

AGREEMENT

97-213654 T#001
04-28-97 01:13PM

Between

BROWARD COUNTY

and

Barbill Ventures Corp

Relating to

NONVEHICULAR ACCESS LINES

This is an Agreement between: BROWARD COUNTY, a political subdivision of the State of Florida, its successors and assigns, hereinafter referred to as "COUNTY," through its Board of County Commissioners,

AND

Barbill Ventures Corp, a FL Corp, authorized to do business in the State of Florida, its successors and assigns, hereinafter referred to as "DEVELOPER."

WITNESSETH:

WHEREAS, the DEVELOPER holds fee simple title to the property described in Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as "Property"; and

WHEREAS, vehicular access to said Property is restricted by virtue of that certain Nonvehicular Access Line which is reflected on the Mat Corp Plat Plat, Plat No. 037-MP-84 recorded in Plat Book 128, Page 2, and is more particularly described in Exhibit "B" attached hereto and made a part hereof; and

CAF#238
07/17/96

Approved BCC 2/4/97 #41
Submitted By Engineering + Draw.

→ RETURN TO DOCUMENT CONTROL

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WHEREAS, the DEVELOPER desires to modify vehicular access to said Property at locations over and across the existing Nonvehicular Access Line; and

WHEREAS, the DEVELOPER has applied to the COUNTY for an amendment to the Nonvehicular Access Line in order to establish a new configuration more particularly described in Exhibit "C" attached hereto and made a part hereof; and

WHEREAS, Chapter 5, Article IX, Broward County Code of Ordinances, the Land Development Code, Section 5-192(b)(10), permits the Board of County Commissioners to amend Nonvehicular Access Lines; and

WHEREAS, the DEVELOPER has submitted the required approval of the amendment to the Nonvehicular Access Line by other governmental entities with jurisdiction over the adjacent roadways; and

WHEREAS, the COUNTY has no objection to amending the Nonvehicular Access Line and approved the application to amend the Nonvehicular Access Line, subject to certain conditions, at its meeting of February 4, 1997; and

WHEREAS, the DEVELOPER has complied with all the conditions of approval imposed by the Board of County Commissioners, including execution of this Agreement; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, considerations, and promises set forth below, the COUNTY and DEVELOPER agree as follows:

1. The above recitals are true and correct and incorporated herein.
2. The COUNTY hereby amends the Nonvehicular Access Line on the Property reflected on the Matcorp Plat, recorded in Plat Book 12B, Page 2, described in Exhibit "B," and replaces said Nonvehicular Access Line by the establishment of a new Nonvehicular Access Line as described in Exhibit "C," which is hereby approved.
3. The DEVELOPER shall obtain vehicular access to said Property through driveway openings and connections which are consistent

with the new Nonvehicular Access Line as described in Exhibit "C."

4. The DEVELOPER shall obtain all necessary permits for construction of the driveway opening and connections from the appropriate unit of government prior to construction of any driveway connections.
5. This Agreement shall be recorded in the Official Records of Broward County, and properly referenced on the appropriate plat book and page, at the DEVELOPER'S expense, and the Nonvehicular Access Line created herein and the DEVELOPER'S obligation set forth herein shall run with the Property described in Exhibit "A."


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IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chairman or Vice Chairman, authorized to execute same by Board action on the 4th day of February, 1997, and BREXILL VENTURES CORP., signing by and through its PRESIDENT, duly authorized to execute same.

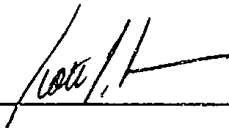
COUNTY

ATTEST:

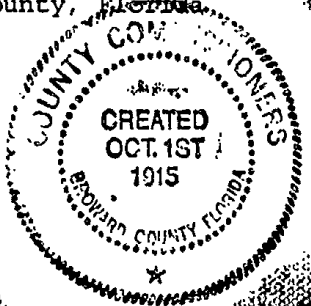
BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS




County Administrator and Ex-
Officio Clerk of the Board
of County Commissioners of
Broward County, Florida

By 
_____, Chair

28th day of April, 1997.



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

By 

Assistant County Attorney

BK 26340PG0935

AGREEMENT BETWEEN BROWARD COUNTY AND Barbill Ventures Corp
RELATING TO NONVEHICULAR ACCESS LINES

DEVELOPER

x William P. Porter Jr.
Witness signature

x William P. Porter
Signature

x William P. Porter Jr.
Witness name printed

William P. Porter, President
Name printed

x Jerry W. Knight
Witness signature

x 1475 SE 15th St #306, Fort Lauderdale FL 33316
Address

x Jerry W. Knight
Witness name printed

x 31 day of March, 1977

CORPORATE SEAL

MORTGAGEE

Witness signature

Mortgagee

Witness name printed

Address:

By and through:

Witness signature

Title:

Witness name printed

____ day of _____, 19____

CORPORATE SEAL

BK 26340PG0936

AGREEMENT BETWEEN BROWARD COUNTY AND _____
RELATING TO NONVEHICULAR ACCESS LINES

INDIVIDUAL

STATE OF FLORIDA)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____
day of _____ by _____ who is
personally known to me or who has produced _____
as identification and who did/did not take an oath.

NOTARY PUBLIC

Type or print name

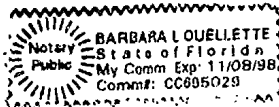
Commission No.

My commission expires:

CORPORATION

X
STATE OF FLORIDA)
) SS
COUNTY OF Broward)

The foregoing instrument was acknowledged before me this 31st
day of March, 1997 by William P Porter as
President of Barbitt Ventures Corp. a
Florida corporation, on behalf of the corporation.
He ~~she~~ is personally known to me or produced _____ as
identification and did/did not take an oath.



Barbara Ouellette
NOTARY PUBLIC
BARBARA OUELLETTE
Type or print name

Commission No.

My commission expires:

CAF#238
07/17/96

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EXHIBIT "A"

(Legal Description of Property Owned By Developer
in Fee Simple)

Parcel A of the Matcorp Plat,
as recorded in Plat Book 128 Page 2,
Public records of Broward County, Florida

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BK 26340PG0939



MCLAUGHLIN ENGINEERING CO. (L.D. #285)
Telephone (954) 763-7611 . Telecopier (954) 763-7615
400 N. F. Third Avenue, Fort Lauderdale, Florida 33301
Engineering . Surveying . Platting . Land Planning

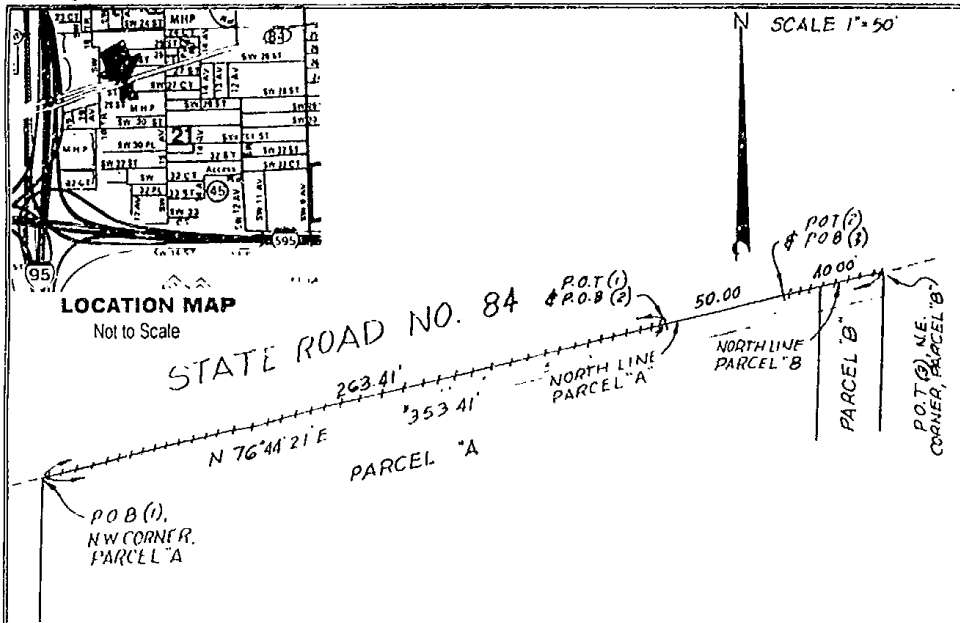


EXHIBIT "B"

SKETCH AND DESCRIPTION OF EXISTING NON-VEHICULAR ACCESS LINE

A non-vehicular access line on the North lines of Parcel "A" and Parcel "B", **MATCORP PLAT**, according to the plat thereof recorded in Plat Book 128, Page 2, of the public records of Broward County, Florida, more fully described as follows.

Beginning (1) at the Northwest corner of said Parcel "A", thence Easterly on the North lines of said Parcels "A" and "B", the following three (3) courses and distances, North 76° 44' 27" East, a distance of 263.41 feet to the Point of Termination (1) of the said non-vehicular access line and the Point of Beginning (2) of a vehicular access opening; thence continuing North 76° 44' 27" East, a distance of 50.00 feet to the Point of Termination (2) of said vehicular access opening and the Point of Beginning (3) of a non-vehicular access line; thence continuing North 76° 44' 27" East, a distance of 40.00 feet to the Point of Termination (3) of the said non-vehicular access line, the point of termination of the said three (3) courses and distances and to the Northeast corner of said Parcel "B"

Certified correct. Dated at Fort Lauderdale, Florida, this 28th day of March, 1997

NOTES:

- (1) THIS IS NOT A SURVEY.
- (2) This sketch reflects all easements and rights-of-way as shown on the above referenced plat. The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Co
- (3) Description prepared by McLaughlin Engineering Co. this 28th day of March, 1997 and does not infer title or ownership.
- (4) Bearings refer to the plat of MATCORP PLAT, 128/2
- (5) P.O.B.=Point of Beginning, P.O.T.=Point of Termination, N.W.=Northwest, N.E =Northeast, ----- Indicates non-vehicular access line
- (6) THIS DRAWING IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

MCLAUGHLIN ENGINEERING CO

Jerold A. McLaughlin
Registered Land Surveyor No. 5269
State of Florida

FIELD BOOK NO. N/A
JOB ORDER NO. S-7528

Drawn By DFB
Checked By _____

-8-



McLAUGHLIN ENGINEERING CO. (L.B. #285)
 Telephone (954) 763-7611 . Telecopier (954) 763-7615
 400 N. E. Third Avenue, Fort Lauderdale, Florida 33301
 Engineering . Surveying . Platting . Land Planning

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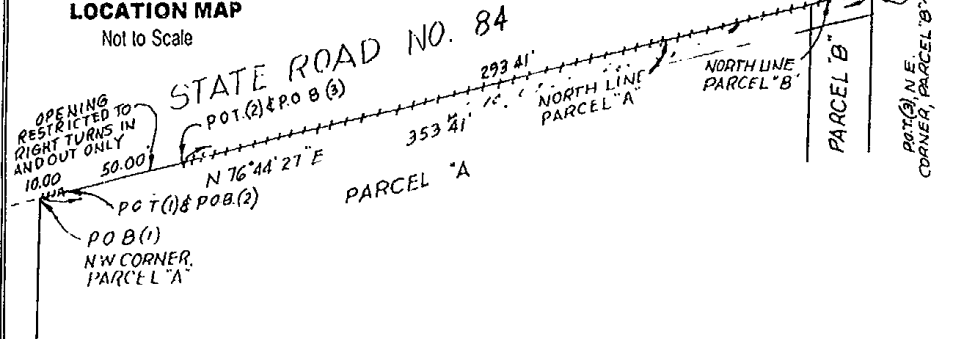
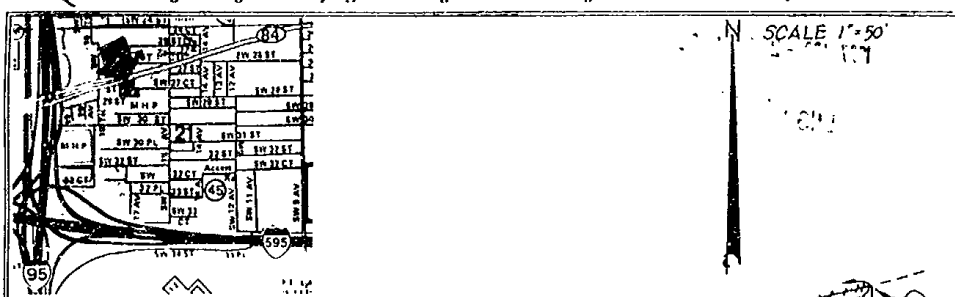


EXHIBIT "C"

SKETCH AND DESCRIPTION OF PROPOSED NON-VEHICULAR ACCESS LINE

A non-vehicular access line on the North lines of Parcel "A" and Parcel "B", MATCORP PLAT, according to the plat thereof recorded in Plat Book 128, Page 2, of the public records of Broward County, Florida, more fully described as follows

Beginning (1) at the Northwest corner of said Parcel "A", thence Easterly on the North lines of said Parcels "A" and "B", the following three (3) courses and distances, North 76°44'27" East, a distance of 10 00 feet to the Point of Termination (1) of the said non-vehicular access line and the Point of Beginning (2) of a vehicular access opening, thence continuing North 76°44'27" East, a distance of 50 00 feet to the Point of Termination(2) of said vehicular access opening and the Point of Beginning (3) of a non-vehicular access line;thence continuing North 76°44'27" East, a distance of 293.41 feet to the Point of Termination (3) of the said non-vehicular access line, the point of termination of the said three (3) courses and distances and to the Northeast corner of said Parcel "B".

Certified correct Dated at Fort Lauderdale, Florida, this 28th day of March 1997

NOTES

- (1) THIS IS NOT A SURVEY
- (2) This sketch reflects all easements and rights-of-way as shown on the above referenced plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co
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- (6) THIS DRAWING IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

McLAUGHLIN ENGINEERING CO

Jerald A. McLaughlin
 Jerald A. McLaughlin
 Registered Land Surveyor No 5269
 State of Florida

RECORDED IN THE OFFICIAL RECORDS BOOK OF BROWARD COUNTY, FLORIDA

FIELD BOOK NO. N/A
 JOB ORDER NO. 5-7528

DRAWN BY DFB
 CHECKED BY