Attachment "G"

SPECIAL EXCEPTION USE AFFIDAVIT OF COMPLIANCE WITH CONDITIONS OF APPROVAL

[Eagles' Nest Community Charter School] (24-SE-022)

I, _____, being sworn, do hereby certify and affirm that the following statements are true:

I have read in its entirety the [Eagles' Nest Community Charter School & 24-SE-022] Development Review Report, any Supplemental Development Review Reports, and all attachments and exhibits associated with the special exception use application filed with the City of Lauderhill, Florida Planning and Zoning Department and understand its contents. *I further acknowledge that Special Exception Use applications are reviewed and will be subject to approval by the Lauderhill City Commission in a quasi-judicial hearing and my attendance at the hearing, or the attendance of my representative or designee, is required to ensure all facts pertaining to the matter are put on record.*

I have read and understand the below described conditions of approval and voluntarily agree to comply with all said conditions. I understand that no Special Exception will be executed or approved in final until and unless this signed Affidavit is submitted to the City:

1. This special exception use development order for a charter primary school (Kindergarten to Eight Grade, with private transportation services and before and after school care uses) is specifically granted to Eagles Nest Community Charter Schools, Inc. and such development order cannot be sold, assigned, transferred or otherwise conveyed to another person. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision.

2. The 31,667 charter school is restricted to the property legally described herein and the location and maximum floor area size is limited to the existing floor plan occupied by Eagle's Nest Community Charter School, Inc.. Consistent with Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is without authority to allow the expansion, enlargement, or removal of the use to another location.

3. The school days and hours of operation are limited to Monday through Friday from 8:00 a.m. to 3:00 p.m.. The before school programs days and hours of operation are limited to Monday through Friday from 7:00 a.m. to 8:00 a.m. and the after school care program days and hours are Monday through Friday from 3:00 p.m. to 6:00 p.m.. Saturday school academic enrichment during the school year from 9:00 a.m. to 12:00 p.m.. Extra-curricular days and hours of operation are allowed as needed. Any increase in either the days or hours of operation or both is prohibited and shall be unlawful unless the City Commission allows such increase.

4. Eagle's Nest Community Charter Schools, Inc. shall operate grades K-8 and the addition of grades to include 9 – 12 is prohibited unless approved through a separate special exception by the City Commission.

5. The maximum number of students to be served at any time is restricted to 800 students, unless the Fire Rescue Division determines that the maximum occupancy load should be less.

6. The inventory of equipment and fixtures to be used on the premises shall be, at a minimum, those required by the School Board.

7. Subsequent to occupancy, if the Code Enforcement Division or Police Division receives three or more complaints against the uses within any one year period and such complaints are affirmed by the Code Enforcement Board, the City Commission may hold a duly noticed public hearing to review the special exception uses and may add, modify, suspend or revoke any conditions of approval or the development order.

8. This special exception development order shall be effective until July 1, 2029.

9. If any of the uses requires as part of its operations Police Department Services, Eagles Nest Community Charter Schools, Inc. shall be responsible for reimbursing the City for all such costs.

10. The City shall not issue or renew a local business tax receipt unless the local business tax receipt application includes evidence that a state license or similarly applicable document has been granted and is valid and unless a copy of an effective Emergency Management Plan is filed with the Fire Rescue Division. In addition, the Fire Rescue Division shall be provided by certified

mail with a copy of any amendment to the Emergency Management Plan within 10-business days of the adoption of such amendment.

11. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both.

Any violation of these conditions may result in a public hearing before the City Commission in order to determine whether this special exception use development order should be revoked, suspended or modified.

I understand that I am swearing or affirming under oath the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement may include the modification, suspension or revocation of any resolution adopting the special exception use application and any certificate of use associated with the special exception use approval.

Print your name: _____

Sign your name: _____
Date signed:_____

The foregoing instrument was acknowledged before me this _____ day of _____, 202_____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

Notary public

Print your name: _____

Sign your name: _____

State of Florida at Large Seal

My Commission Expires: _____