



STAFF USE ONLY
 Intake Date: _____
 By: _____
 Petition #: _____

Planning & Zoning

12300 Forest Hill Blvd., Wellington, FL 33414 (561) 791-4000 PZApplications@wellingtonfl.gov

PART 1: PLANNING AND ZONING GENERAL APPLICATION
 (Completed Part 1 and 2 of the Application is required)

INSTRUCTIONS:

1. Date of required pre-application meeting: _____
2. Please complete all questions on the application. If not applicable, indicate with N/A.
3. Provide required attachments as shown on the checklist (Part 2)
4. Check the appropriate type of request (Must complete Part 2 of the application specific to your request):

- | | | |
|---|--|---|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Development Order/
Amendment/Other | <input type="checkbox"/> Site Plan/Amendment/
Subdivision |
| <input type="checkbox"/> Administrative Variance | <input checked="" type="checkbox"/> Easement/Right-Of-Way | <input type="checkbox"/> Special Permit Use |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Vacation Abandonment | <input type="checkbox"/> Unity of Title/Unity of
Control/Release |
| <input type="checkbox"/> Architectural Review Board | <input type="checkbox"/> Master Plan/Amendment | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Comprehensive Plan
Amendment | <input type="checkbox"/> Minor Site Plan Amendment | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Conditional Use/Compatibility
Determination | <input type="checkbox"/> Rezoning | |

Multiple requests may be selected. A completed Part 2 Application for each request shall be submitted with a completed Part 1: Planning and Zoning General Application.

Application Fee: \$ _____ (Total fee for all requests)
 (Note: the application fee is an initial deposit and could be as all above applications are cost recovery.)

I. PROPERTY OWNER AND AGENT INFORMATION

Property Owner(s) of Record: Legacy Shoppes, LLC.
 Address: 3700 Airport Rd., Suite 302 City: Boca Raton ST: FL Zip: 33431
 Phone: 561-997-0045 x 204 Cell: 954-254-1025
 Email Address: mph@cityconstruction.com

Applicant (if other than owner): _____
 Address: _____ City: _____ ST: _____ Zip: _____
 Phone: _____ Cell: _____
 Email Address: _____

Agent & Company Name: Martin Heise, Manager
 Address: 3700 Airport Rd., Suite 302 City: Boca Raton ST: FL Zip: 33431
 Phone: 561-997-0045 x 204 Cell: 954-254-1025
 Email Address: mph@cityconstruction.com

Consultants: If applicable to the request, please attach a separate list of all consultants that will provide information on this request. Include the name, address, telephone number, and fax number as well as the type of professional service provided.

Authorization or Power of Attorney must be attached if applicant is other than owner.

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 VILLAGE OF WELLINGTON
 PLANNING AND ZONING DEPARTMENT

II. REQUEST

A. Describe type of request:

Abandon an unused utility easement on property.

III. PROPERTY LOCATION

A. Is the subject property located within one mile of another municipality? yes no

If 'yes' please specify: Property is located in Royal Palm Beach and adjacent to the Village of Wellington

B. Property Control Number (PCN): If additional PCNs, list on a separate sheet and attach to the application.

PCN: 72-41-44-01-14-000-0010

C. Total Acreage of Subject Property approx. 2.5 acres

D. Project Name: Legacy Shoppes

E. Project Address: 165-171 S. State Rd. 7, Royal Palm Beach, FL

F. General Location Description (proximity to closest major intersection in miles or fractions thereof):

Property is located South of Southern Blvd on the west side of 441.

IV. LAND USE AND ZONING INFORMATION

A. Zoning Designation: MUPD Future Land Use Designation: _____

B. Existing Use(s) on Property: Shopping Center

C. Proposed Use(s): Same

D. Do you have a Zoning Confirmation for this project? If so, please attach _____

V. COMPLIANCE

(Attach additional sheets if necessary)

A. Is property in compliance with all previous conditions of approval and/or applicable LDR requirements?

yes no. If no, please explain: _____

B. Code Enforcement Case Number(s) _____

C. Report on the status of all previous conditions of approval: _____

VI. PROJECT HISTORY

List in sequence the last five approvals starting with the most recent.

Petition Number	Request	Action	Date	Resolution/ Ordinance Number

VII. ADJACENT PROPERTIES

Adjacent Property to the:	Land Use Designation	Zoning Designation	Existing Use(s) of Property	Approved Use(s) of Property*
SUBJECT SITE	MUPD	Commercial	Shopping Center	Shopping Center
NORTH	MUPD	Commercial	Rooms To Go	Retail
SOUTH	LWDD/Res.	Residential	Entrance to Black Diamond	Residential
EAST			441	
WEST	Residential	Apartments	Apartments	Residential

VIII. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We do hereby swear/affirm that I/we am/are the owner(s) of the property referenced in this application.

I/We certify that the above statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Department of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

I/We, the aforementioned owner(s), do hereby give consent to (Agent/Representatives Name) Martin Heise to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party/designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s): *Martin Heise*
Print Name(s): Martin Heise, Manager

NOTARY

STATE OF Florida
COUNTY OF Palm Beach

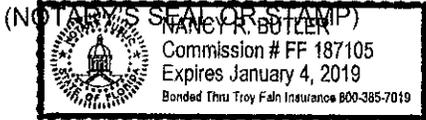
The foregoing instrument was acknowledged before me this 4th day of September, 2015 by Martin Heise

He She is personally known to me or has produced _____ as identification and did/did not take an oath.

Nancy R. Butler
(Signature of Notary)

My Commission Expires: 1/04/2019

NANCY R. BUTLER
(Name - Must be typed, printed, or stamped)



IX. AGENT ACKNOWLEDGEMENT

I/We do hereby swear/affirm that I/we am/are the agent(s) for the property referenced in this application.

I/We certify that the above statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Department of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Agent(s): *Martin Heise*

Print Name(s): **Martin Heise, Manager**

NOTARY

STATE OF Florida

COUNTY OF Palm Beach

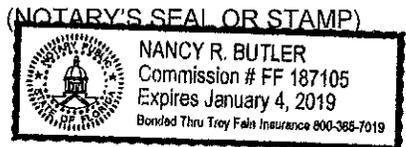
The foregoing instrument was acknowledged before me this 4th day of September, 2015 by Martin Heise

He is personally known to me or has produced _____ as identification and did/did not take an oath.

Nancy R. Butler
(Signature of Notary)

My Commission Expires: 01/04/2019

NANCY R. BUTLER
(Name – Must be typed, printed, or stamped)



II. VACATION/ABANDONMENT AFFIDAVIT

The undersigned hereby petitions the Council of Wellington, to vacate, abandon, discontinue and close a (type and dimension of easement or right-of-way), WATER/SEWER easement/right-of-way and to renounce and disclaim any right-of-way to Wellington and the public in and to any land in connection therewith.

The undersigned hereby certifies that:

1. The easement or right-of-way to be abandon was acquired and recorded in Plat Book 110 Page(s) 65 of the Public Records of Palm Beach County, Florida.
2. In the event this petition is granted, the vacation of the subject easement or right-of-way will not adversely affect other property owners.
3. The petition site is not a part of any Federal, State or Local highway/roadway jurisdiction and was not acquired or dedicated for Federal, State or Local highway/roadway purposes;
4. That attached hereto is a listing which clearly and legibly identifies the ownership, including correct mailing addresses and legal descriptions of the affected properties.
5. All applicable utilities providing service to or within the petition site have granted consent to the proposed vacation/abandonment (copy of consent forms enclosed).
6. The following constitutes a complete and accurate schedule of all owners abutting/affected properties. **Provide a copy of the letter sent to each property owner notifying them of the proposed abandonment. If the petition is for a vacation of a public right-of-way, notarized letters from all abutting property owners consenting to the abandonment are required.**

<u>Name</u>	<u>Address</u>	<u>Description of Property</u>
<u>LOIS ROYAL PALM LLC, AKA-RTG FURNITURE CORP.</u>	<u>11540 HIGHWAY 92E. SEFFNER, FL. 33584</u>	

6. A privilege fee may apply for any right-of-way that is under the jurisdiction and control of the Village Council/Acme Improvement District. The amount of the privilege fee is calculated pursuant to the method provided in Section 54-55 of the Wellington Code of Ordinance and will be established by the Village Council.

The purpose and justification for the vacation/abandonment is as follows:

TO CONSTRUCT A SHOPPING PLAZA AND PARKING LOT OVER THE EXISTING UNUSED WATER+SEWER EASEMENT

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UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE. FURTHER, I/WE UNDERSTAND THAT THIS APPLICATION BECOMES PART OF THE OFFICIAL RECORD OF THE WELLINGTON CLERKS OFFICE. I UNDERSTAND THAT ANY KNOWINGLY FALSE INFORMATION GIVEN WILL RESULT IN ENFORCEMENT ACTIONS BY THE VILLAGE.

Owner (Printed): Martin Heise, Manager

Owner Signature: [Signature] Date: 9/8/15

NOTARY

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 8th day of September, 2015 By MARTIN HEISE, who is personally known to me or has produced _____ as identification and who did/did not take an oath.

[Signature]
Signature of person taking Acknowledgement
NANCY R. BUTLER
Printed Signature



My Commission Expires: 01/04/2019

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SEP 09 2015

EXHIBIT "A"

DESCRIPTION SKETCH FOR: LEGACY SHOPPES, LLC

LEGAL DESCRIPTION:

A portion of the water and sewer easement within Lot 1, according to the **ANTHONY GROVES PLAZA, REPLAT**, as recorded in Plat Book 110, Page 65, Public Records Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Lot 1;
thence North $88^{\circ}20'56''$ West, along the North line of said Lot 1, (the North line of said Lot 1 is assumed to bear North $88^{\circ}20'26''$ West and all other bearings are relative thereto), a distance of 50.04 feet to the **POINT OF BEGINNING** of the hereinafter described parcel;
thence South $01^{\circ}37'59''$ West a distance of 0.07 feet to a point;
thence North $88^{\circ}22'01''$ West a distance of 47.28 feet to a point;
thence South $46^{\circ}42'02''$ West a distance of 24.14 feet to a point;
thence North $43^{\circ}22'01''$ West a distance of 12.00 feet to a point;
thence North $46^{\circ}37'59''$ East a distance of 12.24 feet to a point on said North line;
thence South $88^{\circ}20'56''$ East, along said North line, a distance of 64.20 feet to the **POINT OF BEGINNING**.

Containing in all 223 square feet, more or less.

NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch is not valid unless sealed with an embossed surveyor's seal and accompanied by Sheet No. 2 of 2.
3. This sketch cannot be transferred or assigned without the specific written permission of **Wallace Surveying Corporation**.
4. This is not a survey!

CERTIFICATION:

I HEREBY ATTEST that the description sketch shown hereon meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.



Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

07-1127.008



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4589

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/17/14

DWG. No.: 07-1127-3

OFFICE: J.P.

SHEET: 1 OF 2

C'K'D.: C.W.

REF.: 07-1127-2.DWG

EXHIBIT "A"

LEGEND

- N.T.S. = NOT TO SCALE
- P.B. = PLAT BOOK
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

LOT 2

(P.B. 110, PG. 65)

NORTH

NO SCALE

WATER AND SEWER
EASEMENT
(P.B. 110, PG. 65)

P.O.B.

P.O.C.

NORTHEAST CORNER LOT 1
(P.B. 110, PG. 65)

(BASIS OF BEARINGS)
N88°20'56"W

NORTH LINE LOT 1

EAST LINE LOT 1

S.R. No. 7 (U.S. 441)
(PUBLIC R/W) (WIDTH VARIES)

N46°37'59"E
12.24'

N43°22'01"W
12.00'

S88°20'56"E
64.20'

S01°37'59"W
0.07'

N88°20'56"W
50.04'

N88°22'01"W
47.28'

S46°42'02"W
24.14'

LOT 1

ANTHONY GROVES PLAZA REPLAT

(P.B. 110, PG. 65)

NOTE:

THIS SKETCH IS NOT VALID WITHOUT 2 SHEETS
FORMING A COMPLETE SET. THIS IS NOT A SURVEY.

NO SCALE



WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4589

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/17/14

DWG. No.: 07-1127-3

OFFICE: J.P.

SHEET: 2 OF 2

C'K'D.: C.W.

REF.: 07-1127-2.DWG



72114401140000010

1:18,056

0 0.1 0.2 0.4 mi



This Instrument Was Prepared By:
John C. Strickroot, Jr., Esquire
SHUTTS & BOWEN LLP
525 Okeechobee Blvd., Suite 1100
West Palm Beach, Florida 33401

Parcel Control Number: 72-41-44-01-14-000-0010

CFN 20140145287
OR BK 26743 PG 1721
RECORDED 04/22/2014 15:38:57
Palm Beach County, Florida
AMT 1,500,000.00
Doc Stamp 10,500.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1721 - 1723; (3pgs)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed as of the 12 day of April, 2014, by LEGACY BANK OF FLORIDA, a Florida banking corporation (the "Grantor"), whose mailing address is 2090 Palm Beach Lakes Boulevard, Suite 100, West Palm Beach, FL 33409, to LEGACY SHOPPES, LLC, a Florida limited liability company, whose mailing address is 3700 Airport Road, Suite 302, Boca Raton, FL 33431 (the "Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is acknowledged, has granted, bargained, and sold to Grantee and Grantee's heirs and assigns forever, the following described real property situate, lying, and being in Palm Beach County, Florida, and legally described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

(the "Property")

Together with all easements, tenements, hereditaments, and appurtenances belonging or in anyways appertaining to the Property, and the reversion and reversions, remainder and remainders, rents, issues, and profits of the Property, and all the estate, right, title, interest, claims, and demands whatsoever of the Grantor, either in law or equity, of, in, and to the Property, with the hereditaments and appurtenances to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor covenants with Grantee that, except as above noted and as limited by the next sentence, at the time of the delivery of this Deed the Property was free from all encumbrances made by Grantor, and that Grantor hereby specially warrants the title to the Property and will defend it against the lawful claims of all persons claiming by, through, or under Grantor, but not otherwise. Grantor shall have no liability under the warranties contained in this Deed or otherwise as to any of the documents recorded in the Public Records that are disclosed in the title insurance commitment issued to Grantee in connection with this conveyance. The title insurance commitment is not incorporated into this Deed and third parties dealing with title to the Property need not review the title insurance commitment and are not placed on inquiry notice of the matters contained in the commitment. The parties do not intend to reimpose any of the documents affecting title to the Property.

[Signature on following page]

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DEC 15 2014

VILLAGE OF WELLINGTON
PLANNING AND ZONING DIVISION

IN WITNESS WHEREOF, Grantor has executed this deed as of the day and year first above written.

Signed, sealed, and delivered in the presence of:

[Handwritten signature]
Signature of Witness 1
Rebecca Watkins
Print name of Witness 1
[Handwritten signature]
Signature of Witness 2
Michelle Olivera
Print name of Witness 2

LEGACY BANK OF FLORIDA, a Florida banking corporation

By: *[Handwritten signature]*
Richard A. Simpson, President

STATE OF FLORIDA)
COUNTY PALM BEACH) ss.:
OF

The foregoing instrument was acknowledged before me this 18th day of April, 2014, by Richard A. Simpson, as President of LEGACY BANK OF FLORIDA, a Florida banking corporation, on behalf of the bank. He is personally known to me or has produced _____ as identification.

OFFICIAL NOTARIAL SEAL:



[Handwritten signature]

(type, print, or stamp name)
Notary Public, State of Florida

Commission No. FF026744

My Commission Expires:

6/12/17

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DEC 15 2014

VILLAGE OF WELLINGTON
PLANNING AND ZONING DIVISION

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1: (FEE SIMPLE ESTATE)

Lot 1, Anthony Groves Plaza, Replat, according to the Plat thereof, as recorded in Plat Book 110, Pages 65 through 69, Public Records of Palm Beach County, Florida.

PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE)

Together with Non-Exclusive Easement Rights, for the benefit of Parcel 1, as set forth and created in that certain Access Easement And Maintenance Agreement by and between Lake James, LLC, a Florida limited liability company, and Victoria Grove Homeowners Association, Inc., a Florida not-for-profit corporation, recorded September 25, 2006 in Official Records Book 20889, Page 1026, Public Records Palm Beach County, Florida, over, under and across the lands described therein.

PARCEL 3: (NON-EXCLUSIVE EASEMENT ESTATE)

Together with Non-Exclusive Easement Rights, for the benefit of Parcel 1, as set forth and created in that Declaration Of Covenants, Conditions And Restrictions of Anthony Groves Plaza, A Commercial Subdivision, recorded December 15, 2006 in Official Records Book 21201, Page 543; as the Rights of the Declarant therein have been assigned to GKK-Anthony Groves, Ltd., a Florida limited partnership, by those certain Warranty Deeds recorded December 15, 2006 in Official Records Book 21201, Page 570; and in Official Records Book 21201, Page 575, all of the Public Records of Palm Beach County, Florida, over, under and across the lands described therein.

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DEC 15 2014

**VILLAGE OF WELLINGTON
PLANNING AND ZONING DIVISION**



September 4, 2014

Lois Royal Palm, LLC.
R T G Furniture Corp.
11540 Highway 92 E
Seffner, FL 33584-7346

To Whom It May Concern,

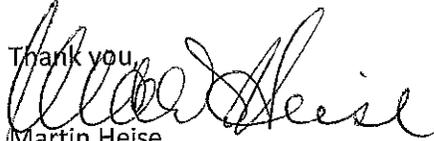
We are developing the vacant parcel to the south of your Rooms To Go store located at 161 S. State Rd. 7, Wellington, FL.

The City of Wellington has requested that we abandon an unused utility easement on our property. A survey of the easement is attached. The City is requesting that we obtain a notarized statement consenting to the abandonment of public right-of-way from the owners of property abutting ours. I have highlighted this requirement on the Wellington Abandonment/Vacate petition Form attached. The easement we are being asked to abandon is entirely on our property and does not affect your property.

We would appreciate you providing this consent so that we can complete the abandonment process.

Feel free to contact me with any comments or questions. I can be reached at 561-997-0045 x 204

Thank you,


Martin Heise



ANNE M. GANNON
 CONSTITUTIONAL TAX COLLECTOR
 Serving Palm Beach County
 Serving you.

Anne M. Gannon
 Constitutional Tax Collector
 Serving Palm Beach County
 P.O. Box 3353
 West Palm Beach, FL 33402-3353

Tax Account		
Property Control Number	Property Type	Status
72-41-44-01-14-000-0010	Real Property	Active
Mailing Address: LEGACY SHOPPES LLC 3700 AIRPORT RD STE 302 BOCA RATON , FL 33431-6409 Geo CD:	Property Address: 0 FL Deed Number: 0	
Legal Description ANTHONY GROVES PLAZA REPL LT 1		

Tax & Assessment				
Ad Valorem	Gross Tax	Credit	Net Tax	Savings
VILLAGE OF ROYAL PALM BEACH	\$3,186.12	\$0.00	\$3,186.12	\$0.00
LIBRARY	\$999.65	\$0.00	\$999.65	\$0.00
COUNTY	\$8,252.23	\$0.00	\$8,252.23	\$0.00
SO FLA WATER MANAGEMENT DIST.	\$637.56	\$0.00	\$637.56	\$0.00
SCHOOL	\$12,601.78	\$0.00	\$12,601.78	\$0.00
CHILDRENS SERVICES COUNCIL	\$1,119.29	\$0.00	\$1,119.29	\$0.00
F.I.N.D.	\$57.25	\$0.00	\$57.25	\$0.00
PBC HEALTH CARE DISTRICT	\$1,792.19	\$0.00	\$1,792.19	\$0.00
FIRE/RESCUE MSTU	\$5,738.51	\$0.00	\$5,738.51	\$0.00
Sub Total	\$34,384.58	\$0.00	\$34,384.58	\$0.00
Non Ad Valorem	Gross Tax	Credit	Net Tax	Savings
LAKE WORTH DRAINAGE DISTRICT MAINT	\$135.00	\$0.00	\$135.00	\$0.00
LAKE WORTH DRAINAGE DISTRICT MAINT FLAT	\$0.00	\$0.00	\$0.00	\$0.00
Sub Total	\$135.00	\$0.00	\$135.00	\$0.00
Total Tax	\$34,519.58	\$0.00	\$34,519.58	\$0.00

Tax Installment								
Period	Bill Number	Due Date	Bill Year	Tax	Discount	Penalty/Fee	Interest	Total Due
INST 1	101564249	3/31/2015	2014	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Notice to Tax Payer

Tax Certificates

Property Tax Help

Payments made between 5/31 – 6/7 of any year indicates the purchase of a **Tax Certificate** for delinquent taxes only. **Tax Certificate** purchase(s) ARE **NOT** a payment of taxes. "Paid By" information displays the name of the **Tax Certificate** purchaser.

If your bill number begins with a year (i.e. 2012-001234), a Tax Certificate was sold for **delinquent property taxes**. An additional collection fee of **\$6.25** must be added to the total amount due for each delinquent tax year once a tax certificate has been sold. The amount due is shown above in the "Tax Installment" section under the Total Due column. **If no other payments or receipt numbers display for that year in the Tax Payment section, delinquent taxes are due.**

** This Icon  indicates delinquent taxes and the tax bill cannot be paid on-line at this time. It may also indicate a recent TDA where additional fees are required. Contact our office at 561-355-2264 or email ClientAdvocate@taxcollectorpbcc.com for additional details.

Tax Payment					
Bill Year	Bill Number	Receipt Number	Amount Paid	Last Paid	Paid By
2014	101564249	U15.90373	\$33,138.79	11/14/2014	BROAD AND CASSEL