

RESOLUTION NO. R-2025- 1024

RESOLUTION APPROVING ZONING APPLICATION PDD/DOA-2024-00634
(CONTROL NO. 1988-00029)

a Development Order Amendment

APPLICATION OF Okee Property East, LLC, Palm Beach Marketplace, LLC, 1960 Okeechobee Blvd, LLC, PBM Place, LLC, Okee Property West, LLC
BY Cotleur & Hearing, Inc., AGENT
(Palm Beach Marketplace)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating 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 PDD/DOA-2024-00634 was presented to the Board of County Commissioners at a public hearing conducted on July 24, 2025;

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

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 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 Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

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 the 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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application PDD/DOA-2024-00634, the Application of Okee Property East, LLC, Palm Beach Marketplace, LLC, 1960 Okeechobee Blvd, LLC, PBM Place, LLC, Okee Property West, LLC, by Cotleur & Hearing, Inc., Agent, for a Development Order Amendment to modify the overall Site Plan to add land area (2.21 acres) to a 10.18 acre site, add square footage, add buildings, add uses, and to add an access point on a new total of 12.39 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on July 24, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Sachs moved for the approval of the Resolution.

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

Commissioner Maria G. Marino, Mayor	- Aye
Commissioner Sara Baxter, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Absent
Commissioner Marci Woodward	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Bobby Powell, Jr.	-

The Mayor thereupon declared that the resolution was duly passed and adopted on July 24, 2025.

Filed with the Clerk of the Board of County Commissioners on July 24th, 2025.

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOSEPH ABRUZZO
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 764 FEET EAST ON THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, AND REPLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 20, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29, THENCE RUN SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 27 FEET TO THE POINT OF BEGINNING AND THE NORTHWEST CORNER OF THE PARCEL HEREBY DESCRIBED; THENCE RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 83 FEET; THENCE RUN EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 83 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 764 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78 WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 110 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING CONTINUE SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN EAST ON A LINE PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 112.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH SECTION LINE OF SECTION 29, A DISTANCE OF 112.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH LINE OF SAID SECTION 29, WHICH IS 764 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, WHERE IT ADJOINS THE NORTH LINE OF SAID SECTION 29; RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 160 FEET TO THE POINT OF BEGINNING AND THE NORTHWEST CORNER OF THE PARCEL HEREBY CONVEYED; THENCE CONTINUE SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN EAST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 876.5 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29, RUN SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 262 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING CONTINUE SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 72 FEET; THENCE RUN WEST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 102.5 FEET; THENCE RUN NORTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 72 FEET; THENCE RUN EAST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 102.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH LINE OF SAID SECTION 29, WHICH IS 764 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, WHERE IT ADJOINS THE NORTH LINE OF SAID SECTION 29; RUN SOUTH ON A LINE

PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 210 FEET TO THE POINT OF BEGINNING AND THE NORTHWEST CORNER OF THE PARCEL HEREBY CONVEYED; THENCE CONTINUE SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 52 FEET; THENCE RUN EAST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 52 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 112.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 876.5 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, AND REPLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 20, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29, THENCE RUN SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 334 FEET TO THE POINT OF BEGINNING AND THE NORTHEAST CORNER OF THE PARCEL HEREBY DESCRIBED; THENCE RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN WEST PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 210.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN EAST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 210.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 1019 FEET EAST OF THE EAST LINE OF MADRID PARK WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29, RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 27 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG SAID LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 133 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 142.5 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 133 FEET; THENCE RUN EAST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 142.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 1019 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 13, PAGE 78 AND REPLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 160 FEET TO THE POINT OF BEGINNING AND NORTHEAST CORNER OF THE PARCEL HEREBY CONVEYED; THENCE CONTINUE SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 50 FEET; THENCE RUNNING WEST PARALLEL TO THE NORTH LINE OF SECTION 29 A DISTANCE OF 142.5 FEET; THENCE RUNNING NORTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 50 FEET; THENCE RUNNING EAST PARALLEL TO THE NORTH LINE OF SECTION 29 A DISTANCE OF 142.5 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREBY CONVEYED. TOGETHER WITH:

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 1019 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 13, PAGE 78 AND REPLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING; THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 84 FEET; THENCE RUNNING WEST PARALLEL TO THE NORTH LINE OF SECTION 29 A DISTANCE OF 142.5 FEET; THENCE RUNNING NORTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 84 FEET; THENCE RUNNING EAST PARALLEL TO THE NORTH LINE OF SECTION 29 A DISTANCE OF 142.5 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT IS 876.5 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO

THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29, RUN SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 262 FEET; THENCE RUN WEST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 102.5 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING RUN SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 72 FEET; THENCE RUN WEST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 10.00 FEET; THENCE RUN NORTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 72 FEET; THENCE RUN EAST PARALLEL TO THE NORTH LINE OF SECTION 29, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS: ALL OF THE ABOVE PARCELS (1-6, INCLUSIVE, 11, 13, 14 AND HANCOCK PARCEL) HAVE AND HOLD AND ARE SUBJECT TO AN EASEMENT FOR A NON-EXCLUSIVE RIGHT OF INGRESS AND EGRESS OVER THE 25' PRIVATE EASEMENT AREA COMMONLY KNOWN AS RED TRAIL AND LEGALLY DESCRIBED AS FOLLOWS:

FROM AT A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, THIS POINT BEING 864 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 13, PAGE 78, WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; THENCE RUNNING SOUTH, PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 27 FEET TO A POINT ALONG THE ULTIMATE RIGHT-OF-WAY LINE OF OKEECHOBEE BLVD AND THE POINT OF BEGINNING HEREUNDER; THENCE RUNNING SOUTH, PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 357 FEET TO A POINT ALONG THE NORTH LINE OF THE PROPERTY DESCRIBED UNDER PARCEL 6 ABOVE; THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION, A DISTANCE OF 25 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 357 FEET TO A POINT ALONG THE ULTIMATE RIGHT-OF-WAY LINE OF OKEECHOBEE BLVD; THENCE WEST ALONG THE ULTIMATE RIGHT-OF-WAY LINE OF OKEECHOBEE BLVD, A DISTANCE OF 25 FEET TO THE POINT OF BEGINNING, TOGETHER WITH:

A PARCEL OF LAND IN THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE PLAT OF MADRID PARK, AS RECORDED IN PLAT BOOK 13, PAGE 78, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH THE NORTH LINE OF SAID SECTION 29; THENCE SOUTH 88°45'36" EAST ALONG THE NORTH LINE OF SAID SECTION 29 (THE NORTH LINE OF SAID SECTION 29 IS ASSUMED TO BEAR SOUTH 88°45'36" EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO) A DISTANCE OF 293.87 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST LINE OF FRANK STREET AS SHOWN ON THE PLAT OF SMITHVIEW, AS RECORDED IN PLAT BOOK 23, PAGE 112, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 03°37'04" WEST ALONG SAID EXTENSION A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD AS SHOWN IN ROAD PLAT BOOK 4, PAGE 221, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE CONTINUE SOUTH 03°37'04" WEST ALONG THE EAST LINE OF FRANK STREET A DISTANCE OF 192.78 FEET; THENCE SOUTH 10°11'09" WEST A DISTANCE OF 77.00 FEET; THENCE SOUTH 01°55'44" WEST A DISTANCE OF 300.00 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID PLAT OF SMITHVIEW; THENCE SOUTH 88°04'16" EAST ALONG THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 01°55'44" WEST ALONG THE EAST LINE OF LOT 5 OF SAID PLAT OF SMITHVIEW, A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER AND TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 931, PAGE 380, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°43'36" EAST ALONG THE AFOREMENTIONED NORTH LINE A DISTANCE OF 76.46 FEET; THENCE NORTH 01°44'54" EAST ALONG THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 861, PAGE 542, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA A DISTANCE OF 84.43 FEET; THENCE SOUTH 88°45'36" EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 20.00 FEET; THENCE NORTH 01°44'54" EAST PARALLEL WITH THE EAST LINE OF SAID PLAT OF MADRID PARK, A DISTANCE OF 50.00 FEET; THENCE SOUTH 88°45'36" EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 235.00 FEET; THENCE NORTH 01°44'54" EAST PARALLEL WITH THE EAST LINE OF SAID PLAT OF MADRID PARK, A DISTANCE OF 216.00 FEET; THENCE SOUTH 88°45'36" EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 98.00 FEET; THENCE NORTH 01°44'54" EAST PARALLEL WITH THE EAST LINE OF SAID PLAT OF MADRID PARK, A DISTANCE OF 124.00 FEET; THENCE NORTH 88°45'36" WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 29 A DISTANCE OF 98.00 FEET; THENCE NORTH 01°44'54" EAST PARALLEL WITH THE EAST LINE OF SAID PLAT OF MADRID PARK, A DISTANCE OF 195.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD; THENCE NORTH 88°45'36" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 372.62 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE LAND SHOWN AS PARCEL NO. 126 AS CONTAINED IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 7416, PAGE 1470; AND LESS AND EXCEPT RIGHT-OF-WAY FOR OKEECHOBEE ROAD, AS DESCRIBED IN DEED BOOK 919, PAGE 403, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA TOGETHER WITH:

A PERPETUAL, NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR SEWER AND WATER IN, ON, OVER, AND ACROSS AND UNDER THAT PORTION DESCRIBED IN EXHIBIT "C" IN THE EASEMENT AGREEMENT RECORDED MARCH 27, 1986 IN O.R.B. 4830, PAGE 1040, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH:

A PERPETUAL, NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR DRAINAGE, ON, OVER, ACROSS AND UNDER THAT PORTION DESCRIBED IN EXHIBIT "C" IN THE DRAINAGE EASEMENT AGREEMENT RECORDED MARCH 27, 1986 IN O.R.B. 4830, PAGE 1048, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH:

A PERPETUAL, NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR STORM DRAINAGE, ON, OVER, ACROSS AND UNDER THAT PORTION DESCRIBED IN EXHIBIT "C" IN THE DRAINAGE EASEMENT AGREEMENT RECORDED MARCH 27, 1986, IN O.R.B. 4830, PAGE 1032, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH:

THE SOUTH 84.43 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE WEST 20 FEET OF THAT PARCEL OF LAND WHICH IS SET FORTH IN THAT CERTAIN DEED DATED MAY 7, 1946, GIVEN BY GENERAL J. HANCOCK AND GERTRUDE L. HANCOCK, HIS WIFE, RECORDED IN DEED BOOK 763, PAGE 131, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE NORTH SECTION LINE OF SAID SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, 411 FEET EAST OF THE EAST LINE OF MADRID PARK, WHERE IT ADJOINS THE NORTH SECTION LINE OF SAID SECTION 29, THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 684 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 180 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 684 FEET, TO THE NORTH SECTION LINE; THENCE WEST ALONG THE NORTH SECTION LINE, A DISTANCE OF 180 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY FOR THE ROAD KNOWN AS OKEECHOBEE ROAD. TOGETHER WITH:

ALL THAT CERTAIN PLOT OR PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, THIS POINT BEING 666 FEET EAST OF THE EAST LINE OF MADRID PARK, WHERE IT ADJOINS THE NORTH SECTION LINE OF SAID SECTION 29, RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 160 FEET FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 98 FEET; THENCE RUN SOUTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 50 FEET; THENCE RUN WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 98 FEET; THENCE RUN NORTH ON A LINE PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

BEGINNING AT A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43, THIS POINT BEING 666 FEET EAST OF THE EAST LINE OF MADRID PARK WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK A DISTANCE OF 160 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 48 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 160 FEET TO THE NORTH SECTION LINE; THENCE WEST ALONG THE NORTH SECTION LINE A DISTANCE OF 48 FEET TO THE POINT OR PLACE OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY FOR THE ROAD KNOWN AND USED AS OKEECHOBEE ROAD. TOGETHER WITH:

BEGINNING AT A POINT ON THE NORTH SECTION LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, THIS POINT BEING 714 FEET EAST OF THE EAST LINE OF MADRID PARK WHERE IT ADJOINS THE NORTH SECTION LINE OF SECTION 29; THENCE RUNNING SOUTH PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 160.00 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 50 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF MADRID PARK, A DISTANCE OF 160.00 FEET TO THE NORTH SECTION LINE; THENCE WEST ALONG THE NORTH SECTION LINE A DISTANCE OF 50 FEET TO THE POINT OR PLACE OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY FOR THE ROAD KNOWN AND USED AS OKEECHOBEE ROAD.

LESS AND EXCEPTING THEREFROM THE LAND SHOWN AS PARCEL NO. 127 AS CONTAINED IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 7416, PAGE 1470.

TOGETHER WITH EASEMENTS CREATED BY TERMINATION AND RESTATEMENT OF CROSS-EASEMENT AGREEMENT RECORDED AT OFFICIAL RECORD BOOK 5740 PAGE 290 ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

LOT A, SMITHVIEW, LESS THE SOUTH 40 FEET, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 112, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH:

A PORTION OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 29; THENCE SOUTH 88° 45' 29" EAST ALONG THE NORTH LINE SAID SECTION 29. A DISTANCE OF 195.07 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THE PLAT OF SMITHVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 112 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH SAID NORTH LINE OF SECTION 29; THENCE SOUTH 01° 44' 41" WEST ALONG THE NORTHERLY EXTENSION OF SAID WEST LINE OF SAID PLAT OF SMITHVIEW, A DISTANCE OF 40.00 FEET TO THE SOUTHERLY EXISTING RIGHT-OF-WAY LINE FOR STATE ROAD 704 (OKEECHOBEE BOULEVARD), AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP 93280-2510, AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01° 44' 41" WEST ALONG THE WEST LINE OF SAID SMITHVIEW, A DISTANCE OF 150.01 FEET; THENCE NORTH 88° 45' 29" WEST ALONG A LINE 190.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF SECTION 29, A DISTANCE OF 130.06 FEET TO A POINT ON A LINE 65.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF REPLAT OF MADRID PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01° 44' 41" EAST, A DISTANCE OF 100.45 FEET; THENCE NORTH 46° 29' 43" EAST, A DISTANCE OF 70.40 FEET; THENCE SOUTH 88° 45' 29" EAST ALONG SAID SOUTHERLY EXISTING RIGHT-OF-WAY LINE FOR STATE ROAD 704, A DISTANCE OF 80.50 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

A PORTION OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE NORTH LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA 50 FEET EAST OF THE EAST LINE OF MADRID PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN THENCE SOUTHERLY, PARALLEL TO THE EAST LINE OF SAID MADRID PARK, 190 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING CONTINUE SOUTHERLY, PARALLEL TO THE EAST LINE OF SAID MADRID PARK, 290 FEET; THENCE EASTERLY, PARALLEL TO THE NORTH LINE OF SAID SECTION 29, 144.42 FEET; THENCE NORTHERLY, PARALLEL TO THE EAST LINE OF MADRID PARK, 290 FEET; THENCE WESTERLY, PARALLEL TO THE NORTH LINE OF SAID SECTION 29, 144.42 FEET TO THE POINT OF BEGINNING. TOGETHER WITH:

LOT 2 OF SMITHVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 112, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH:

(PORTION OF FRANK ST.):

ALL THAT CERTAIN PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, ALSO KNOWN AS FRANK STREET AS SHOWN ON THE PLAT OF SMITHVIEW, RECORDED IN PLAT BOOK 23, PAGE 112, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST; THENCE SOUTH 88°45'35" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1643.99 FEET; THENCE SOUTH 03°37'05" WEST ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID FRANK STREET, A DISTANCE OF 40.03 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 03°37'05" WEST, A DISTANCE OF 167.75 FEET; THENCE SOUTH 10°10'45" WEST, A DISTANCE OF 77.00 FEET; THENCE SOUTH 01°55'44"W, A DISTANCE OF 200.00 FEET; THENCE NORTH 88°05'54"W, A DISTANCE OF 20.00 FEET; THENCE, NORTH 01°55'44"E, A DISTANCE OF 201.44 FEET; THENCE NORTH 10°10'45"E, A DISTANCE OF 77.30 FEET; THENCE NORTH 03°37'04"E A DISTANCE IF 165.78 FEET, THENCE SOUTH 88°45'35"E, A DISTANCE OF 20.02 FEET TO THE AFOREMENTIONED POINT OF BEGINNING. TOGETHER WITH:

LOT 5, SMITHVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 112, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

OVERALL BOUNDARY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PALM BEACH MARKETPLACE PDD

ALL THAT CERTAIN PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, THENCE ALONG THE NORTH LINE OF SECTION 29 BEARING S88°45'35"E A DISTANCE OF 1546.80', THENCE S01°55' 44"W A DISTANCE OF 40.00' TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF SMITHVIEW, AS RECORDED AT PLAT BOOK 23, PAGE 112, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THENCE N88°45'35"W A DISTANCE OF 81.70', THENCE S46°29'30"W A DISTANCE OF 70.40', THENCE S01°44'35"W A DISTANCE OF 100.44', THENCE N88°45'35"W A DISTANCE OF 15.00', THENCE S01°44'35"W DISTANCE OF 290.00', THENCE S88°45'35"E A DISTANCE OF 144.83', THENCE S01°55'44"W A DISTANCE OF 2.71', THENCE S88°04'16"E A DISTANCE OF 80.00', THENCE S01°55'44"W A DISTANCE OF 200.71', THENCE S88°45'35"E A DISTANCE OF 156.47', THENCE N01°44'35"E A DISTANCE OF 134.37', THENCE S88°45'35"E A DISTANCE OF 235.35', THENCE S01°44'35"W A DISTANCE OF 134.01', THENCE S88°45'35"E A DISTANCE OF 353.01', THENCE N01°44'35"E A DISTANCE OF 384.01', THENCE N88°45'35"W A DISTANCE OF 142.51', THENCE N01°44'35"E A DISTANCE OF 90.00', THENCE S88°45'35"E A DISTANCE OF 142.51', THENCE N01°44'35"E A DISTANCE OF 183.01', THENCE N88°45'35"W A DISTANCE OF 682.74', THENCE S01°44'35"W A DISTANCE OF 13.00', THENCE N88°45'35"W A DISTANCE OF 140.00' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 539,582.876 SQUARE FEET OR 12.387 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

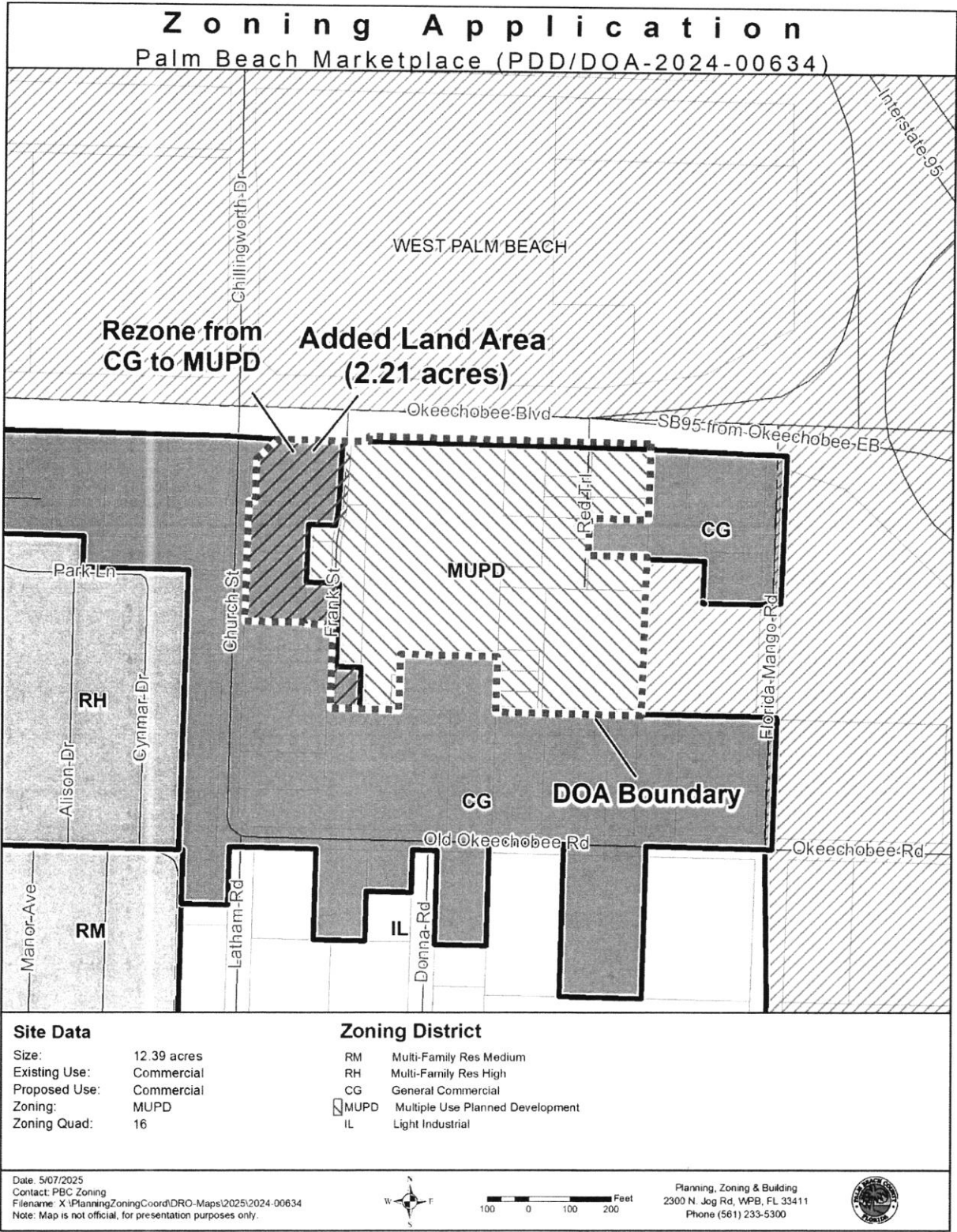


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment – Overall MUPD

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2015-3, Control No.1988-00029, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2012-1860 (Control 1988-029), and Resolution ZR-2013-017-1 (Control 1981-00094) have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2015-0003 (Control 1988-029) have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2015-3, Control No.1988-00029, which currently states:

The approved Preliminary Site Plan is dated July 30, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The approved Preliminary Site Plan is dated May 23, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ENGINEERING

1. Deleted by resolution R-2015-0003 (Previous ENGINEERING Condition 1 of Resolution R-2015-3, Control No.1988-00029)

2. Previous ENGINEERING Condition 2 of Resolution R-2015-3, Control No.1988-00029, which currently states:

Prior to issuance of a building permit for new building square footage for the hotel, the Property Owner shall create a legal lot of record in accordance with Article 11 of the Unified Land Development Code.

Is hereby amended to read:

Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMPT: MONITORING - Engineering)

3. Changes to the Okeechobee Boulevard driveway connections (e.g. throat distance, width, radii, location, etc.) which do not conform to the construction standards specified in Section 300-5 of the Design Standards Manual must be approved by the County Engineer pursuant to Article 11.B.8.C prior to final DRO certification. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2015-3, Control No.1988-00029)

4. Deleted by resolution R-2015-0003 (Previous ENGINEERING Condition 4 of Resolution R-2015-3, Control No.1988-00029)

5. Previous ENGINEERING Condition 5 of Resolution R-2015-3, Control No.1988-00029, which

currently states:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2018. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (BLDGPM/DATE: MONITORING - Engineering)

Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. Pursuant to the Traffic Analysis dated May 9, 2025, the Buildout Date is December 31, 2029. No Building Permits for the site may be issued after December 31, 2029. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (BLDGPM/DATE: MONITORING - Engineering)

6. Prior to the issuance of a Certificate of Occupancy for the hotel, the Property Owner shall meet the requirements of the FDOTs 10/28/2014 Conceptual Approval Letter (or as subsequently amended) and provide certification by a professional engineer that states the attached letter is the latest FDOT letter and that the requirements therein are met. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 6 of Resolution R-2015-3, Control No.1988-00029)

7. The Property Owner shall construct left turn lane north approach on Church St at project entrance, as approved by the County Engineer. County Engineer shall also have the ultimate authority to determine if such turn lane is geometrically feasible to be constructed, without compromising the safety of the public. If the County Engineer determines this turn lane is not feasible to be constructed, this condition shall be deemed satisfied. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. This construction shall be completed at the same time the access drive on Church Street is constructed.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

8. Prior to the recordation of the plat, the Property Owner shall abandon the Frank Street right-of-way. (PLAT: ENGINEERING - Engineering)

9. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Church Street, 40 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final

acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering)

10. Property Owner shall construct a minimum 5-foot-wide concrete sidewalk along the east side of Church Street from the south property line to connect to the sidewalk on the south side of Okeechobee Boulevard. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPM/CO: MONITORING - Engineering)

LANDSCAPE - GENERAL-NORTH, EAST AND SOUTHEAST PERIMETER OF SITE

1. Prior to final approval by the Development Review Officer, the Property Owner shall obtain approval for an Alternative Landscape Plan, incorporating Conditions of Approval as contained herein and as approved by the Zoning Commission with the Type II Variance. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - GENERAL Condition 4 of Resolution R-2015-3, Control No.1988-00029)

PHASING

1. Prior to final approval by the Development Review Officer, the Applicant shall submit and receive Final approval of a Phasing Plan. (DRO: ZONING - Zoning)

PLANNING

1. Previous PLANNING Condition 1 of Resolution R-2015-3, Control No.1988-00029, which currently states:

Prior to Site Plan approval or December 26, 1990, the petitioner shall revise the Concurrency Reservation for this project to reflect the actual capacity needed for the proposed project. This Concurrency Reservation application (90-07-18-009C) should be reduced by 3,825 square feet. (ONGOING: PLANNING - Planning)

Is hereby deleted. [REASON: Completed. Each Development Orders requires a new Concurrency Reservation.]

2. Prior to Platting, the property owner shall record all cross access easement as shown on the Certified Site Plan, in a form acceptable to the County Attorney's Office, the Planning Division and the Traffic Division. (PLAT: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 2 of Resolution R-2015-3, Control No.1988-00029)

3. Prior to August 31, 2013, all vehicular and pedestrian cross access locations shown on the Certified Site Plan shall be designed in a manner to promote health and safety for all pedestrian and vehicular traffic, and paved to the property line. (DATE: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 3 of Resolution R-2015-3, Control No.1988-00029)

SIGNS

1. Prior to Final Site Plan approval, by the Development Review Officer (DRO) the Property Owner shall provide signage information on the Master Sign Program which specifies the existing signs locations and sizes. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous SIGNS Condition 2 of Resolution R-2015-3, Control No.1988-00029)

2. No new Ground Mounted Signs shall be allowed on site without Board of County Commissioner approval and subject to a Type II Variance, as applicable. (ONGOING: ZONING - Zoning) (Previous SIGNS Condition 3 of Resolution R-2015-3, Control No.1988-00029)

3. The Preliminary Master Sign Plan is dated April 28, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the Signs beyond the authority of the Development Review Officer (DRO) as established in the Unified Land Development Code (ULDC) must be approved by the Board of County Commissioners (BCC) or the Zoning Commission (ZC). Signs shall be installed in accordance with the Plan and the Type II Variances granted by the Zoning Commission. (ONGOING: ZONING - Zoning) (Previous SIGNS Condition 4 of Resolution R-2015-3, Control No.1988-00029)

SITE DESIGN

1. Prior to Final Approval by the Development Review Officer, the Preliminary Site Plan shall be revised to show the current location of the two (2) required handicapped spaces for the 3,680 square foot Type II Restaurant of Building 3. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 5 of Resolution R-2015-3, Control No.1988-00029)

SOLID WASTE AUTHORITY

1. The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products, as programs are available. (ONGOING: SOLID WASTE AUTHORITY - Solid Waste Authority) (Previous SOLID WASTE AUTHORITY Condition 1 of Resolution R-2015-3, Control No.1988-00029)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.