

Continuation of Summary Explanation and Background

Thereafter, and during its Inspection Period, Lennar Homes, LLC communicated to SBBC's cadre attorney working on the Elementary D-1 School Site land transaction, the potential challenges it may face from the Hawks Landing Property Owners Association, and the Hawks Landing community (Hawks Landing) regarding Lennar Homes, LLC proposed residential development. As evidence of this potential challenge, Lennar Homes, LLC provided the attached May 22, 2019 letter, which the Hawks Landing Property Owners Association wrote to the Mayor of Plantation opposing Lennar Homes, LLC proposed residential development.

Due to the looming challenges posed by the Hawks Landing Property Owners Association, and at the request of Lennar Homes, LLC, staff brought fourth Agenda Item No. LL-3 "First Amendment to the Agreement of Sale and Purchase with Lennar Homes, LLC" to the September 4, 2019 SBOM for SBBC's consideration, despite staff's suggestion to Lennar Homes, LLC that such request should be subject to some form of time limit and extension fees should be tied to the time granted; to which Lennar Homes, LLC rejected. Terms in the First Amendment stated that in the case of a challenge or appeal by a third party, dates in the Agreement would automatically toll until such challenges or appeals were adjudicated and/or resolved.

During discussion on the board item, SBBC expressed its willingness to provide Lennar Homes, LLC with a one (1) year time frame to address their stated concerns; and upon further discussions, SBBC voted to defer the board item to the September 17, 2019 Regular School Board Meeting and directed staff to work with Lennar Homes, LLC to achieve the SBBC's desire.

It should be noted that the Agreement currently grants Lennar Homes, LLC 365 days to complete its Entitlement Approval Period, which language in the Entitlement Approval Period currently provides Lennar Homes LLC the right to three (3) ninety (90) day extensions and two (2) additional thirty days extensions, which both are subject to extension fees. Thus, per the Agreement, Lennar Homes, LLC currently has a total of one (1) year and ninety (90) days to complete the Entitlement Approval process called for in the Agreement.

Also, it should be noted that if SBBC grants Lennar Homes, LLC the one (1) year and two (2) subsequent automatic one (1) year time frames stated in the First Amendment to address any challenges or appeals by a third party, inclusive of the one (1) year ninety (90) days that Lennar Homes, LLC is currently entitled to complete the Entitlement Approval process called for in the Agreement, Lennar Homes, LLC will now have up to a total of four (4) years and ninety (90) days.