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RESOLUTION NO. R-2023- 0716

RESOLUTION REVOKING RESOLUTION R-2009-0505
(CONTROL NUMBER 1997-00034)
AFFIRMING THE ABANDONMENT
OF ZONING APPLICATION ZV/ABN/DOA-2021-01529

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ZV/PDD/DOA/W/R-2008-01369, an application of Palm Beach International Raceway, LLC and Moroso Investment Partners LLC, by Gentile, Holloway, O'Mahoney & Assoc, Agent, for a Requested Use to allow arena; auditorium or stadium; entertainment, outdoor; entertainment, indoor; auction, outdoor; auto paint and body; convenience store with gas sales; manufacturing and processing; vehicle sales and rental; electronic message center; and to allow an alternative sign plan was approved by the Board of County Commissioners at a public hearing on March 30, 2009 by Resolution R-2009-505;

WHEREAS, Zoning Application ZV/ABN/DOA-2021-01529 submitted on behalf of Moroso Investment Partners LLC by Lewis Longman & Walker PA, Agent for a Development Order Abandonment to abandon Requested Uses (arena, Auditorium or Stadium, Indoor/Outdoor Entertainment, Auto Paint and Body, Convenience Store with Gas Sales, Manufacturing and Processing, and Vehicles Sales and Rental); an Electronic Message Center and the Alternative Sign Plan on 174.38 acres; and, a Development Order Amendment to reconfigure the site plan; delete and modify uses; and modify Conditions of Approval on 186.38 acres was presented to the Board of County Commissioners at a public hearing on January 26, 2023;

WHEREAS, the Board of County Commissioners denied Zoning Application ZV/ABN/DOA-2021-01529 on January 26, 2023; Applicant petitioned for relief under Section 70.51, Florida Statutes; a hearing was held before the Special Magistrate on April 19, 2023; on May 2, 2023, the Special Magistrate issued his recommendation that the denial unfairly burdened the subject property and that the Board of County Commissioners should approve the subject zoning application; therefore, the Special Magistrate's recommendation and Zoning Application ZV/ABN/DOA-2021-01529 were presented to the Board of County Commissioners at a public hearing on May 25, 2023;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Abandonment;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-2009-0505, approving Zoning Application ZV/PDD/DOAW/R-2008-01369, a Requested Use to allow an Arena, Auditorium or Stadium, Indoor/Outdoor Entertainment, Auto Paint and Body, Convenience Store with Gas Sales, Manufacturing and Processing, and Vehicles Sales and Rental); an Electronic Message Center and the Alternative Sign Plan hereby revokes the uses on 174.38 acres.

Commissioner Bernard moved for the approval of the Resolution.

The motion was seconded by Commissioner Marino and, upon being put to a vote, the vote was as follows:

Commissioner Gregg K. Weiss, Mayor	-	Aye
Commissioner Maria Sachs, Vice Mayor	-	Aye
Commissioner Maria G. Marino	-	Aye
Commissioner Michael A. Barnett	-	Aye
Commissioner Marci Woodward	-	Aye
Commissioner Sara Baxter	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on May 25, 2023.

Filed with the Clerk of the Board of County Commissioners on May 25, 2023.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

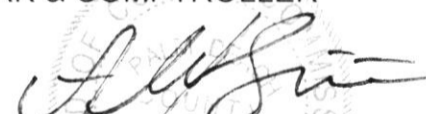
BY: 
DEPUTY CLERK

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

BEING A PARCEL OF LAND LYING OVER LOTS 9-16, AS SHOWN ON THE UNRECORDED PLAT OF PALM BEACH INDUSTRIAL PARK, AS PREPARED BY BROCKWAY, WEBER & BROCKWAY, INC. DATED JUNE 1962, LYING IN SECTION 11, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 11; PROCEED SOUTH 00 0 04 54" EAST, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 11, A DISTANCE OF 2831.20 FEET; THENCE NORTH 89 0 55' 06" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, BEING THE NORTHWEST CORNER OF LOT 16, OF SAID UNRECORDED PLAT, AND A POINT ON A LINE 1090.00 FEET NORTH OF, AND PARALLEL WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF BEELINE HIGHWAY (STATE ROAD NO.710) (200 FOOT WIDE RIGHT OF WAY), (PER ROAD PLAT BOOK 2, PAGES 149-153 AND DEED BOOK 1051, PAGE 407) PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 53 0 39' 25" EAST, ALONG SAID PARALLEL LINE AND ALONG THE NORTH LINE OF LOTS 9-16, OF SAID UNRECORDED PLAT, A DISTANCE OF 2004.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE SOUTH 36 0 20' 35" WEST, DEPARTING SAID PARALLEL LINE, AND SAID NORTH LINE AND ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 1090.00 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT OF WAY LINE AND THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 53 0 39' 25" WEST DEPARTING SAID EAST LINE AND ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1187.37 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY, DEPARTING SAID NORTHEASTERLY RIGHT OF WAY LINE, AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53 0 34 31" AN ARC DISTANCE OF 23.38 FEET TO THE POINT OF TANGENCY, BEING A POINT ON A LINE 40.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID SECTION 11, THENCE NORTH 00 0 04' 54" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 1342.02 FEET TO THE POINT OF BEGINNING. SAID PARCEL ALSO KNOWN AS THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 11394, PAGE 1578, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A TRACT OF LAND IN SECTION 11, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE POINT OF INTERSECTION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 710, AS SAID RIGHT OF WAY LINE IS SHOWN ON MAP RECORDED IN ROAD PLAT BOOK 2, PAGES 149-153, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1249.70 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE NORTHEASTERLY AT RIGHT ANGLES, A DISTANCE OF 1090 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES, A DISTANCE OF 200 FEET; THENCE SOUTHWESTERLY, AT RIGHT ANGLES, A DISTANCE OF 1090 FEET TO A POINT IN SAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 710; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

A PARCEL OF LAND LYING OVER AND ACROSS A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 16360, PAGE 1150, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 11, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 11 AND THE NORTHEASTERLY RIGHT OF WAY LINE OF BEELINE HIGHWAY (STATE ROAD NO. 710) THENCE SOUTH 53 0 39' 25" EAST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 759.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 53 0 39' 25" EAST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND THE SOUTHWESTERLY LINE OF SAID CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 16360, PAGE 1150, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 490.00 FEET TO THE SOUTHERLY CORNER OF SAID CERTAIN PARCEL OF LAND; THENCE NORTH 36 0 20' 35" EAST, DEPARTING SAID RIGHT OF WAY LINE, ALONG THE SOUTHEASTERLY LINE OF SAID CERTAIN PARCEL OF LAND, A DISTANCE OF 1067.00 FEET; THENCE NORTH 53 0 39' 25" WEST, DEPARTING SAID SOUTHEASTERLY LINE, A DISTANCE OF 490.00 FEET; THENCE SOUTH 36 0 20' 35" WEST, A DISTANCE OF 1067.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND IN SECTIONS 11 AND 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SECTION 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 710 (FOR CONVENIENCE THE EAST LINE OF SAID SECTION 14 IS ASSUMED TO BEAR NORTH 00 15' 49" EAST, AND ALL OTHER BEARINGS SHOWN HEREIN ARE RELATIVE THERETO; THENCE NORTH 53 0 17' 12" WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 710, A DISTANCE OF 497.28 FEET TO A POINT IN A LINE PARALLEL TO AND 400 FEET, WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE EAST LINE OF SAID SECTION 14; THENCE NORTH 0 0 15' 49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 527.15 FEET TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 400 FEET WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE EAST LINE OF SECTION 11 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 0 0 13' 19" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 828.36 FEET TO A POINT IN A LINE PARALLEL TO AND 1090 FEET NORTHEASTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 710; THENCE NORTH 53 0 17' 12" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1340.71 FEET; THENCE NORTH 53 0 55' 33" EAST ALONG THE EXTENSION OF A LINE RADIAL TO A CURVETO BE DESCRIBED, A DISTANCE OF 310.58 FEET TO A POINT IN THE ARC OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 65 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE AND THROUGH AN ANGLE OF 540 20' 02" A DISTANCE OF 74.12 FEET TO THE END OF SAID CURVE AND TO A POINT IN THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 11; THENCE NORTH 0 0 15' 35" EAST ALONG SAID WEST LINE AND TANGENT TO SAID CURVE, A DISTANCE OF 3357.38 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 11; THENCE SOUTH 89 0 37' 49" EAST ALONG THE NORTH LINE OF SECTION 11, A DISTANCE OF 1321.47 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 0 0 13' 19" WEST, ALONG THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 5284.86 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00 15' 49" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 822.74 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THOSE CERTAIN PARCELS OF LAND DESCRIBED IN THAT CERTAIN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 854, PAGE 792, AS MODIFIED BY THAT CERTAIN RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 1093, PAGE 541.

PARCEL 3:

PORTIONS OF LOTS 2, 3, 4 AND 5 OF THE UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PORTIONS OF SECTIONS 11 AND 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD 710, AS RECORDED IN ROAD PLAT BOOK 2, PAGES 149 THROUGH 153, INCLUSIVE, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS; PROCEED SOUTHEASTERLY, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2255.21 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY AT AN ANGLE OF 53 0 31' 16" MEASURED FROM NORTHWESTERLY TO NORTHERLY, A

DISTANCE OF 471.68 FEET; THENCE EASTERLY, AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 274.36 FEET TO A LINE PARALLEL TO AND 560.88 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES, TO THE EAST LINE OF SAID SECTION 11; THENCESOUTHERLY ALONG SAID PARALLEL LINE, AT AN ANGLE OF 90 000'45" MEASURED FROM WESTERLY TO SOUTHERLY, A DISTANCE OF 266.01 FEET TO A LINE PARALLEL TO AND 560.88 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES, TO THE EAST LINE OF SAID SECFION 14; THENCE SOUTHERLY, ALONG SAID PARALLEL LINE, AT AN ANGLE OF 179 0 5730" MEASURED FROM NORTHERLY THROUGH WESTERLY TO SOUTHERLY, A DISTANCE OF 408.41 FEET TO SAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD 710; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, AT AN ANGLE TO THE PRECEDING COURSE OF 53 03301" MEASURED FROM NORTHERLY TO NORTHWESTERLY, A DISTANCE OF 341.02 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

A TRACT OF LAND IN SECTION 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SECTION 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 710 AS SAID RIGHT-OF-WAY LINE IS SHOWN ON MAP IN ROAD PLAT BOOK 2, PAGES 149 TO 153, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 497.28 FEET TO THE POINT OF BEGINNING AND THE SOUTHEAST CORNER OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 200 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 14, AND WHICH MAKES AN ANGLE WITH THE PRECEEDING COURSE (MEASURED FROM SOUTHEAST THROUGH EAST TO NORTH) OF 126 0 26'59", A DISTANCE OF 200 FEET; THENCE SOUTHEASTERLY AND PARALLEL TO SAID RIGHT-OF-WAY LINE, A DISTANCE OF 200 FEET; THENCE SOUTHERLY AND PARALLEL TO SAID EAST LINE OF SECTION 14, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

A TRACT OF LAND IN SECTIONS 11 AND 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNT(, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SECTION 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 710, AS SAID RIGHT-OF-WAY LINE IS SHOWN ON MAP RECORDED IN ROAD PLAT BOOK 2, PAGES 149 TO 153, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 497.28 FEET TO A POINT IN A LINE PARALLEL TO AND 400 FEET WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE EAST LINE OF SAID SECTION 14; THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING AND THE SOUTHEAST CORNER OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE NORTHWESTERLY ALONG A LINE PARALLEL TO THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE, WHICH MAKES AN ANGLE WITH THE PRECEDING COURSE (MEASURED FROM SOUTH THROUGH WEST TO NORTHWEST) OF 126026'59", A DISTANCE OF 200 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 208.27 FEET, TO A POINT IN A LINE PARALLEL TO AND 560.88 FEET WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE EAST LINE OF SAID SECTION 11, THENCE NORTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 947,34 FEET, TO A POINT IN A LINE PARALLEL TO AND 1090 FEET NORTHEASTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 200.11 FEET, TO A POINT IN A LINE PARALLEL TO AND 400 FEET WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE SAID EAST LINE OF SECTION 11; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 828.39 FEET, TO A POINT IN A LINE PARALLEL TO AND 400 FEET WESTERLY FROM (MEASURED AT RIGHT ANGLES TO) THE SAID EAST LINE OF SECTION 14; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 327.15 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

EASEMENTS CONTAINED IN THAT CERTAIN ACCESS AND UTILITY EASEMENT AGREEMENT, FOR THE BENEFIT OF PARCEL 1, RECORDED IN OFFICIAL RECORDS BOOK 23829, PAGE 855, PUBLIC RECORDS OF PALM BEACH COUNTY,

MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND CONTAINING LOTS 1 THROUGH 3, 8, 12 THROUGH 16, 86 THROUGH 109, A PORTION OF LOTS 4 THROUGH 6, AND A PORTION OF LOTS 9 THROUGH 11 OF THE UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK, SITUATED IN THE EAST HALF (E1/2) OF SECTION 11 AND THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 14, ALL IN TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE PALM BEACH COUNTY BRASS DISK MARKING THE NORTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 00°09'12" EAST, ALONG THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 39.88 FEET; THENCE SOUTH 89°50'38" WEST A DISTANCE OF 40.00 FEET TO AN EXISTING 5/8" IRON PIN AND CAP FOR THE POINT OF BEGINNING; THENCE SOUTH 00°09'12" EAST A DISTANCE OF 5244.97 FEET TO A POINT ON THE SOUTH LINE OF SECTION 11 AND 40 FEET WEST OF THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°06'57" EAST, PARALLEL WITH THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 744.37 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 55.18 FEET, AND A RADIUS OF 25.00 FEET, (SAID CURVE HAVING A CENTRAL ANGLE OF 126°27'34", A CHORD BEARING AND DISTANCE OF SOUTH 63°06'50" WEST, 44.64 FEET) TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 710 (BEELINE HIGHWAY); THENCE NORTH 53°39'23" WEST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 939.22 FEET; THENCE NORTH 00°08'07" WEST, LEAVING THE NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 471.68 FEET; THENCE NORTH 89°51'53" EAST A DISTANCE OF 274.36 FEET; THENCE NORTH 00°09'12" WEST A DISTANCE OF 681.21 FEET; THENCE NORTH 53°39'23" WEST A DISTANCE OF 340.71 FEET; THENCE SOUTH 36°20'37" WEST A DISTANCE OF 1090.00 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB 4431 ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 710; THENCE NORTH 53°39'23" WEST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 710, A DISTANCE OF 200.03 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB 4431; THENCE NORTH 36°20'37" EAST A DISTANCE OF 1067.00 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB 7717; THENCE NORTH 53°39'23" WEST A DISTANCE OF 490.00 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB 4431; THENCE SOUTH 36°20'37" WEST A DISTANCE OF 1067.00 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB 4431 ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 710; THENCE NORTH 53°39'23" WEST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 710, A DISTANCE OF 697.39 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 23.38 FEET, AND A RADIUS OF 25.00 FEET, (SAID CURVE HAVING A CENTRAL ANGLE OF 53°34'24", A CHORD BEARING AND DISTANCE OF NORTH 26°52'11" WEST, 22.53 FEET) TO A POINT ON THE WEST LINE OF LOT 15 OF SAID UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK, SAID POINT BEING 40.00 FEET EAST OF THE WEST LINE OF THE EAST HALF (E1/2) OF SAID SECTION 11; THENCE NORTH 00°04'59" WEST, PARALLEL WITH THE WEST LINE OF THE E1/2 OF SECTION 11 AND ALONG THE WEST LINE OF LOT 15 AND 16 OF THE UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK, A DISTANCE OF 1342.06 FEET TO THE NORTHWEST CORNER OF SAID LOT 16 AND AN EXISTING 5/8" IRON PIN SET BY LB 4431; THENCE SOUTH 53°39'23" EAST, ALONG THE NORTH LINE OF LOT 16 THROUGH 12 OF SAID UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK, A DISTANCE OF 1404.31 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 12 MARKED BY AN EXISTING 5/8" IRON PIN SET BY LB4431; THENCE NORTH 35°31'35" EAST, ALONG THE COMMON LINE BETWEEN LOTS 85 AND 86 OF SAID UNRECORDED PLAT OF PALM BEACH COUNTY INDUSTRIAL PARK EXTENDED, A DISTANCE OF 350.85 FEET TO A POINT ON A NON-TANGENT SEGMENT OF A CURVE, TO AN EXISTING 5/8" IRON PIN SET BY LB4431; THENCE NORTHERLY ALONG A SEGMENT OF A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 23.72 FEET, AND A RADIUS OF 25.00 FEET, (SAID SEGMENT HAVING A

RADIAL BEARING OF NORTH 35°31'35" EAST, A CENTRAL ANGLE OF 54°21'24", A CHORD BEARING AND DISTANCE OF NORTH 27°17'45" WEST, 22.84 FEET) TO AN EXISTING PERMANENT REFERENCE MONUMENT, SAID POINT BEING 40.00 FEET EAST OF THE WEST LINE OF THE E1/2 OF SECTION 11; THENCE NORTH 00°07'05" WEST, PARALLEL WITH THE WEST LINE OF THE E1/2 OF SECTION 11, A DISTANCE OF 3317.70 FEET TO AN EXISTING 5/8" IRON PIN SET BY LB7717; THENCE SOUTH 89°59'16" EAST A DISTANCE OF 1241.74 FEET TO THE POINT OF BEGINNING, CONTAINING 7,596,081.69 SQUARE FEET OR 174.382 ACRES OF LAND, MORE OR LESS.