954) 723-3000		<b>BROWARD COUNTY - WEST LAKE PARK</b> 1200 SHERIDAN STREET HOLLYWOOD, FL 33019		<b>Map of ALTA / NSPS Land Title</b> <b>and</b> <b>Topographic Survey</b>	
NO. DATE REVISION 1 10/25/2017 Added Note 18, updated site address 2 07/19/2018 Revised proposed fence and fence location 3 04/12/2018 Added ALTA/NSPS requirements, added sheets 2 and 3 4 04/12/2018 Added 5/8" iron rod & cap 5 04/15/2018 removed "beam", addition		AMEC PROJECT NO.: 616817025.240 DRAWN BY: M. RAMOS CHECKED BY: C.B. GARDNER APPROVED BY: DATE: 01/19/2017		SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA		SHEET 3 OF 3			

BROWARD COUNTY, FLORIDA  
 BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
 OFFICIAL RECORDS BOOK 7920, PAGE 0644  
 FOLIO NUMBER: 5142 11 00 0080  
 OWNER: BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
 OFFICIAL RECORDS BOOK 23507, PAGE 0417  
 FOLIO NUMBER: 5142 11 00 0010  
 OWNER: BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
 OFFICIAL RECORDS BOOK 23507, PAGE 0417  
 FOLIO NUMBER: 5142 10 27 0010  
 OWNER: CITY OF HOLLYWOOD, DEPT OF COMMUNITY & ECONOMIC DEV

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**

**Description:**

That part of the Northwest one-quarter of Section 11, Township 51 South, Range 42 East, Broward County, Florida; being more particularly described as follows:

A 60 foot wide Ingress/Egress Easement lying 30 feet each side of the following described centerline:

Commencing at the Southwest corner of Northwest one-quarter (NW 1/4) of said Section 11; thence N88°06'10" E along the south line of the Northwest one-quarter (NW 1/4) of said Section 11, a distance of 830.59 feet; thence N01°13'56"E, a distance of 971.19 feet to the North line of the South 304.63 feet of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 11; thence N88°00'05"E along said line, for a distance of 74.95 feet; thence N23°54'58"E, a distance of 85.96 feet; thence S66°06'36"E, a distance of 42.35 feet to the POINT OF BEGINNING of the herein described centerline; thence N68°47'20"E, a distance of 44.72 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the northwest; thence easterly along said curve to the left through a central angle of 82°36'48", a distance of 36.05 feet to a point of tangency; thence N13°49'29"W, a distance of 181.95 feet; thence N26°02'01"W, a distance of 70.27 feet to the point of curvature of a curve with a radius of 29.72 feet, concave to the east; thence northwesterly along said curve to the right through a central angle of 54°19'28", a distance of 28.17 feet to a point of tangency; thence N28°17'27"E, a distance of 89.77 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the west; thence northeasterly along said curve to the left through a central angle of 59°50'45", a distance of 26.11 feet to a point of tangency; thence N31°33'18"W, a distance of 86.49 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the east; thence northwesterly along said curve to the right through a central angle of 27°01'45", a distance of 11.79 feet to a point of tangency; thence N04°31'33"W, a distance of 112.82 feet; thence N04°20'57"W, a distance of 64.16 feet to the point of curvature of a curve with a radius of 123.61 feet, concave to the southeast; thence northerly along said curve to the right through a central angle of 97°27'45", a distance of 210.27 feet to a point of tangency; thence S86°53'12"E, a distance of 51.02 feet to the point of curvature of a curve with a radius of 157.58 feet, concave to the north; thence easterly along said curve to the left through a central angle of 34°11'12", a distance of 94.02 feet to a point of tangency; thence N58°55'36"E, a distance of 38.01 feet to the point of curvature of a curve with a radius of 108.05 feet, concave to the south; thence northeasterly along said curve to the right through a central angle of 24°10'52", a distance of 45.60 feet to a point of tangency; thence N83°06'28"E, a distance of 44.83 feet; thence N86°43'45"E, a distance of 60.06 feet to the point of curvature of a curve with a radius of 25.00 feet, concave to the northwest; thence easterly along said curve to the left through a central angle of 81°28'37", a distance of 35.55 feet to a point of tangency; thence N05°15'08"E, a distance of 94.71 feet; thence N05°49'12"E, a distance of 119.50 feet to the point of curvature of a curve with a radius of 194.56 feet, concave to the west; thence northerly along said curve to the left through a central angle of 20°40'29", a distance of 70.21 feet to a point of tangency; thence N14°51'17"W, a distance of 49.81 feet to the point of curvature of a curve with a radius of 148.86 feet, concave to the east; thence northerly along said curve to the right through a central angle of 65°48'56", a distance of 171.00 feet to a point of tangency; thence N50°57'38"E, a distance of 27.70 feet to the point of curvature of a curve with a radius of 126.58 feet, concave to the northwest; thence northeasterly along said curve to the left through a central angle of 49°07'08", a distance of 108.51 feet to a point of tangency; thence N01°50'31"E, a distance of 111.53 feet to the south right of way line of Sheridan Street and the Point of Terminus of said centerline.

The side lines of the above described easement are prolonged or shortened as necessary in order to form a 60 foot wide strip bounded on the South by the north line of a communication tower parcel (with a bearing of S 66°06'36" E) and on the North by the south right of way line of Sheridan Street (with a bearing of S 87°51'11" W).

Containing 125,068. square feet or 2.871 acres, more or less.

**THIS IS NOT A SURVEY**

PROJECT TITLE: **Sketch of Description**  
**West Lake Park**  
**Section 11, Township 51 South, Range 42 East, Broward County, Florida**

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY:	MR	CHKD. BY: CBG
DATE:	04/23/2019	DATE: 04/23/2019
JOB No.	SCALE:	SHT. 1
6166170575.240	N/A	OF 3
DRAWING NAME: WEST_LAKE_PARK_JE.dwg		

**Wood Environment & Infrastructure Solutions, Inc.**  
550 Northlake Boulevard, Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
www.woodplc.com  
Certificate of Authorization Number LB-0007932



I:\DOCS\PROJECTS\63742017\6166170575.240 - MOTOROLA BROWARD CO. ASE WEST LAKE PARK\00 CIVIL 3D 2016\WEST\_LAKE\_PARK\_JE.DWG

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**

Line Table		
Line #	Direction	Length
L1	N88°06'10"E	830.59'
L2	N01°13'56"E	971.19'
L3	N88°00'05"E	74.95'
L4	N23°54'58"E	85.96'
L5	S66°06'36"E	42.35'
L6	N68°47'20"E	44.72'
L7	N13°49'29"W	181.95'
L8	N26°02'01"W	70.27'
L9	N28°17'27"E	89.77'
L10	N31°33'18"W	86.49'
L11	N04°31'33"W	112.82'

Line Table		
Line #	Direction	Length
L12	N04°20'57"W	64.16'
L13	S86°53'12"E	51.02'
L14	N58°55'36"E	38.01'
L15	N83°06'28"E	44.83'
L16	N86°43'45"E	60.06'
L17	N05°15'08"E	94.71'
L18	N05°49'12"E	119.50'
L19	N14°51'17"W	49.81'
L20	N50°57'38"E	27.70'
L21	N01°50'31"E	111.53'

Curve Table			
Curve #	Radius	Delta	Length
C1	25.00'	82°36'48"	36.05'
C2	29.72'	54°19'28"	28.17'
C3	25.00'	59°50'45"	26.11'
C4	25.00'	27°01'45"	11.79'
C5	123.61'	97°27'45"	210.27'
C6	157.58'	34°11'12"	94.02'
C7	108.05'	24°10'52"	45.60'
C8	25.00'	81°28'37"	35.55'
C9	194.56'	20°40'29"	70.21'
C10	148.86'	65°48'56"	171.00'
C11	126.58'	49°07'08"	108.51'

**Surveyors Notes**

1. This Sketch of Description is not valid without the signature and original raised seal of the signing Florida licensed Professional Surveyor and Mapper.
2. This Sketch of Description is based upon a Map of ALTA / NSPS Land Title Boundary and Topographic Survey executed by this firm, dated August 2018, Job No. 6166 17 0575.240.
3. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.
4. Bearings shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
5. The legal description shown hereon was prepared by this firm at the direction of the client.
6. This Sketch of Description is certified to and for the exclusive use of MOTOROLA SOLUTIONS and BROWARD COUNTY.

**CHARLES B. GARDINER**  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
 LICENSE NO. LS 5046

**THIS IS NOT A SURVEY**

PROJECT TITLE: **Sketch of Description**  
**West Lake Park**  
 Section 11, Township 51 South, Range 42 East, Broward County, Florida

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY:	MR	CHKD. BY: CBG
DATE:	04/23/2019	DATE: 04/23/2019
JOB No.	SCALE:	SHT. 2
6166170575.240	N/A	OF 3
DRAWING NAME: WEST_LAKE_PARK_IE.dwg		

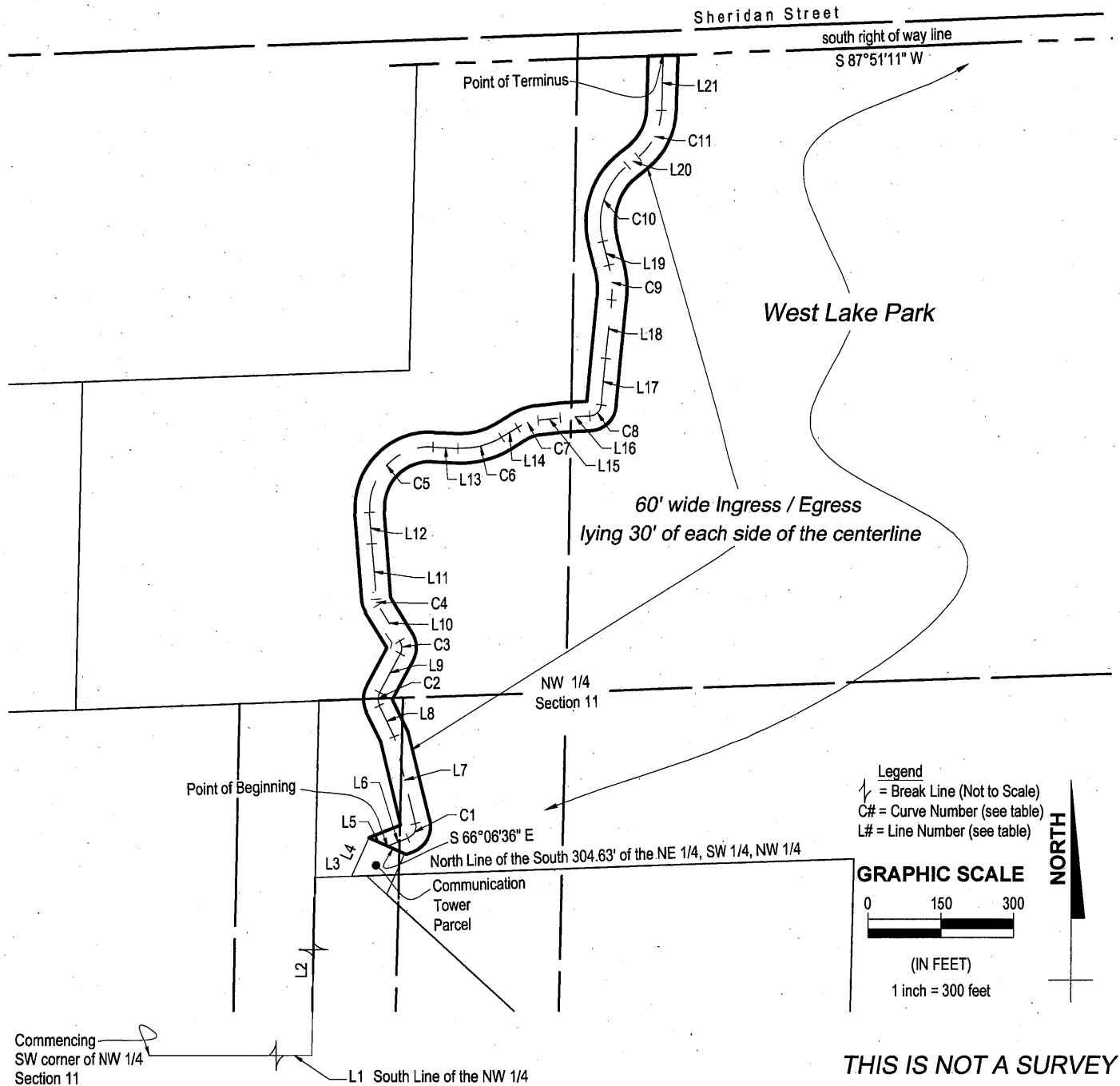
**Wood Environment & Infrastructure Solutions, Inc.**  
 550 Northlake Boulevard, Suite 1000  
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 Phone: (407) 522-7570  
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 Certificate of Authorization Number LB-0007932



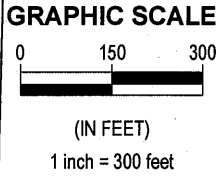
I:\DDC-FS\PROJECTS\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\CIVIL 3D 2018\WEST\_LAKE\_PARK\_IE.DWG



**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL:**  
**ESTATE:**  
**PURPOSE: INGRESS / EGRESS**



**Legend**  
 ↗ = Break Line (Not to Scale)  
 C# = Curve Number (see table)  
 L# = Line Number (see table)



**THIS IS NOT A SURVEY**

W:\00-FS\PROJECTS\6374\2017\66170575.240 - MOTOROLA BROWARD CO. A&E WEST LAKE PARK\00 CIVIL 3D 2016\WEST\_LAKE\_PARK\_IE.DWG

**PROJECT TITLE:**  
**Sketch of Description**  
**West Lake Park**  
**Section 11, Township 51 South, Range 42 East, Broward County, Florida**

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: <u>MR</u>	CHKD. BY: <u>CBG</u>	
DATE: <u>04/23/2019</u>	DATE: <u>04/23/2019</u>	
JOB No. 6166170575.240	SCALE: 1"=300'	SHT. <u>3</u> OF <u>3</u>
DRAWING NAME: WEST_LAKE_PARK_IE.dwg		



**Wood Environment & Infrastructure Solutions, Inc.**  
 550 Northlake Boulevard, Suite 1000  
 Altamonte Springs, FL 32701 USA  
 Phone: (407) 522-7570  
 www.woodplc.com  
 Certificate of Authorization Number LB-0007932

**ITEM #50**

**ADDITIONAL MATERIAL**

**Regular Meeting**

**APRIL 16, 2019**

**SUBMITTED AT THE REQUEST OF**

**COUNTY ADMINISTRATION**



BERTHA W. HENRY, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

April 15, 2019

TO: Bertha Henry, County Administrator

FROM: Tracy Jackson, Director, Regional Emergency Services and Communications 

**Subject: Questions from Commissioner Geller on Radio Tower in West Lake Park**

Please find responses to the questions that were submitted by Commissioner Geller on a potential public safety radio tower in West Lake Park. Additionally, there are 3 attached maps: (1) shows the park as it sits today; (2) with sea level rise projections of 1 ft and (3) with sea level rise projections of 2 ft. When using the map please note the following: Areas that are hydrologically connected to the ocean are shown in shades of blue (darker blue = greater depth). Low lying areas that are hydrologically **unconnected**, (but may flood), are displayed in green.

Question: What is the height of the tower and its effect on sea level rise?

**Response:** *The tower is 300' above ground level. The tower foundation is designed to withstand submersion. Currently, the tower foundation is 1' above ground level, which is standard. The site sits at an elevation of 2' above sea level, and it will be many years before any sea level rise projections reach this elevation. Even so, the tower foundation can be raised higher, and the tower legs can be easily encased in concrete at a later date to limit prolonged exposure to salt water.*

*Temporary exposure of the tower steel to salt water due to flooding or storm surge is standard for towers that sit near the coast line. After any major storm inspection of the tower is required. In the event any corrosion is detected there are many options for mitigating the effects, including treating or replacing rusted areas.*

Question: What is the height of the equipment building and its effect on sea level rise?

**Response:** *The shelter and generator are elevated to 6' above ground level on a chain wall platform, raising the total elevation to 9' above sea level. A chain wall is a form of raised foundation that help evaluate buildings above flood level.*

Question: What is the length of Battery Power?

**Response:** *The battery power is designed to run 8 hours, and the generator fuel tank is sized to run for 72 hours at full load before refueling is required. The power consumption does not typically run at full load, so actual run times can be expected to be longer.*

Question: Can we get to the building if the park floods and how?

**Response:** Yes. Depending on the access constraints this could potentially be done by high-water trucks, boat or airboat depending on the level of flooding. Since these are critical priority sites for public safety communications, the County utilizes various methods and means to get to sites expeditiously.

cc: Alphonso Jefferson, Jr., Assistant County Administrator

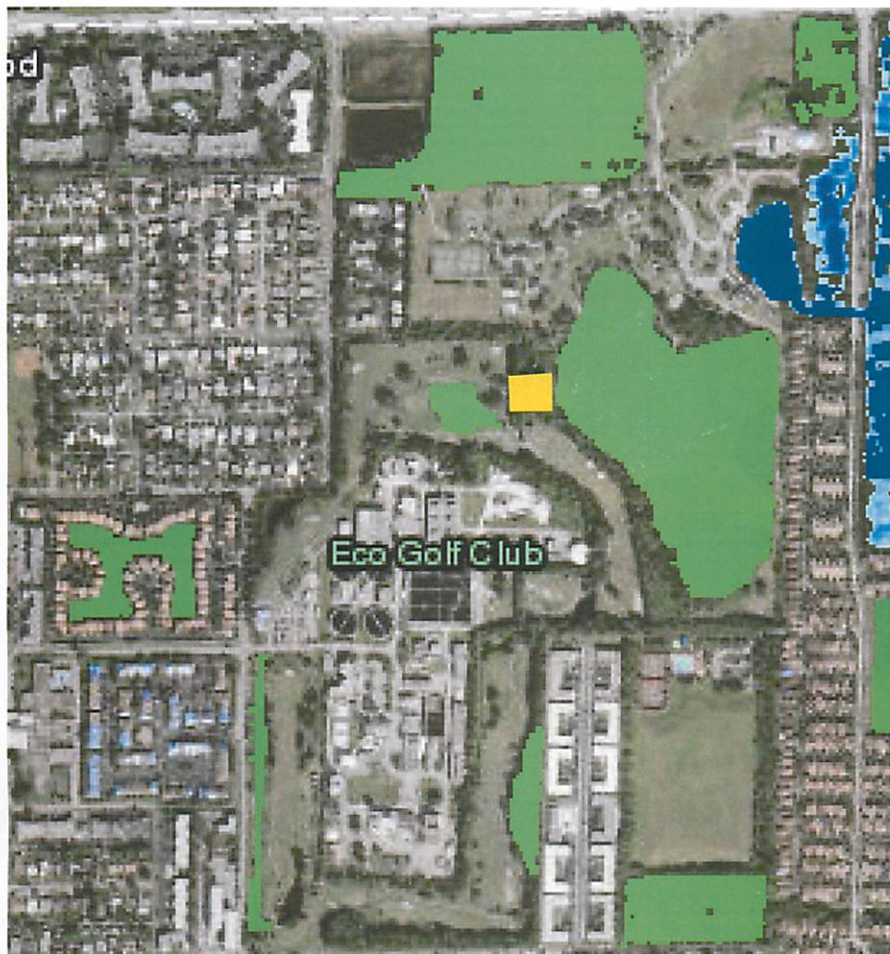


Area for Tower Site in West Lake Park





Sea Level Rise at 1 ft



Source: <https://coast.noaa.gov/slr/#/layer/slr/1/-8919312.620426248/3003206.0640103104/15/satellite/none/0.8/2050/interHigh/midAccretion>

Sea Level Rise at 2 ft



Source: <https://coast.noaa.gov/slr/#/layer/slr/1/-8919312.620426248/3003206.0640103104/15/satellite/none/0.8/2050/interHigh/midAccretion>

**ITEM #50<sub>(2)</sub>**

**ADDITIONAL MATERIAL**

**Regular Meeting**

**APRIL 16, 2019**

**SUBMITTED AT THE REQUEST OF**

**OFFICE OF THE COUNTY ATTORNEY**





954-357-7600 · FAX 954-357-7641

**MEMORANDUM**

**TO:** Board of County Commissioners

**FROM:** Andrew J. Meyers, County Attorney *AJM*

**DATE:** April 15, 2019

**RE:** **Agenda Item No. 50 for the April 16, 2019, County Commission Meeting**

As was noted in the agenda item, we have been working to develop an accurate legal description of the parcel within West Lake Park that is anticipated to house the communications tower (the "Parcel"). We will be distributing as additional material (once finalized) amendments to both exhibits that were attached to the agenda item. The only material changes to the exhibits are to add the legal description and sketch of the Parcel and to identify on the sketch the access road that will be required to permit access to the Parcel (the "Access Road").

Staff within the County's Real Property Section will be arranging an additional survey to enable the development of the legal description of the Access Road. The legal description of the Access Road will be included in the published public notice of the May 7 public hearing during which the Board will consider removal of the applicable restrictive covenant, which removal is required to allow the communications tower to be constructed within West Lake Park.

Please feel free to contact Assistant County Attorney Irma Qureshi (ext. 7115) or me with any questions or concerns regarding this matter.

c: Bertha Henry, County Administrator  
Bob Melton, County Auditor  
Irma Qureshi, Assistant County Attorney

**PROPOSED**

RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, DIRECTING THE COUNTY ADMINISTRATOR TO PUBLISH NOTICE OF PUBLIC HEARING TO BE HELD ON TUESDAY, MAY 7, 2019, AT 10:00 A.M. IN ROOM 422 OF BROWARD COUNTY GOVERNMENTAL CENTER, 115 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA, TO CONSIDER A RESOLUTION APPROVING A MODIFICATION OF THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS FOR WEST LAKE REGIONAL PARK; DIRECTING THE PARKS AND RECREATION DIVISION TO POST SIGNAGE AT WEST LAKE REGIONAL PARK IN ACCORDANCE WITH THE DECLARATION OF RESTRICTIVE COVENANTS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") owns certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020, and 5142-11-00-0080, and known as West Lake Regional Park ("County Property");

WHEREAS, the use of the County Property is restricted by that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration");

WHEREAS, in order to protect the health, safety, and welfare of County residents and visitors, and after careful consideration of other sites proffered as being potentially viable, the County seeks to use (i) a portion of the County Property, as more particularly described in the sketch and legal description attached to and made a part of this Resolution as Attachment 1 ("Parcel"), in order to place a radio communication tower and

1 related communication equipment for the Project 25 Public Safety Radio System (the  
2 “P25 System”); and (ii) a certain road on the County Property, as identified in  
3 Attachment 1, that provides vehicular access to the Parcel and is reasonably necessary  
4 to permit the County to have the right of ingress, egress, and access to and from the  
5 Parcel for the P25 System (“Access Road”);

6  
7 WHEREAS, the Declaration requires modification to release and remove the  
8 restrictions imposed by the Declaration on the Parcel and the Access Road (collectively,  
9 the “Premises”), thereby permitting the Premises to be used for the P25 System;

10  
11 WHEREAS, the Declaration provides that “[n]o modification or termination of this  
12 Declaration of Restrictive Covenants shall be permitted unless specifically approved by a  
13 four-fifths vote of the entire Board of County Commissioners of Broward County, Florida  
14 at a noticed public hearing. Notice of the proposed modification or termination shall be  
15 given at least ten (10) days prior to the action by the Commission by publication in a  
16 newspaper of general circulation in Broward County. In addition, at least ten (10) days  
17 prior to the public hearing, the Parks and Recreation Division, or its successor division or  
18 agency, shall post a sign visible from the street upon the property. The sign shall be in  
19 accordance with applicable municipal regulations relating to signs and shall provide  
20 pertinent information regarding the proposed modification or termination”; and

21  
22 WHEREAS, in accordance with the Declaration, the Board of County  
23 Commissioners of Broward County, Florida (“Board”), desires to hold a public hearing to  
24 consider a resolution approving the proposed modification of the Declaration to release

1 and remove the restrictions imposed by the Declaration on the Premises in order to permit  
2 the County to use the Premises for the P25 System, which modification is more  
3 particularly described in the release attached to this Resolution as Attachment 2  
4 (“Proposed Modification”), NOW, THEREFORE,

5  
6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
7 BROWARD COUNTY, FLORIDA:

8  
9 Section 1. The recitals set forth in the preamble to this Resolution are true,  
10 accurate, and incorporated by reference herein as though set forth in full hereunder.

11  
12 Section 2. The Board hereby authorizes and directs the County Administrator  
13 to publish a notice of intent of the Board to consider a resolution approving the Proposed  
14 Modification (“Notice”) at a public hearing on Tuesday, May 7, 2019, at 10:00 A.M., in  
15 Room 422 of the Broward County Governmental Center, 115 South Andrews Avenue,  
16 Fort Lauderdale, Florida 33301 (“Public Hearing”).

17  
18 Section 3. Such Notice shall be in the form of the attached Attachment 3 and  
19 shall be made at least ten (10) days prior to the Public Hearing in a newspaper of general  
20 circulation in Broward County.

21  
22 Section 4. The Board hereby directs the Parks and Recreation Division to post  
23 signage at the Premises in accordance with the terms and conditions of the Declaration.

1 Section 5. Severability.

2 If any portion of this Resolution is determined by any court to be invalid, the invalid  
3 portion will be stricken, and such striking will not affect the validity of the remainder of this  
4 Resolution. If any court determines that this Resolution, in whole or in part, cannot be  
5 legally applied to any individual, group, entity, property, or circumstance, such  
6 determination will not affect the applicability of this Resolution to any other individual,  
7 group, entity, property, or circumstance.

8  
9 Section 6. Effective Date.

10 This Resolution is effective upon adoption.

11  
12 ADOPTED this \_\_\_ day of \_\_\_\_\_, 2019.

13  
14 Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

15  
16 By /s/ Irma Qureshi 04/15/19  
Irma Qureshi (date)  
Assistant County Attorney

**PROPOSED**

17  
18 By /s/ Maite Azcoitia 04/15/19  
Maite Azcoitia (date)  
Deputy County Attorney

19  
20  
21  
22 IQ/mdw  
23 Authorizing Public Hearing for W. Lake Park Reso.doc  
04/15/19  
24 Imanage file: 427853

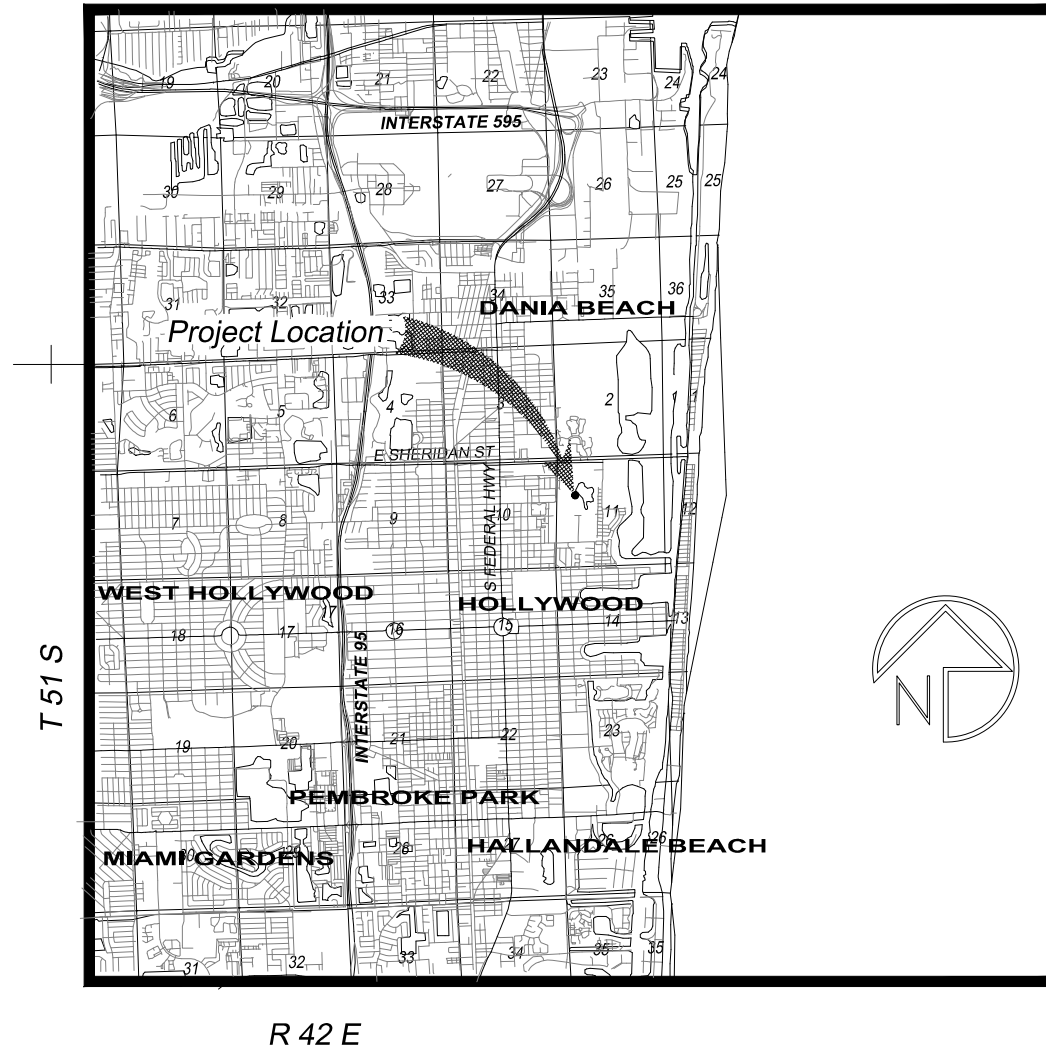
**ATTACHMENT 1**

**LEGAL DESCRIPTION AND SKETCH OF PARCEL  
AND  
IDENTIFICATION OF ACCESS ROAD**



Map of ALTA / NSPS Land Title Survey  
of  
West Lake Park - Tower Site  
Section 11, Township 51 South, Range 42 East  
Broward County, Florida

LOCATION MAP  
NOT TO SCALE



SURVEYOR'S NOTES

1. This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
2. The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
3. Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
4. Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
5. The field data acquisition phase of this survey was completed on July 19, 2017, as documented in AmecFW (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
6. This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
7. According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H; Effective date: August 18, 2014, the property described hereon is located in Zone AE (EL5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
8. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4' -	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:  
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,  
Wood Environment & Infrastructure Solutions, Inc.

**CHARLES B. GARDINER**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS 5046

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

**Wood Environment & Infrastructure Solutions, Inc.**  
550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576  
Certificate of Authorization Number LB-0007932

CLIENT:  
**MOTOROLA SOLUTIONS**  
8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

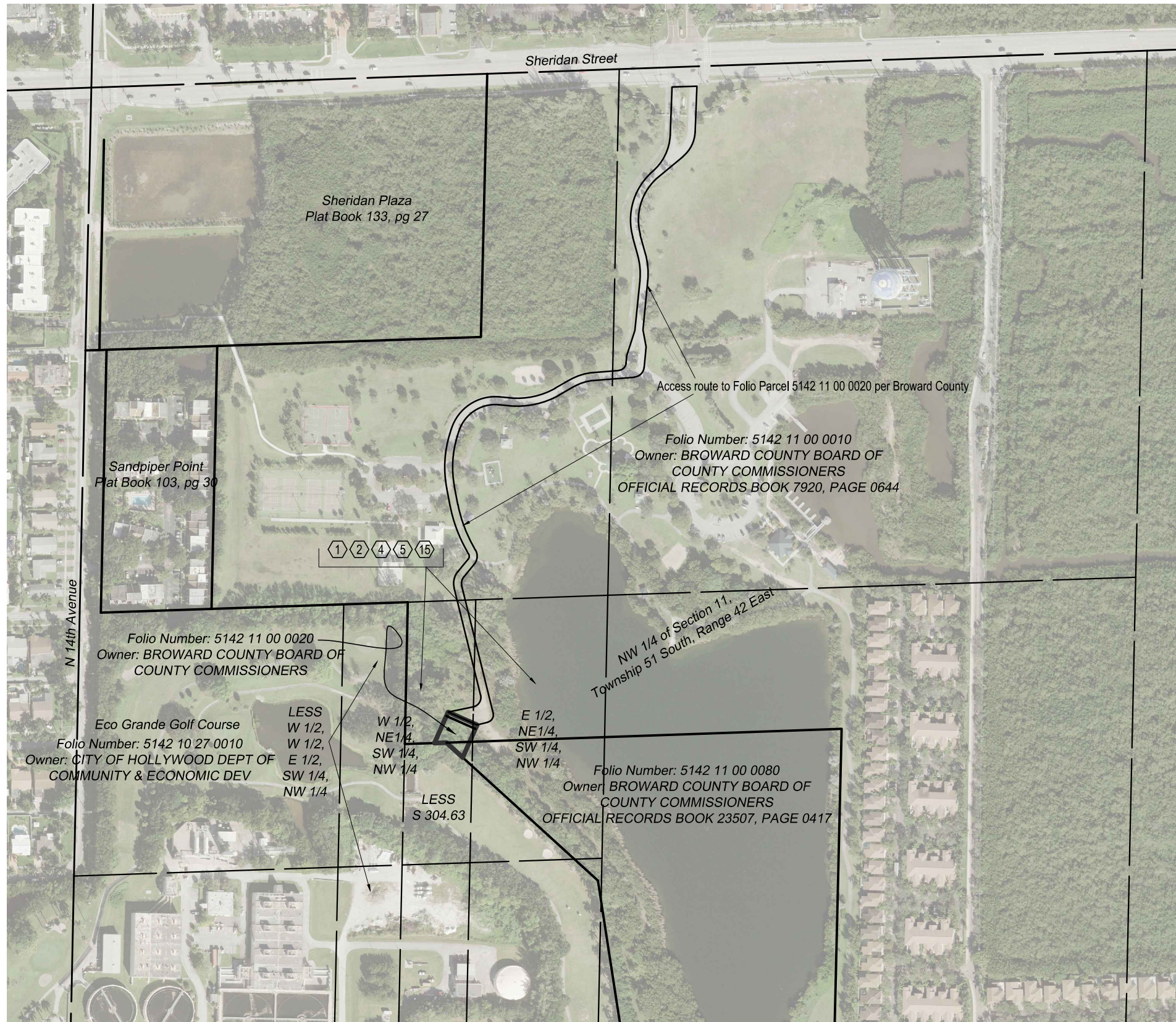
AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
APPROVED BY:

CHECKED BY: C.B. GARDINER  
DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 1 of 3





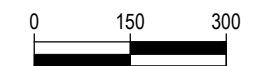
Section 11, Township 51 South, Range 42 East, Broward County, Florida

**SURVEYOR'S NOTES**

continued from page 1

1. Agreement between Broward County and the City of Hollywood recorded January 5, 1979 recorded in Official Records Book 7968, Page 455. --- The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
2. Ordinance recorded in Official Records Book 9992, Page 242 (changing zoning of aprox 70 acres). ---The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
3. Conservation Easement Deed recorded April 12, 1993 in Official Records Book 20545, Page 431. --- The Conservation Easement does not appear to lie within the surveyed parcel.
4. Resolution recorded Official Records Book 21030, Page 348.--- The surveyed parcel lies within a portion of those lands described as "95 ACRE TRACT".
5. Agreement recorded Official Records Book 24149, Page 948.--- The surveyed parcel lies within a portion of those lands described as "WEST LAKE PARK".
6. Bill of Sale recorded in Official Records Book 25118, Page 852.--- Lands described in this document do not appear to lie within the surveyed parcel.
7. Easement recorded in Official Records Book 25118, Page 925 (waterline), as re-recorded in Official Records Book 27265, Page 337.--- Lands described in this document do not appear to lie within the surveyed parcel.
8. Conservation Easement Deed recorded in Official Records Book 25263, Page 720.--- Lands described in this document do not appear to lie within the surveyed parcel.
9. FPL Easement recorded in Official Records Book 25732, Page 936. --- Lands described in this document do not appear to lie within the surveyed parcel.
10. Declaration of Landfill Closure recorded in Official Records Book 27447, Page 455. -- The surveyed parcel does not lie within those lands described in Official Records Book 27447, Page 455.
11. Easement Agreement recorded in Official Records Book 31932, Page 645. --Lands described in Exhibit A and B do not appear to lie within the surveyed parcel.
12. Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 31189, Page 1342, as corrected in Official Records Book 37687, Page 1258. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 37687, Page 1258.
13. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded May 13, 2010 in Official Records Book 47083, Page 1671. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 47083, Page 1671.
14. Conservation Easement recorded in Official Records Book 22795, Page 66, as amended by Amendment to Conservation Easement recorded December 6, 2010 in Official Records Book 47562, Page 812. -- The Conservation Easement does not appear to lie within the surveyed parcel.
15. Restrictions recorded in Official Records Book 44349, Page 665. --- The surveyed parcel appears to lie within a portion of those lands described as "West Lake Regional Park".
16. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded in Official Records Book 47083, Page 1671. (Same as item 13)

**GRAPHIC SCALE**



(IN FEET)

1 inch = 300 feet

**NORTH**



P:\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST\_LAKE\_PARK-ALTA.DWG

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement, added access per Broward County

**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

**wood.**  
Certificate of Authorization Number LB-0007932

**CLIENT:**

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PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

**BROWARD COUNTY - WEST LAKE PARK**  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
APPROVED BY:

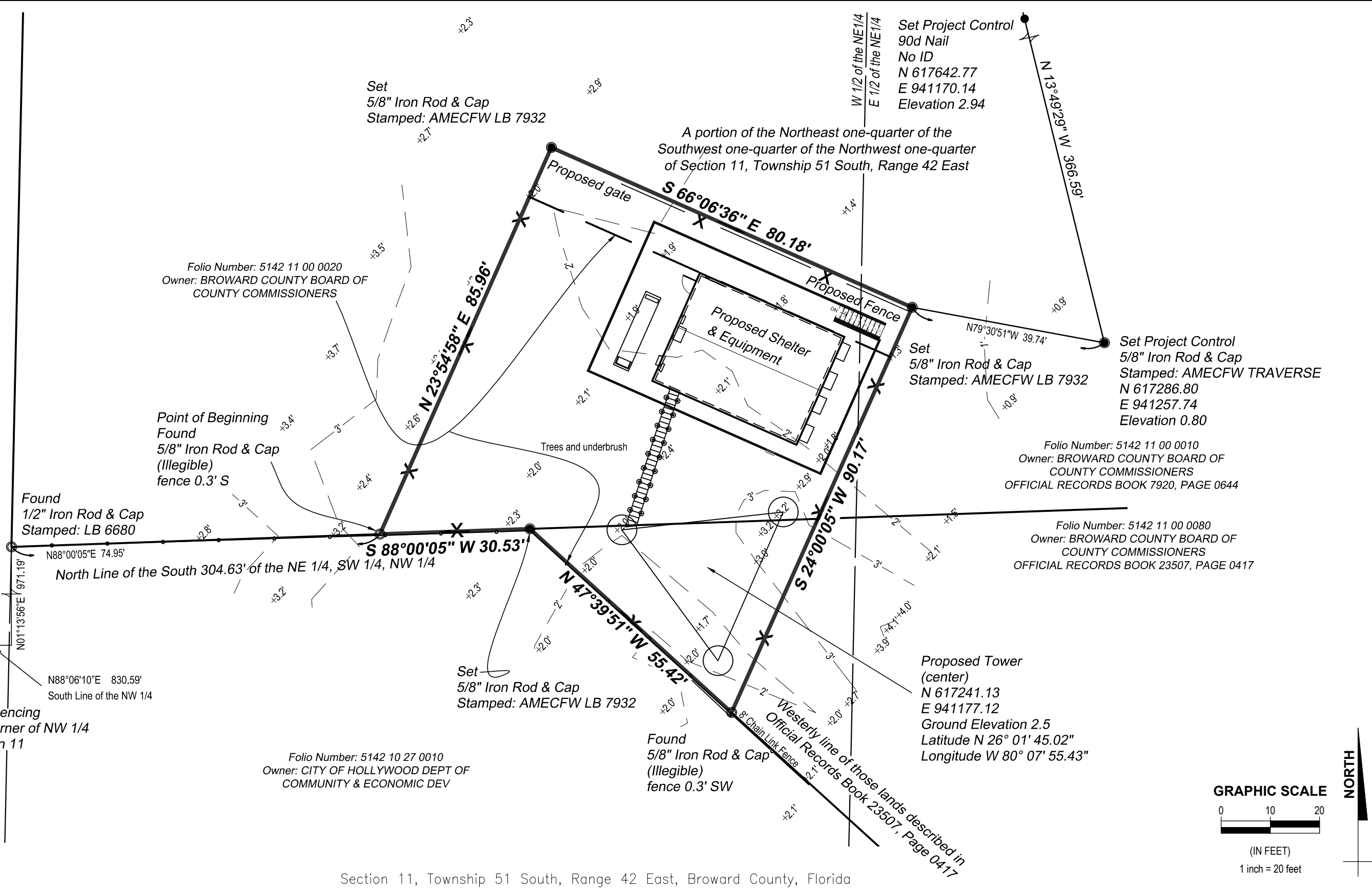
CHECKED BY: C.B. GARDINER  
DATE: 01/18/2017

**Map of ALTA / NSPS Land Title and Topographic Survey**

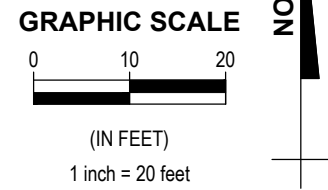
Sheet 2 of 3



P:\0374\2017\06166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST\_LAKE\_PARK-ALTA.DWG



Section 11, Township 51 South, Range 42 East, Broward County, Florida



NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

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**wood.**  
Certificate of Authorization Number LB-0007932

CLIENT:

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BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
CHECKED BY: C.B. GARDINER  
APPROVED BY: DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 3 of 3

## ATTACHMENT 2

Return recorded copy to:  
Broward County Facilities Management Division  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, Florida 33301

This document prepared by  
and approved as to form by:  
Irma Qureshi  
Broward County Attorney's Office  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, Florida 33301

Folio Numbers:  
5142-11-00-0010  
5142-11-00-0020  
5142-11-00-0080

### MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS

This MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS TO RELEASE A PORTION OF THE REAL PROPERTY COVERED THEREBY FROM THE STATED RESTRICTIVE COVENANTS ("Release") is made this \_\_\_\_ day of \_\_\_\_\_, 2019 by BROWARD COUNTY, a political subdivision of the State of Florida, whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County").

#### **RECITALS**

A. The County owns that certain real property located at 1200 Sheridan Street, Hollywood, Florida 33019, identified as folio numbers 5142-11-00-0010, 5142-11-00-0020 and 5142-11-00-0080, and known as West Lake Regional Park ("County Property").

B. On or about December 12, 2006, the Board of County Commissioners of Broward County, Florida (the "Board"), approved that certain Declaration of Restrictive Covenants, recorded July 18, 2007, as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), which restricted the permitted uses on the County Property.

C. The County desires to use (i) a portion of the County Property, as more particularly described in **Exhibit A** attached to and made a part of this Release ("Parcel"), to construct and operate an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("Project"); and (ii) a certain road on the County Property, as identified in **Exhibit A**, that provides vehicular access to the Parcel and is reasonably necessary to permit the County to access the Parcel for the construction and maintenance of the Project ("Access Road").

D. The Project is not a permitted use under the Declaration affecting the Parcel and the Access Road and, as a result, the Declaration needs to be modified to release and

remove the restrictions imposed by the Declaration on the Parcel and the Access Road.

E. The Declaration provides that “[n]o modification or termination of this Declaration of Restrictive Covenants shall be permitted unless specifically approved by a four-fifths vote of the entire Board of County Commissioners of Broward County, Florida at a noticed public hearing. Notice of the proposed modification or termination shall be given at least ten (10) days prior to the action by the Commission by publication in a newspaper of general circulation in Broward County. In addition, at least ten (10) days prior to the public hearing, the Parks and Recreation Division, or its successor division or agency, shall post a sign visible from the street upon the property. The sign shall be in accordance with applicable municipal regulations relating to signs and shall provide pertinent information regarding the proposed modification or termination.”

F. The Board, at a regular Commission meeting held on April 16, 2019, directed (i) the County Administrator to publish notice of the public hearing on May 7, 2019 (“May 7<sup>th</sup> hearing”), where the Board would consider a resolution approving a modification of the Declaration to release and remove the restrictions imposed by the Declaration on the Parcel and the Access Road; and (ii) the Parks and Recreation Division to post signage in accordance with the Declaration.

G. In accordance with the Declaration, the County Administrator published timely notice of the May 7<sup>th</sup> hearing, and the Parks and Recreation Division posted timely and visible signage providing information regarding the May 7<sup>th</sup> hearing and this Release.

H. At the May 7<sup>th</sup> hearing, this Release was approved by a four-fifths vote of the entire Board.

## RELEASE

1. Recitals. The recitals set forth above are true, accurate, and fully incorporated by reference herein.

2. Partial Release of the Declaration. The County hereby releases and removes all of the restrictions imposed by the Declaration on (i) the Parcel in order to permit the development of the Project on the Parcel; and (ii) the Access Road only for the purpose of permitting the County to have the right of ingress, egress, and access to and from the Parcel for the construction and maintenance of the Project (“County’s Access”), and the right to improve and repair the Access Road for the facilitation of the County’s Access. Upon the recording of this Release in the Official Records of Broward County, Florida, the Declaration shall be of no further force or effect on the Parcel and the Access Road.

3. Limitations. This Release is limited to the Parcel described in **Exhibit A** and the Access Road identified in **Exhibit A**, and the components of and in furtherance of the Project specified in this Release. The County is not releasing the Declaration or any other restriction therein for any other development or area in the County Property, except as expressly referenced herein.

4. Severability. In the event any part of this Release is found to be invalid by a court of competent jurisdiction, that part shall be severed from this Release and the balance of this Release shall remain in full force and effect.

IN WITNESS WHEREOF, this Release is executed by BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_ day of \_\_\_\_\_, 2019.

(Official Seal)

ATTEST:

\_\_\_\_\_  
County Administrator and  
ex officio Clerk of the  
Board of County Commissioners  
of Broward County, Florida

COUNTY

BROWARD COUNTY, by and through its  
Board of County Commissioners

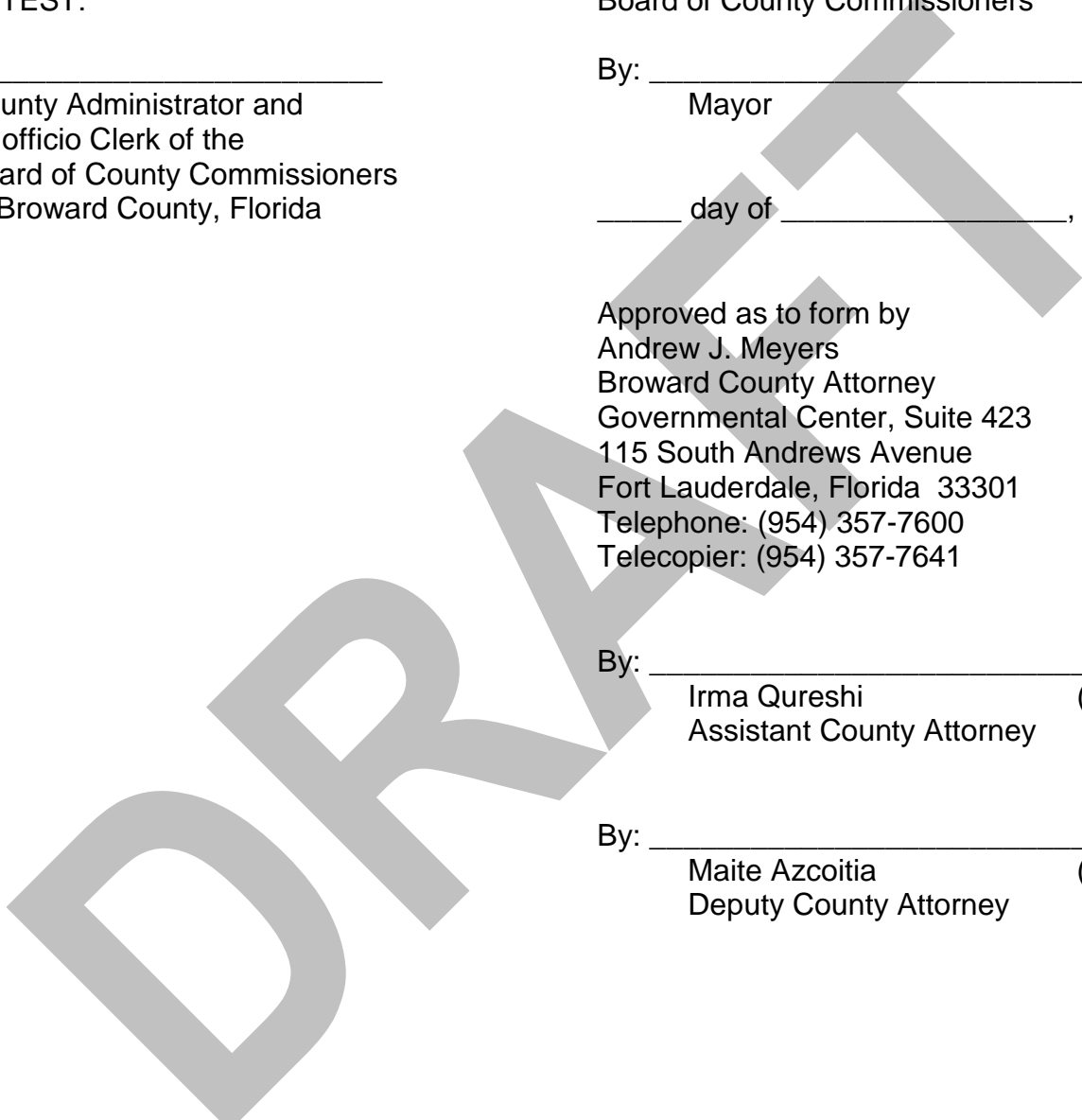
By: \_\_\_\_\_  
Mayor

\_\_\_\_ day of \_\_\_\_\_, 2019.

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By: \_\_\_\_\_  
Irma Qureshi (Date)  
Assistant County Attorney

By: \_\_\_\_\_  
Maite Azcoitia (Date)  
Deputy County Attorney





**EXHIBIT A**

**LEGAL DESCRIPTION AND SKETCH OF PARCEL  
AND  
IDENTIFICATION OF ACCESS ROAD**

**DRAFT**

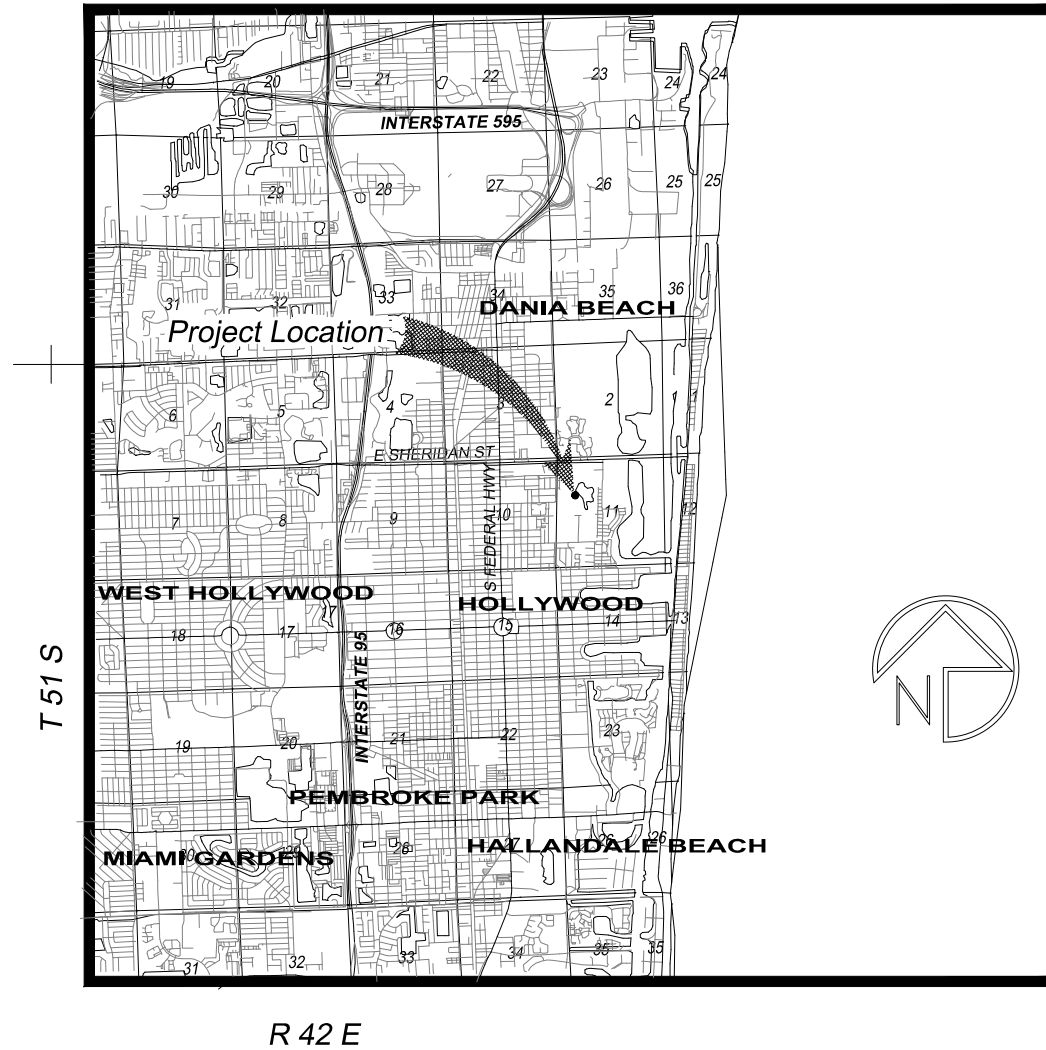
Map of ALTA / NSPS Land Title Survey  
of  
West Lake Park - Tower Site  
Section 11, Township 51 South, Range 42 East  
Broward County, Florida

LOCATION MAP  
NOT TO SCALE

SURVEYOR'S NOTES

1. This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper.
2. The description shown hereon was prepared by this firm at the client's request. This map of survey identifies the boundary of the parcel, features within the survey limits shown hereon, as specified by the client.
3. Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, East Zone (0901), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
4. Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
5. The field data acquisition phase of this survey was completed on July 19, 2017, as documented in AmecFW (now Wood Environment & Infrastructure Solutions, Inc.) field book 1313, Pages 42-46. Updates have been completed as identified below.
6. This survey does not address the identification or location of jurisdictional wetlands or sovereign lands that may or may not lie within or adjacent to the lands surveyed.
7. According to Federal Emergency Management Agency Flood Insurance Rate Map, Broward County Florida, Map Number 12011 C 0569 H; Effective date: August 18, 2014, the property described hereon is located in Zone AE (EL5) Special Flood Hazard area subject to inundation by the 1% annual chance flood (Base Flood Elevations determined).
8. Lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. Non-surveyed lines, references to ownership, parcel identification numbers, and instruments of record shown hereon are based upon information provided by the Broward County Property Appraiser's Office.

(continue on page 2)



Description

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11; THENCE NORTH 88°06'10" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 11, A DISTANCE OF 830.59 FEET; THENCE NORTH 01°13'56" EAST, A DISTANCE OF 971.19 FEET TO THE NORTH LINE OF THE SOUTH 304.63 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE NORTH 88°00'05" EAST ALONG SAID LINE, FOR A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 23°54'58" EAST, A DISTANCE OF 85.96 FEET; THENCE SOUTH 66°06'36" EAST, A DISTANCE OF 80.18 FEET; THENCE SOUTH 24°00'05" WEST, A DISTANCE OF 90.17 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 23507, PAGE 0417; THENCE NORTH 47°39'51" WEST ALONG SAID LINE, FOR A DISTANCE OF 55.42 FEET; THENCE SOUTH 88°00'05" WEST, A DISTANCE OF 30.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA; CONTAINING 6,464 SQUARE FEET OF 0.148 ACRES MORE OR LESS.

Certification:

To MOTOROLA:  
This is to certify that this map and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8 and 13 of Table A thereof. The field work was completed on June 13, 2017.

For the Company,  
Wood Environment & Infrastructure Solutions, Inc.

**CHARLES B. GARDINER**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS 5046

Legend

R XX E	=	Range XX East
+100.0'	=	Spot Elevation
T XX S	=	Township XX South
-4' -	=	Contour Line
①	=	Ownership and Encumbrance Report Item Number
	=	Not to Scale

Section 11, Township 51 South, Range 42 East, Broward County, Florida

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement

**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

**wood.**  
Certificate of Authorization Number LB-0007932

CLIENT:

**MOTOROLA SOLUTIONS**

8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

BROWARD COUNTY - WEST LAKE PARK  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

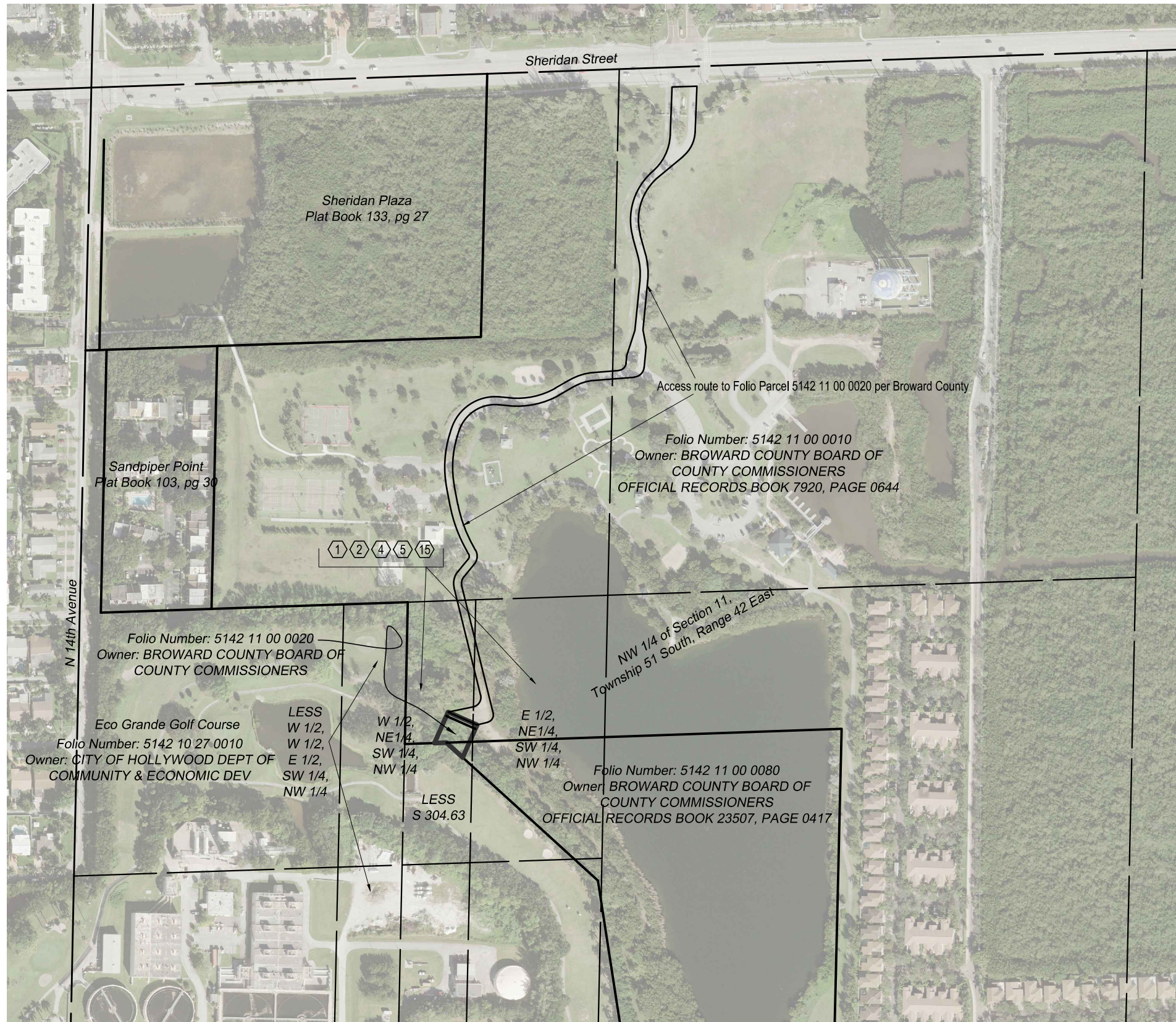
AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
APPROVED BY:

CHECKED BY: C.B. GARDINER  
DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 1 of 3





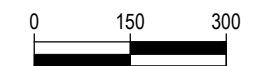
Section 11, Township 51 South, Range 42 East, Broward County, Florida

**SURVEYOR'S NOTES**

continued from page 1

1. Agreement between Broward County and the City of Hollywood recorded January 5, 1979 recorded in Official Records Book 7968, Page 455. --- The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
2. Ordinance recorded in Official Records Book 9992, Page 242 (changing zoning of aprox 70 acres). ---The surveyed parcel lies within a portion of those lands described as "APPROXIMATELY 70 ACRES".
3. Conservation Easement Deed recorded April 12, 1993 in Official Records Book 20545, Page 431. --- The Conservation Easement does not appear to lie within the surveyed parcel.
4. Resolution recorded Official Records Book 21030, Page 348.--- The surveyed parcel lies within a portion of those lands described as "95 ACRE TRACT".
5. Agreement recorded Official Records Book 24149, Page 948.--- The surveyed parcel lies within a portion of those lands described as "WEST LAKE PARK".
6. Bill of Sale recorded in Official Records Book 25118, Page 852.--- Lands described in this document do not appear to lie within the surveyed parcel.
7. Easement recorded in Official Records Book 25118, Page 925 (waterline), as re-recorded in Official Records Book 27265, Page 337.--- Lands described in this document do not appear to lie within the surveyed parcel.
8. Conservation Easement Deed recorded in Official Records Book 25263, Page 720.--- Lands described in this document do not appear to lie within the surveyed parcel.
9. FPL Easement recorded in Official Records Book 25732, Page 936. --- Lands described in this document do not appear to lie within the surveyed parcel.
10. Declaration of Landfill Closure recorded in Official Records Book 27447, Page 455. -- The surveyed parcel does not lie within those lands described in Official Records Book 27447, Page 455.
11. Easement Agreement recorded in Official Records Book 31932, Page 645. --Lands described in Exhibit A and B do not appear to lie within the surveyed parcel.
12. Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 31189, Page 1342, as corrected in Official Records Book 37687, Page 1258. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 37687, Page 1258.
13. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded May 13, 2010 in Official Records Book 47083, Page 1671. -- The surveyed parcel does not appear to lie within those lands described in Official Records Book 47083, Page 1671.
14. Conservation Easement recorded in Official Records Book 22795, Page 66, as amended by Amendment to Conservation Easement recorded December 6, 2010 in Official Records Book 47562, Page 812. -- The Conservation Easement does not appear to lie within the surveyed parcel.
15. Restrictions recorded in Official Records Book 44349, Page 665. --- The surveyed parcel appears to lie within a portion of those lands described as "West Lake Regional Park".
16. Courtesy Notice of Super Priority Status of City of Dania Beach Code Enforcement Liens recorded in Official Records Book 47083, Page 1671. (Same as item 13)

**GRAPHIC SCALE**



(IN FEET)

1 inch = 300 feet

**NORTH**



P:\6374\2017\6166170575.240 - MOTOROLA BROWARD CO. A&E\WEST LAKE PARK\00 CIVIL 3D\2016\11\WEST\_LAKE\_PARK-ALTA.DWG

NO.	DATE	REVISION
1	10/25/2017	Added Note # 8, updated site address
2	07/19/2018	Revised proposed shelter and fence location
3	08/02/2018	Updated to meet ALTA / NSPS requirements, added sheets 2 and 3
4	04/12/2019	Added folio number
5	04/15/2019	removed "lease" statement, added access per Broward County

**Wood Environment & Infrastructure Solutions, Inc.**

550 Northlake Blvd., Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
Fax: (407) 522-7576

**wood.**  
Certificate of Authorization Number LB-0007932

**CLIENT:**

**MOTOROLA SOLUTIONS**

8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

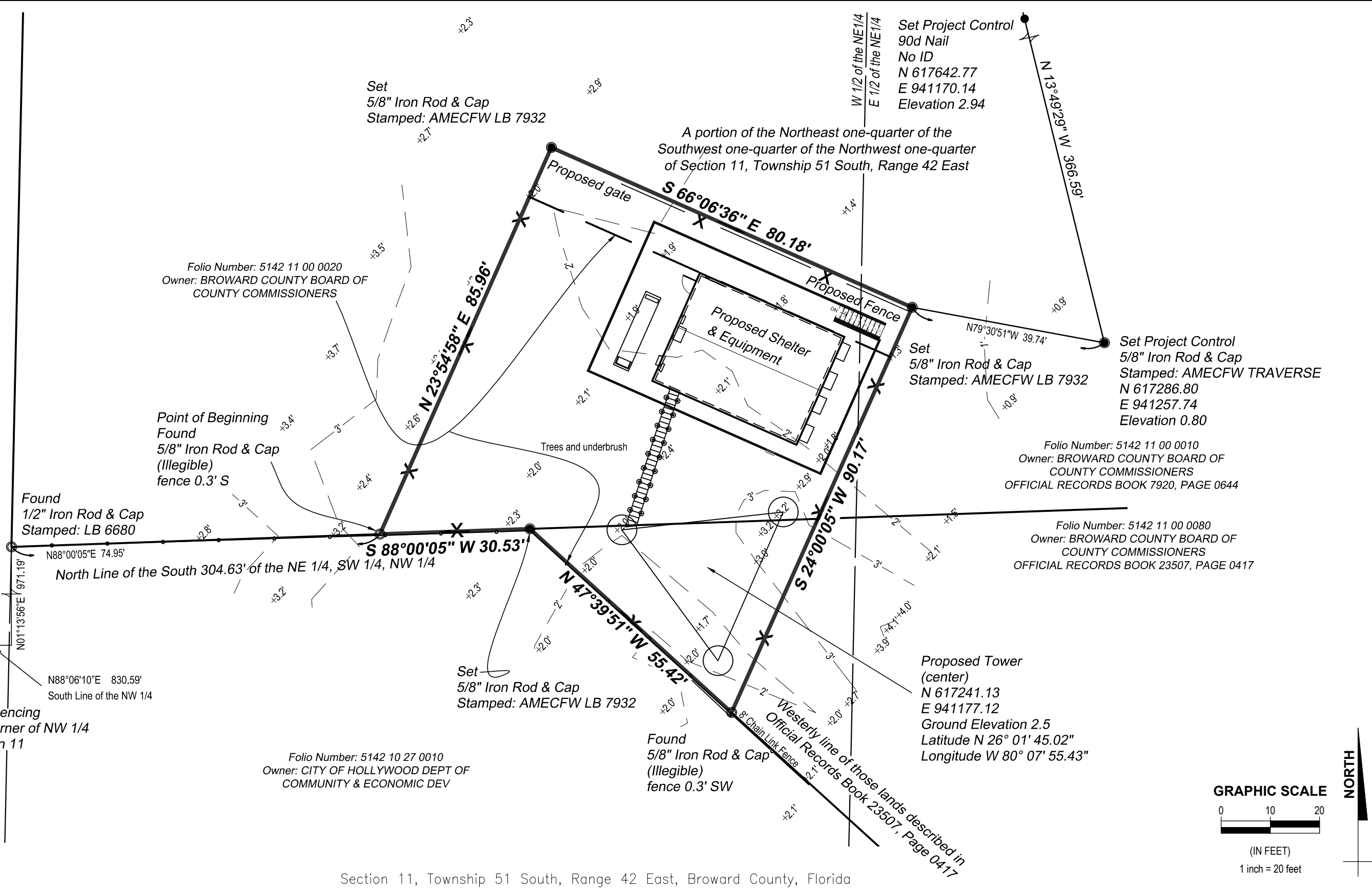
**BROWARD COUNTY - WEST LAKE PARK**  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240	
DRAWN BY: M. RAMOS	CHECKED BY: C.B. GARDINER
APPROVED BY:	DATE: 01/18/2017

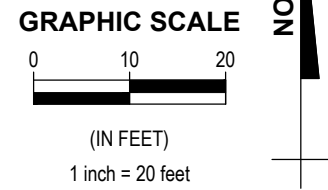
**Map of ALTA / NSPS Land Title  
and  
Topographic Survey**



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Section 11, Township 51 South, Range 42 East, Broward County, Florida



NO.	DATE	REVISION
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**Wood Environment & Infrastructure Solutions, Inc.**

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8000 WEST SUNRISE BLVD.  
PLANTATION, FLORIDA 33322  
PHONE: (954) 723-5000

**BROWARD COUNTY - WEST LAKE PARK**  
1200 SHERIDAN STREET  
HOLLYWOOD, FL 33019

AMEC PROJECT NO: 6166170575.240  
DRAWN BY: M. RAMOS  
CHECKED BY: C.B. GARDINER  
APPROVED BY: DATE: 01/18/2017

Map of ALTA / NSPS Land Title  
and  
Topographic Survey

Sheet 3 of 3

## ATTACHMENT 3

### Notice of Public Hearing and Intent to Consider a Resolution Approving a Modification of the Declaration of Restrictive Covenants for West Lake Regional Park

Notice is hereby given by the Board of County Commissioners of Broward County, Florida, that said Board will hold a public hearing at 10:00 A.M. on Tuesday, May 7, 2019, in the Broward County Governmental Center, Room 422, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider a Resolution approving a modification of the Declaration of Restrictive Covenants, recorded as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), to release and remove the restrictions imposed by the Declaration on (i) a portion of West Lake Regional Park located at 1200 Sheridan Street, Hollywood, Florida 33019, which portion consists of approximately 0.148 acres of land ("Parcel"), in order to permit the construction of an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, equipment shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("P25 System"); and (ii) a certain road that provides vehicular access to the Parcel, which release and removal is reasonably necessary to permit the County to have the right of ingress, egress, and access to and from the Parcel for the P25 System ("Access Road"), and the right to improve and repair the Access Road to facilitate the County's access to the Parcel. The full legal descriptions of the Parcel and the Access Road are available for inspection at the Broward County Governmental Center, Real Property Section, 115 South Andrews Avenue, Room 501, Fort Lauderdale, Florida 33301. If due to a disability, you require auxiliary aids, accommodations, or alternative formats of materials to participate in a public hearing or meeting, contact Real Property Section at (954) 357-5535, or the Broward County Call Center TDD Line at (954) 370-3745. Please make any accommodation requests at least three days in advance of the public hearing.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

---

#### Mailing Instructions:

A. Publish one (1) time: April 25, 2019

B. Send two (2) proofs of publication to each of the following three (3) offices:

- |  |   |  |
|--|---|--|
| (1) Gigi Barrasso<br>Real Property Section<br>115 S. Andrews Avenue, Rm. 501<br>Fort Lauderdale, Florida 33301 | (2) Irma Qureshi<br>Office of the County Attorney<br>115 S. Andrews Avenue, Rm. 423<br>Fort Lauderdale, Florida 33301 | (3) Mary Anne Darby, Deputy Clerk<br>Records, Taxes and Treasury Div.<br>115 S. Andrews Avenue, Rm. 336U<br>Fort Lauderdale, Florida 33301 |
|--|---|--|

C. Send one (1) proof of publication and invoice to:

Board of County Commissioners  
Accounting Division, Room 201  
Governmental Center  
115 S. Andrews Avenue  
Fort Lauderdale, FL 33301

Notice of Public Hearing and Intent to Consider a Resolution  
Approving a Modification of the Declaration of Restrictive Covenants for  
West Lake Regional Park

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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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|--|---|--|

C. Send one (1) proof of publication and invoice to:

Board of County Commissioners  
Accounting Division, Room 201  
Governmental Center  
115 S. Andrews Avenue  
Fort Lauderdale, FL 33301



**ITEM #62**

(Attachment 4 to Exhibit 1)

**ADDITIONAL MATERIAL**

**Public Hearing**

**MAY 7, 2019**

**SUBMITTED AT THE REQUEST OF**

**OFFICE OF THE COUNTY**

**ATTORNEY**



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NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of DENTAL ADOSSIAL intends to register the said name with the Florida Department of State, Division of Corporations, Tallahassee, FL and/or Clerk of the Circuit Court of Broward County, FL.

JOSHUA COLON  
4280 SW 55TH AVE  
DAVIE, FL 33314  
04/27/2019

**NOTICE**

NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of ROAD RUNNER MOBILE REPAIR intends to register the said name with the Florida Department of State, Division of Corporations, Tallahassee, FL and/or Clerk of the Circuit Court of Palm Beach County, FL.

EMRAN ALI  
134 SWAN PARKWAY EAST  
ROYAL PALM BEACH, FL 33411  
04/27/2019

**NOTICE**

NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of BARWIS Hockey intends to register the said name with the Florida Department of State, Division of Corporations, Tallahassee, FL and/or Clerk of the Circuit Court of Broward County, FL.

ATHLETIC ANGELS FOUNDATION, INC  
44191 Plymouth Oaks Blvd, Ste 600  
Plymouth, MI 48170  
04/27/2019

**NOTICE OF PUBLIC HEARING AND INTENT TO CONSIDER A RESOLUTION APPROVING A MODIFICATION OF THE DECLARATION OF RESTRICTIVE COVENANTS FOR WEST LAKE REGIONAL PARK**

Notice is hereby given by the Board of County Commissioners of Broward County, Florida, that said Board will hold a public hearing at 10:00 A.M. on Tuesday, May 7, 2019, in the Broward County Governmental Center, Room 422, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider a Resolution approving a modification of the Declaration of Restrictive Covenants, recorded as Instrument Number 107227098 in the Official Records of Broward County, Florida ("Declaration"), to release and remove the restrictions imposed by the Declaration on (i) a portion of West Lake Regional Park located at 1200 Sheridan Street, Hollywood, Florida 33019, which portion consists of approximately 0.148

acres of land ("Parcel"), in order to permit the construction of an approximately three hundred twenty-five foot (325') tall self-supporting telecommunications tower, antennas, telecommunication shelter, free-standing generator, fuel tank, and other facilities necessary or useful to improve the public safety radio communication services in the areas serviced by the County ("P25 System"); and (ii) a certain road that provides vehicular access to the Parcel, which release and removal is reasonably necessary to permit the County to have the right of ingress, egress, and access to and from the Parcel for the P25 System ("Access Road"), and the right to improve and repair the Access Road to facilitate the County's access to the Parcel. The full legal descriptions of the Parcel and the Access Road are available for inspection at the Broward County Governmental Center, Real Property Section, 115 South Andrews Avenue, Room 501, Fort Lauderdale, Florida 33301. If due to a disability, you require auxiliary aids, accommodations, or alternative formats of materials to participate in a public hearing or meeting, contact Real Property Section at (954) 357-5635, or the Broward County Call Center TDD Line at (954) 370-3745. Please make any accommodation requests at least three days in advance of the public hearing.

Dated this 25th day of April, 2019.  
4/27/2019

**NOTICE**

THERE WILL BE A REGULAR MEETING OF THE CITY OF LAUDERHILL DEVELOPMENT REVIEW/COMMUNITY APPEARANCE COMMITTEE ON TUESDAY, MAY 7, 2019 1:30 P.M. IN THE SOL SIEGLER MULTI-PURPOSE ROOM AT CITY HALL, 5581 WEST OAK-

or more at Lightning Movers, Inc warehouse 5837 Dawson St. Hollywood, FL 33023. Household Goods and other items for the following parties: Scott Deutsch owses S11, 104.80 and Kyle Mayberry. Lightning Movers, Inc has the right to cancel the sale at anytime for any reason.  
4/26 - 5/3/2019

**NOTICE OF PUBLIC SALE**

Sky Towing gives Notice of Foreclosure of Lien and Intent to sell this vehicle(s) on 5/9/2019, 9:00 am, at 4000 SW 47th Ave, Davie, FL 33314, Pursuant to subsection 713.78 of the Florida Statutes. Sky Towing reserves the right to accept or reject any and/or all bids. JTBHD192220054036 LEXS  
4/27/19

**NOTICE OF PUBLIC SALE**

usa towing gives notice of foreclosure of lien and intent to sell these vehicle on 05/09/2019 07:00am at 5079 n.dixie hwy #319 oakland park fl. 33334 pursuant to subsection 713.78 of the florida statutes usa towing reserves the right to accept or reject any and/or all bids KND-JT2A23A7051993 2010 kia  
04/27/2019 04/30/2019

**PUBLIC NOTICE**

The books of The Coyne Family Foundation are available for inspection during regular business hours within 180 days hereof at 2101 NW Corporate Blvd., Ste. 317, Boca Raton, FL 33431. c/o Steven R. Tibbs, CPA, (561) 361-0330.  
4/27/2019

**NOTICE**

Broward County government proposes to construct a 300 ft. self-support public safety communications tower located at 1200 Sheridan Street, Hollywood, Broward County, Florida. (26 01' 45.02" N, 80 07' 55.43" W). Anticipated tower lighting application is medium intensity dual red/white strobes. Interested persons may request the application for this project at [www.fcc.gov/asr/applications](http://www.fcc.gov/asr/applications) by entering Antenna Structure Registration (Form 854) file No. A1134892. Environmental concerns may be raised by filing a Request for Environmental Review with the FCC. The FCC strongly encourages interested parties to file Requests for Environmental Review online at [www.fcc.gov/asr/environmentalrequest](http://www.fcc.gov/asr/environmentalrequest), but they may be filed with a paper copy by mailing the Request to: FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554.  
4/27/2019

**CITY OF CORAL SPRINGS  
NOTICE OF LOST/UNCLAIMED PROPERTY**

To: Owner and all persons with stake in:  
1. Black-Apple iPod  
2. Black and gray Samsung Galaxy S7 Edge with clear case.  
3. Yellow necklace  
4. \$520.00  
5. \$100.00  
6. Schwinn- Ranger- 24" Inch men's 21 speed  
7. Black-Hyper Mountain bike  
8. Red and pink- Huffy Trail runner  
9. Avigo-Air flex DS 2.0 7 speed BMX bike W/ 20" X 1.95" wheels  
This is property that has been lost or unclaimed and is currently at the City of Coral Springs Police Department; 2801 Coral Springs Drive, Coral Springs, FL, 33065. In the event that no person(s) claim interest in the listed property by May 6, 2019, the City of Coral Springs Police Department shall retain the property for its own use.  
All claims for the listed property shall be made to Sheila Lustigman, 2801 Coral Springs Drive, Coral Springs, FL, 33065, and 954-346-1282.  
4/20, 4/21, 4/27, 4/28/2019

**CITY OF PARKLAND  
NOTICE OF PUBLIC HEARING**

The City of Parkland Planning and Zoning Board, will hold a public hearing on Thursday, May 9, 2019, at 6:00 p.m. at Parkland City Hall, 6600 University Drive, Parkland, Florida 33067 to consider the following item:

ORDINANCE NO. 2019-001

CONSIDERATION OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, APPROVING AMENDMENTS TO THE CITY OF PARK-

Notice: any interested parties may appear at this meeting and be heard. Please be advised that anyone choosing to appeal any decision with respect to any matter discussed by the Planning & Zoning Board will need a record of the proceedings; and may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. All appeals must be filed in accordance with the applicable provisions of the City of Parkland Land Development Code.

Be advised, one or more members of the City Commission may participate in the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, because of a disability or physical impairment, should contact the City Clerk's office at (954) 757-4132 at least two (2) calendar days prior to the hearing.

City clerk  
6254741 4/27/2019

**REQUEST FOR PROPOSALS (RFP) NO. 600000927  
PROFESSIONAL ENGINEERING SERVICES FOR GRAVITY CONTROL STRUCTURES, CANAL/LEEVE REFURBISHMENT AND DISPERSED WATER PROJECTS**

The Procurement Bureau of the South Florida Water Management District, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406, will receive sealed proposals up to the 2:30 p.m. opening time on May 30, 2019, for Professional Engineering Services for Gravity Control Structures, Canal/Levee Refurbishment and Dispersed Water Projects. This RFP is issued subject to the legal requirements established under the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes.  
AN OPTIONAL PRE-PROPOSAL CONFERENCE will be held May 17, 2019, 9:00 am in the B-1 Auditorium, 3301 Gun Club Road, West Palm Beach Florida for all interested respondents.  
All proposals must conform to the instructions in the RFP. Interested respondents may obtain a copy of the complete RFP (1) at the above address; (2) by downloading the solicitation from our website at [www.sfwmd.gov/procurement](http://www.sfwmd.gov/procurement); (3) by calling 561-682-2011 or (4) by calling the 24-hour BID HOTLINE 800-472-5290. The public is invited to attend the proposal opening. Further information on the status of this solicitation can be obtained on our website - [www.sfwmd.gov](http://www.sfwmd.gov). Any meetings with District staff regarding this solicitation are subject to the provisions of Section 286.0117, Florida

Statutes, which provides, in part, that any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, or at which a vendor answers questions as part of a competitive solicitation is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.  
EVALUATION COMMITTEE MEETING: Official public meetings for this RFP are scheduled as follows:  
1. July 10, 2019 at 11:00am, B-1 2A Conference Room  
2. (Alternate Date): July 11, 2019 at 10:00am, B-1 2B Conference Room  
3. July 29, 2019 at 11:00am, B-1 2B Conference Room  
4. (Alternate Date): July 30, 2019 at 10:00am, B-1 2A Conference Room  
A copy of the agenda may be obtained by writing the South Florida Water Management District, Procurement Department, P.O. Box 24680, West Palm Beach, Florida, 33416-4680. Persons with disabilities or handicaps who need assistance may contact the District Clerk, 561-682-6805, at least two business days in advance of the meeting to make appropriate arrangements.  
Should one or more members of the evaluation committee need to attend any of the meetings by means of communication media technology (CMT), the meetings will be teleconferenced at the dates, times, locations and conference rooms referenced above. For more information, please contact Dora Dixon, Sr. Contract Specialist, at 561-682-6420.  
04/27/19

**NEW LISTING**

FORT LAUDERDALE

**Cooper Properties  
Schedule your showing NOW!**

1/1's from \$1,165  
2/1's from \$1,350  
Open 7 Days  
**954-462-4234**  
[cooperproperties.com](http://cooperproperties.com)



**HOLLYWOOD** - 5 min to beach & 95. Efficiency all included w/d. Near transportation. \$850. 9549293444

**HOLLYWOOD** - E of US1, 2 Rm Effic (Furn, Comcast TV, A/C, Park'g) \$1000/mo, + 1 Mo. Sec. Owner 954-347-4730

**MARGATE** - 2/2 • GREAT LOCATION!! LARGE SCREENED PATIO • POOL • \$1225  
Free Service • Open 7 Days A Week  
FIND-A-HOME • 954-427-3733

**MARGATE** - 55 and older. Top floor golf course condo overlooks the 1st fairway. 1 Bed, 1 & 1/2 Bath. All redone. Must see. \$1,200 month. (954) 803-6474  
Top Floor Golf Course Condo

**PLANTATION - CHELSEA ONE** - Private 2br/2ba with garage & enclosed patio, comm, pool - available June 1 - \$1,750 monthly - 1st mo. and sec. required.  
Call 305-904-5811

**POMPANO** - 1, 2 & 3 BRs • NEAR BEACH POOL • PATIO • PETS OK • FROM \$1000  
Free Service • Open 7 Days A Week  
FIND-A-HOME • 954-427-3733

**SUNRISE/LAKESIDE VILLAS** - 2/2 Modern Villas. W/D in Unit. Yards, Pool & Tennis 954-749-7769 BRKRS WELCOME

**CALL 1-800-250-2000**  
To Advertise

**Real Estate for Rent**  
Call 954-462-4234



**ITEM #62<sub>(2)</sub>**

**ADDITIONAL MATERIAL**  
**Public Hearing**

**MAY 7, 2019**

**SUBMITTED AT THE REQUEST OF**  
**COMMISSIONER BEAM FURR**



## G. M. SELBY, Inc.

---

April 29<sup>th</sup>, 2019

José M. De Zayas  
E911 Communications Administrator  
Radio Communication Systems  
Communications & Technology Department  
1801 NW 64<sup>th</sup> Street, Suite 106  
Fort Lauderdale, FL 33309

Jose,

GM Selby has been in business since 1990 and involved in telecommunications since 1994 until today.

Regarding Alex Gil, Mr. Gil has been in telecoms since 1996 deploying networks from Canada down to Argentina. He has sold, deployed and maintained wireless technologies for more than 20 years (including E911), and specific to the Caribbean region has had extensive experience supporting and recovering from hurricane's across the region including the building of new towers and rooftop sites, installation of new BTS's, A&L, microwave links, power systems, aerial fiber, aerial copper, etc. While Mr. Gil has experience with DMR and P25 networks, he is partnered with Communications International which specializes in P25 networks for the public safety space with seven (7) offices across the state of Florida and extensive experience engineering P25 and DMR networks for the state of Florida and elsewhere. In this particular case, this is not an issue of engineering a P25 network so they have not been engaged. It is about what is the correct site solution for the P25 network to be deployed to support public safety in Broward County and the City of Hollywood. Lastly, unlike KCI which has a long pre-existing relationship with Motorola (and therefore bias in favor of anything Motorola suggests), GM Selby (and its partners) is an independent 3<sup>rd</sup> party subject matter expert that is providing an unbiased analysis for the City of Hollywood and Broward County to review in analyzing what is the ideal solution for serving the needs of public safety for the residents of City of Hollywood.

Please make note. While P25 is a newer public safety standard with greater levels of encryption, IP backhaul, interoperability, etc., the underlying RF technology remains TDMA based technology utilizing



12.5kHz TDMA channels which is an old RF technology going back to the 1970's. Analyzing RF performance, shading, coverage areas, etc. can be performed by any firm with experience and tools for RF engineering. For the purpose of the needs of the City of Hollywood, the primary focus is on identifying the ideal structure for supporting the P25 network that will serve the people of Hollywood without bias for (or against) the supplier of the P25 network (Motorola).

Each solution (tower vs roof top) has its corresponding advantages (and disadvantages). West Lake Tower does not afford the same level of protection for the P25 infrastructure as the CIRC building. This is fact, not opinion.

- It is in close proximity to the ocean (1.1 miles) and West Lake (.5 miles) which means that it will be subject to high storm surges and flooding during a hurricane or tropical storm. To protect the P25 equipment, the equipment will need to be installed on a platform at least 20' off the ground underneath the tower. This way the tower affords the shelter some form of protection against waves and debris associated with the storm surge.
- The generator and fuel tank will need to be up on the platform or it will risk damage associated with storm surge and flooding. This will also affect the ability for the city and county to quickly access the site and begin refueling the generator tank. <NEED TO DETERMINE HOW AC POWER IS GOING TO BE RUN TO THE SITE. AERIAL OR BURIED IN DUCTING?>
- The tower affords zero protection to the antennas, microwave and coax up on the tower, and no space to store spare material for rapid recovery of the site after the storm passes. During a major hurricane, it is fairly certain that all that material (P25 antennas, microwave antennas and coax cabling) will get torn off the tower and require replacement. If the County and City elect to install stronger installation hardware to prevent the equipment from being torn off the tower, it increases the probability of the tower coming down due to wind loading of the tower being exceeded.
- Lastly, in preparation for disaster recovery, the county and city will need to have spare antennas (BTS and microwave) on hand in order to quickly recover the site. Unless the building installed





## G. M. SELBY, Inc.

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under the tower is large enough to house all the spare antennas, the recovery crew will need to bring it with them together with all the installation hardware, climbing equipment, cathead, load ropes, tag ropes, etc. That will in effect slow the recovery, because we are assuming movement to site of 8' microwave dishes, BTS antennas and a minimum of one (1) 300' reel of 1 5/8" coax weighing approximately 250lbs.

The CIRC building affords the P25 network more protection.

- The building is further inland (1.7 miles) than the proposed tower location (1.1 miles from the ocean, .5 miles from West Lake), and affords the P25 sites more protection against the high tide of storm surges and flooding.
- The concrete and rebar walls of the building afford the equipment more protection, and there is ample room in the building where spare equipment can be housed in order to quickly recover the P25 site in the event BTS antennas or the microwave dishes are sheared off the building. The most that would be torn off the building would be the BTS antennas and the microwave antennas. The coax would be protected in the building. In addition, spare coax can be maintained in the building for backup.
- Utilities to CIRC are buried and thus have a higher degree of protection and by default will likely be recovered quickly compared to West Lake Park. Plus, as a residential building, it has a higher level of priority in recovery than a park where no people are resident.
- There is a better solution for the site design than the one utilized in the document comparing CIRC to the West Lake Park tower. The County can install the antennas and P25 BTS up near the roof. Either an AC or -48VDC solution can be utilized, and the power plant and battery strings can be located at a lower floor in the building that has the capability to support the weight of the solution without structural reinforcement. In addition, utilization of LiOn batteries (or hydrogen fuel cells) will provide the same level of battery backup without the drawbacks of lead acid batteries:
  - Heavy weight - Lead acid is heavy and is less durable than nickel- and lithium-based systems.
  - Memory - A full discharge (which is common during a disaster due to loss of power and complete utilization of





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diesel fuel) causes strain and each discharge/charge cycle permanently robs the battery of a small amount of capacity which in time results in the batteries having to be

replaced in order to maintain the target level of battery backup.

- Access – CIRC hotel (post storm) can be accessed from multiple roads (5, 820, side roads, etc.). The West Lake Park site can only be access from one single road (822). If that road is damaged preventing access, the only way in is by foot or by boat and that limits the ability to bring in fuel, equipment, resources, etc.

After a storm, the speed of disaster recovery is all dependent upon access, protection of the equipment and power. Based purely on the facts, the CIRC hotel affords the Broward County P25 network more advantages than disadvantages, and the exorbitant cost estimates utilized in the analysis can be reduced to a point where the cost of the CIRC deployment is comparable to the West Lake Park site (and it can be done faster). Whoever was behind the original analysis intentionally disregarded all the above in order to sway the decision in favor of building a new tower, because people experienced in disaster recovery would all side in favor a large concrete and rebar building inland (with a stable supply of power) over a tower right near the coast line.

Best regards,

Gerald Zadikoff, PE  
CEO

Cc: Andria Wingett – City of Hollywood

**ITEM #62<sub>(3)</sub>**

**ADDITIONAL MATERIAL**  
**Public Hearing**

**MAY 7, 2019**

**SUBMITTED AT THE REQUEST OF**  
**COUNTY ADMINISTRATION**

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**RESOLUTION NO. 2019-038**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, URGING THE BROWARD COUNTY BOARD OF COMMISSIONERS TO PROCEED EXPEDITIOUSLY IN CHOOSING A LOCATION OF THE P(25) RADIO SYSTEM TOWER; DIRECTING THE CLERK TO PROVIDE A COPY OF THE RESOLUTION TO THE APPROPRIATE OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the lack of a decision regarding the final tower location for the County-wide radio system is delaying implementation of the much needed county-wide Public Safety Radio System; and

**WHEREAS**, action by the County Commission is necessary. Unless and until it chooses a location and implements the final tower, the new radio system cannot be made functional. The proposed resolution urges the County to proceed to decide; and

**WHEREAS**, there are two potential locations, either on the CIRC Tower in Hollywood or on a portion of land which is currently part of Broward County's West Lake Park; and

**WHEREAS** the health, safety, and welfare of County residents is not adequately protected by the current radio system in that it has failed during recent mass shooting events in Broward County; and

**WHEREAS**, the City of Hallandale Beach has expended significant funds buying new radios in preparation for the new County-wide radio system. Furthermore, all cities are contributing to the cost of implementing the new system which is scheduled to be operational by the end of the year; and

**WHEREAS** ensuring adequate, up-to-date Public Safety Radio System coverage for all of Hallandale Beach's constituents is of high priority; and

**WHEREAS**, the Mayor and City Commission wish to urge the Broward County Commission to proceed expeditiously as this is an urgent public safety matter.

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**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

**SECTION 1.** The Mayor and City Commission urge the Broward County Board of County Commissioners to take any and all actions necessary to proceed expeditiously with the selection of a final site for the tower and with completion of a system that will serve all of Hallandale Beach and provide improved health, safety and welfare County-wide.

**SECTION 2.** The City Commission hereby directs the City Clerk to transmit a copy of this Resolution to all appropriate entities.

**SECTION 3.** This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED this 1<sup>st</sup> day of May, 2019.

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JOY D. ADAMS  
MAYOR

SPONSORED BY: COMMISSIONER MICHELE LAZAROW

ATTEST:

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JENORGEN M. GUILLEN, CMC  
CITY CLERK



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82 APPROVED AS TO LEGAL SUFFICIENCY AND  
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JENNIFER MERINO

88 CITY ATTORNEY

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**FINAL VOTE ON ADOPTION**

Mayor Adams	<u>Yes</u>
Vice Mayor Javellana	<u>Absent</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima- Taub	<u>Yes</u>

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**ITEM #62<sub>(4)</sub>**

**ADDITIONAL MATERIAL**

**Public Hearing**

**MAY 7, 2019**

**SUBMITTED AT THE REQUEST OF  
ENVIRONMENTAL PROTECTION  
AND GROWTH MANAGEMENT  
DEPARTMENT**

## Agenda Item #62

### **Question from Commissioner Furr's Office**

Hope all is well! I wanted to follow-up on a question about the tower in West Lake Park. Do we have an exact figure on how high the current proposed parcel where the tower would be located is above sea level? Any information on this would be helpful. In addition, any information on projected sea level rise in this park that is available would be extremely helpful – thank you in advance.

### **Response:**

The proposed parcel averages 2.7 feet NAVD (varying from 2.2 to 3.5 feet NAVD). When sea level increases by one foot (to water level elevation of 1.4 feet NAVD), the site will not be inundated. When sea level increases by two feet (2.4 feet NAVD), the majority of the site will not be inundated. There appears to be at least one low point at 2.2 feet NAVD which is what causes inundation to be shown on both the priority planning area map and the Climate Central sea level rise viewer. The foundation is proposed at 3.7 feet NAVD and the equipment is proposed at 8.7 feet NAVD, well above the future water levels.

**ITEM #62<sub>(5)</sub>**

**ADDITIONAL MATERIAL**  
**Public Hearing**

**MAY 7, 2019**

**SUBMITTED AT THE REQUEST OF**  
**COUNTY ADMINISTRATION**






BERTHA W. HENRY, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

## MEMORANDUM

**DATE:** May 6, 2019

**TO:** Board of County Commissioners

**FROM:** Bertha Henry, County Administrator 

**SUBJECT:** Letter Received from GM Selby re Radio Tower Sites

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Please allow this memorandum to offer a response to the letter received from GM Selby (Selby) dated April 29, 2019.

To place Selby's communication in context, the County requested a copy of the City's report presented at the County Commission's Workshop on April 9, 2019. As you may recall, the City's presentation contained excerpts attributed to Selby in response to the report prepared by MCP and KCI, the County's engineering and structural consultants, respectively. Instead of a report, the County received the letter addressed to Mr. DeZayas, leaving the County to assume no report was forthcoming or even prepared, since Selby admittedly had not physically inspected the site at the time of making commentary.

We continue to assert that the County's proposed solution is the best of those studied for this area. It offers better coverage; is less expensive; and can be done more expeditiously. As a reminder, this a redundant system, linked together requiring all installations to be completed before the system can function as designed. Compromising stability and performance for any site, much less a backup site, due to an install at a substandard location (as is suggested of the West Lake site by Selby) would never be in the County's best interest. The financial and operational risks are borne by the County. While no solution is foolproof, the County's experience in managing these sites through multiple hurricanes and, more importantly, the day to day challenges in maintaining radio system availability makes the County more of an expert for purposes of this discussion.

More specific to Selby's comments, we offer the following:

Unlike other TDMA or other commercial technologies, a firm or individual directly involved in P25 Public Safety Communication installations must demonstrate an understanding of simulcast performance, channelization by antenna, transmission networks, receive networks, propagation models, and subscriber performance requirements. These criteria are unique to the design of P25 systems and are not consistent with other TDMA or commercial technologies. For example, Selby expressed a lack of understanding of certain nuances regarding P25 systems by suggesting an "additional down tilt antenna" be utilized, which is not reasonable for a channelized system with multiple transmit and receive antennas.

Selby's reference to 'biases' between Motorola and KCI suggest a lack of understanding of the County's vendor relationships and their respective roles. For the record, KCI is a structural engineering firm that works with all wireless vendors in the public safety and commercial arenas. They have no affiliation with Motorola. Mission Critical Partners (MCP) is an independent public safety consulting firm with no vendor affiliation.

Selby's concerns regarding generator siting at West lake are unfounded. The County's design requires buried AC power service to the location and utilizes a platform solution supporting the shelter, generator, and fuel tank. The site, raised nine feet above sea level, is designed to operate without commercial power via a generator until commercial power is restored and the County has numerous resources available for refueling purposes in flooded areas.

The radio tower, antenna, coax, and shelter are all designed to survive sustained category five hurricane winds, with 180 mph 3-second gusts. The structural integrity is designed to support the antennas and associated mounting systems for this windstorm level. The antennas at a tower in West Lake Park would be equally exposed to the effects of wind as antennas mounted on the rooftop at the Circ. In the event of an antenna falling off during a wind event, the prospect of antennas falling from a building rooftop is extremely concerning given the highly populated areas surrounding the Circ, as opposed to the West Lake Park site.

The County has extensive experience maintaining a county wide radio system during hurricanes and understands what is required to restore service and replace antennas after these events. This includes locations other than traditional tower sites, which can present greater access challenges. However, the Circ would present additional access challenges for replacing antennas due to the higher density of people and buildings in the area and the requirement for using a specialized crane or helicopter for roof top access.

Selby's comments suggest that to make the CIRC work, the County could study an alternate location for the DC plant or a redesign to potentially use *'battery strings located on a lower floor capable of supporting the weight.'* Relocating the DC plant farther from the equipment will increase line losses, require larger conductors, and present additional logistical challenges for equipment access and maintenance. Additionally, the DC plant identified is being utilized at all Broward County locations. It is critical that all locations utilize the same equipment for commonality of support and spares. Even more disconcerting was the suggestion that spare items could be stored onsite. Had Selby visited the site, a greater understanding would have been evident that certain of its recommendations would not be feasible.

In closing, recommendations that require additional studies and time delays for a project that is seriously behind schedule is not acceptable. Further, the tone of the opinions expressed by Selby do not lend themselves to interpretation as a dispassionate, professional stance. Instead, the focus was directed at assessing the motives of the paid professionals who produced the feasibility study. As stated previously, no system is foolproof, but the County's experience and that of its consultants who have implemented many of these systems suggests moving forward with the installation at the West Lake Park is a better alternative than any other expressed.

cc: Wazir Ishmael, City Manager, City of Hollywood  
Alphonso Jefferson, Assistant County Administrator  
Tracy Jackson, Director, Office or Regional Emergency Services & Communications