

NEW RIVER CASTLE

625 SW 5th Place, Fort Lauderdale, FL, 33315

HISTORIC LANDMARK DESIGNATION REPORT



Prepared by:

Michaela M. Conca

Broward Trust for Historic Preservation, Inc.



APPLICANT: BROWARD TRUST FOR HISTORIC PRESERVATION, INC.

TO: THE HISTORIC PRESERVATION BOARD AND THE CITY COMMISSION

ON THE POTENTIAL DESIGNATION OF THE PROPERTY NAMED

NEW RIVER CASTLE

LOCATED AT

625 SW 5TH PLACE, FORT LAUDERDALE, FLORIDA

AS A HISTORIC LANDMARK

Reviewed By:

Passed and Adopted On:

Resolution Number:

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I. General Information

Historic Name: NEW RIVER CASTLE

TARPON RIVER/NEW RIVER CASTLE

Date of Construction: 1924/28

Location: 625 SW 5TH PLACE, FORT LAUDERDALE, FL

Present Owner: COLE PROPERTIES & LAND, L.L.C.

Present Use: GUEST HOUSE/ PRIVATE

Zoning: RESIDENTIAL/COMMERCIAL/MIXED USE

Folio Number(s): 504210430070

Boundary/Legal Description: Proposal for Historic Landmark addresses 625 SW 5th Place, Fort Lauderdale, FL, 33315. The legal description of said property is Resub BLK36 Fort Lauderdale, 2-11 B t Lot11,12. BLK 36 TOG with P.O.R. of ABUTTING SOUTH RIVER DRIVE PER CASE NO. 80-14749.

Map Figure 1

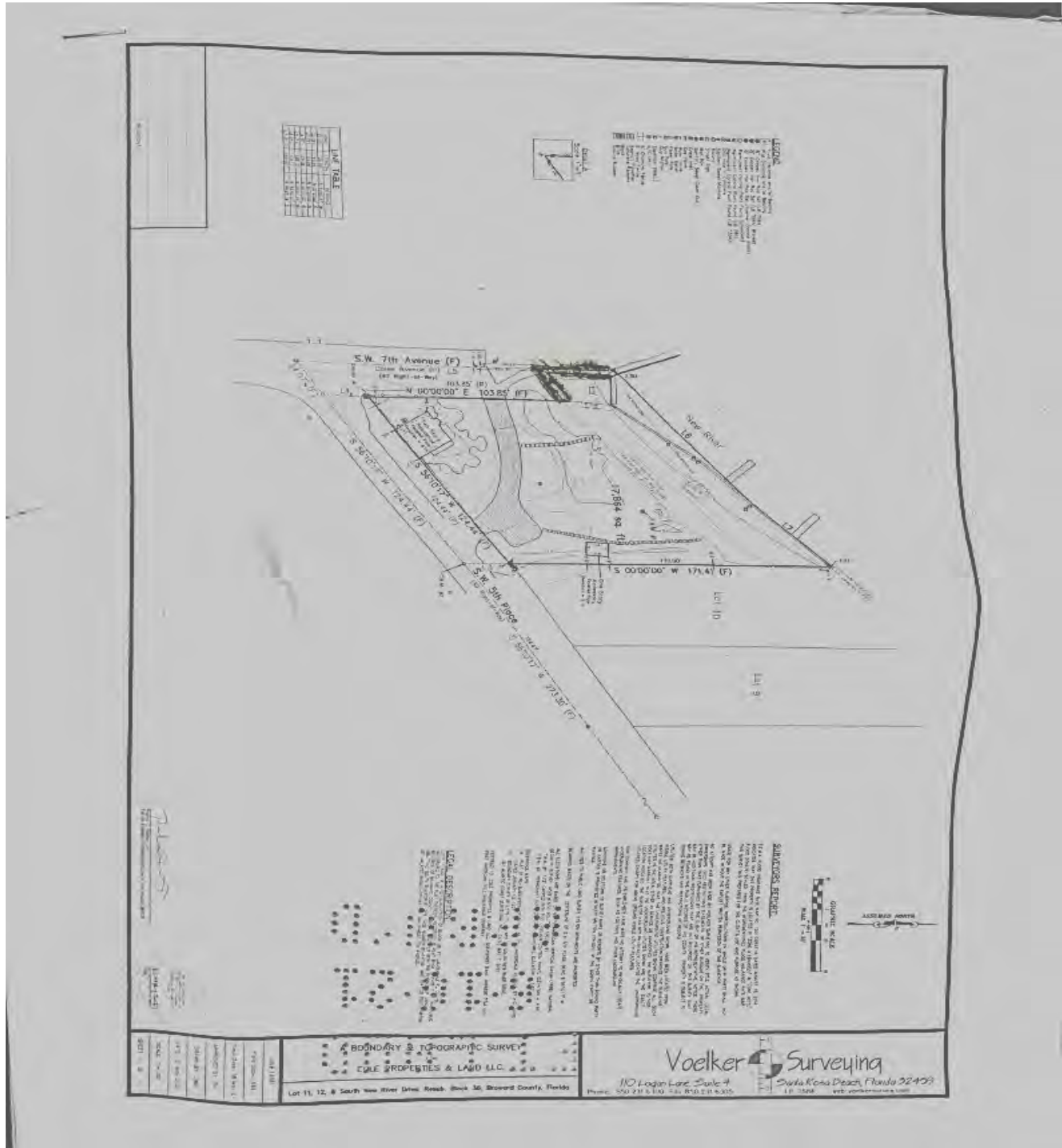
The current zoning designation is Residential/Commercial/Mixed-Use.

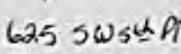
Setting: 625 SW 5th Place is situated on USGS 7.5 FORT LAUDERDALE SOUTH Map USGS map dated 2013 with three miles of the City of Fort Lauderdale city limits. In Broward County, Township 50S, Range 42E, Section 10 S.E., Tax Parcel# 50421040430070 in the Subdivision Tarpon River. UTM coordinates zone 17.

Integrity: The home itself has had no major exterior renovations, except for the windows.

II Location Maps

Figure 1





6

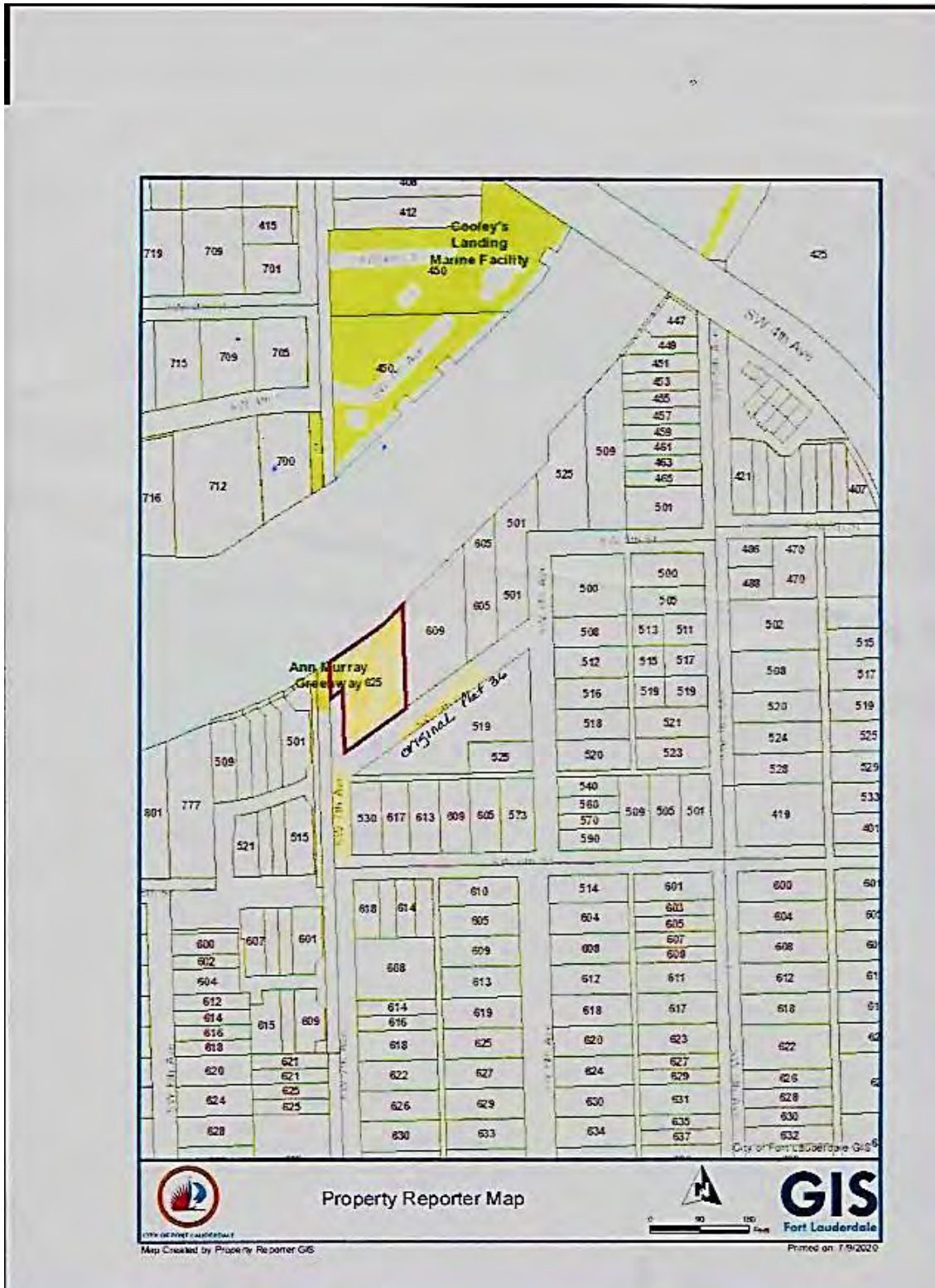
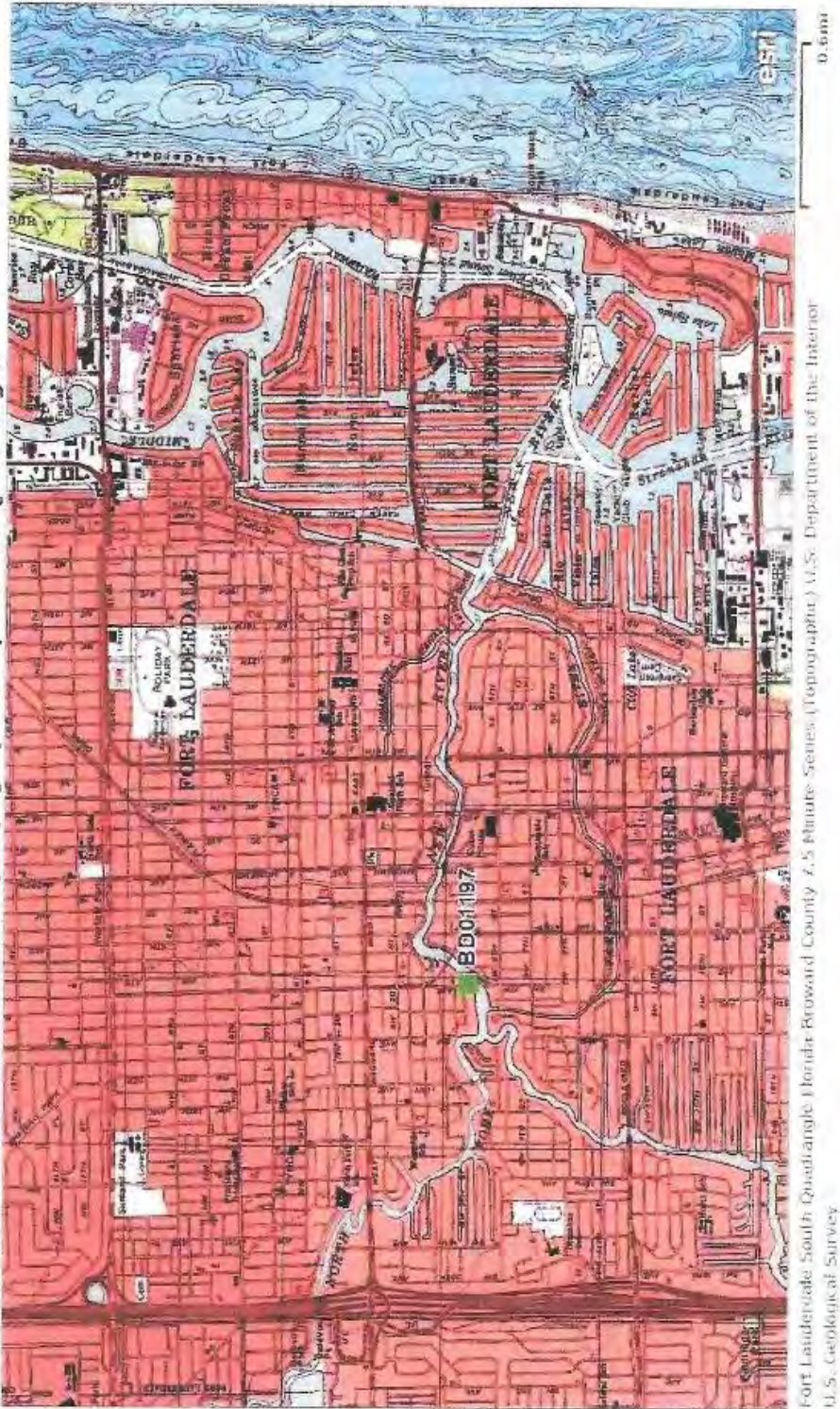


Figure 3

Architectural Resource Intensive Survey Topographic Map - South Quadrangle



Copyright © 2013 National Geographic Society, Inc.

Figure 4



Figure 5 Early map of Fort Lauderdale, Topographer and year unknown.

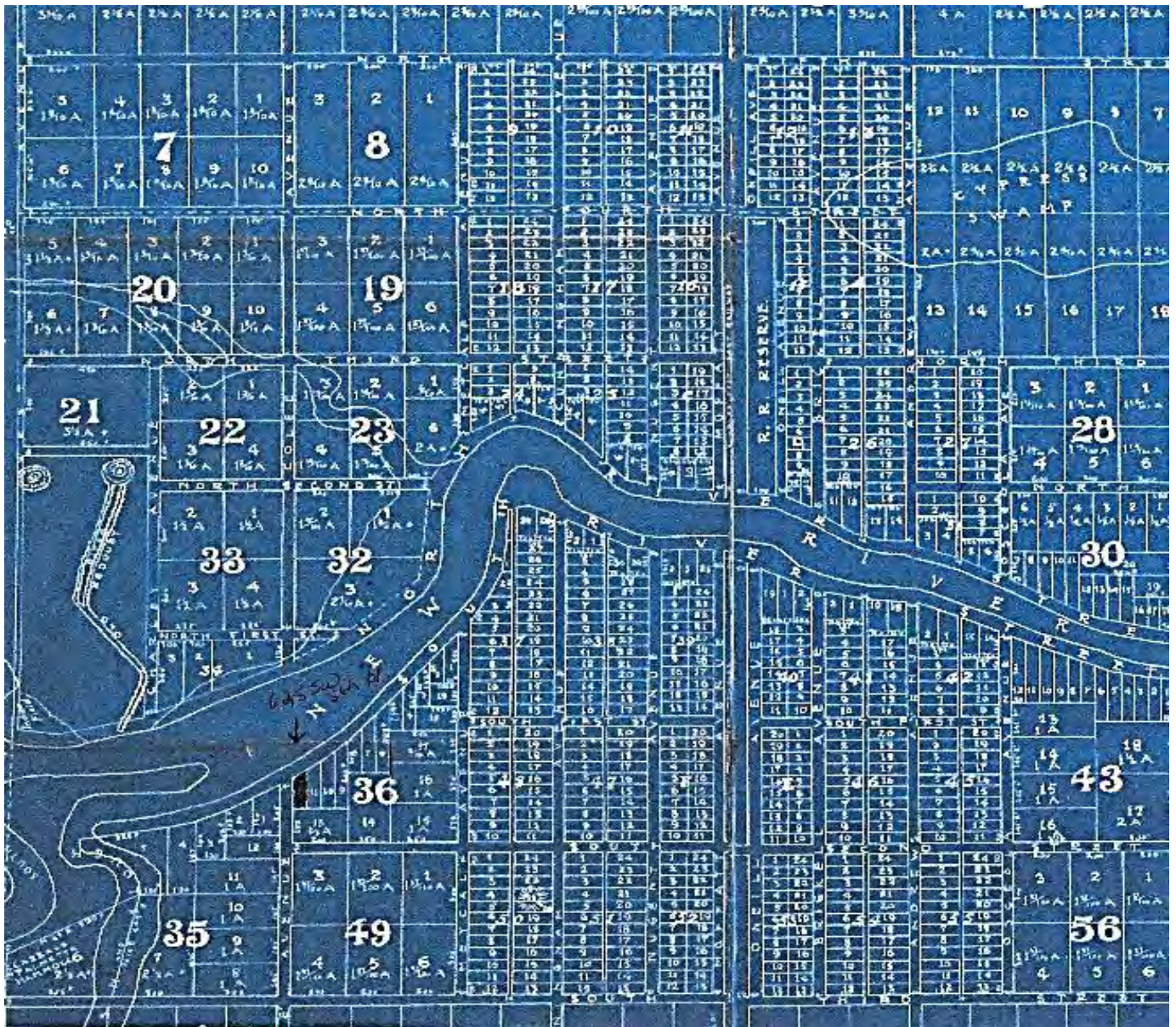


Figure 7

Dade County Map, 1896 – Plat 36, Page 9 – AL Knowlton, Dade “B” – 40 TRANS MAP

OVERVIEW

Tarpon River is a geographically distinct neighborhood located in central Fort Lauderdale. It is bounded by the South Fork of the New River on the west and the New River on the north, South Andrews Avenue to the east, and Davie Boulevard to the south. The neighborhood is located just west and south of the downtown corridor of Fort Lauderdale. Present day Tarpon River consists of the original 1.5 square mile tract of the City of Fort Lauderdale and at least twenty different subdivisions, many of which were originally part of a subdivision owned by W.H. Marshall, Fort Lauderdale's first mayor.¹ The neighborhood is a mix of commercial, light industrial, and residential use with more access to canals and rivers than many of the other neighborhoods in Fort Lauderdale. The area was named for the river that runs north/south through the area which was noted as being a "playground [for] the thousands of tarpon that make their home in the unusual body of water."² Due to the number of small subdivisions located within primarily residential Tarpon River, there is a wide variety of housing styles and construction dates. Among the older properties, styles represented include Frame Vernacular, Masonry Vernacular, and Bungalow, however a majority of the structures are Mid-Century Modern or Modern Vernacular.³ The sections within close proximity to downtown Fort Lauderdale began modern development as early as 1911 and residential buildings dating to



Figure 6B-1: Map of Tarpon River

¹ Trisha Logan, "Tarpon River," *City of Fort Lauderdale Architectural Resources Survey, 2018*, (Miami: Vagabond Group Consulting, 2018), 178 and "608 SW 6th Avenue," *Florida Master Site File*, (St. Augustine: Historic Properties Associates, Inc., 1985).

² "Tarpon Bend at Fort Lauderdale." *The Miami Herald*, March 11, 1923, 11.

³ Logan, 178.

Figure 8

Map of Tarpon River



Figure 9 Marketing Materials Paradise found the culture begins. **Florida East Coast Railway**
[Historical Map of Florida - East Coast Railway and Steamship - 1898 \(worldmapsonline.com\)](https://worldmapsonline.com) Date accessed 8/12/2021

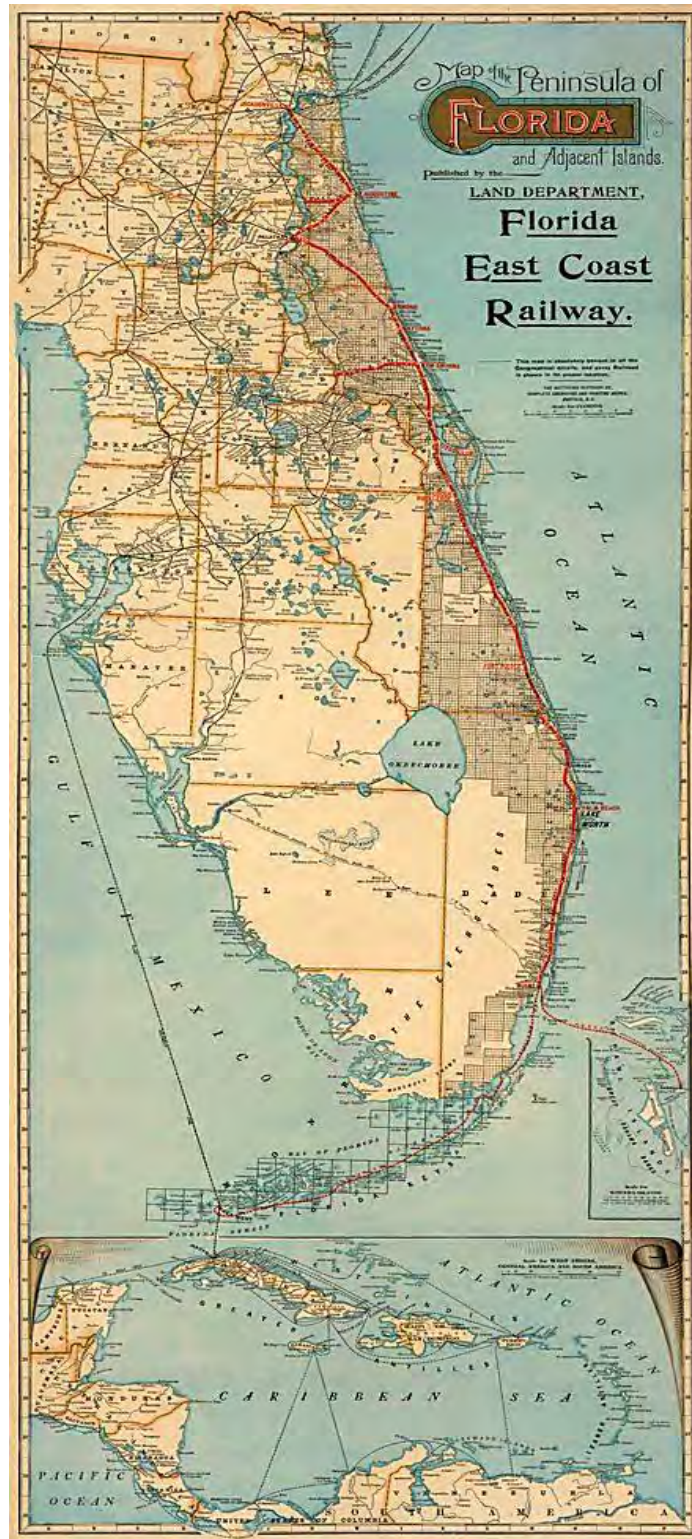


Figure 10 [Turning Point: The FEC - Flagler's Folly \(weebly.com\)](http://TurningPoint:TheFEC-Flagler'sFolly.weebly.com/)- Date accessed 8/12/20

III -Preliminary Statement of Significance

*Broward Trust for Historic Preservation evaluated the New River Castle to be eligible for *Historic Landmark Designation based on two statements of criteria:*

- a. Its value as a significant reminder of the cultural and archaeological heritage of the city, state, or Nation.*
- f. Its distinguishing characteristic of an architectural style is valuable for the study of a period, method of construction, or use of indigenous materials.*

The Secretary of the Interior's "Standards for Historic Preservation Projects" embody two important goals:

1. the preservation of historic materials and,
2. the preservation of a building's distinguishing character.

Period of Significance Preliminary Summary

Every old building is unique with its own identity and its distinctive character. Character refers to all those visual aspects and physical features that comprise the appearance of every historic building. Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, interior spaces, and features. Included in that are the various aspects of its site and its environment¹.

The following quote by Nelson says it all, "Even though buildings may be of historical rather than architectural significance, these tangible elements embody their significance for association with specific events or persons. Moreover, it is those tangible elements, both on the exterior and interior, that should be preserved²."

Period of Significance Years 1890 - 1928

Because of the Criterion choices(A and F), we base the research on these early years between 1890 – 1928. The New River Castle is located within the original one and one-half square mile tract of early Fort Lauderdale. The area is also referred to as the New River Settlement.

¹ US Dept of the Interior, National Park Services Cultural Resource, Technical Preservation Services, Washington D.C. September, 1988
Nelson Lee H. FAIA – PRESERVATION BRIEF 17, Architectural Character: Identifying the Visual Aspect of Historic Buildings as an Aid to Preserving their Character

² US Dept of the Interior, National Park Services Cultural Resource, Technical Preservation Services, Washington D.C. September, 1988
Nelson Lee H. FAIA – PRESERVATION BRIEF 17, Architectural Character: Identifying the Visual Aspect of Historic Buildings as an Aid to Preserving their Character

Looking at old buildings, one can approach their historical significance in several ways. We identify the environment in which the New River Castle sits, the time of construction, its unique character, and the elements surrounding the structure as culturally significant. The New River Castle, based on the research, was built between 1921-1928. A structure existed on the early Broward Map; however, no written information about the exact build date could be found.

The castle identifies with these years because of its rich history, location, early settlement, New River, and pioneers that helped establish Fort Lauderdale. We look at the Castle design, its location in terms of its early contribution to the city, and the land and people surrounding the castle's location.

The plat map attached is from January 1921 and indicates that Barrett owned the property³. Bryan and Barrett married, adding their family to the list of early pioneering families that helped establish the town of Fort Lauderdale. A brief history written about the Bryan Family in Fort Lauderdale magazine, Dated January 1, 2018, by John Dolen; At Home With the Bryans states, "When looking at key times in early Fort Lauderdale history, members of the Bryan family pop up almost everywhere."⁴

Research from the Fort Lauderdale Historic Center provided this chronological data regarding the replating of the Tarpon River settlement several times over. The history of the Plat changes follows, starting with the original owner (the Brickell's) and a dispute between the town of Fort Lauderdale, 1896⁵.

The lots east of the former (c.1932-1962) Seventh Avenue bridge on the south side of the river were initially lots 9 through 12 in block 36 of Mary Brickell's town of Fort Lauderdale. It showed a public waterfront, "South New River Street."

On October 4, 1910, a new owner, Carlton Marshall, re-platted lots 6 through 17 of Block 36. The plot is easily located in the Broward county official records online at Dade Transfer Plat book 2, page 26 (originally Dade 1/38). It shows a small building spanning lots 8-9. Fifth Place was then called Smith Street. The following plat closed South New River Street along the next block east but left it drawn in on Lots 7-12.

On January 13, 1921, five landowners jointly re-platted old block 36 again, and this plat remained unchanged as of the 1935 Charlton map and maybe unchanged today⁶. Lot 7 through 12 changed slightly in dimensions but kept the apparent road right of way, which ended up being cut off on the west side when the bridge embankment was built in the early 30s. Those particular lots were owned one-half by Fred A. Barrett and one-half by W.B. Snyder. The re-subdivision of Block 36 is recorded at Broward Plat Book Two, page 11.

The castle is built on lot 12 and perhaps a little on lot 11. The dimensions on the 1921 Platt for lot 12. are 62.22' frontage and lengths of 103.86' (west side) and 108.4' (east side), leaving apparent room for

³ Map of Re-Subdivision Photos Page 7 Ownership of Sub-divided Plat - January, 1921

⁴ Fort Lauderdale Magazine, January 1, 2018, Dolen, John – At Home With the Bryans, [At Home With the Bryans – Fort Lauderdale Magazine](#)

⁵ Brickell v. the Town of Fort Lauderdale, [Brickell v. Town of Fort Lauderdale \(floridageomatics.com\)](#)

⁶ Maps Figure 6, Reference # 2 Page 10

the road right of way. The right of way for present 7th Ave. (then Colee Ave., the section line) remained at 40 feet.

Barrett and Snyder sold Lots 11 and 12 to George E. Miller in 1921 (Deed book 14, page 454)⁷.

It appears the Barrett/Snyder purchase was a flip creating a slight mystery of still not knowing who owned and built the New River Castle.

The New River Castle background

Despite the mystery surrounding the New River Castle, one element is factual: Fort Lauderdale's growth and the surrounding lands developed by these early pioneers, the Marshall family, the Brickell family, Henry Flagler, Bryan/Barrett family. These early settlers had a big hand in establishing what we now know today as the Tarpon River, Fort Lauderdale. Although more pioneers helped establish Fort Lauderdale, this group is significant to Tarpon River Plat, the New River Settlement, the New River Castle, and the cultural aspect that grew up out of these people and where they chose to live.

The Marshall Family

Coming by wagon Louis W. Marshall his wife, and his children from Georgia in 1895. He was the first and largest farmer for many years—the farm located one and a half miles up the south fork of the New River. Later (1898-99), two nephews followed. William H. Marshall and Walton. Mr. William H Marshall became Fort Lauderdale's first Mayor, successful in farming like his Uncle, continued acquiring land, and was later active in public office. He contributed by helping to build one of the first schools, one of the first Churches. All donated or loaned one hundred dollars to the cause. Marshal was instrumental as a State Representative to the State Legislature when Broward became our County Seat in 1915⁸.

Brickell's and Henry Flagler

The Brickell Family. A civil engineer employed by Henry Flagler A.L. Knowlton first platted the area. Knowlton, in 1895-96 created a map that notes the Brickell's, owned, (AL Dade, "B" - 40 Trans 4 Map of Fort Lauderdale, 1896). Knowlton subdivided the area hence to be known as Fort Lauderdale. FMSF (BD01197) Dade 3-23, 3-41 Map, 1913⁹.

The Brickell's are an interactive couple helping to establish Miami; however, they too are a significant part of the fabric of early Fort Lauderdale, specifically the Tarpon River Plat. Because of this interaction, the narrative continues based on both parties.

Henry Flagler and the Brickell's did business together. The Brickell's in 1890 purchased lands to the west and southwest from Florida Land and Mortgage Company. The land, mostly palmetto, and pine woodland were more suitable for Flagler's purpose. A deal was struck; Flagler agreed to plat a new town, and his F.E.C. subsidiary, the Model Land Company, would share land sales in the community with the

⁷ Fort Lauderdale Historic Archive, Patricia Zeller 7/23/29021

⁸ Marshall Article Fort Lauderdale Historical Marshall Archives – Photographs of on Page 22 Figure 1

⁹ Figure 6 Map, 1896. Page 8 Maps

Brickell's. Map Figures 8 & 9 attached in Photos on pages ten and eleven give tribute to the Florida East Coast Railway¹⁰.

When Henry Flagler arrived in Florida, the Atlantic coast was relatively underdeveloped. Flagler's construction of the Florida East Coast Railway (FEC) and upscale hotels was the turning point that opened the area to tourism and development, refocusing growth from the north and west to the south and east¹¹.

The Powell Brothers Construction

August 1, 1927, Colee Bridge, the third and newest bridge completed across the New River, is ready to be opened. Based on the earliest years of a newly incorporated Fort Lauderdale, we begin to see the formation of this new town and how this town affects our cultural outlook of what we now see today. The Colee Bridge is the 4th Avenue Bridge of today¹².

Marjory Stoneman Douglas, (April 7, 1890 – May 14, 1998)

Marjory Stoneman Douglas is not a common name when referencing the early years of Fort Lauderdale. This article written by Douglas in the Miami Herald dated September 4, 1921, gives a strong argument for the cultural aspect based on Criteria A.

Marjory Stoneman Douglas (April 7, 1890 – May 14, 1998) was an American journalist, author, women's suffrage advocate, and conservationist known for her staunch defense of the Everglades against efforts to drain it and reclaim land for development. Moving to Miami as a young woman to work for The Miami Herald, she became a freelance writer, producing over one hundred short stories published in popular magazines. Her most influential work was the book The Everglades: River of Grass (1947), which redefined the popular conception of the Everglades as a treasured river instead of a worthless swamp. Its impact has been compared to that of Rachel Carson's influential book Silent Spring (1962). Her books, stories, and journalism career brought her influence in Miami, enabling her to advance her causes¹³.

The article's title is FT. LAUDERDALE IS SUBSTANTIAL AND FASCINATING. Although unable to read the newspaper copy, a printed-out copy of this article is for the reader's enjoyment and edification. It seems Douglas was oblivious to the beauty of our New River and, upon visiting, decided to expound on its beauty and majestic ways in which it fits into the lifestyle of new Fort Lauderdale.

The designation process with its subject criteria (A) speaks to its value as a significant reminder of the cultural or archeological heritage of the city... after a good read, I decided Douglas's article speaks volumes to this aspect of the designation criteria. Attached to this report is the article. Marjory's writing is an excellent example of her blossoming career as a writer and advocate for conservation. She speaks at

¹⁰ ¶ 2 Sentence 5 - 7 from Nation Register of Historic Places Continuation Sheet Section 8, Page 3 South Side School. United States Department of the Interior, National Park Services, Washington, D.C.

¹¹ Historic Map - Florida State Map - East Coast Railway & Steamship - 1898, Home - Flagler's Folly - Weebly. <http://82350702.weebly.com/home.html>
[Historical Map of Florida - East Coast Railway and Steamship - 1898 \(worldmapsonline.com\)](http://www.worldmapsonline.com) Date accessed 8/12/2021

¹² Newspaper.com, Miami Herald dated July 3, 1921 article about the Colee Bridge opening, Figure 11 Page 23

¹³ [Marjory Stoneman Douglas - Wikipedia](https://en.wikipedia.org/wiki/Marjory_Stoneman_Douglas) Date accessed 8/12/2021

times quite eloquently of our river and how it fits in with Fort Lauderdale's lifestyle = culture. Moved by the descriptive nature of her writing, and with it a quote, as she begins in the first paragraph,

"I thought I knew Fort Lauderdale. I knew the way you come into it, following the curve of the Dixie Highway which suddenly straightens out. To cross the bridge over the New River, Where any number of smart yachts wink there shining brass-work at you as they taken an oil or gasoline at the city dock. I knew the trim streets of new, clean-looking business blocks and the fine proportions of the Broward Hotel. I knew that diners in the charming metropolitan restaurant of the Broward Hotel were produced by one of the best chefs up and down the East coast, and I knew that you could count on seeing dozens of Miami people enjoying them there any night and Sunday. I knew a few Fort Lauderdale people, and I knew them as intelligent and energetic, and cultured. But the other day. I found that I had not even begun to know Fort Lauderdale¹⁴."

Douglas's article speaks to the nature of agriculture, the Farmers, and the markets that grew up out of those farms. The abundant vegetables make their way to the local market and the many trains that leave south Florida to feed the north during the winter months. What starts as praise to the farmers and their produce explodes in her writing with the color and vibrancy describing what the New River brings to Fort Lauderdale, i.e., (culture).

Another quote reads, "Just where the most charming view of all can be obtained in the center of the silvery Gray wooden bridge, the bridgetender has made rail boxes full of vivid geraniums, whose splash of sudden scarlet makes the whole picture sing. If the bridge were lined with them. As perhaps? They may be after we exclaimed, so about them, it will be a view worth coming from. Miami or Palm Beach to see legend of the Indians from the bay, then curves back to. The New River, which is called that they tell me because the Indians believe that once the rocks split deep and a river gushed forth, newborn from the Earth and there are rocks and each side which do look split, and it is deep enough on all conscience to give a spice of truth to the old legend. Not far from the bay, the river swings widely in Tarpon Bend darks and slow and full of little gleams and sudden lights and with a great shadowy growth of coconut palms on one side where the scenes for Griffith's film "The Idol Dancer" were staged at Tarpon Bend. The New River becomes something else besides a highway from the Everglades and a safe harbor for yachts. It becomes. The Place that good fishermen, when they die, will haunt. For here are tarpon...."¹⁵

Marjorie Stoneman Douglas's article is the cherry on top of an ice cream Sunday. Reading such an article is poetry and prose wrapped up in one beautiful gift to the locals.

This property and the castle fit into Douglas's beautiful example of historical old Fort Lauderdale, and the period it was built is a testament to how it all begins. This historic designation is called for, and this little castle should continue to stand the test of time.

¹⁴ Ibid. Dated September 4, 1921 Newspaper.com –" Fort Lauderdale is Substantial and Fascinating" Douglas

¹⁵ Ibid.

IV -Architectural Description

A two-story 882 square foot masonry vernacular structure our "little Castle" carries with it a high degree of integrity. Its unique structure is a Romanesque-Gothic style architecture. Semi-circular arches characterize this style of architecture¹⁶.

There is no consensus for the beginning of the date of the Romanesque style. Some proposals date range from the 6th to 11th century.

The most commonly held belief in the 12th century, this later date developed into the Gothic style, also marked by pointed turrets and arches. Examples of Romanesque architecture can be found across the continent, making it the first pan-European architectural style¹⁷. Since Imperial Roman architecture, the Romanesque style of England is traditionally referred to as Norman architecture.

The New River castle exterior is masonry and coral rock. Initially built between 1921 - 28, the building was constructed with a flat roof and membrane surface with parapet and conical-shaped turrets above the windows and corners. The structure's most prominent turret is located on the northwest corner. A beautiful wall integrated into its unique design is an arched gate; the wall is also constructed of coral rock. Coral Rock is an indigenous material. New River Castle exterior construction is primarily masonry with coral rock. Upon viewing the associated photos, it is clear that the structure is built out of Coral Rock and masonry block¹⁸.

This quote from the internet states: *"What kind of rock is found in Florida?"*

Coral Rock and Keystone. Florida is truly a diverse and beautiful place, from the Coquina Shell coastline of St Augustine to the coral reefs of the Dry Tortugas. Florida was once underwater, proved by the abundance of limestone across the State. The compression of marine sediments can only form limestone."

[Where does coral rock come from in Florida? - Bing¹⁹](#)

[Coral Rock - Marine Limestone - Carroll's Building Materials \(carrollsbuiltmaterials.com\)](#) Coral rock is a marine limestone mined in the southern tip of Florida. Coral Rock has a wide variety of fossilized Shell and Coral embedded in the rock.

***Coral Rock Marine Limestone** brings a tropical feel to any project. It is available in various formats to suit almost any purpose, including Water Falls, Garden Walls, Plant Borders, or Building Stone.*

The interior of the castle was updated in the '70s. The only alterations made were the addition of metal sash windows.

¹⁶ Figure 12 Page 24 – Example of Romanesque Boldt Castle, <https://www.boldtcastle.com> Date Accessed 8/13/2021

¹⁷ Figure 13 page 25 Example Romanesque website: [Bürresheim Castle - Wikipedia](#), Date accessed 8/12/2021

¹⁸ [Coral Rock and Keystone - Carroll's Building Materials \(St. Petersburg, FL\) \(carrollsbuiltmaterials.com\)](#)

¹⁹ Website Link: [Limestone, Shell, Dolomite | Florida Department of Environmental Protection](#) – Date Accessed, 8/13/2021 fpr pir

II. Application of Criteria for Designation

The New River Castle is eligible for designation under the following criteria under the ULDR Code Section 47 – 24.11.C.7. This Code states the designation of a property as a landmark, landmark site, or a historic district shall be based on one (1) or more of the following criteria:

- a. Its value is a significant reminder of the cultural or archeological heritage of the city, state, or Nation.

The New River has always been a significant part of Fort Lauderdale's early settlement and eventual growth as a county (1911), Broward (1915), to township and city.

The Tequesta Nation, Seminoles, and Miccosukee Nation established themselves on the banks of the New River because of its contributions to the tribes' people and its life-sustaining waters. In 1896 Henry Flagler's railway arrived along the New River. Agriculture is all-important to the economy, and the food source for the early pioneers now had a way to get the food to market.

The river contributed to our boating community. We watched many boats and yachts that traveled east and west to make their way to the ocean's mouth. Tourism soon followed with the help of the East Coast Railway System. The Boom Times in the 20's also contributed to the growth and development of new homes.

One needs to look at the pictorial story the New River teaches us with the historical postcards Figures 19 – 22. You will soon feel the remarkable way The New River fits into the lifestyle of Fort Lauderdale, whether today or yesteryear. "The New River Castle," also sitting by the shore's edge of the New River. This unique structure built in 1921 is part of our history, story, and culture of what makes up Fort Lauderdale, 2021.

- f. Its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

This castle is enduring, unique, and is a simple example of a method of construction utilizing indigenous materials—specifically Coral Rock Limestone. The Romanesque/Gothic style of architecture captures the essence of this historic building design. Although its characteristics are not a common form of architecture used, it is essential to focus on its unusual and imaginative design. Therefore, it brings a sense of time and Place associated with the structure that captures the people's imagination.

Indigenous materials are the ability to use a product that is accessible and, in this case, conveys an overall feeling, which gives this building its visual character. Based on the subject criteria, the building deserves a historic landmark designation.

VI -Planning Context

The New River Castle is located in the primarily residential neighborhood of Tarpon Bend. A report done by Erica Mollon Consulting reveals several details concerning the Tarpon Bend neighborhood²⁰.

Tarpon River Bend is a geographically distinct neighborhood located in central Fort Lauderdale. It is bounded by the South fork of the New River. South Andrews Avenue to the east Davie Blvd to the south. The neighborhood is located just South-west of the downtown corridor of Fort Lauderdale. Present-day Tarpon Bend consists of the original 1.5 square mile tract of Fort Lauderdale and at least twenty different subdivisions. Many were initially part of a subdivision owned by WH Marshall, Fort Lauderdale's first mayor²¹.

The neighborhood mixes commercial, light, industrial and residential use, with more access to canals and rivers than many other Fort Lauderdale neighborhoods. The area is named Tarpon Bend because it runs north/south, east/west through a "playground for thousands of tarpons that make it their home"²².

²⁰ Eric Mollon Consulting, Tarpon River

²¹ Ibid

²² Tarpon Bend at Fort Lauderdale, "The Miami Herald, March 11. 1923, Newspaper.com. Trish Logan

VI. Bibliography

The FLORIDA MASTER SITE FILE Version 5.0 3/19. This site files documentation and archival resources from the U.S. Department of the Interior National Park Services, the National Register of Historic Places archives, Broward County Archives, Florida Historical Society, and newspapers.com. All sources are listed at the end of the document. Much of the research done came from the Fort Lauderdale Historical Society.

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22. Footnote 12 -Wikipedia, Douglas Stoneman Marjory – Short Biography, Page 18
23. Footnote 13 -14, Newspaper.com September 4, 1921- "Fort Lauderdale is Substantial and

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32. Page 22 Tarpon Bend at Fort Lauderdale, The Miami Herald, March 11, 1923 – Website: Newspapers.com, Trish Logan, Footnote 20
33. Coldwell Banker for Interior photos of The New River Castle
34. Ibid. Figure 15 Example of Gothic, Cite de Carcassonne – Website: Wikipedia Page 29 Coral Rock and Keystone Carroll's Building Materials, St Petersburg. Website: carrollsbuildingmaterials.com
35. Page 29 – Website: Link - Limestone, Shell, Dolomite, Florida Department of Environmental Protection.
36. Page 30- 33, Four Visual Postcards of the New River, The Florida Historical Society – unknow years - one card Dated, 11/3/1925, Page 32 Website: myfloridahistory.org Link: [Florida Historical Society | \(myfloridahistory.org\)](http://FloridaHistoricalSociety.org)
37. Page 20 Tarpon Bend at Fort Lauderdale, The Miami Herald, March 11, 1923 – Website: Newspapers.com

38. Coldwell Banker for Interior photos of The New River Castle Pages 38 - 45

39. Pages 45 – 48, FMSF, Photographs of New River Castle Exterior, Logan, T - BD01197 –

Field date: 1/15/2020 Report date: 6/25/2020

V. Photographs

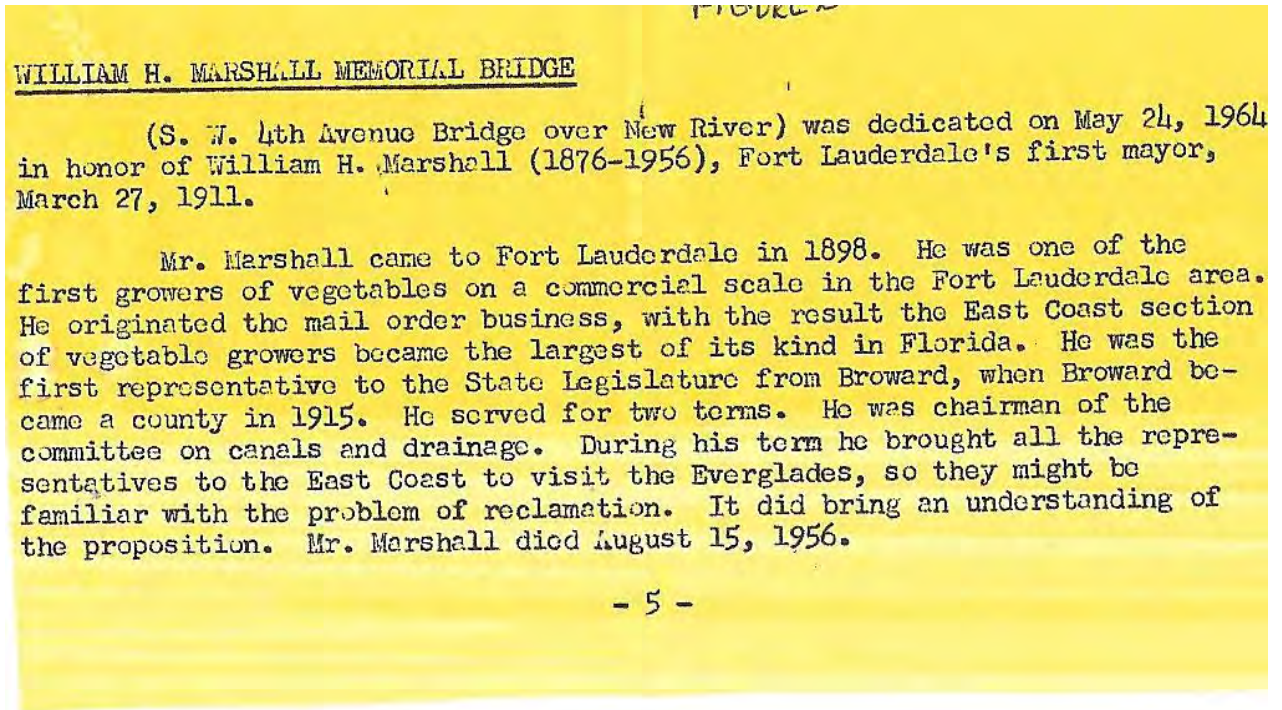


Figure 11 Article Dedication Marshall Bridge May 24, 1964 - From Fort Lauderdale Historical Society Marshall Archives

AUGUST 1 SET FOR OPENING BRIDGE

Newest Span To Open Traffic Across New River

FORT LAUDERDALE, Fla., July 2. August 1 will see Fort Lauderdale's third and newest bridge across New river completed and ready for traffic, Assistant City Engineer Rollin Ritter announced today. Powell Brothers, contractors on the span at Colee avenue, have swung and riveted the south bascule leaf into place and will have the north bascule in place in two weeks.

The bridge is floored except the movable spans. Adjustment of counterweights and placing of machinery will take about two weeks after the steel is assembled. City street forces are completing packing of the approaches on Colee avenue under the direction of A. A. Sturges, city street commissioner. The roadway then will be used and opened for use.

Powell brothers are also the contractors on the building of 2,700 feet of sea wall on the north and south banks of New river, between Andrews and S. E. Sixth (East) avenue. To date they have completed 200 feet of the wall on the south bank, starting at Sixth avenue and working westward. A total of 100 feet of footing is ready for concrete pouring, 200 feet of piling has been driven and 200 feet of excavation made. It is expected that the south wall will be finished by August 1.

Colee Bridge

Figure 12 Colee Bridge Opening now known as 7th Ave. Bridge - July 3, 1927




Figure 13 Example of Romanesque Castle – Accessed 8/12/2021

[History — Official Boldt Castle Website – Alexandria Bay, NY - in the Heart of the 1000 Islands](#)

<https://www.boldtcastle.com> – Date Accessed 8/13/2021



Figure 14 Castle Buerresheim - [Bürresheim Castle - Wikipedia](#) - Date Accessed. 8/12/2021

General information	
Type	hill castle
Architectural style	Romanesque , Baroque
Location	Sankt Johann, Mayen-Koblenz
Town or city	D-56727 Mayen-Sankt Johann
Country	 Germany

Evolving from Romanesque architecture characterized by semi-circular arches, Gothic architecture showcases great height, light, and volume. Its signature elements—the ribbed vault, flying buttresses, and pointed arch—are evident in some of the most spectacular buildings around Europe, like that of Notre Dame Cathedral in Paris, France.

<https://www.invaluable.com/blog/gothic-architecture> Accessed 8/13/2021



Figure 15 Example of a Gothic Castle - Corvin Castle - [Corvin Castle - Wikipedia](#) Date Accessed - 8/12/2021



Figure 16 Example of Gothic Castle Website: [Cité de Carcassonne - Wikipedia](#), Date Accessed 8/13/2021, [This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)

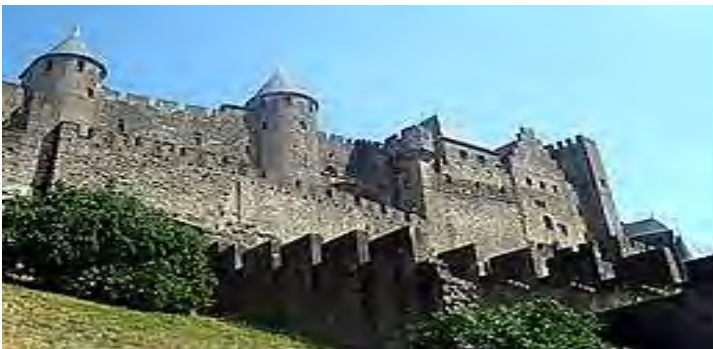


Figure 17 Example of Gothic, Website: [Cité de Carcassonne - Wikipedia](#), Date Accessed 8/13/2021

Photographs - continued



Figure 18 Examples of Coral Rock Google search

Photographs - continued



Google Search Website:

[Limestone, Shell, Dolomite | Florida Department of Environmental Protection](#)

Date Accessed: 8/13/2021



Figures 19



Photographs – continued

New River



Figure 20

Photographs Continued



Figure 21

11/3/1925

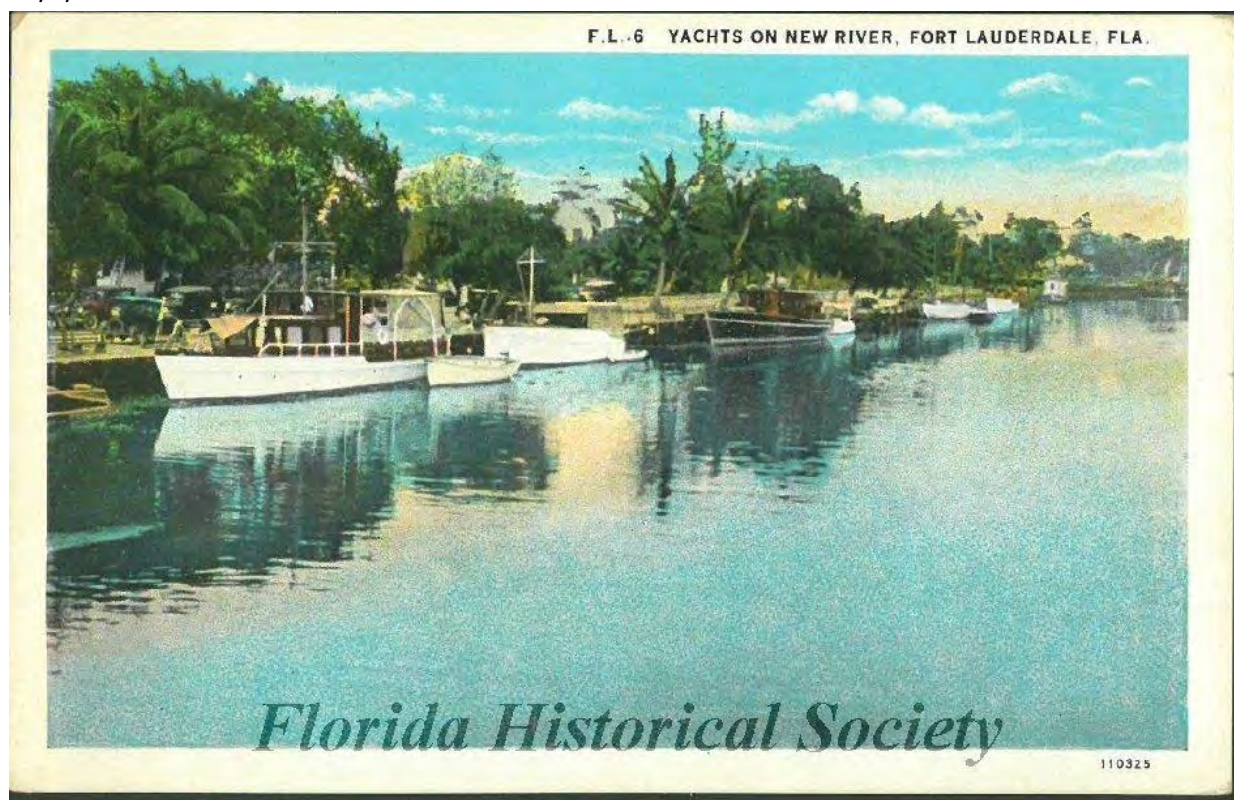


Figure 22



Figure 23

Figures 19 – 22 Photographic Post Cards of the New River, Courtesy of Florida Historical Society Website: [The Florida Historical Society's Library of Florida History | Florida Historical Society \(myfloridahistory.org\)](https://www.floridahistory.org/) Date Accessed 8/13/2021

Photographs New River Castle Exterior and Interior



Figure 24



Figure 25 Interior

Photographs New River Castle Interior and Exterior



Figure 26



Figure 26



Figure 27

Photographs New River Castle Exterior and Interior



Figure 28



Figure 29

Figure 30





Figure 31

Photographs of New River Castle Interior and Exterior thanks to Coldwell Banker

Photographs Exterior Trish Logan Figures 35- 38



Figure 36 -38 FMSF BD 01197, Logan Trish, Fort Lauderdale HP Planner – 1/15/20





Figure 37 FMSF BD 01197 1/15/20



Figure 38 FMSF BD 01197 1/15/20

NOTES

**Appendices
To Application for Historic Designation**

- **Appendix A. FMSF, Pages 1- 6, Date 9/30/1985**
- **Appendix B. FMSF, Pages 1- 9, Date 6/25/2020**
- **Appendix C. Appeal from the Circuit Court of Broward County, April, 26, 1918, Mary Brickell v. Fort Lauderdale**
- **Appendix D. At Home With the Bryans, Pages 1- 3**

Page 1
 original
☒ update

HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 1.1: 3/89

Site 8 BD 01197

Recorder #

SITE NAME New River CastleHISTORIC CONTEXTS Boom TimesNAT. REGISTER CATEGORY Building

OTHER NAMES OR MSF NOS

COUNTY BrowardOWNERSHIP TYPE PrivatePROJECT NAME Broward County Survey, Phase IIIDHR NO 4101LOCATION (Attach copy of USGS map, sketch-map of immediate area)ADDRESS 625 S.W. 5th PlaceCITY Fort Lauderdale

VICINITY OF / ROUTE TO

SUBDIVISION Fort LauderdaleBLOCK NO 36LOT NO 12

PLAT OR OTHER MAP

TOWNSHIP 50SRANGE 42ESECTION 101/41/4-1/4IRREGULAR SEC? y n LAND GRANT

USGS 7.5' MAP

UTM: ZONE

EASTING

NORTHING

COORDINATES: LATITUDE

DMS

LONGITUDE

DMS

HISTORY

ARCHITECT: F

M

L

BUILDER: F

M

L

CONST DATE 1924-28CIRCA x

RESTORATION DATE(S):

MODIFICATION DATE(S):

MOVE: DATE

ORIG LOCATION

ORIGINAL USE(S)

Private Residence

PRESENT USES(S)

Private Residence

DESCRIPTION

STYLE Masonry Vernacular/GothicPLAN: EXTERIOR Square

INTERIOR

NO.: STORIES 2

OUTBLDGs

PORCHES

DORMERS

STRUCTURAL SYSTEM(S) Masonry, Concrete BlockEXTERIOR FABRIC(S) Stone, Veneer

FOUNDATION: TYPE

Continuous

MATLS

Concrete Block

INFILL

PORCHES

ROOF: TYPE

Flat, Built-up w/parapet

SURFACING

Built-up

SECONDARY STRCS.

TowerCHIMNEY: NO 1

MTLS

masonry

LOCNS

WINDOWS

DHS, 4/4, MetalEXTERIOR ORNAMENT StoneCONDITION Fair

SURROUNDINGS

Residential

NARRATIVE (general, interior, landscape, context; 3 lines only)

Castle-style residence built during the 1920s, probably as a winter home
 for tourists.

ARCHAEOLOGICAL REMAINS AT THE SITE

FMSF ARCHAEOLOGICAL FORM COMPLETED? y n (IF Y, ATTACH)

ARTIFACTS OR OTHER REMAINS

AREAS OF SIGNIFICANCE Architecture

SUMMARY ON SIGNIFICANCE (Limit to three lines provided; see page 3)
This structure is significant for its unusual design and appearance. Unlike any other building in Fort Lauderdale, it is a unique vernacular interpretation of Gothic-style architecture.

* * *DHR USE ONLY* * * * * DHR USE ONLY * *

DATE LISTED ON NR _____

KEEPER DETERMINATION OF ELIG.(DATE): -YES _____ -NO _____

SHPO EVALUATION OF ELIGIBILITY (DATE): -YES _____ -NO _____

LOCAL DETERMINATION OF ELIG.(DATE): -YES _____ -NO _____

OFFICE _____

* * *DHR USE ONLY* * * * * DHR USE ONLY * *

RECORDER INFORMATION: NAME F _____ M _____ L _____
DATE: MO 6 YR 1995 AFFILIATION Broward County Historical Commission

PHOTOGRAPHS (Attach a labeled print bigger than contact size)
LOCATION OF NEGATIVES _____
NEGATIVE NUMBERS _____

P H O T O G R A P H

I
I M A P
I Street/plat map, not
I USGS

Attach a B/W photographic print here with plastic clip. Label the print itself with at least: the FMSF site number (survey number or site name if not available), direction and date of photograph. Prints larger than contact size are preferable.

REQUIRED: USGS MAP OR COPY WITH SITE LOCATION MARKED

FLORIDA MASTER SITE FILE
Site inventory Form

SITE NO. 8BD //77

SITE NAME: New River Castle
ADDRESS OF SITE: 625 S.W. 5th Pl.
INSTRUCTION FOR LOCATING: n/a

SURVEY DATE: 09/30/85

LOCATION: Fort Lauderdale

36

11, 12

Subdiv is in Name

Block No.

Lot No.

COUNTY: Broward

DISTRICT NAME IF APPLICABLE:

OWNER OF SITE: NAME: Forman, Hamilton

ADDRESS: 3600 N. Federal Highway, Apt. 301

ADDRESS: Ft. Lauderdale, FL

TYPE OF OWNERSHIP: private

RECORDING DATE: I I

RECORDER: NAME & TITLE: Historic Property Assoc., Inc.

ADDRESS: P. O. Box 1002

St. Augustine, FL 32084

CONDITION OF SITE:

INTEGRITY OF SITE:

Check OY,e

Check one or more

EXCELL.ENT

x

ALTERED

ORIGINAL USE Prv. res.

GOOD

UNALTERED

PRESENT USE Prv. res.

x FAIR

x

ORIGINAL SITE

DATES c. + 1928

DETERIORATED

RESTORED: / /

CULTURE/PHASE American

MOVED: / /

PERIOD: 20th Century

NR CLASSIFICATION CATEGORY: building

DATE LISTED ON NR: I I

THREATS TO SITE: Check one or more

ZONING

TRANSPORTATION

DEVELOPMENT

FILL

DETERIORATION

DREDGE

BORROWING

OTHER (See Remarks Below)

AREAS OF SIGNIFICANCE: architecture

SIGNIFICANCE

See Continuation Sheet

SEE SITE FILE STAFF FOR
ORIGINAL PHOTOGRAPH

RECORD NUMBER

106

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Masonry Vernacular

PLAN TYPE: Square

EXTERIOR FABRIC(SJ: Stone: veneer

STRUCTURAL SYSTEMCSJ: Masonry: concrete block

PORCHES:

ORIENTATION: E

FOUNDATION: Continuous: concrete block

ROOF TYPE: Flat, built-up with parapet

SECONDARY ROOF STRUCTUREIS1: Tower

CHIMNEY LOCATION: N: end, exterior

WINDOW TYPE: DHS, 4/4, metal

CHIMNEY: concrete block

ROOF SURFACING: built-up

ORNAMENT EXTERIOR: Stone

NO. OF CHIMNEYS 1

NO. OF STORIES 2

NO. OF DORMERS:

OUTBUILDINGS:

SURROUNDINGS: residential

SITE SIZE (approx. acreage) LT1

TOWNSHIP	RANGE	SECTION
508	42E	10

UTM ZONE	UTM EASTING	UTM NORTHING
----------	-------------	--------------

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance:

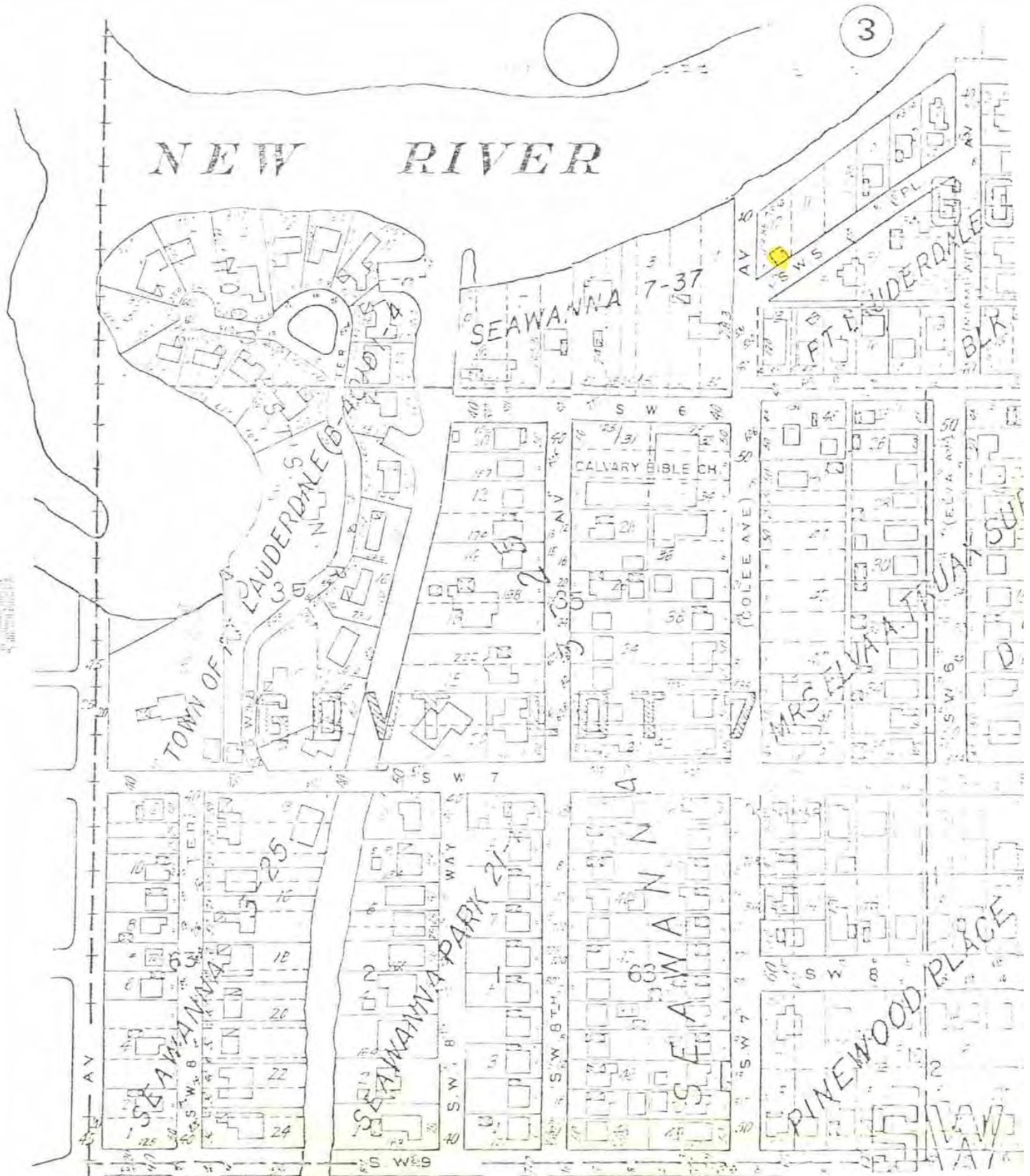
The New River Castle, an imaginative 2-story masonry vernacular residence on the river at 625 S.W. 5th Place, was built between 1924 and 1928. (1) Unlike any other building in Ft. Lauderdale, this residence is a unique vernacular interpretation of Gothic-style architecture, as evidenced in the niches which are framed by conical-shaped towers and pedestals, the largest of which is located at the southwest corner. A fanciful use of stone veneer adds to this distinctive building. It has been altered by the addition of metal sash windows.

The first documented occupants of the building were listed as "Tourists" in the late 1930s, suggesting perhaps that it was built as a home for winter visitors to the city.

This property is located within the original 1 1/2 square mile tract of the city of Ft. Lauderdale. This area was platted in 1895 by A.L. Knowlton, a civil engineer for Henry M. Flagler's Florida East Coast Railway, in preparation for the extension of the railroad into southeast Florida. The initial era of development in the original city tract occurred primarily in the first quarter of the twentieth century as the agricultural and tourist bases of Ft. Lauderdale continued to expand until the land bust of 1926. (3)

Footnotes

1. Sanborn Fire Insurance Map, 1924, 1928.
2. Ft. Lauderdale City Directory, 1938-39.
3. See Historic Property Associates, Architectural and Historical Survey of Ft. Lauderdale, Florida (Ft. Lauderdale, 1985).



Appendix B.

Page 1

☐ Original
☒ Update



HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 5.0 3/19

Shaded Fields represent the minimum acceptable level of documentation.
Consult the Guide to Historical Structure Forms for detailed instructions.

Site#8 **BD01197**
Field Date **1-15-2020**
Form Date **6-25-2020**
Recorder # _____

Site Name(s) (address if none) New River Castle Multiple Listing (DHR only) _____
Survey Project Name Fort Lauderdale Intensive Level Survey Survey # (DHR only) _____
National Register Category (please check one) ☐ building ☒ structure ☐ district ☐ site ☐ object
Ownership: ☐ private-profit ☐ private-nonprofit ☐ private-individual ☒ private-nonspecific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

Street Number 625 Direction SW Street Name 5th Street Type Place Suffix Direction _____
Address: _____
Cross Streets (nearest / between) _____
USGS 7.5 Map Name FORT LAUDERDALE SOUTH USGS Date 2013 Plat or Other Map _____
City / Town (within 3 miles) Fort Lauderdale In City Limits? ☒ yes ☐ no ☐ unknown County Broward
Township 50S Range 42E Section 10 1/4 section: ☐ NW ☐ SW ☒ SE ☐ NE Irregular-name: _____
Tax Parcel # 504210430070 Landgrant _____
Subdivision Name Tarpon River Block _____ Lot _____
UTM Coordinates: Zone ☐ 16 ☒ 17 Easting Northing
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1924 ☒ approximately ☐ year listed or earlier ☐ year listed or later
Original Use Residence, private From (year): 1924 To (year): Today
Current Use Residence, private From (year): 1924 To (year): Today
Other Use _____ From (year): _____ To (year): _____
Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address _____
Alterations: ☐ yes ☐ no ☐ unknown Date: _____ Nature See continuation sheet
Additions: ☐ yes ☒ no ☐ unknown Date: _____ Nature _____
Architect (last name first): Unknown Builder (last name first): _____
Ownership History (especially original owner, dates, profession, etc.) _____

Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown Describe _____

DESCRIPTION

Style Vernacular Exterior Plan Irregular Number of Stories 1
Exterior Fabric(s): 1. Stone 2. Brick 3. _____
Roof Type(s): 1. Flat 2. _____ 3. _____
Roof Material(s): 1. membrane 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
Windows (types, materials, etc.)
Double/Single-Hung; Casement
Distinguishing Architectural Features (exterior or interior ornaments)
coral rock exterior fabric; flat roof with parapet; conical shaped turrets above windows and at corners; integrated arched gate and wall using coral rock material; exterior staircase with
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
See continuation sheet.

DHR USE ONLY

OFFICIAL EVALUATION

DHR USE ONLY

NR List Date	SHPO - Appears to meet criteria for NR listing: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> insufficient info	Date _____	Init. _____
<input type="checkbox"/> Owner Objection	KEEPER - Determined eligible: <input type="checkbox"/> yes <input type="checkbox"/> no	Date _____	
	NR Criteria for Evaluation: <input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d (see National Register Bulletin 15, p. 2)		

See continuation sheet.

See continuation sheet.

See continuation sheet.

☐ Check if Archaeological Form Completed

See continuation sheet.

See continuation sheet.

1. Architecture 3. _____ 5. _____
2. Community planning & developm 4. _____ 6. _____

1)	Document type _____ Document description _____	Maintaining organization _____ File or accession #'s _____
2)	Document type _____ Document description _____	Maintaining organization _____ File or accession #'s _____

RecorderName. ri ? M llon Affiliation
RecorderContactInformation Erica Mollon Consulting, 628 Zamora Avenue, Coral Gables, FL 33134
(address/ phone/ fax/ e-mail)

When submitting an image, it must be included in digital AND hard copy format (.eps or .tiff). Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

**Historical Structure Form
Continuation Sheet**

8D01197

**New River Castle
625 SW 5th Place**

Narrative Description of Resource

Folio Number:	504210430070
Year Built:	1924
Style:	Vernacular
Architect:	Unknown

625 SW 5th Place is a 1-story structure with an irregular plan. The home is clad with stone and has a flat roof with a membrane coating. Character defining features include the coral rock exterior fabric; flat roof with parapet; conical shaped turrets above windows and at corners; integrated arched gate and wall using coral rock material; exterior staircase with arched opening topped by conical shaped turret; and unique siting at corner of lot.

Windows: Double/Single-Hung/Casement

Alterations: Replacement windows

Significance (Explanation of Evaluation)

This property appears eligible for listing on the National Register of Historic Places under Criterion A for its association with the early subdivision development of Fort Lauderdale and Criterion C in the area of architecture as an intact example of its style. Its location within Tarpon River represents the earliest years of incorporated Fort Lauderdale development through the 1920s and World War I. The structure retains a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

Overview of Tarpon River

Tarpon River is a geographically distinct neighborhood located in central Fort Lauderdale. It is bounded by the South Fork of the New River on the west and the New River on the north, South Andrews Avenue to the east, and Davie Boulevard to the south. The neighborhood is located just west and south of the downtown corridor of Fort Lauderdale. Present day Tarpon River consists of the original 1.5 square mile tract of the City of Fort Lauderdale and at least twenty different subdivisions, many of which were originally part of a subdivision owned by W.H. Marshall, Fort Lauderdale's first mayor. The neighborhood is a mix of commercial, light industrial, and residential use with more access to canals and rivers than many of the other neighborhoods in Fort Lauderdale. Due to the number of small subdivisions located within primarily residential Tarpon River, there is a wide variety of housing styles and construction dates. Among the older properties, styles represented include Frame Vernacular, Masonry Vernacular, and Bungalow, however a majority of the structures are Mid-Century Modern or Modern Vernacular. The sections within close proximity to downtown Fort Lauderdale began modern development as early as 1911 and residential buildings dating to circa 1918 can still be found in some sections of the neighborhood. In recent years, development pressure has resulted in the loss of many of the older structures, particularly the residential buildings, to be demolished in favor of newer, higher-density housing.

Development Context - Tarpon River

A.L. Knowlton, a civil engineer for Henry Flagler, first platted the area covered within the proposed Historic District in 1895.¹ An 1896 map created by Knowlton notes that William B. Brickell and his wife, Mary Brickell, owned, described, and subdivided the area to be known henceforth as Fort Lauderdale, including the blocks that would become the Elva A. Truax historic district.² In 1911, Mrs. Elva A. Truax subdivided the area, focused primarily on Block 49, including the construction of present day Southwest 6th Avenue (originally Elva Avenue and later Miami Avenue).³ That same year, the City of Fort Lauderdale was incorporated and in 1915 Broward County was delineated and Fort Lauderdale selected as the county seat.⁴ Former Fort Lauderdale mayor, W.H. Marshall, developed several lots on the block south of present day Southwest 7th Street (former S. 3rd Street) in 1917.⁵

The first Federal Census of Fort Lauderdale was taken in 1920 and counted 2,065 inhabitants. By 1930, the city experienced a 319.7% increase in population, to a total of 8,666.⁶ A 1924 map of the area shows several homes already constructed in the area, including present-day 519 Southwest 6th Avenue, 500 Southwest 6th Avenue, and 515 Southwest 4th Avenue. Development was abruptly halted by the destruction of the 1926 hurricane. Before housing construction could resume, Fort Lauderdale and the nation was hit with the stagnating economic hardships of the Great Depression in 1929. Despite these hardships, the population of Fort Lauderdale alone doubled between 1930 and 1940 from 8,666 to 17,996.⁷ Development within the historic district continued, with modest houses being constructed during the lean years of the Great Depression. By the end of World War II, the country was facing a nation-wide housing shortage and areas with developable lots saw a second housing boom. While single-family houses were still constructed, the focus shifted to include more modern-style multifamily dwellings. As a result, the population of Fort Lauderdale increased 109.1% from 18,332 to 36,328 between 1940 and 1950.⁸

Bibliographic References

"608 SW 6th Avenue," *Florida Master Site File*, (St. Augustine: Historic Properties Associates, Inc., 1985).

A.L. Knowlton, "Dade 'B'-40 Trans 4 Map of Fort Lauderdale," 1896, 3.

Bureau of the Census. Number of Inhabitants, Florida. U.S. Department of Commerce. 1960: 11-9

"Dade 3-23, 3-41 Map," 1913.

"Victory in Tallahassee," *Broward Legacy*, 11, nos. 3-4, Summer/Fall (1988): 7.

Virginia Savage McAlester, *A Field Guide to American Houses*, 2nd Ed. (New York: Alfred A. Knopf, 2017).

¹"608 SW 6th Avenue," *Florida Master Site File*, (St. Augustine: Historic Properties Associates, Inc., 1985).

²A.L. Knowlton, "Dade 'B'-40 Trans 4 Map of Fort Lauderdale," 1896, 3.

³"Dade 3-23, 3-41 Map," 1913.

⁴"Victory in Tallahassee," *Broward Legacy*, 11, nos. 3-4, Summer/Fall (1988): 7.


⁵"Dade 3-23, 3-41 Map," 1913.

⁶Bureau of the Census. Number of Inhabitants, Florida. U.S. Department of Commerce. 1960: 11-9

⁷Ibid


⁸Ibid





Property Reporter Map

A



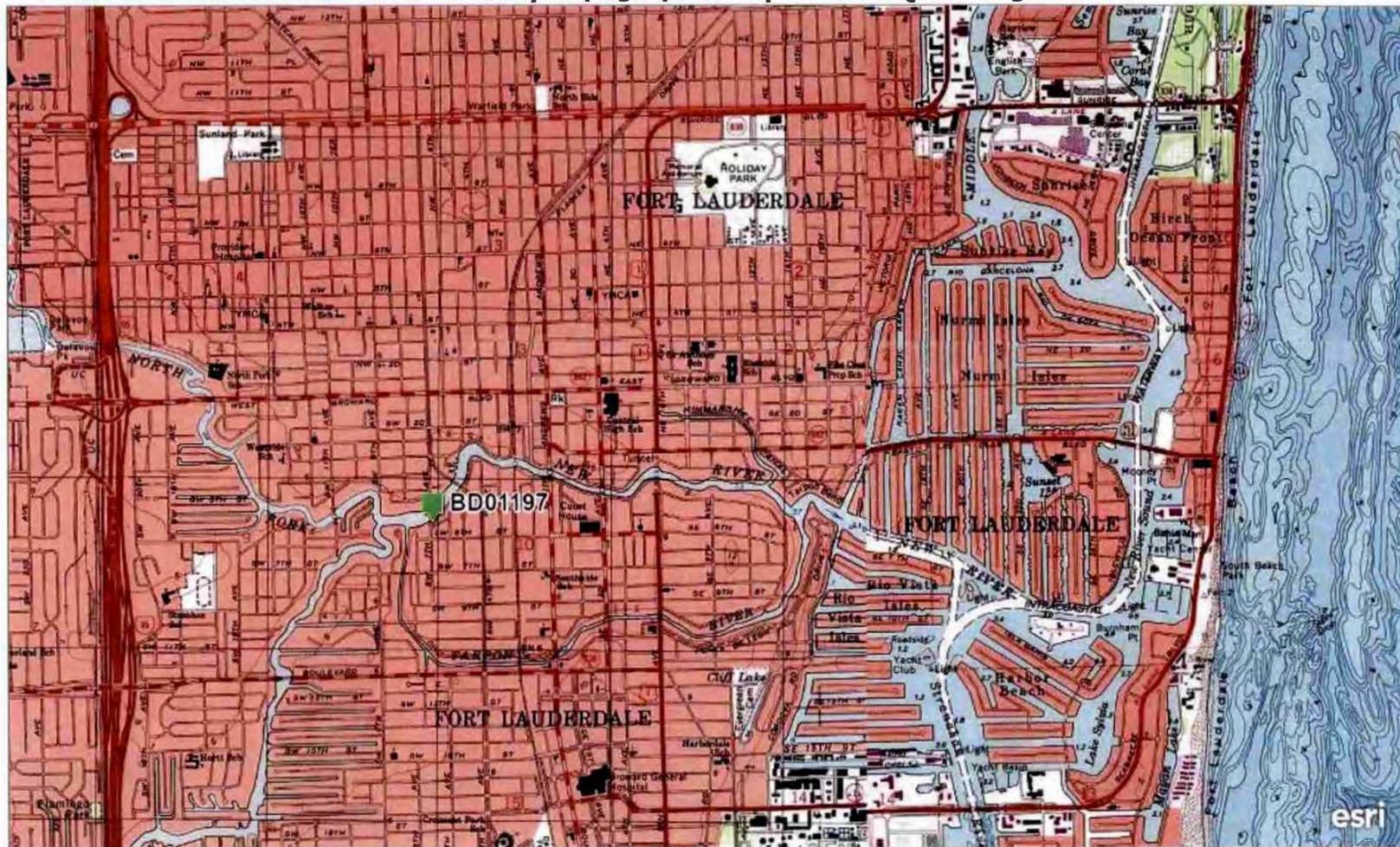
0 90 180 Feet

GIS

Fort Lauderdale

OTV OF DIST UPRIDA33:
Map Created by Property ReponerGIS
Printed on: 7/9/2020

Architectural Resource Intensive Survey Topographic Map - South Quadrangle



Fort Lauderdale South Quadrangle Florida-Broward County 7.5 Minute Series (Topographic) U.S. Department of the Interior
U.S. Geological Survey

0.6mi

Copyright:(c): 2013 National Geographic Society, -cubed









Appendix C.

MARY BRICKELL, Appellant,

v.

TOWN OF FORT LAUDERDALE, Appellee

[NO DOCKET NUMBER]

SUPREME COURT OF FLORIDA

75 Fla. 622

April 26, 1918

Appeal from the Circuit Court of Broward County, H. Pierre Browning, Judge.

Decree affirmed.

McCAskill & McCaskill and E. O. Locke, for Appellant;

J. F. Bunn, for Appellee.

BROWNE, C. J., TAYLOR, WHITFIELD, ELLIS AND WEST, J. J., concur.

BROWNE, C. J. --

The suit brought in the Circuit Court for Broward County by the city of Fort Lauderdale the appellee herein, against Mary Brickell, is in effect an action to enjoin the defendant below from obstructing North and South River Streets in the city of Fort Lauderdale by erecting buildings, providing wharves, docks, boat ways and other obstructions on such parts of those streets as are contiguous to and bordered by the waters of New River, a navigable stream which extends through a part of the city.

On the 20th of April, 1896, Mary Brickell and William B. Brickell her husband owned certain lands on which they laid out a town site, subdivided into blocks or lots with streets and avenues, and caused the subdivision to be platted. The plat was duly recorded in the records of Dade county, and contained this inscription: "Know all men by these presents that, we, William B. Brickell and Mary Brickell, his wife, have caused to be made the following attached map of the subdivision of the South half of the South half of Section 3 and the North half of the North half of the South half of Section 10, in Township 50 South, Range 42 East, in Dade County, State of Florida, to be known as Fort Lauderdale; and that we do hereby dedicate to the perpetual use of the public, the

streets or highways shown thereon, reserving to ourselves, our heirs, personal representatives, successors or assigns, owning lands abutting or adjoin the same, the reversion or reversions thereof whenever discontinued by law."

A demurrer to the bill was overruled and the defendant filed her answer. Testimony was taken on behalf of both parties and the chancellor in his final decree held, that William B. Brickell and Mary Brickell were owners in fee simple of the land platted as the town of Fort Lauderdale, and that they dedicated to the perpetual use of the public the streets and highways shown thereon, and that they confirmed such dedicating by making deeds of conveyance to land described therein by reference to such plat, and that by virtue of such dedication there was vested in the public an easement into and over the streets and highways, and that North River Street as shown on the plat is not of uniform width and that its south or southerly boundary is the waters of New River, and that South River Street as shown on the plat is not of uniform width and its north or northerly boundary is the waters of New River, that the fee in the land over which North and South River Streets are laid out and dedicated is vested in Mary Brickell or her heirs, personal representatives, successors or assigns, subject to the easements aforesaid, and that "the owners of the fee and the public have a coexistent right, the owner to use the land and the public to use the street and one does not destroy the other. The owners right to use the land is limited to such purposes as do not interrupt or interfere with the free use by the public for all proper and lawful street purposes," and "that the town of Fort Lauderdale has the right through its proper officers and agents to regulate, improve, maintain and control said streets and highways for the use of the public, for all proper lawful street and highway purposes;" and enjoined the defendant Mary Brickell from doing or attempting to do any act, thing or deed that would in any wise interrupt or interfere with the town of Fort Lauderdale in exercising its lawful power and right to regulate, improve, maintain and control the streets and highways aforesaid, to-wit, North River Street and South River Street, as construed to be shown on said plat of the town of Fort Lauderdale, and that "all other matters and things in and by complainants bill of complaint prayed are hereby denied."

Upon the entry of appeal by the defendant, the complainant filed cross assignments of error, to the effect that, the final decree is ambiguous in that it does not clearly and specifically find and decide whether the riparian rights pertaining to the banks of New River at the points in question were an incident of or appurtenant to the public easement, or whether they were an incident of or appurtenant to the legal title or fee of the respondent.

There are four assignments of error by appellant, the first based on the overruling of the defendant's demurrer, and the second, third and fourth present the same propositions of law and are discussed together by appellant and will be so treated by this court.

In the discussion of the first assignment the appellant covers several propositions not raised by the demurrer and will not be discussed by us. Neither is it necessary for us to discuss those grounds of the demurrer which are contended for by appellant, as the bill contains equity, and is sufficient to support the decree of the chancellor upon the issue

presented by the pleadings and testimony, and we find no error in the order of the chancellor overruling the demurrer.

The vital questions presented by the assignments of appellant and cross assignments of appellee, are whether North and South River Streets have a river boundary, and if so, do the riparian rights in such streets accrue to the public, or are they reserved to the owner of the fee in the streets?

It is not questioned that there was an express dedication of the streets and highways shown on the plat, but appellant contends that the plat, is ambiguous with reference to the width of North and South River Streets. The meandering line of New River through the town of Forst Lauderdale is something over a mile, and at two points on South River street as dedicated on the plat the figure 40 appears, and appellant contends that because of these figures there is an ambiguity in the plat as to the width of both South River Street and North River Street, and that she should be permitted to offer extrinsic evidence of the intention of the dedicators. This she was permitted to do, and the chancellor after hearing all the testimony and considering the same in connection with the plat and the dedication, found that both North River Street and South River Street were bounded by the waters of New River.

This court is committed to the doctrine that the findings of the chancellor on the evidence will not be disturbed unless such findings of fact are clearly shown to be erroneous. Waterman v. Higgins, 28 Fla. 660, 10 South. Rep. 97; City of Jacksonville v. Huff, 30 Fla. 8, 21 South. Rep. 774; Sarasota Ice, Fish & Power Co. v. Lyle & Co., 58 Fla. 517, 50 South. Rep. 993; McMillan v. Warren, 59 Fla. 578, 52 South. Rep. 825; Viser v. Willard, 60 Fla. 395, 53 South. Rep. 501; Dixon Lumber Co. v. Jennings, 63 Fla. 405, 57 South. Rep. 615; Barnes & Jessup Co. v. Williams, 64 Fla. 190, 60 South. Rep. 787; Baggett v. Otis, 65 Fla. 447, 62 South. Rep. 362; Guerra v. Guiterrez, 66 Fla. 570, 64 South. Rep. 232; Farrell v. Forest Inv. Co., 73 Fla. 191, 74 South. Rep. 216; Simpson, Trustee v. First National Bank of Pensacola, and O'Brien v. Smith, decided at the June, 1917, term of the court.

There is ample testimony to support the findings of the chancellor that the southerly boundary of North River Street, and the northerly boundary of South River Street were intended to be the waters of New River.

It is contended by the appellant that she intended North River Street and South River Street each to be only forty feet wide. The plat is drawn to a scale. There are some streets forty and some fifty feet wide, and others of less width. Measured by the scale to which the plat is drawn, the width of North and South River Streets as shown by the plat is generally about forty feet, but it apparently varies according to the meanderings of the river. The lines marking the side of the North and South River Streets, away from the river, are all straight lines, while those which mark the side next to the river are undulating and apparently follow the contour of the river. A single undulating line is usually used for marking a water boundary not affected by tides, while several parallel waved lines are used to mark a water boundary where tides ebb and flow; and where

these are found on a plat, they should be taken to define a lot or street lying on the water, with nothing between it and the water, in the absence of anything appearing to the contrary on the plat, or in the dedication. See St. Paul & P.R. Co. v. Schurmier, 7 Wall, 272; Sizor v. Logansport, 151 Ind. 626; 44 L.R.A. 814.

It was proven on the trial that the appellant had given several warranty deeds which contained the words, "with all riparian rights and privileges." These were conveyances to lots which abutted on the side of North River Street or South River Street, farthest from the river. It has sometimes been held that where a lot is separated from navigable waters by a public roadway, the riparian right to the part of the waters lying in front of his lot, is in such lot owner, and the grantor may have had this in mind when she granted the riparian rights to upland lots which were separated from the river only by a street whose boundary was the river, for clearly if there had been a strip of land between the street and the river, as now contended by appellant, the riparian right attached to that. The acts of the dedicator in granting riparian rights to owners of lots lying on the side of the street furthest from the river, is repugnant to her present contention that she retained a strip of land between these streets and the river.

There is intrinsic evidence in the plat itself, from which the true intention of the appellant at the time she made the dedication can almost conclusively be established -- at least, more certainly than the testimony of witnesses given after a lapse of nearly twenty years, subject as such testimony is to mistakes caused by defective memory, personal interest however slight, and the confusion of after-acquired information or later impressions, with memory. The Town of Fort Lauderdale as laid out by Mary Brickell and William Brickell was a mile square, and New River ran almost through the center of the plat. The cross streets that ran towards the river and into North and South River Streets show an opening where they enter the side of these streets away from the river causing a break in that line of the street, but the line of the streets on the river is continuous. If, as contended by appellant there was a strip of land between the river and the South line of North River Street, and the North line of South River Street the cross streets would doubtless have been shown on the plat as extending across this strip to the River. The cross streets on both sides of the river bear the same names, are of the same width, and are on the same line; showing an intention to make them continuous streets extending from one side of the town across the river to and through the other side of the town. If there was reserved to the appellant a strip of land on the river side of North River Street and South River Street, the inhabitants of one side of the city were entirely cut off from intercourse with the other, for there is no point shown on the plat where ingress and egress to and from the river was possible without permission from the owner, or by becoming a trespasser. It is so highly improbable that a party owning a large tract of wild land whereon she was desirous of founding a town, would locate it on both sides of a river, and by reserving to herself a strip along both banks between the street and the river, bar for all time the inhabitants of half the town from communicating with the other half, except upon permission from her, that the proof to establish such a contention ought to be of the strongest character. It has been repeatedly held that where a town is laid out upon the bank of a navigable river, that even in the absence of an express dedication of the streets, it is sufficient evidence of its extending to the

water, unless a contrary intention is manifestly indicated, and some courts have intimated that even where a map shows a strip of land between the river and the line of the street nearest the river, that in the absence of anything to the contrary, it would be presumed that the space between such line and the river was thus discriminated for the use of the town, if not for a street. See Webb v. City of Demopolis, 95 Ala. 116, 13 South. Rep. 289; Village of Brooklyn v. Smith, 104 Ill. 429; Davies v. Epstein, 77 Ark. 221, 92 S.W. Rep. 19. Thus in the case of Rowan's Executors v. Town of Portland, 8 B. Monroe (Ky.) 232, the map showed a strip of land lying between the river and the line of the street nearest the river and the court said: "That the town extended to the Ohio river, leaving no space between the town and the water, is a position which, in our opinion, does not admit of question. There is no line dividing or separating the town from the river. And if there were, it should rather be presumed that the space between such line and the river, was thus discriminated for the purpose of showing that it was intended for some use of the town different from that of the ordinary streets and public grounds, (or that the cross-streets at least, were intended to be extended to the river at some future day), than that a town located upon the bank of such a river, and at a point selected for its commercial advantages, should be wholly shut out from free and common access to the river. The unreasonableness of this latter presumption has been more than once declared by this Court, and the fact that a town is laid off upon the bank of a navigable river, has been held to be sufficient evidence of its extending to the water, unless a contrary intention is manifestly indicated. And we say it extends to, and is bounded by the river, not only because this is to be presumed from its location on the bank, but because there is no other northern boundary but the river. A location on the river has been held to be sufficient evidence that the town so located, extends to the water, in the cases of the Trustees of Maysville v. Boone, 2 J. J. Marshall, (Ky.) 224; Giltner v. Trustees of Carrollton, 7 B. Monroe (Ky.) 680; City of Louisville v. Bank of United States, 3 B. Monroe (Ky.) 144.

In the case of City of Louisville v. Bank of United States, supra, the court said: "It would be almost as reasonable to sell and appropriate as private property the river itself, as the ground lining its margin, the occlusion of which would obstruct the communication between the city and the river. The object of locating a town on the river, was to enjoy the benefit of its facilities as a highway." This reasoning applies with even greater force to a situation such as exists in the instant case, where the river flows through the town and cuts it into two parts.

In Haight v. City of Keokuk, 4 Iowa 199, the court said: "The same reasoning applies to Water street. No other reasoning than the foregoing will answer; for it is impossible to suppose that the proprietors, in laying off a commercial town upon a great navigable river, intended to cut off from free access to that river, all but those who owned the front lots, and thus take away that which constitutes the greatest value of them all. What makes the land of this town of more value than a common farm? It is its adaptation to commerce and trade, through its accessibility to a large navigable stream, and thence its communication with the rest of the world."

Whatever ambiguity may have been caused by the insertion of the figures 40 on two

places on the plat of South River Street, no such ambiguity can be claimed as to the width of North River Street. The appellant, however, says "At the extreme East end of South River Street we find '40' and in South River Street, between Cunningham and Metcalf avenues, '40' which the engineering and legal professions both take to mean 40 feet, and it would give rise to the construction that North River Street and South River Street are only 40 feet wide."

We cannot follow this method of ratiocination and apply a conclusion reached in determining the intention of a dedicator where an ambiguity exists, to that part of an express dedication where there is no ambiguity. It would be more logical to apply the facts of the latter situation, to that part of the plat which needs explanation. Thus, as there was no ambiguity in the plat as to the width of North River Street, -- it being perfectly clear from the plat and the dedication that it extended to the waters of New River, -- the logical conclusion would be that it was the intention to have the same condition exist in South River Street, otherwise there would have been this situation; the public residing on the North side of Fort Lauderdale would have access to the river, and could cross over it to that part of the city which lay South of the river, but they would not land without becoming trespassers. Those living on the South side of the river having no access to the river, would have to stay on their side.

The plat shows a street on each side of the river by a single line denoting the line between the river and the street on each side of the river, with nothing to indicate that the street on each side was not intended to extend to the waters of the river. The sides of the streets furthest from the river are denoted by straight lines while the sides of the streets next to the river are marked by irregular lines presumably indicating the irregular lines of the waters of the river.

The courts have frequently said, and we find the same expressions in the text-books that it is "inconceivable" and "preposterous" to contend that a town would be located on the banks of a navigable river, and the inhabitants deprived of the right of access to the river. The unreasonableness of this contention is more pronounced in this case than any which we have been able to find, for here we have the owners of land laying off a city through which runs a navigable stream, a natural highway, now claiming that they intended to so isolate the inhabitants on each side of the river, that they could not have intercourse with those on the other side, or have access to the natural highway which flows through the city, without becoming trespassers or first getting permission from the owners of the strip reserved on the banks of the river.

We do not say that the owner of land desiring to lay off a city, through which flows a navigable river, might not do this, and in effect erect a barrier on each bank of the stream and cut off intercourse between the two sections of the city, but the unreasonableness of such a plan for a city, and the improbability of one so situated becoming populated, is so great, that such intention on the part of the dedicators would have to be very clearly established before it should be accepted by the courts, and where there is any doubt as to such intention it should be resolved against it. As was well said in the case of City of Denver v. Clements, 3 Colo. 484, "If there exist an actual

intent to reserve any portion of the lands so platted into streets, otherwise than by express reservation on the plat, certainly it should be made manifest in some manner not only of equal certainty, but of equal publicity as the plat, otherwise an actual intent cannot be permitted to avail against an intent on which the law will and must insist, as being shown by unequivocal acts upon which the public had a right to rely. " See also *City of Indianapolis v. Kingsbury*, 101 Ind. 200.

This disposes of the question of the width of North and South River Streets which the chancellor found extended to the navigable waters of New River, which finding is approved.

Where a dedication to the public use is made of a street or roadway, and the same is used by the public, it is the duty of the city as trustee of the public rights in and to the streets within whose corporate limits they are, to maintain the public uses against encroachments, and this applies to territory taken into the corporate limits after the dedication as well as to territory included in the corporate limits at the time of the dedication.

The decree is affirmed.

TAYLOR, WHITFIELD, ELLIS AND WEST, J. J., concur.

Cases which cite this case:

- [City of Tarpon Springs v. Smith](#)
- [Wilson v. Dunlap](#)
- [Bonifay v. Dickson](#)

[BACK](#)

With the Bryans



ate Archives of Florida, Florida Memory.

ey times in early Fort Lauderdale history, members of the Bryan family pop up almost everywhere.

For those who read a little city history, the name Philemon Bryan and his two sons, Tom and Reed, may be familiar. The three were major pillars of the town – instrumental in building Henry Flagler’s rail line, the town’s first major inn, the early infrastructure, major tomato farms, the first ice factory and much more.

This is not the story of three farmhands or carpenters who wandered down here and went on to greater things. This is the story of three driven men. Philemon was the former mayor of New Smyrna Beach, a successful farmer and entrepreneur. Tom and Reed were two spirited and adventurous young men who had all of the skills of their father but also benefited from college educations.

And then there were their wives. Lucy Bryan, Philemon’s wife, would run the New River Inn, after years of managing boarders and lodgers in New Smyrna. Camille, the wife of Tom Bryan, came from high standing in suburban Atlanta, where Tom attended Emory University. Her crisp and wry writing provides a vivid peek into just how things were in 1904.

Camille wrote about her arrival, having traveled by train from Georgia. It was nighttime when she disembarked and was greeted by a family friend. They walked “with only a dim lantern to light a very narrow sandy path to the Bryan home.” Tom Bryan had tried to prepare her for the rougher living in the new settlement, but she wrote, “I had not pictured a place quite so devoid of people. There were only four or five cottages, a store and a few Seminole Indians.”

Her first trip out of the Bryan home was “through the little path to the big store owned by Mr. Stranahan ... located on the river front ... with the Post Office in one corner.

“When we felt the need for exercise, our only walk in comfort was through [the] little path which led to the Stranahan home.”

During the week, Tom was at the farm most days. But on Sundays, the whole family “usually went out to look over the farm, not by automobile but by a little buckboard with a very wild horse.”

While the New River Inn and Bryan homes were located where the museums they became now are (on Second Avenue and the riverbank nearby), the farm was five miles to the west, up the waterway. According to an 1889 article by a *Miami Metropolis* reporter, the farm had acres of tomatoes and 500 new orange trees planted. Overseen day-to-day by Reed Bryan, it was located “on the edge of the Everglades.”

That area is just west of I-95 where I-595 is today before it hits State Road 7. *Edge of the Everglades?* Ponder that, all ye folks in Weston.

Meanwhile, without Philemon Bryan's wife Lucy, we may not have had the New River Inn. Mrs. Bryan (senior) had an active life in New Smyrna working with the various family enterprises. With Lucy being so isolated in the new settlement, they thought it would be a good thing for her to run an inn. It was built in 1905 with 24 rooms, including residences for the family. Tom Bryan took the leadership role, working with builder Ed King. The two developed a groundbreaking structure built of hollow concrete block and Dade County Pine that has withstood time and tide – and massive hurricanes.

As proprietess, Lucy Bryan was propelled into the spotlight. On Sundays, Mrs. Bryan provided sumptuous meals for growers and visiting merchants, invited three or four at a time. That was when growers came down the New River to pick up their mail at the Stranahan trading post. (Yes, post office open Sunday.)

A book could be written about all the Bryan exploits, and indeed an excellent one has been. In *Tom Bryan and other Movers and Shapers of Early Fort Lauderdale*, Keith Mitzner mines the Fort Lauderdale Historical Society's trove of letters, news accounts and other documents to stitch a lively read.

The Bryan contribution lasted well beyond these early years. When the New River settlement was incorporating as a city, it was Reed Bryan who proposed the name Fort Lauderdale to the City Council, according to historian Stuart McIver. Tom Bryan was a council member at the time. Later, when it was time for Fort Lauderdale to break away from Dade and Palm Beach counties, it was Tom who was sent as a negotiator to Tallahassee and helped determine the boundaries of the new "Broward County."

It may have been the freeze of 1895 – which ruined Philemon Bryan's citrus crop in New Smyrna – that prompted him to look south. Whatever the reason, that city's loss was most decidedly our gain.

**Appendices
To Application for Historic Designation**

- **Appendix A. FMSF, Pages 1- 6, Date 9/30/1985**
- **Appendix B. FMSF, Pages 1- 9, Date 6/25/2020**
- **Appendix C. Appeal from the Circuit Court of Broward County, April, 26, 1918, Mary Brickell v. Fort Lauderdale**
- **Appendix D. At Home With the Bryans, Pages 1- 3**

Page 1
 original
☒ update

HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 1.1: 3/89

Site 8 BD 01197

Recorder # _____

SITE NAME New River CastleHISTORIC CONTEXTS Boom TimesNAT. REGISTER CATEGORY Building

OTHER NAMES OR MSF NOS _____

COUNTY BrowardOWNERSHIP TYPE PrivatePROJECT NAME Broward County Survey, Phase IIIDHR NO 4101LOCATION (Attach copy of USGS map, sketch-map of immediate area)ADDRESS 625 S.W. 5th PlaceCITY Fort Lauderdale

VICINITY OF / ROUTE TO _____

SUBDIVISION Fort LauderdaleBLOCK NO 36LOT NO 12

PLAT OR OTHER MAP _____

TOWNSHIP 50SRANGE 42ESECTION 101/41/4-1/4IRREGULAR SEC? - y - n LAND GRANT _____

USGS 7.5' MAP _____

UTM: ZONE _____

EASTING _____

NORTHING _____

COORDINATES: LATITUDE _____

DMS

LONGITUDE _____

DMS

HISTORY

ARCHITECT: F _____

M _____

L _____

BUILDER: F _____

M _____

L _____

CONST DATE 1924-28 CIRCA ☒

RESTORATION DATE(S): _____

MODIFICATION DATE(S): _____

MOVE: DATE _____

ORIG LOCATION _____

ORIGINAL USE(S) _____

Private Residence

PRESENT USES(S) _____

Private Residence

DESCRIPTION

STYLE Masonry Vernacular/GothicPLAN: EXTERIOR Square

INTERIOR _____

NO.: STORIES 2

OUTBLDGs _____

PORCHES _____

DORMERS _____

STRUCTURAL SYSTEM(S) Masonry, Concrete BlockEXTERIOR FABRIC(S) Stone, VeneerFOUNDATION: TYPE Continuous

MATLS _____

Concrete Block

INFILL _____

PORCHES _____

ROOF: TYPE Flat, Built-up w/parapet

SURFACING _____

Built-upSECONDARY STRCS. TowerCHIMNEY: NO 1 MTLs masonry

LOCNS _____

WINDOWS DHS, 4/4, MetalEXTERIOR ORNAMENT StoneCONDITION Fair

SURROUNDINGS _____

Residential

NARRATIVE (general, interior, landscape, context; 3 lines only)

Castle-style residence built during the 1920s, probably as a winter home
 for tourists.

ARCHAEOLOGICAL REMAINS AT THE SITE

FMSF ARCHAEOLOGICAL FORM COMPLETED? - y - n (IF Y, ATTACH)

ARTIFACTS OR OTHER REMAINS _____

AREAS OF SIGNIFICANCE Architecture

CAM #21-1008
Exhibit 3
Page 79 of 103

FLORIDA MASTER SITE FILE
Site inventory Form

SITE NO. 8BD //77

SITE NAME: New River Castle
ADDRESS OF SITE: 625 S.W. 5th Pl.
INSTRUCTION FOR LOCATING: n/a

SURVEY DATE: 09/30/85

LOCATION: Fort Lauderdale

36

11, 12

Subdiv is in Name

Block No.

Lot No.

COUNTY: Broward

DISTRICT NAME IF APPLICABLE:

OWNER OF SITE: NAME: Forman, Hamilton

ADDRESS: 3600 N. Federal Highway, Apt. 301

ADDRESS: Ft. Lauderdale, FL

TYPE OF OWNERSHIP: private

RECORDING DATE: I I

RECORDER: NAME & TITLE: Historic Property Assoc., Inc.

ADDRESS: P. O. Box 1002

St. Augustine, FL 32084

CONDITION OF SITE:

INTEGRITY OF SITE:

Check OY,e

Check one or more

EXCELL.ENT

x

ALTERED

ORIGINAL USE Prv. res.

GOOD

UNALTERED

PRESENT USE Prv. res.

x FAIR

x

ORIGINAL SITE

DATES c. + 1928

DETERIORATED

RESTORED: / /

CULTURE/PHASE American

MOVED: / /

PERIOD: 20th Century

NR CLASSIFICATION CATEGORY: building

DATE LISTED ON NR: I I

THREATS TO SITE: Check one or more

ZONING

TRANSPORTATION

DEVELOPMENT

FILL

DETERIORATION

DREDGE

BORROWING

OTHER (See Remarks Below)

AREAS OF SIGNIFICANCE: architecture

SIGNIFICANCE

See Continuation Sheet

SEE SITE FILE STAFF FOR
ORIGINAL PHOTOGRAPH

RECORD NUMBER

106

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Masonry Vernacular

PLAN TYPE: Square

EXTERIOR FABRIC(SJ: Stone: veneer

STRUCTURAL SYSTEMCSJ: Masonry: concrete block

PORCHES:

ORIENTATION: E

FOUNDATION: Continuous: concrete block

ROOF TYPE: Flat, built-up with parapet

SECONDARY ROOF STRUCTUREISl: Tower

CHIMNEY LOCATION: N: end, exterior

WINDOW TYPE: DHS, 4/4, metal

CHIMNEY: concrete block

ROOF SURFACING: built-up

ORNAMENT EXTERIOR: Stone

NO. OF CHIMNEYS 1

NO. OF STORIES 2

NO. OF DORMERS:

OUTBUILDINGS:

SURROUNDINGS: residential

SITE SIZE (approx. acreage) LT1

TOWNSHIP RANGE SECTION
508 42E 10

UTM ZONE UTM EASTING UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance:

The New River Castle, an imaginative 2-story masonry vernacular residence on the river at 625 S.W. 5th Place, was built between 1924 and 1928. (1) Unlike any other building in Ft. Lauderdale, this residence is a unique vernacular interpretation of Gothic-style architecture, as evidenced in the niches which are framed by conical-shaped towers and pedestals, the largest of which is located at the southwest corner. A fanciful use of stone veneer adds to this distinctive building. It has been altered by the addition of metal sash windows.

The first documented occupants of the building were listed as "Tourists" in the late 1930s, suggesting perhaps that it was built as a home for winter visitors to the city.

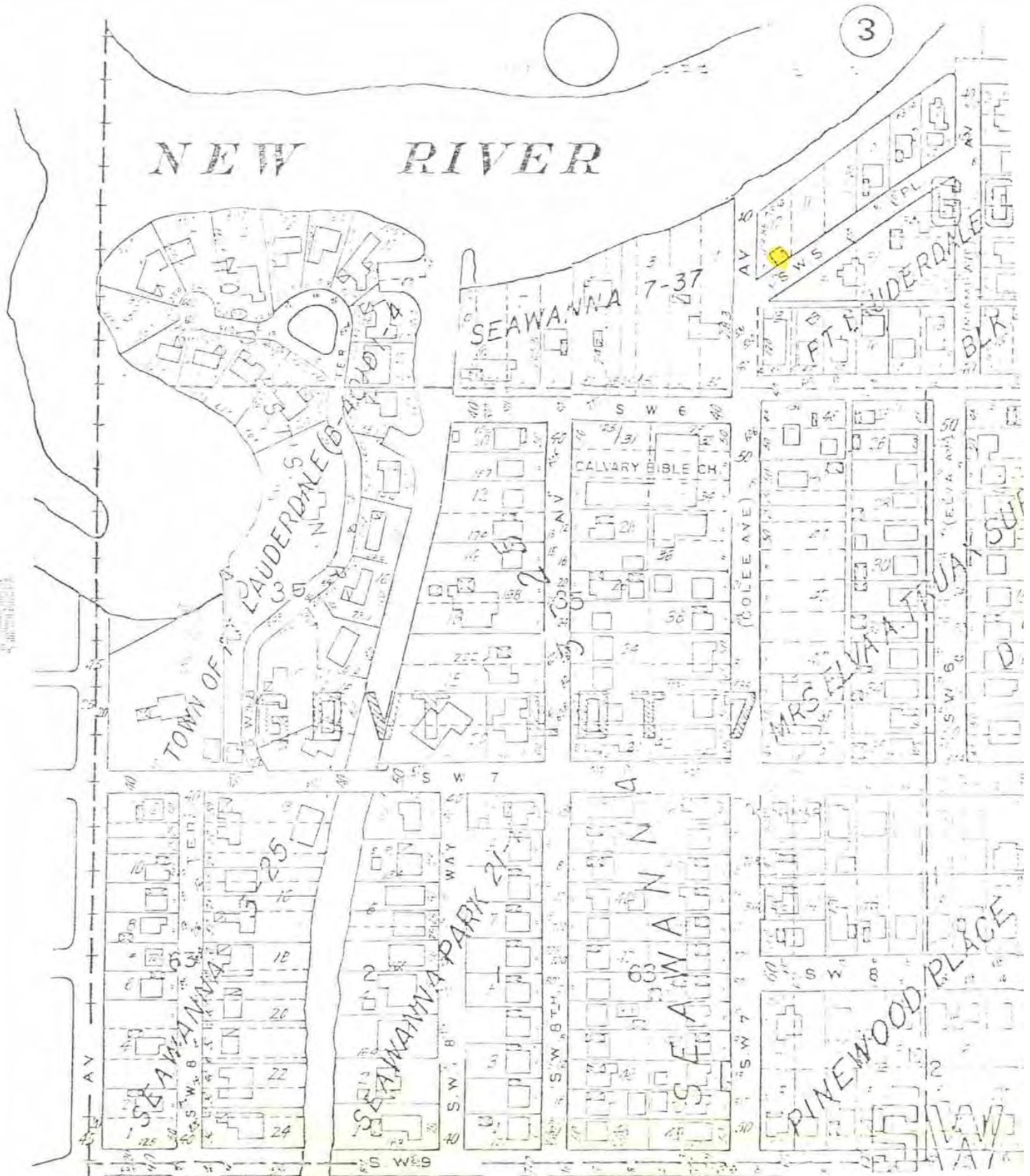
This property is located within the original 1 1/2 square mile tract of the city of Ft. Lauderdale. This area was platted in 1895 by A.L. Knowlton, a civil engineer for Henry M. Flagler's Florida East Coast Railway, in preparation for the extension of the railroad into southeast Florida. The initial era of development in the original city tract occurred primarily in the first quarter of the twentieth century as the agricultural and tourist bases of Ft. Lauderdale continued to expand until the land bust of 1926. (3)

Footnotes

1. Sanborn Fire Insurance Map, 1924, 1928.
2. Ft. Lauderdale City Directory, 1938-39.
3. See Historic Property Associates, Architectural and Historical Survey of Ft. Lauderdale, Florida (Ft. Lauderdale, 1985).

1. LAUDERDALE T. LAND

625 S.W. 5TH PLACE



Appendix B.

Page 1

☐ Original
☒ Update



HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 5.0 3/19

Shaded Fields represent the minimum acceptable level of documentation.
Consult the *Guide to Historical Structure Forms* for detailed instructions.

Site#8 **BD01197**
Field Date **1-15-2020**
Form Date **6-25-2020**
Recorder # _____

Site Name(s) (address if none) New River Castle Multiple Listing (DHR only) _____
Survey Project Name Fort Lauderdale Intensive Level Survey Survey # (DHR only) _____
National Register Category (please check one) ☐ building ☒ structure ☐ district ☐ site ☐ object
Ownership: ☐ private-profit ☐ private-nonprofit ☐ private-individual ☒ private-nonspecific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

Street Number 625 Direction SW Street Name 5th Street Type Place Suffix Direction _____
Address: _____
Cross Streets (nearest / between) _____
USGS 7.5 Map Name FORT LAUDERDALE SOUTH USGS Date 2013 Plat or Other Map _____
City / Town (within 3 miles) Fort Lauderdale In City Limits? ☒ yes ☐ no ☐ unknown County Broward
Township 50S Range 42E Section 10 1/4 section: ☐ NW ☐ SW ☒ SE ☐ NE Irregular-name: _____
Tax Parcel # 504210430070 Landgrant _____
Subdivision Name Tarpon River Block _____ Lot _____
UTM Coordinates: Zone ☐ 16 ☒ 17 Easting Northing
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1924 ☒ approximately ☐ year listed or earlier ☐ year listed or later
Original Use Residence, private From (year): 1924 To (year): Today
Current Use Residence, private From (year): 1924 To (year): Today
Other Use _____ From (year): _____ To (year): _____
Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address _____
Alterations: ☐ yes ☐ no ☐ unknown Date: _____ Nature See continuation sheet
Additions: ☐ yes ☒ no ☐ unknown Date: _____ Nature _____
Architect (last name first): Unknown Builder (last name first): _____
Ownership History (especially original owner, dates, profession, etc.) _____

Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown Describe _____

DESCRIPTION

Style Vernacular Exterior Plan Irregular Number of Stories 1
Exterior Fabric(s): 1. Stone 2. Brick 3. _____
Roof Type(s): 1. Flat 2. _____ 3. _____
Roof Material(s): 1. membrane 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
Windows (types, materials, etc.)
Double/Single-Hung; Casement
Distinguishing Architectural Features (exterior or interior ornaments)
coral rock exterior fabric; flat roof with parapet; conical shaped turrets above windows and at corners; integrated arched gate and wall using coral rock material; exterior staircase with
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
See continuation sheet.

DHR USE ONLY

OFFICIAL EVALUATION

DHR USE ONLY

NR List Date	SHPO – Appears to meet criteria for NR listing: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> insufficient info	Date _____	Init. _____
<input type="checkbox"/> Owner Objection	KEEPER – Determined eligible: <input type="checkbox"/> yes <input type="checkbox"/> no	Date _____	
	NR Criteria for Evaluation: <input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d (see <i>National Register Bulletin 15</i> , p. 2)		

HISTORICAL STRUCTURE FORMSite#B **BD01197****DESCRIPTION (continued):**

Chimney: No. _____ Chimney Material(s): 1. _____ 2. _____
 Structural System(s): 1. _____ 2. _____ 3. _____
 Foundation Type(s): 1. _____ 2. _____
 Foundation Material(s): 1. _____ 2. _____
 Main Entrance (stylistic details)

See continuation sheet.

Porch Descriptions (types, locations, roof types, etc.)

See continuation sheet.

Condition (overall resource condition): ☐excellent ☐good ☐fair ☐deteriorated ☐ruinous

Narrative Description of Resource

See continuation sheet.

Archaeological Remains _____

☐Check if Archaeological Form Completed**RESEARCH METHODS (select all that apply)**

☐FMSF record search (sites/surveys) ☐library research ☐building permits ☐Sanborn maps
☐FL State Archives/photo collection ☐Deity directory ☐occupant/owner interview ☐plat maps
☐property appraiser/tax records ☐newspaper files ☐neighbor interview ☐Public Lands Survey (DEP)
☐cultural resource survey (GRAS) ☐historic photos ☐interior inspection ☐DHABS/HAER record search
☐other methods (describe) _____

Bibliographic References (cite FMSF manuscript # if relevant use continuation sheet if needed)

See continuation sheet.

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually? ☐yes ☐no ☐insufficient information
 Appears to meet the criteria for National Register listing as part of a district? ☐yes ☐no ☐insufficient information

Explanation of Evaluation (required, whether significant or not use separate sheet if needed)

See continuation sheet.

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Architecture 3. _____ 5. _____
 2. Community planning & development 4. _____ 6. _____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type _____ Maintaining organization _____
 Document description _____ File or accession #'s _____
 2) Document type _____ Maintaining organization _____
 Document description _____ File or accession #'s _____

RECORDER INFORMATION

Recorder Name: Erica Mollon Affiliation _____
 Recorder Contact Information: Erica Mollon Consulting, 628 Zamora Avenue, Coral Gables, FL 33134
 (address/ phone/ fax/ e-mail)

Required Attachments**0 USGS 7.5' MAP WITH STRUCTURE LOCATION CLEARLY INDICATED****@ LARGE SCALE STREET, PLAT OR PARCEL MAP 1.,,1ab1,tmmostomoertyaw-wabates1****@ PHOTO OF MAIN FACADE, DIGITAL IMAGE FILE**

When submitting an image, it must be included in digital AND hard copy format (,ran'"""""""" aae).
 Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

**Historical Structure Form
Continuation Sheet**

8D01197

**New River Castle
625 SW 5th Place**

Narrative Description of Resource

Folio Number:	504210430070
Year Built:	1924
Style:	Vernacular
Architect:	Unknown

625 SW 5th Place is a 1-story structure with an irregular plan. The home is clad with stone and has a flat roof with a membrane coating. Character defining features include the coral rock exterior fabric; flat roof with parapet; conical shaped turrets above windows and at corners; integrated arched gate and wall using coral rock material; exterior staircase with arched opening topped by conical shaped turret; and unique siting at corner of lot.

Windows: Double/Single-Hung/Casement

Alterations: Replacement windows

Significance (Explanation of Evaluation)

This property appears eligible for listing on the National Register of Historic Places under Criterion A for its association with the early subdivision development of Fort Lauderdale and Criterion C in the area of architecture as an intact example of its style. Its location within Tarpon River represents the earliest years of incorporated Fort Lauderdale development through the 1920s and World War I. The structure retains a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

Overview of Tarpon River

Tarpon River is a geographically distinct neighborhood located in central Fort Lauderdale. It is bounded by the South Fork of the New River on the west and the New River on the north, South Andrews Avenue to the east, and Davie Boulevard to the south. The neighborhood is located just west and south of the downtown corridor of Fort Lauderdale. Present day Tarpon River consists of the original 1.5 square mile tract of the City of Fort Lauderdale and at least twenty different subdivisions, many of which were originally part of a subdivision owned by W.H. Marshall, Fort Lauderdale's first mayor. The neighborhood is a mix of commercial, light industrial, and residential use with more access to canals and rivers than many of the other neighborhoods in Fort Lauderdale. Due to the number of small subdivisions located within primarily residential Tarpon River, there is a wide variety of housing styles and construction dates. Among the older properties, styles represented include Frame Vernacular, Masonry Vernacular, and Bungalow, however a majority of the structures are Mid-Century Modern or Modern Vernacular. The sections within close proximity to downtown Fort Lauderdale began modern development as early as 1911 and residential buildings dating to circa 1918 can still be found in some sections of the neighborhood. In recent years, development pressure has resulted in the loss of many of the older structures, particularly the residential buildings, to be demolished in favor of newer, higher-density housing.

Development Context - Tarpon River

A.L. Knowlton, a civil engineer for Henry Flagler, first platted the area covered within the proposed Historic District in 1895.¹ An 1896 map created by Knowlton notes that William B. Brickell and his wife, Mary Brickell, owned, described, and subdivided the area to be known henceforth as Fort Lauderdale, including the blocks that would become the Elva A. Truax historic district.² In 1911, Mrs. Elva A. Truax subdivided the area, focused primarily on Block 49, including the construction of present day Southwest 6th Avenue (originally Elva Avenue and later Miami Avenue).³ That same year, the City of Fort Lauderdale was incorporated and in 1915 Broward County was delineated and Fort Lauderdale selected as the county seat.⁴ Former Fort Lauderdale mayor, W.H. Marshall, developed several lots on the block south of present day Southwest 7th Street (former S. 3rd Street) in 1917.⁵

The first Federal Census of Fort Lauderdale was taken in 1920 and counted 2,065 inhabitants. By 1930, the city experienced a 319.7% increase in population, to a total of 8,666.⁶ A 1924 map of the area shows several homes already constructed in the area, including present-day 519 Southwest 6th Avenue, 500 Southwest 6th Avenue, and 515 Southwest 4th Avenue. Development was abruptly halted by the destruction of the 1926 hurricane. Before housing construction could resume, Fort Lauderdale and the nation was hit with the stagnating economic hardships of the Great Depression in 1929. Despite these hardships, the population of Fort Lauderdale alone doubled between 1930 and 1940 from 8,666 to 17,996.⁷ Development within the historic district continued, with modest houses being constructed during the lean years of the Great Depression. By the end of World War II, the country was facing a nation-wide housing shortage and areas with developable lots saw a second housing boom. While single-family houses were still constructed, the focus shifted to include more modern-style multifamily dwellings. As a result, the population of Fort Lauderdale increased 109.1% from 18,332 to 36,328 between 1940 and 1950.⁸

Bibliographic References

"608 SW 6th Avenue," *Florida Master Site File*, (St. Augustine: Historic Properties Associates, Inc., 1985).

A.L. Knowlton, "Dade 'B'-40 Trans 4 Map of Fort Lauderdale," 1896, 3.

Bureau of the Census. Number of Inhabitants, Florida. U.S. Department of Commerce. 1960: 11-9

"Dade 3-23, 3-41 Map," 1913.

"Victory in Tallahassee," *Broward Legacy*, 11, nos. 3-4, Summer/Fall (1988): 7.

Virginia Savage McAlester, *A Field Guide to American Houses*, 2nd Ed. (New York: Alfred A. Knopf, 2017).

¹"608 SW 6th Avenue," *Florida Master Site File*, (St. Augustine: Historic Properties Associates, Inc., 1985).

²A.L. Knowlton, "Dade 'B'-40 Trans 4 Map of Fort Lauderdale," 1896, 3.

³"Dade 3-23, 3-41 Map," 1913.

⁴"Victory in Tallahassee," *Broward Legacy*, 11, nos. 3-4, Summer/Fall (1988): 7.

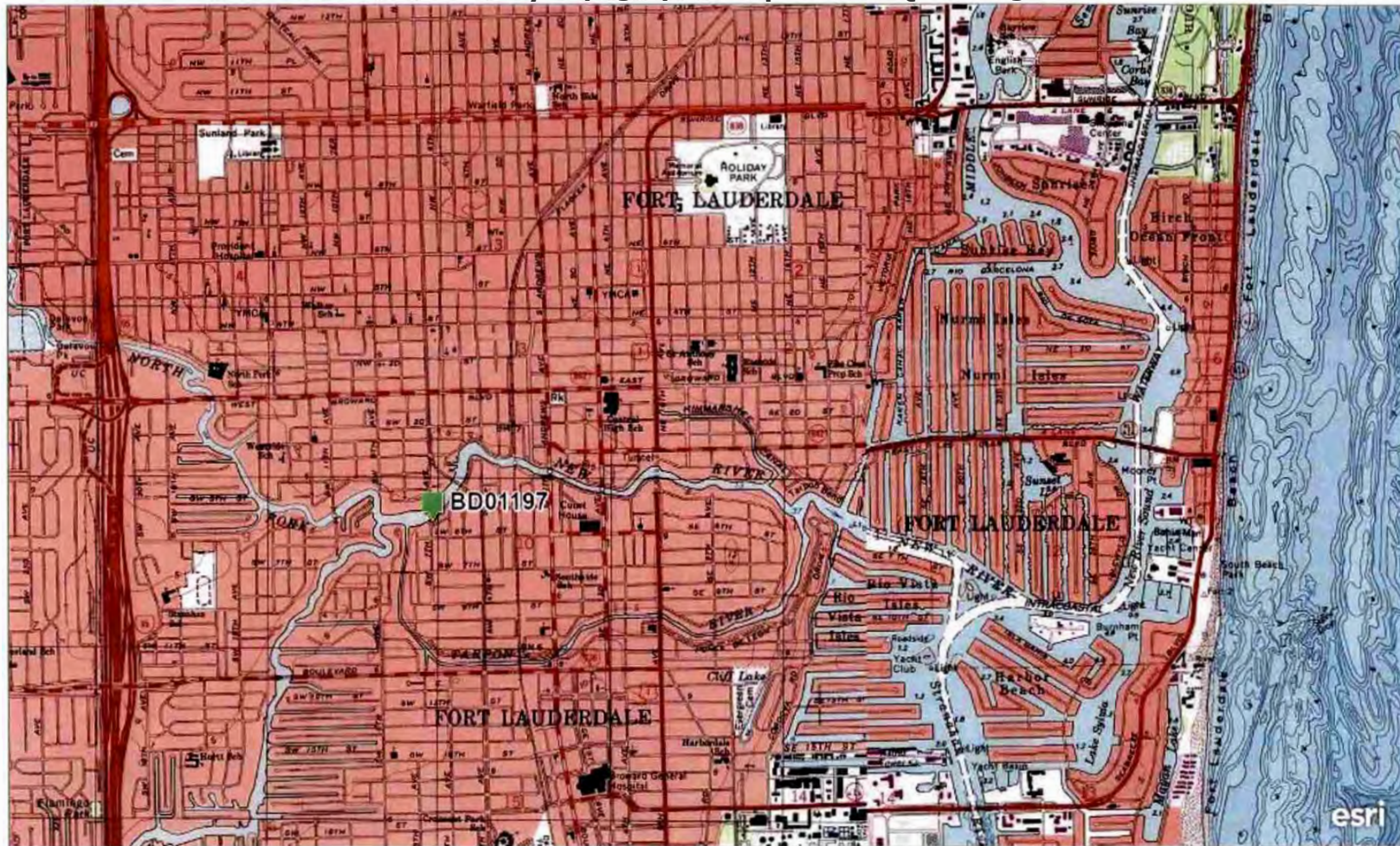
⁵"Dade 3-23, 3-41 Map," 1913.

⁶Bureau of the Census. Number of Inhabitants, Florida. U.S. Department of Commerce. 1960: 11-9

⁷Ibid

⁸Ibid

Architectural Resource Intensive Survey Topographic Map - South Quadrangle



Fort Lauderdale South Quadrangle Florida-Broward County 7.5 Minute Series (Topographic) U.S. Department of the Interior
U.S. Geological Survey

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Appendix C.

MARY BRICKELL, Appellant,

v.

TOWN OF FORT LAUDERDALE, Appellee

[NO DOCKET NUMBER]

SUPREME COURT OF FLORIDA

75 Fla. 622

April 26, 1918

Appeal from the Circuit Court of Broward County, H. Pierre Browning, Judge.

Decree affirmed.

McCAskill & McCaskill and E. O. Locke, for Appellant;

J. F. Bunn, for Appellee.

BROWNE, C. J., TAYLOR, WHITFIELD, ELLIS AND WEST, J. J., concur.

BROWNE, C. J. --

The suit brought in the Circuit Court for Broward County by the city of Fort Lauderdale the appellee herein, against Mary Brickell, is in effect an action to enjoin the defendant below from obstructing North and South River Streets in the city of Fort Lauderdale by erecting buildings, providing wharves, docks, boat ways and other obstructions on such parts of those streets as are contiguous to and bordered by the waters of New River, a navigable stream which extends through a part of the city.

On the 20th of April, 1896, Mary Brickell and William B. Brickell her husband owned certain lands on which they laid out a town site, subdivided into blocks or lots with streets and avenues, and caused the subdivision to be platted. The plat was duly recorded in the records of Dade county, and contained this inscription: "Know all men by these presents that, we, William B. Brickell and Mary Brickell, his wife, have caused to be made the following attached map of the subdivision of the South half of the South half of Section 3 and the North half of the North half of the South half of Section 10, in Township 50 South, Range 42 East, in Dade County, State of Florida, to be known as Fort Lauderdale; and that we do hereby dedicate to the perpetual use of the public, the

streets or highways shown thereon, reserving to ourselves, our heirs, personal representatives, successors or assigns, owning lands abutting or adjoin the same, the reversion or reversions thereof whenever discontinued by law."

A demurrer to the bill was overruled and the defendant filed her answer. Testimony was taken on behalf of both parties and the chancellor in his final decree held, that William B. Brickell and Mary Brickell were owners in fee simple of the land platted as the town of Fort Lauderdale, and that they dedicated to the perpetual use of the public the streets and highways shown thereon, and that they confirmed such dedicating by making deeds of conveyance to land described therein by reference to such plat, and that by virtue of such dedication there was vested in the public an easement into and over the streets and highways, and that North River Street as shown on the plat is not of uniform width and that its south or southerly boundary is the waters of New River, and that South River Street as shown on the plat is not of uniform width and its north or northerly boundary is the waters of New River, that the fee in the land over which North and South River Streets are laid out and dedicated is vested in Mary Brickell or her heirs, personal representatives, successors or assigns, subject to the easements aforesaid, and that "the owners of the fee and the public have a coexistent right, the owner to use the land and the public to use the street and one does not destroy the other. The owners right to use the land is limited to such purposes as do not interrupt or interfere with the free use by the public for all proper and lawful street purposes," and "that the town of Fort Lauderdale has the right through its proper officers and agents to regulate, improve, maintain and control said streets and highways for the use of the public, for all proper lawful street and highway purposes;" and enjoined the defendant Mary Brickell from doing or attempting to do any act, thing or deed that would in any wise interrupt or interfere with the town of Fort Lauderdale in exercising its lawful power and right to regulate, improve, maintain and control the streets and highways aforesaid, to-wit, North River Street and South River Street, as construed to be shown on said plat of the town of Fort Lauderdale, and that "all other matters and things in and by complainants bill of complaint prayed are hereby denied."

Upon the entry of appeal by the defendant, the complainant filed cross assignments of error, to the effect that, the final decree is ambiguous in that it does not clearly and specifically find and decide whether the riparian rights pertaining to the banks of New River at the points in question were an incident of or appurtenant to the public easement, or whether they were an incident of or appurtenant to the legal title or fee of the respondent.

There are four assignments of error by appellant, the first based on the overruling of the defendant's demurrer, and the second, third and fourth present the same propositions of law and are discussed together by appellant and will be so treated by this court.

In the discussion of the first assignment the appellant covers several propositions not raised by the demurrer and will not be discussed by us. Neither is it necessary for us to discuss those grounds of the demurrer which are contended for by appellant, as the bill contains equity, and is sufficient to support the decree of the chancellor upon the issue

presented by the pleadings and testimony, and we find no error in the order of the chancellor overruling the demurrer.

The vital questions presented by the assignments of appellant and cross assignments of appellee, are whether North and South River Streets have a river boundary, and if so, do the riparian rights in such streets accrue to the public, or are they reserved to the owner of the fee in the streets?

It is not questioned that there was an express dedication of the streets and highways shown on the plat, but appellant contends that the plat, is ambiguous with reference to the width of North and South River Streets. The meandering line of New River through the town of Forst Lauderdale is something over a mile, and at two points on South River street as dedicated on the plat the figure 40 appears, and appellant contends that because of these figures there is an ambiguity in the plat as to the width of both South River Street and North River Street, and that she should be permitted to offer extrinsic evidence of the intention of the dedicators. This she was permitted to do, and the chancellor after hearing all the testimony and considering the same in connection with the plat and the dedication, found that both North River Street and South River Street were bounded by the waters of New River.

This court is committed to the doctrine that the findings of the chancellor on the evidence will not be disturbed unless such findings of fact are clearly shown to be erroneous. Waterman v. Higgins, 28 Fla. 660, 10 South. Rep. 97; City of Jacksonville v. Huff, 30 Fla. 8, 21 South. Rep. 774; Sarasota Ice, Fish & Power Co. v. Lyle & Co., 58 Fla. 517, 50 South. Rep. 993; McMillan v. Warren, 59 Fla. 578, 52 South. Rep. 825; Viser v. Willard, 60 Fla. 395, 53 South. Rep. 501; Dixon Lumber Co. v. Jennings, 63 Fla. 405, 57 South. Rep. 615; Barnes & Jessup Co. v. Williams, 64 Fla. 190, 60 South. Rep. 787; Baggatt v. Otis, 65 Fla. 447, 62 South. Rep. 362; Guerra v. Guiterrez, 66 Fla. 570, 64 South. Rep. 232; Farrell v. Forest Inv. Co., 73 Fla. 191, 74 South. Rep. 216; Simpson, Trustee v. First National Bank of Pensacola, and O'Brien v. Smith, decided at the June, 1917, term of the court.

There is ample testimony to support the findings of the chancellor that the southerly boundary of North River Street, and the northerly boundary of South River Street were intended to be the waters of New River.

It is contended by the appellant that she intended North River Street and South River Street each to be only forty feet wide. The plat is drawn to a scale. There are some streets forty and some fifty feet wide, and others of less width. Measured by the scale to which the plat is drawn, the width of North and South River Streets as shown by the plat is generally about forty feet, but it apparently varies according to the meanderings of the river. The lines marking the side of the North and South River Streets, away from the river, are all straight lines, while those which mark the side next to the river are undulating and apparently follow the contour of the river. A single undulating line is usually used for marking a water boundary not affected by tides, while several parallel waved lines are used to mark a water boundary where tides ebb and flow; and where

these are found on a plat, they should be taken to define a lot or street lying on the water, with nothing between it and the water, in the absence of anything appearing to the contrary on the plat, or in the dedication. See St. Paul & P.R. Co. v. Schurmier, 7 Wall, 272; Sizor v. Logansport, 151 Ind. 626; 44 L.R.A. 814.

It was proven on the trial that the appellant had given several warranty deeds which contained the words, "with all riparian rights and privileges." These were conveyances to lots which abutted on the side of North River Street or South River Street, farthest from the river. It has sometimes been held that where a lot is separated from navigable waters by a public roadway, the riparian right to the part of the waters lying in front of his lot, is in such lot owner, and the grantor may have had this in mind when she granted the riparian rights to upland lots which were separated from the river only by a street whose boundary was the river, for clearly if there had been a strip of land between the street and the river, as now contended by appellant, the riparian right attached to that. The acts of the dedicator in granting riparian rights to owners of lots lying on the side of the street furthest from the river, is repugnant to her present contention that she retained a strip of land between these streets and the river.

There is intrinsic evidence in the plat itself, from which the true intention of the appellant at the time she made the dedication can almost conclusively be established -- at least, more certainly than the testimony of witnesses given after a lapse of nearly twenty years, subject as such testimony is to mistakes caused by defective memory, personal interest however slight, and the confusion of after-acquired information or later impressions, with memory. The Town of Fort Lauderdale as laid out by Mary Brickell and William Brickell was a mile square, and New River ran almost through the center of the plat. The cross streets that ran towards the river and into North and South River Streets show an opening where they enter the side of these streets away from the river causing a break in that line of the street, but the line of the streets on the river is continuous. If, as contended by appellant there was a strip of land between the river and the South line of North River Street, and the North line of South River Street the cross streets would doubtless have been shown on the plat as extending across this strip to the River. The cross streets on both sides of the river bear the same names, are of the same width, and are on the same line; showing an intention to make them continuous streets extending from one side of the town across the river to and through the other side of the town. If there was reserved to the appellant a strip of land on the river side of North River Street and South River Street, the inhabitants of one side of the city were entirely cut off from intercourse with the other, for there is no point shown on the plat where ingress and egress to and from the river was possible without permission from the owner, or by becoming a trespasser. It is so highly improbable that a party owning a large tract of wild land whereon she was desirous of founding a town, would locate it on both sides of a river, and by reserving to herself a strip along both banks between the street and the river, bar for all time the inhabitants of half the town from communicating with the other half, except upon permission from her, that the proof to establish such a contention ought to be of the strongest character. It has been repeatedly held that where a town is laid out upon the bank of a navigable river, that even in the absence of an express dedication of the streets, it is sufficient evidence of its extending to the

water, unless a contrary intention is manifestly indicated, and some courts have intimated that even where a map shows a strip of land between the river and the line of the street nearest the river, that in the absence of anything to the contrary, it would be presumed that the space between such line and the river was thus discriminated for the use of the town, if not for a street. See Webb v. City of Demopolis, 95 Ala. 116, 13 South. Rep. 289; Village of Brooklyn v. Smith, 104 Ill. 429; Davies v. Epstein, 77 Ark. 221, 92 S.W. Rep. 19. Thus in the case of Rowan's Executors v. Town of Portland, 8 B. Monroe (Ky.) 232, the map showed a strip of land lying between the river and the line of the street nearest the river and the court said: "That the town extended to the Ohio river, leaving no space between the town and the water, is a position which, in our opinion, does not admit of question. There is no line dividing or separating the town from the river. And if there were, it should rather be presumed that the space between such line and the river, was thus discriminated for the purpose of showing that it was intended for some use of the town different from that of the ordinary streets and public grounds, (or that the cross-streets at least, were intended to be extended to the river at some future day), than that a town located upon the bank of such a river, and at a point selected for its commercial advantages, should be wholly shut out from free and common access to the river. The unreasonableness of this latter presumption has been more than once declared by this Court, and the fact that a town is laid off upon the bank of a navigable river, has been held to be sufficient evidence of its extending to the water, unless a contrary intention is manifestly indicated. And we say it extends to, and is bounded by the river, not only because this is to be presumed from its location on the bank, but because there is no other northern boundary but the river. A location on the river has been held to be sufficient evidence that the town so located, extends to the water, in the cases of the Trustees of Maysville v. Boone, 2 J. J. Marshall, (Ky.) 224; Giltner v. Trustees of Carrollton, 7 B. Monroe (Ky.) 680; City of Louisville v. Bank of United States, 3 B. Monroe (Ky.) 144.

In the case of City of Louisville v. Bank of United States, supra, the court said: "It would be almost as reasonable to sell and appropriate as private property the river itself, as the ground lining its margin, the occlusion of which would obstruct the communication between the city and the river. The object of locating a town on the river, was to enjoy the benefit of its facilities as a highway." This reasoning applies with even greater force to a situation such as exists in the instant case, where the river flows through the town and cuts it into two parts.

In Haight v. City of Keokuk, 4 Iowa 199, the court said: "The same reasoning applies to Water street. No other reasoning than the foregoing will answer; for it is impossible to suppose that the proprietors, in laying off a commercial town upon a great navigable river, intended to cut off from free access to that river, all but those who owned the front lots, and thus take away that which constitutes the greatest value of them all. What makes the land of this town of more value than a common farm? It is its adaptation to commerce and trade, through its accessibility to a large navigable stream, and thence its communication with the rest of the world."

Whatever ambiguity may have been caused by the insertion of the figures 40 on two

places on the plat of South River Street, no such ambiguity can be claimed as to the width of North River Street. The appellant, however, says "At the extreme East end of South River Street we find '40' and in South River Street, between Cunningham and Metcalf avenues, '40' which the engineering and legal professions both take to mean 40 feet, and it would give rise to the construction that North River Street and South River Street are only 40 feet wide."

We cannot follow this method of ratiocination and apply a conclusion reached in determining the intention of a dedicator where an ambiguity exists, to that part of an express dedication where there is no ambiguity. It would be more logical to apply the facts of the latter situation, to that part of the plat which needs explanation. Thus, as there was no ambiguity in the plat as to the width of North River Street, -- it being perfectly clear from the plat and the dedication that it extended to the waters of New River, -- the logical conclusion would be that it was the intention to have the same condition exist in South River Street, otherwise there would have been this situation; the public residing on the North side of Fort Lauderdale would have access to the river, and could cross over it to that part of the city which lay South of the river, but they would not land without becoming trespassers. Those living on the South side of the river having no access to the river, would have to stay on their side.

The plat shows a street on each side of the river by a single line denoting the line between the river and the street on each side of the river, with nothing to indicate that the street on each side was not intended to extend to the waters of the river. The sides of the streets furthest from the river are denoted by straight lines while the sides of the streets next to the river are marked by irregular lines presumably indicating the irregular lines of the waters of the river.

The courts have frequently said, and we find the same expressions in the text-books that it is "inconceivable" and "preposterous" to contend that a town would be located on the banks of a navigable river, and the inhabitants deprived of the right of access to the river. The unreasonableness of this contention is more pronounced in this case than any which we have been able to find, for here we have the owners of land laying off a city through which runs a navigable stream, a natural highway, now claiming that they intended to so isolate the inhabitants on each side of the river, that they could not have intercourse with those on the other side, or have access to the natural highway which flows through the city, without becoming trespassers or first getting permission from the owners of the strip reserved on the banks of the river.

We do not say that the owner of land desiring to lay off a city, through which flows a navigable river, might not do this, and in effect erect a barrier on each bank of the stream and cut off intercourse between the two sections of the city, but the unreasonableness of such a plan for a city, and the improbability of one so situated becoming populated, is so great, that such intention on the part of the dedicators would have to be very clearly established before it should be accepted by the courts, and where there is any doubt as to such intention it should be resolved against it. As was well said in the case of City of Denver v. Clements, 3 Colo. 484, "If there exist an actual

intent to reserve any portion of the lands so platted into streets, otherwise than by express reservation on the plat, certainly it should be made manifest in some manner not only of equal certainty, but of equal publicity as the plat, otherwise an actual intent cannot be permitted to avail against an intent on which the law will and must insist, as being shown by unequivocal acts upon which the public had a right to rely. " See also *City of Indianapolis v. Kingsbury*, 101 Ind. 200.

This disposes of the question of the width of North and South River Streets which the chancellor found extended to the navigable waters of New River, which finding is approved.

Where a dedication to the public use is made of a street or roadway, and the same is used by the public, it is the duty of the city as trustee of the public rights in and to the streets within whose corporate limits they are, to maintain the public uses against encroachments, and this applies to territory taken into the corporate limits after the dedication as well as to territory included in the corporate limits at the time of the dedication.

The decree is affirmed.

TAYLOR, WHITFIELD, ELLIS AND WEST, J. J., concur.

Cases which cite this case:

- [City of Tarpon Springs v. Smith](#)
- [Wilson v. Dunlap](#)
- [Bonifay v. Dickson](#)

[BACK](#)

With the Bryans



ate Archives of Florida, Florida Memory.

ey times in early Fort Lauderdale history, members of the Bryan family pop up almost everywhere.

For those who read a little city history, the name Philemon Bryan and his two sons, Tom and Reed, may be familiar. The three were major pillars of the town – instrumental in building Henry Flagler’s rail line, the town’s first major inn, the early infrastructure, major tomato farms, the first ice factory and much more.

This is not the story of three farmhands or carpenters who wandered down here and went on to greater things. This is the story of three driven men. Philemon was the former mayor of New Smyrna Beach, a successful farmer and entrepreneur. Tom and Reed were two spirited and adventurous young men who had all of the skills of their father but also benefited from college educations.

And then there were their wives. Lucy Bryan, Philemon’s wife, would run the New River Inn, after years of managing boarders and lodgers in New Smyrna. Camille, the wife of Tom Bryan, came from high standing in suburban Atlanta, where Tom attended Emory University. Her crisp and wry writing provides a vivid peek into just how things were in 1904.

Camille wrote about her arrival, having traveled by train from Georgia. It was nighttime when she disembarked and was greeted by a family friend. They walked “with only a dim lantern to light a very narrow sandy path to the Bryan home.” Tom Bryan had tried to prepare her for the rougher living in the new settlement, but she wrote, “I had not pictured a place quite so devoid of people. There were only four or five cottages, a store and a few Seminole Indians.”

Her first trip out of the Bryan home was “through the little path to the big store owned by Mr. Stranahan ... located on the river front ... with the Post Office in one corner.

“When we felt the need for exercise, our only walk in comfort was through [the] little path which led to the Stranahan home.”

During the week, Tom was at the farm most days. But on Sundays, the whole family “usually went out to look over the farm, not by automobile but by a little buckboard with a very wild horse.”

While the New River Inn and Bryan homes were located where the museums they became now are (on Second Avenue and the riverbank nearby), the farm was five miles to the west, up the waterway. According to an 1889 article by a *Miami Metropolis* reporter, the farm had acres of tomatoes and 500 new orange trees planted. Overseen day-to-day by Reed Bryan, it was located “on the edge of the Everglades.”

That area is just west of I-95 where I-595 is today before it hits State Road 7. *Edge of the Everglades?* Ponder that, all ye folks in Weston.

Meanwhile, without Philemon Bryan's wife Lucy, we may not have had the New River Inn. Mrs. Bryan (senior) had an active life in New Smyrna working with the various family enterprises. With Lucy being so isolated in the new settlement, they thought it would be a good thing for her to run an inn. It was built in 1905 with 24 rooms, including residences for the family. Tom Bryan took the leadership role, working with builder Ed King. The two developed a groundbreaking structure built of hollow concrete block and Dade County Pine that has withstood time and tide – and massive hurricanes.

As proprietess, Lucy Bryan was propelled into the spotlight. On Sundays, Mrs. Bryan provided sumptuous meals for growers and visiting merchants, invited three or four at a time. That was when growers came down the New River to pick up their mail at the Stranahan trading post. (Yes, post office open Sunday.)

A book could be written about all the Bryan exploits, and indeed an excellent one has been. In *Tom Bryan and other Movers and Shapers of Early Fort Lauderdale*, Keith Mitzner mines the Fort Lauderdale Historical Society's trove of letters, news accounts and other documents to stitch a lively read.

The Bryan contribution lasted well beyond these early years. When the New River settlement was incorporating as a city, it was Reed Bryan who proposed the name Fort Lauderdale to the City Council, according to historian Stuart McIver. Tom Bryan was a council member at the time. Later, when it was time for Fort Lauderdale to break away from Dade and Palm Beach counties, it was Tom who was sent as a negotiator to Tallahassee and helped determine the boundaries of the new "Broward County."

It may have been the freeze of 1895 – which ruined Philemon Bryan's citrus crop in New Smyrna – that prompted him to look south. Whatever the reason, that city's loss was most decidedly our gain.