

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

BROWARD COUNTY, a political
subdivision of the State of Florida,

Petitioner,

vs.

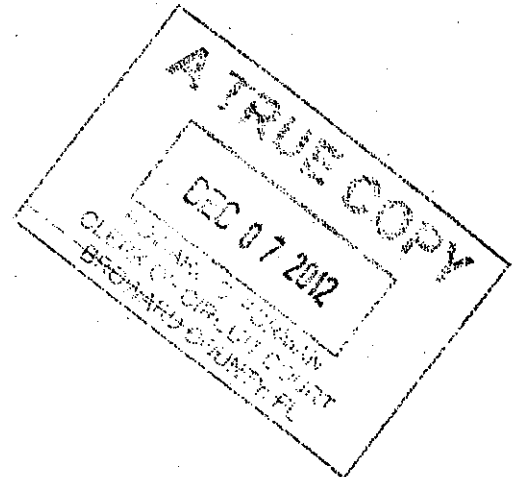
FT. LAUDERDALE OWNER, LLC,
a Delaware limited liability company, US BANK
NATIONAL ASSOCIATION, as Trustee for
City Center Trust 2011-CCHP, Commercial
Mortgage Pass Through Certificates, Series
2011-CCHP, as successor in interest to JP
Morgan Chase Bank, National Association,
WILLIAM E. ALVIS, JR., Deceased, CHESTER
W. SLOAN, Deceased, JAMES H. ALVIS,
RICHARD LaPOINTE and FLORIAN
LaPOINTE, his wife and LaPOINTE
ADVERTISING, INC., a dissolved Florida
corporation, FLORIDA POWER & LIGHT
COMPANY, a Florida corporation, SS
OPTICAL SUPPLY USA, INC. d/b/a Hilton
Gift Shop, AMERICAN TOWERS, INC. a/k/a
American Tower Corporation, SPRINT/
NEXTEL a/k/a Sprint Communications
Limited Partnership, VERIZON WIRELESS
PERSONAL COMMUNICATIONS, LP, a
Delaware limited partnership d/b/a Verizon
Wireless, COMCAST CORPORATION a/k/a
Comcast Holdings Corporation, a Pennsylvania
corporation, as successor in interest to Cable
TV Fund 14-A, Ltd., a dissolved Colorado
limited partnership and Cable TV Fund 14-B,
Ltd., a dissolved Colorado limited partnership,
together as Cable TV Fund 14-A/B Venture,
a Colorado joint venture, CITY OF DANIA BEACH,
a Florida municipal corporation, and all unknown
assigns, successors in interest, trustees, or any
other parties claiming by, through, under, or
against any of the above named parties, whether
existing or dissolved,

Defendants.

CASE NO.:

12 - 33993

02



PETITION IN EMINENT DOMAIN

BROWARD COUNTY, a political subdivision of the State of Florida, sues each of the Defendants named and set forth in Exhibit "A" attached and alleges:

1. This is an action of eminent domain to condemn certain property located in Broward County, Florida.

2. The Petitioner is exercising its right of eminent domain by virtue of the authority granted to it by Section 127.01, Florida Statutes, and Chapters 73 and 74, Florida Statutes, and by further virtue of that certain resolution adopted by the Broward County Board of County Commissioners. A true copy of which is attached as Exhibit "B".

3. The property sought to be condemned is located at 1870 Griffin Road, Dania Beach, Florida, and is presently operated as a hotel ("the PROPERTY"). The PROPERTY's folio parcel number is 504228-09-010 and its legal description is found as a part of Exhibit "B", attached hereto. The PROPERTY sought to be acquired is necessary for the expansion, construction and maintenance of the south runway at Fort Lauderdale-Hollywood International Airport as set forth in the attached authorizing Resolution (Exhibit "B").

4. The estate or interest sought to be condemned by these proceedings is fee simple absolute title.

5. The PROPERTY does not have a mobile home located on it.

6. The ages of each and all natural Defendants named in these proceedings, if any, are unknown to the Petitioner.

7. Petitioner has made a diligent search and inquiry to discover the names, residences, and legal disabilities, if any, and interests in the property of all owners,

lessees, mortgagees, judgment creditors, lienholders, persons in possession, and all persons having or claiming to have any interest in said property, and the same is particularly set forth in Exhibit "A".

8. The Petitioner has surveyed the Property and located its line or area of construction and necessity to construct the south runway project and reasonably requires the Property described in this Petition.

9. Petitioner is authorized to take possession and title in advance of the entry of final judgment in eminent domain actions. To that end, a declaration of taking has been simultaneously filed along with this petition.

10. There are taxes outstanding against the property involved in this action and that the parcel herein sought to be condemned is subject to the levy of ad valorem taxes.

11. Prior to initiating this action, Petitioner has made a good faith attempt to comply with the provisions of Section 73.015, Florida Statutes. In addition, all conditions precedent to the filing of this petition have been satisfied, including notice to the South Florida Water Management District in accordance with Section 373.023(3), Florida Statutes.

WHEREFORE, Petitioner demands:

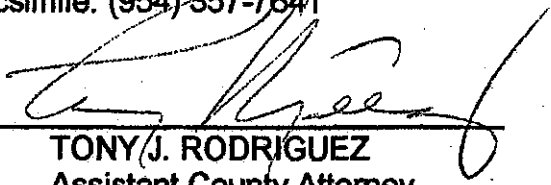
A. That the property described in this Petition be condemned and taken by the Petitioner for the uses and purposes set forth above, and that the fee simple interest sought be vested in the Petitioner.

B. Trial by jury be held on all matters triable as a matter of right by a jury.

- C. The jury be required to view the property.
- D. That Petitioner be granted possession and title in advance of the final judgment pursuant to Fla. Stat., Chap. 74.
- E. That all unpaid taxes and assessments, tax certificates for delinquent taxes, and the pro rata share of current-year taxes, if any, on the parcels that are the subject of this cause be paid and satisfied.
- F. Such other relief as may be proper.

JONI ARMSTRONG COFFEY
County Attorney for Broward County
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Facsimile: (954) 357-7641

By



TONY J. RODRIGUEZ
Assistant County Attorney
Florida Bar No. 832820
trodriguez@broward.org

Dated: December 7, 2012