

ITEM VII

MEMORANDUM MF NO. 22-17

DATE: August 16, 2023

TO: Marine Advisory Board

FROM: Andrew Cuba, Marine Facilities Manager

RE: June 1, 2023 MAB - Dock Waiver of Distance Limitations application for four (4) Boat Slip Assignees: Lee J. Engler as Trustee of the Lee J. Engler Qualified Personal Residence Trust & Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust (PH 03/Slip 4), Brenda Lapointe (# 901/Slip 3), Robert J. & Mary K. Berard (PH 01/Slip 2), & Robert A. & Lisa D. Verdun (#803/Slip 1) / 321 N. Birch Road.

Attached for your review is an application from Lee J. & Patti A. Engler (Slip 4), Brenda LaPointe (Slip 3), Robert J. & Mary K. Berard (Slip 2), & Robert A. & Lisa D. Verdun (Slip 1), / 321 N. Birch Road (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicants are requesting approval for the installation of two (2) 50.3'+/- x 8.7'+/- wave attenuating/breakwater floating docks extending a maximum of 57'+/- from the property line into the Intracoastal Waterway (ICWW). The distances this proposed structure would extend from the property line into the ICWW is shown in the survey in **Exhibit 1** and summarized in Table 1 below:

TABLE 1

PROPOSED STRUCTURE	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING WAIVER
Floating Dock(A)	57'+/-	25'	32'+/-
Floating Dock(B)	57'+/-	25'	32'+/-

Section 47-19.3 C limits the maximum distance of mooring structures to 25% of the width of the waterway, or 25%, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has indicated that the floating docks are necessary to safely moor the resident's vessels, especially during high wind events and severe weather. Safer loading and unloading from the floating docks due to tide fluctuations are also mentioned.

PROPERTY LOCATION AND ZONING

The property is located within the IOA Zoning District. It is situated on the ICWW where the width of the waterway to the closest structure is +/-562', according to the Summary Description provided in **Exhibit 1**

DOCK PLAN AND BOATING SAFETY

Records reflect eight (8) waivers of docking distance limitations approved by the City Commission within close proximity since 2009. A comparison of these as shown in Table 2 including the maximum distances of all mooring structures extending into the ICWW follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
2009	540 Lido Drive	45'6" +/-
2009	209 Grand Birch, Slip 4	45'6" +/-
2011	215 N. Birch Road	47.5' +/-
2013	209 Grand Birch, Slip 3	39.3' +/-
2014	321 N. Birch Road	75' +/-
2015	209 Grand Birch, Slip 1	45' +/-
2021	321 N. Birch Road, PH1, Slip 1	55' +/-
2021	321 N. Birch Road, PH 3, Slip 4	46' +/-

RECOMMENDATIONS

Should the Marine Advisory consider approval of the application, the Resolution under consideration for approval by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of "As Built" drawings from a certified and licensed contractor.

Marine Advisory Board
June 1, 2023
Page 3

AC
Attachment

cc: Enrique Sanchez, Parks and Recreation Deputy Director
Jon Luscomb, Marine Facilities Supervisor



Akerman LLP
201 East Las Olas Boulevard
Suite 1800
Fort Lauderdale, FL 33301

T: 954 463 2700
F: 954 463 2224

**321 N BIRCH RD
APPLICATION FOR WATERWAY WAIVER**

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: **Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust, and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust**

TELEPHONE NO: 763-370-0800 (home) _____ (business) EMAIL: lengler@borderfoods.com

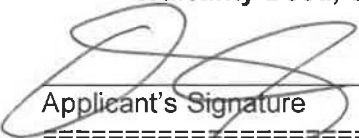
2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #PH03**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps

4. SITE ADDRESS: **321 N Birch Road #PH03 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**321 AT WATER'S EDGE CONDO UNIT PH 03 PER CDO CIN# 116467062
5042 12 DD 0230**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans


Applicant's Signature

6/6/22
Date

=====

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 20____ Received by: _____
City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: **Brenda Lapointe, a married woman**

TELEPHONE NO: 613 401-9658
(home) (business)

EMAIL: brendalapointe@icloud.com

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #901**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps

4. SITE ADDRESS: **321 N Birch Road #901 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**321 AT WATER'S EDGE CONDO UNIT 901 PER CDO CIN# 116467062
5042 12 DD 0150**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans


Applicant's Signature

Sept 1, 2022
Date

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 20____ Received by: _____

City of Fort Lauderdale

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: **Robert J. Berard and Mary K. Berard, husband and wife**

TELEPHONE NO: 715-204-5710
(home) (cell) (business)

EMAIL: berard@charter.net

2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #PH01**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps

4. SITE ADDRESS: **321 N Birch Road #PH 01 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**321 AT WATER'S EDGE CONDO UNIT PH 01 PER CDO CIN# 116467062
5042 12 DD 0210**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans


Applicant's Signature

9-14-22
Date

=====
The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 20____ Received by: _____

City of Fort Lauderdale

=====
For Official City Use Only

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

**CITY OF FORT LAUDERDALE
MARINE FACILITIES
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: **Robert A. Verdun and Lisa D. Verdun**

TELEPHONE NO: 248 705-7607
(home) (business)

EMAIL: Robert.Verdun@oceanlook.com

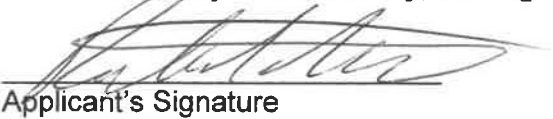
2. APPLICANT'S ADDRESS (if different than the site address): **321 N Birch Road #803**

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:
The applicant requests a waiver for the proposed construction of two (2) floating docks with ramps

4. SITE ADDRESS: **321 N Birch Road #803 Fort Lauderdale, FL 33304** ZONING: **IOA**

LEGAL DESCRIPTION AND FOLIO NUMBER:
**321 AT WATER'S EDGE CONDO UNIT 803 PER CDO CIN# 116467062
5042 12 DD 0140**

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).
Warranty Deed, Survey, Zoning Aerial, Photos, Project Plans


Applicant's Signature

9-1-22
Date

The sum of \$ _____ was paid by the above-named applicant on the _____ of _____, 20____ Received by: _____

City of Fort Lauderdale

=====For Official City Use Only=====

Marine Advisory Board Action
Formal Action taken on _____

Commission Action
Formal Action taken on _____

Recommendation _____
Action _____

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Stephen Tilbrook

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EXHIBIT II SUMMARY DESCRIPTION

Summary Description
321 N Birch Rd-Engler Floating Docks
TCG Project No. 21-0038.001

The project site is located along the New River at 321 N Birch Rd, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the Intracoastal Waterway (ICWW), which is a tidal water. The nearest direct connection to the Atlantic Ocean is approximately 2.5 miles to the south at the Port Everglades Inlet. As the project site is located along the ICWW, the incoming tidal waters (flood) at the site move to the north and the outgoing waters (ebb) move to the south.

The project site consists of an existing 200 ln. ft. concrete seawall, ± 520 ft² concrete marginal dock, two (2) 20'x3' wood finger piers (± 120 ft²), ten (10) mooring piles, three (3) triple pile clusters, and a 50,000 lb no profile boat lift. The three triple pile dolphin piles and ten single mooring piles that extend a maximum of 75' from the property line were previously authorized under Resolution No. 14-183. The no profile boat lift that extends 55.0' from the property line was previously authorized under Resolution No. 21-37. An additional no profile boat lift that extends 51.0' from the property line was previously authorized under Resolution No. 21-121. The existing structures accommodate four (4) slips, in which Slip #1 is owned by Robert A. Verdun and Lisa D. Verdun; Slip #2 is owned by Robert J. Berard and Mary K. Berard, husband and wife; Slip #3 is owned by Brenda Lapointe, a married woman; and Slip #4 is owned by Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust, and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust.

The proposed project includes the removal of two (2) of the existing mooring piles, the removal of the existing wood finger piers (120 sq. ft.), the removal of the existing boat lift (1,000 sq. ft.), the installation of a 23.2'x4' concrete finger pier (93 sq. ft.) that will not extend more than 25' from the property line, and the installation of two (2) 50.3'x8.7' concrete wave attenuating/breakwater floating docks (875 sq. ft.) with two (2) 20'x4' ramps that will extend no more than 57.0' from the property line. As measured from the property line, the proposed structures encroach more than 25' from the property line into the ICWW. As these distances are over the allowable 25' distance into the waterway

from the property line, the proposed floating docks will require a dock waiver. Note that this requested waiver is within the distance measurement of previously approved waivers for existing and proposed boat lifts.

The existing finger piers that are 20' long and 3' wide are in poor condition and pose a safety hazard. Due to their poor condition and narrow width, three incidents have occurred that resulted in hospitalization. Wider finger piers are needed to address this safety concern and allow for the safe mooring of vessels at the property. A wider finger pier and the floating nature of the proposed docks that will rise and fall with the tides will allow for the safe loading and unloading of passengers and equipment.

The proposed floating docks are also floating concrete wave attenuating/breakwater docks designed for rough water (3' waves) and will be built with heavy galvanized rebar and hi-strength concrete that will result in safer mooring of vessels and provide stabilization for the safe unloading and loading of passengers. These low-profile floating docks will have less of a visual impact for upland owners and also from the waterway. In addition, the previously authorized boat lifts are approximately 1,828 sq. ft. overwater. These will be removed, and the existing two finger piers (120 sq. ft. overwater) will be replaced with two floating docks that are approximately 875 sq. ft. overwater and a concrete finger pier that is approximately 93 sq. ft. overwater. Therefore, the overwater structures at the site will be reduced from a total of 1,948 sq. ft. overwater to 968 sq. ft. This will result in a 50% reduction in overwater square footage of structures and reduce shading of the benthic substrate, with the resulting environmental benefits.

The following five (5) matters provide justification for this waiver request:

1. All structures and piles will not exceed 25% of the width of the waterway.
2. Due to the extraordinary width of the waterway at this location to the closest structure ($\pm 562'$), the proposed project will not impede navigation within the ICWW.
3. The proposed structure is necessary for safely mooring resident's vessels, especially during high wind events and severe weather. The proposed floating docks are floating concrete wave attenuating/breakwater docks designed for rough water (3' waves) and will be built with heavy galvanized rebar and hi-strength concrete.
4. The proposed floating docks will allow for safer loading and unloading of passengers as the dock will adjust with the tides.
5. The proposed floating docks are low profile and will have fewer visual impacts to upland property owners and also from the waterway.

6. The proposed structures are consistent with the previously authorized structures located at the property and does not exceed the three (3) triple mooring piles and two (2) single mooring piles at 75.0' (Resolution #14-0971).

If this waiver is approved, the applicant will comply with all necessary construction requirements stated in Section 47-19.3 (C)(D)(E).

Table 1. Existing Structures

EXISTING STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER	RESOLUTION NUMBER
3 Triple Pile Clusters & 10 Single Mooring Piles	±75.0'	25'	50.0'	14-183
No Profile Boat Lift	±55.0'	25'	30.0'	21-37
No Profile Boat Lift	±51.0'	25'	26.0'	21-121

Table 2. Proposed Structures Requesting Waiver

STRUCTURE	PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
A	Floating Dock	±57.0'	25'	32.0'
B	Floating Dock	±57.0'	25'	32.0'

EXHIBIT III WARRANTY DEED

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 19-0031-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 1st day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust and Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust whose post office address is 2517 Mayflower Avenue, Hopkins, MN 55305, grantee:

The Grantee, as trustee, has the full power and authority to protect, conserve, sell, convey, lease, encumber, and to otherwise manage and dispose of said real property pursuant to F.S. 689.073.

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida**, to-wit:

Unit No. PH-03, of 321 AT WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

DEBORAH COVE
Witness Name: DEBORAH COVE

Dianne Ramsarran
Witness Name: Dianne Ramsarran

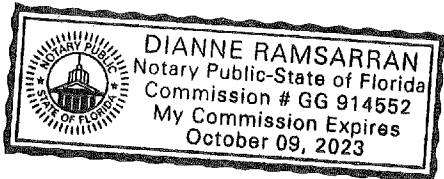
321 Birch, LLC, a Florida limited liability company

By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced a driver's license as identification.

[Notary Seal]



Dianne Ramsarran
Notary Public

Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 19-0027-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 5th day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Brenda Lapointe, a married woman whose post office address is 321 N. Birch Rd., Unit 901, Fort Lauderdale, FL 33304, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida**, to-wit:

Unit No. 901 of 321 AT WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

321 Birch, LLC, a Florida limited liability company

DEBORAH COVE
Witness Name: DEBORAH COVE

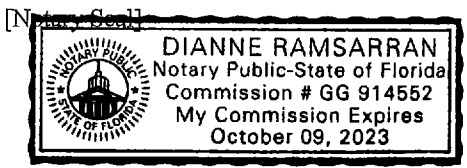
By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

Dianne Ramsarran
Witness Name: Dianne Ramsarran

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced a driver's license as identification.

Dianne Ramsarran
Notary Public



Printed Name: Dianne Ramsarran

My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 19-0030-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 4th day of May, 2020 between 321 Birch, LLC, a Florida limited liability company whose post office address is 2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431, grantor, and Robert J. Berard and Mary K. Berard, husband and wife whose post office address is 1445 Plover Heights Rd., Stevens Point, WI 54482, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida**, to-wit:

Unit No. PH-01 of 321 WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number:

SUBJECT TO Taxes and assessments for 2020 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

321 Birch, LLC, a Florida limited liability company

Deborah Cove
Witness Name: DEBORAH COVE
D Ramsarran
Witness Name: Dianne Ramsarran

By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30th day of April, 2020 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced a driver's license as identification.

[Notary Seal]



D Ramsarran
Notary Public
Printed Name: Dianne Ramsarran
My Commission Expires: 10/09/23

pared by and return to:

Deborah L. Pope
General Manager
Title Matters, LLC
4650 Donald Ross Rd. Ste. 220
Palm Beach Gardens, FL 33418
561-835-0535
File Number: 20-0013-WE

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this **4th** day of **February, 2021** between **321 Birch, LLC, a Florida limited liability company** whose post office address is **2385 NW Executive Center Drive, Ste. 370, Boca Raton, FL 33431**, grantor, and **Robert Verdun and Lisa D. Verdun, husband and wife** whose post office address is **321 N. Birch Rd., Unit 803, Fort Lauderdale, FL 33304**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida**, to-wit:

Unit No. 803 of 321 at WATER'S EDGE, a Condominium, according to The Declaration of Condominium recorded in Instrument Number 116467062, and all exhibits and amendments thereof, Public Records of Broward County, Florida

Parcel Identification Number: 504212-DD-0140

SUBJECT TO Taxes and assessments for 2021 and subsequent years that are not yet due and payable. SUBJECT TO Restrictions, conditions, reservations, easements, reservations, agreements, matters, declarations, and covenants of record affecting the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Cheryn Mason

[Signature]
Witness Name: EVAN YNFANTE

321 Birch, LLC, a Florida limited liability company

By: Carol G. DeMare
Carol G. DeMare, Authorized Agent

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3rd day of FEBRUARY, 2021 by Carol G. DeMare, Authorized Agent of 321 Birch LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: EVAN YNFANTE

My Commission Expires: 11/08/2024

EXHIBIT IV BOAT SLIP ASSIGNMENTS

EXHIBIT "B"

**ASSIGNMENT OF RIGHT TO USE
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to Robert A. Verdun, Lisa Verdun ("Assignee") a right to use Boat Slip No# 0001 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on _____, in Official Records Book _____, Page _____, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

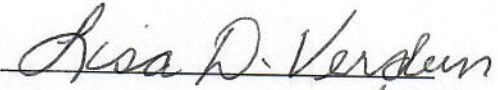
THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 26th day of December, 2020.

ASSIGNEE:




Name: Robert Verdun



Name: Lisa D. Verdun

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: 

Name: Tersi San Jose

Title: VP Residential

Date: December 26th, 2020

EXHIBIT "B"

**ASSIGNMENT OF RIGHT TO USE
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to Robert & Mary Berard ("Assignee") a right to use Boat Slip No# 0002 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on _____, in Official Records Book _____, Page _____, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 31st day of January, 2017.

ASSIGNEE:

RS Beard

Name: ROBERT BEARD

Mary Beard

Name: MARY BEARD

1-31-17

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: TJ

Name: TJ SAND JENSEN

Title: VP OPERATIONS

Date: January 31st, 2017

EXHIBIT "B"

**ASSIGNMENT OF RIGHT TO USE
BOAT SLIP**

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, **321 Birch, LLC, a Florida limited liability company** ("Assignor") hereby assigns to James Lapointe, Brenda Lapointe ("Assignee") a right to use Boat Slip No# 0003 (the "Boat Slip"), which is located within the Marina (the "Marina"), as described in that certain Declaration of Condominium of 321 at Water's Edge, a Condominium, recorded on _____, in Official Records Book _____, Page _____, of the public records of Broward County, Florida (the "Declaration"). The Marina is adjacent to a community known as "321 at Water's Edge" (the "Properties"), which is subject to the terms of the Declaration and is operated by the 321 at Water's Edge Condominium Association, Inc., a Florida not-for-profit corporation (the "Association"). Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this instrument is only an assignment of a right to use the Boat Slip, and does not convey title to the Boat Slip or any other interest in the property upon which the Boat Slip is located and which will automatically pass with title to any Unit that Assignee owns unless previously and properly assigned by Assignee pursuant to the Declaration.

ASSIGNEE ACKNOWLEDGES and agrees that this Assignment is subject to, and the use of the Boat Slip is governed by the terms, covenants, limitations, restrictions and easements of the Declaration, the Marina Licenses, applicable law and all Marina Rules and Regulations of the Association, as from time to time supplemented and amended.

ASSIGNEE ACKNOWLEDGES and agrees that the Association shall be responsible for maintaining the Marina in accordance with the Declaration and the Marina Costs shall be assessed to the Boat Slip Assignees with each Boat Slip Assignee responsible for payment of its percentage share of the Marina Costs.

ASSIGNEE FURTHER ACKNOWLEDGES and agrees that this assignment is subject to a right of first refusal in favor of the Association, as provided in the Declaration.

THIS ASSIGNMENT shall be recorded in a log maintained by the Association, but shall not be recorded in any public records.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the 28
day of 3, 2018.

ASSIGNEE:

[Signature]
Name: _____

[Signature]
Name: _____

3/28, 2018

ASSIGNOR:

321 BIRCH, LLC, a Florida limited liability company

By: [Signature]

Name: TIVASU SMO JANE

Title: VP

Date: 3/28, 2018

**321 at Water's Edge Condominium
ASSIGNMENT OF RIGHT TO USE BOAT SLIP**

THIS ASSIGNMENT OF RIGHT TO USE BOAT SLIP (the "Assignment"), dated as of September 22, 2020, is made by and between Michael P. Jones and Kimberly R. Judge, husband and wife (collectively the "Assignor"); and Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust and Patti A. Engler, as Trustee of the Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust (collectively, the "Assignee").

RECITALS

- A. Assignor and Assignee are the owners of Unit 1003 (the "Assignor's Unit") and Unit PH-03 (the "Assignee's Unit"), respectively, of 321 Water's Edge, a Condominium (the "Condominium"). The Condominium is operated and managed by 321 at Water's Edge Condominium Association, a Florida corporation (the "Association").
- B. The exclusive right to Boat Slip No. 0004 (the "Boat Slip"), located within the Common Elements of the Condominium, was assigned to the Assignor Unit as limited common elements appurtenant thereto by 321 Birch LLC, a Florida limited liability company and the developer of the Condominium, pursuant to that certain "321 at Water's Edge Condominium Assignment of Right to Use Boat Slip dated May 15, 2020.
- C. The use of the Boat Slip is governed by and subject to the terms, conditions, restrictions, and provisions of the Declaration of Condominium of 321 at Water's Edge, a Condominium (the "Declaration of Condominium"), as recorded in Instrument # 116467062 of the Public Records of Broward County, Florida, and as from time to time supplemented and amended, the Marina licenses DF14-1052 and FTL 1312-022 and any and all rules and regulations of 321 at Water's Edge Condominium Association, Inc., a Florida Not-for Profit Corporation (the "Condominium Association"), as from time to time supplemented and amended.
- D. Assignor wishes to assign the exclusive right to use the Boat Slip to the Assignee's Unit, and Assignee, as owner of the Assignee's Unit, wishes to accept the assignment of exclusive rights to use the Boat Slip, in accordance with the terms of this Assignment:

AGREEMENT

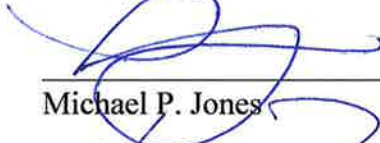
- 1. Assignor hereby assigns to the Assignee's Unit, the exclusive right to use the Boat Slip; and Assignee, as owner of the Assignee's Unit, hereby accepts such assignment and agrees to assume all obligations of Assignor with respect to the Boat Slip, as well as to comply with all requirements, rules and regulations as may be imposed with respect to the use of such Boat Slip by either the Declaration of Condominium or the Condominium Association.

2. Assignee acknowledged and agrees that this Assignment is only an assignment of a use right in and to the Boat Slip, and does not convey title to the Boat Slip or any interest in the real property upon which the Boat Slip is located.
3. Assignor and Assignee hereby agree that they shall execute any additional documentation which may be required by the Condominium Association to evidence this Assignment.
4. Assignee acknowledges and agree as follows: (a) the assignment made herein is an assignment which attaches to the Assignee's Unit and, unless previously and properly assigned to another unit in the Condominium, will automatically pass with title thereto; (b) the Association shall have reasonable rights as are necessary, including rights of relocation, in order to comply with all applicable accessibility codes, laws, ordinances or regulations; and (c) this Assignment shall be recorded in a log maintained by the Condominium Association, but shall not be recorded in any public records.

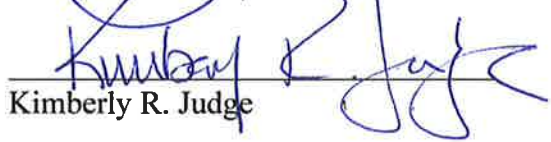
THE BALANCE OF THIS PAGE IS INTENTIONALLY BLANK

IN WITNESS WHEREOF, Assignor and Assignee has executed this Assignment as of the date first written above.

ASSIGNOR:



Michael P. Jones



Kimberly R. Judge

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23rd day of September, 2020, by Michael P. Jones and Kimberly R. Judge, who are personally known to me or have produced Federer's license as identification.

[Notary Seal]





Notary Public



Name typed, printed or stamped

My Commission Expires: Jan 13, 2021

ASSIGNEE:

LEE J. ENGLER QUALIFIED PERSONAL RESIDENCE TRUST

By: [Signature]
Lee J. Engler, Trustee

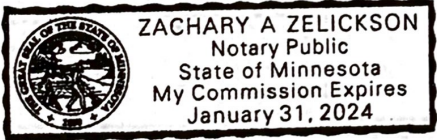
PATTI A. ENGLER QUALIFIED PERSONAL RESIDENCE TRUST

By: [Signature]
Patti A. Engler, Trustee

STATE OF MINNESOTA)

) :
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 22 day of September, 2020, by Lee J. Engler, as Trustee of the Lee J. Engler Qualified Personal Residence Trust, for and on behalf of said trust.

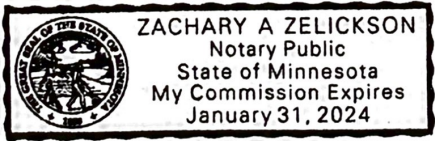


[Signature]
Notary Public

STATE OF MINNESOTA)

) :
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 22 day of September, 2020, by Patti A. Engler, as Trustee of the Patti A. Engler Qualified Personal Residence Trust, for and on behalf of said trust.



[Signature]
Notary Public

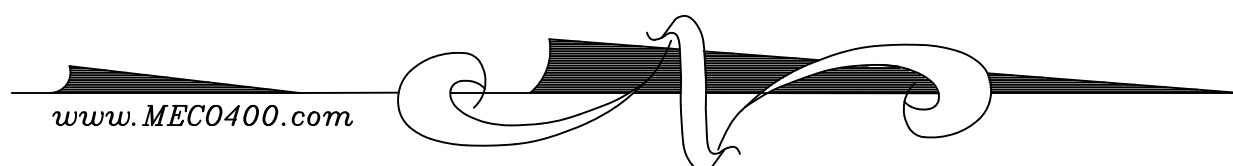
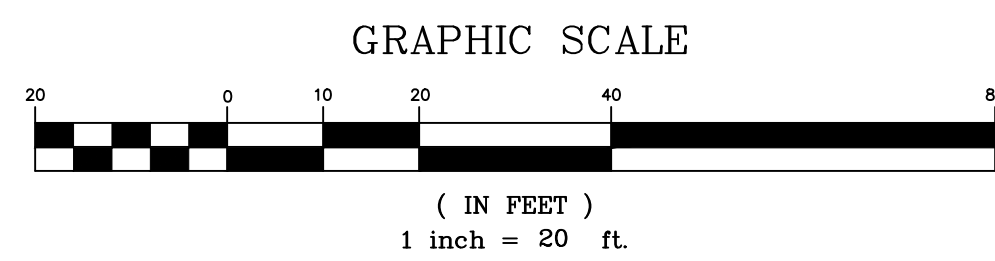
EXHIBIT V ORIGINAL SURVEY



prepared by:
McLAUGHLIN ENGINEERING COMPANY (LB#285)
 400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA
 PHONE: (954) 763-7611
 FAX: (954) 763-7615

ALTA/ACSM LAND TITLE SURVEY

LOTS 1-4, BLOCK 9, LAUDER-DEL-MAR PLAT BOOK 7 PAGE 30, B.C.R.



www.MECO400.com

TREE SYMBOLS

- INDICATES DIAMETER± (D.B.H.)
- PINE TREE
- PALM TREE
- BOTTLE BRUSH TREE
- FICUS TREE
- BUSH OR SHRUB
- UNKNOWN TREE
- GUMBO LIMBO

ALTA/ACSM CERTIFICATION

TO: Ticor Title Insurance Company, Fieldstone, Lester, Shear & Denberg, L.L.P. AND Premier Developers Managements, L.L.C., a Florida limited liability company and/or assigns.

This is to certify that this map or plat and the survey on which it is based as surveyed on August 1st, 2007, was made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association (ALTA), & the National Society of Professional Surveyors (NSPS) in 2005. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification.

The undersigned further certifies that in my professional opinion, as a Registered Land Surveyor in the State of Florida, the Relative Positional accuracy of this survey does not exceed that which is specified therein.

The undersigned further certifies that this survey was prepared in accordance with the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

This survey reflects any easements road reservations or rights-of-way of record affecting this property per Ticor Title Insurance Company Agent File No: w0700156, dated July 17th, 2007, at 11:59 P.M.

Notes corresponding to exceptions contained in Schedule B- Section 2, of the above referenced title commitment:

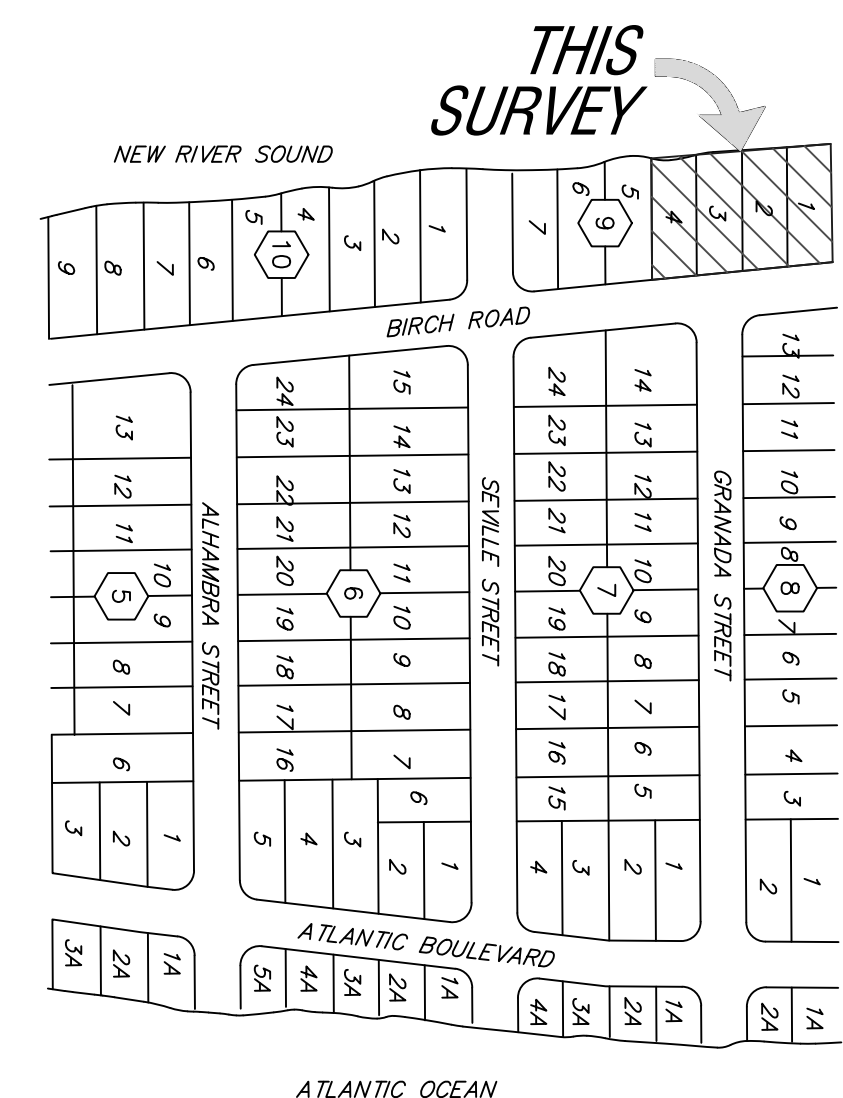
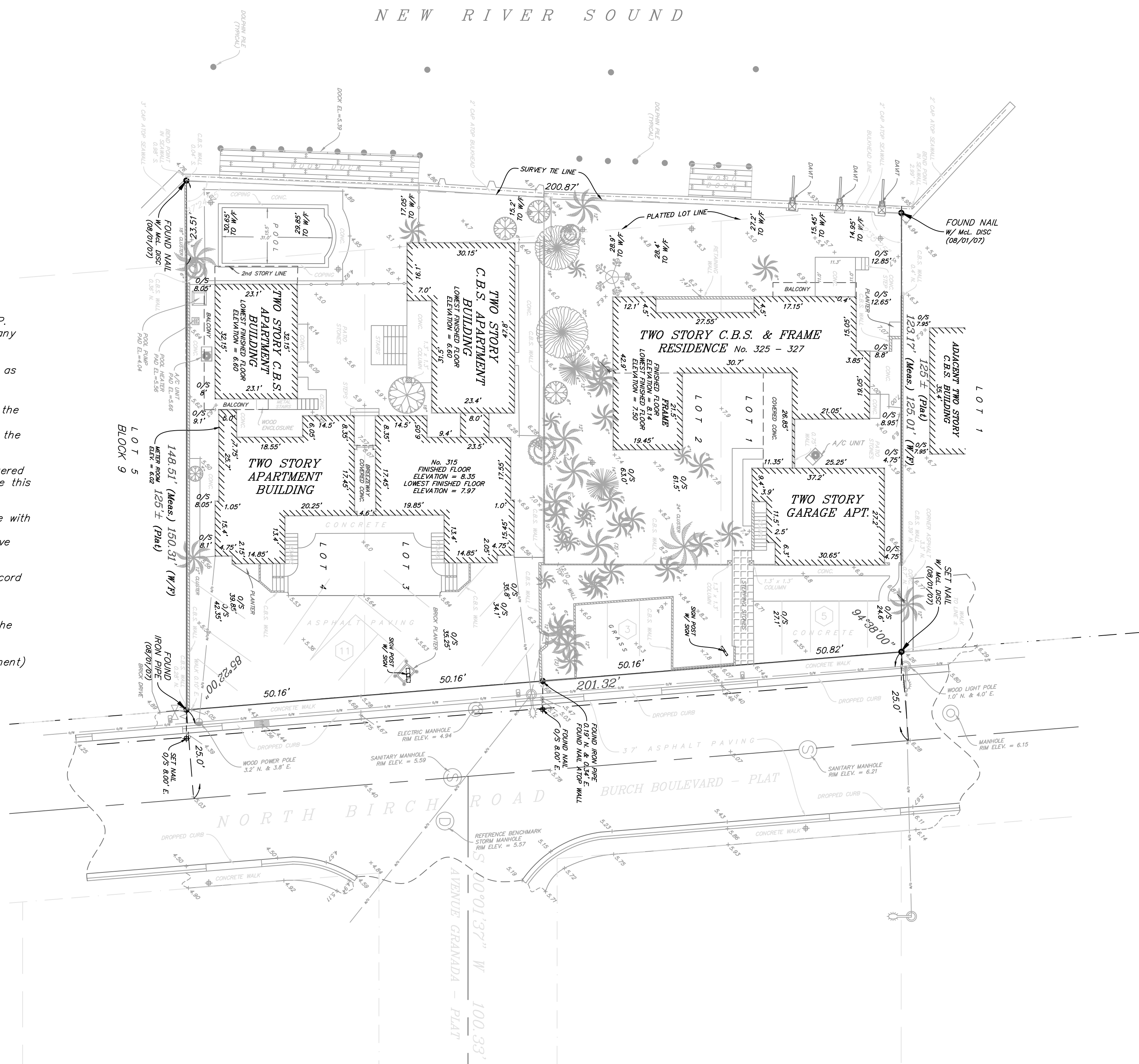
- 7) Easement per O.R. 15189, Page 658 affects this property. (Blanket Easement)

NOTES:

- 1) This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Underground improvements if any not located.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) Boundary survey information does not infer Title or Ownership.
- 5) All iron rods 5/8", unless otherwise noted.
- 6) Reference Bench Mark: Storm Manhole at Intersection of Birch Road & Granada Street. ELEVATION = 5.57
- 7) Elevations shown refer, to National Geodetic Vertical Datum (1929), and are indicated thus: Elev. = 5.57
- 8) This property lies in Flood Zone "AE", Elev=6.0 Per Flood Insurance Rate Map No. 1201100210F Dated: August 18, 1992. Community Panel No. 125105 Index Map Dated: October 2, 1997.

OFFICE NOTES

FIELD BOOK NO. TDS w/Worksheets, Print LB# 266/15-16
 JOB ORDER NO. U-1785, U-3717
 CHECKED BY: _____
 DRAWN BY: E.W.J.
 C:\E.W.J. 2002\U3717\dwg\U3717.dwg 12/04/2007 11:11:15 AM EST



Location Sketch
 Not To Scale

Legal Description

Lots 1, 2, 3 and 4, Block 9, LAUDER DEL MAR, according to the plat thereof, as recorded in Plat Book 7, Page 30, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

LEGEND

- Δ = CENTRAL ANGLE (DELTA)
- R = RADIUS
- A OR L = ARC LENGTH
- CH.BRG. = CHORD BEARING
- TAN.BRG. = TANGENT BEARING
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- W/MCL CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP
- P.R.M. = PERMANENT REFERENCE MONUMENT
- CONG. = CONCRETE
- C.B.S. = CONCRETE, BLOCK AND STUCCO
- I.C.V. = IRRIGATION CONTROL VALVE
- W.M. = WATER METER
- B.F.P. = BACK FLOW PREVENTOR
- ELEV. = ELEVATION
- O/S = OFFSET
- A/C = AIR CONDITIONING
- CL = CENTERLINE OF RIGHT-OF-WAY
- F.P.L. = FLORIDA POWER AND LIGHT CO.
- S.B.T. = SOUTHERN BELL TELEPHONE
- B.C.R. = BROWARD COUNTY RECORDS
- D.C.R. = DADE COUNTY RECORDS
- O.R. = OFFICIAL RECORDS BOOK
- P.B.R. = PALM BEACH COUNTY RECORDS
- PC = PAGE
- R/W = RIGHT-OF-WAY
- C.O. = CLEAN OUT
- C.L.F. = CHAIN LINK FENCE
- P.C.D. = POLLUTION CONTROL DEVICE

CERTIFICATION

We hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 12th day of January, 2006.
 Rotated Drawing orientation this 1st day of May, 2006.
 Resurveyed this 1st day of August, 2007.

McLAUGHLIN ENGINEERING COMPANY

SCOTT A. McLAUGHLIN
 Professional Surveyor & Mapper No. 5842
 State of Florida.

FILE NO.: 06-3-004(07)

EXHIBIT V ZONING AERIAL



City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Map Created by GIS Mailer

321 N Birch Road



0 90 180 Feet

GIS
Fort Lauderdale

CAM 23-0593
Printed on: 10/8/2020
Exhibit 1

EXHIBIT VI SITE PHOTOGRAPHS



1. Central portion of the subject site, facing southeast along the ICWW.



2. Central portion of the subject site, facing northeast along the ICWW.



3. Southern portion of the subject site, facing northwest.



4. Northern portion of the subject site, facing southwest.



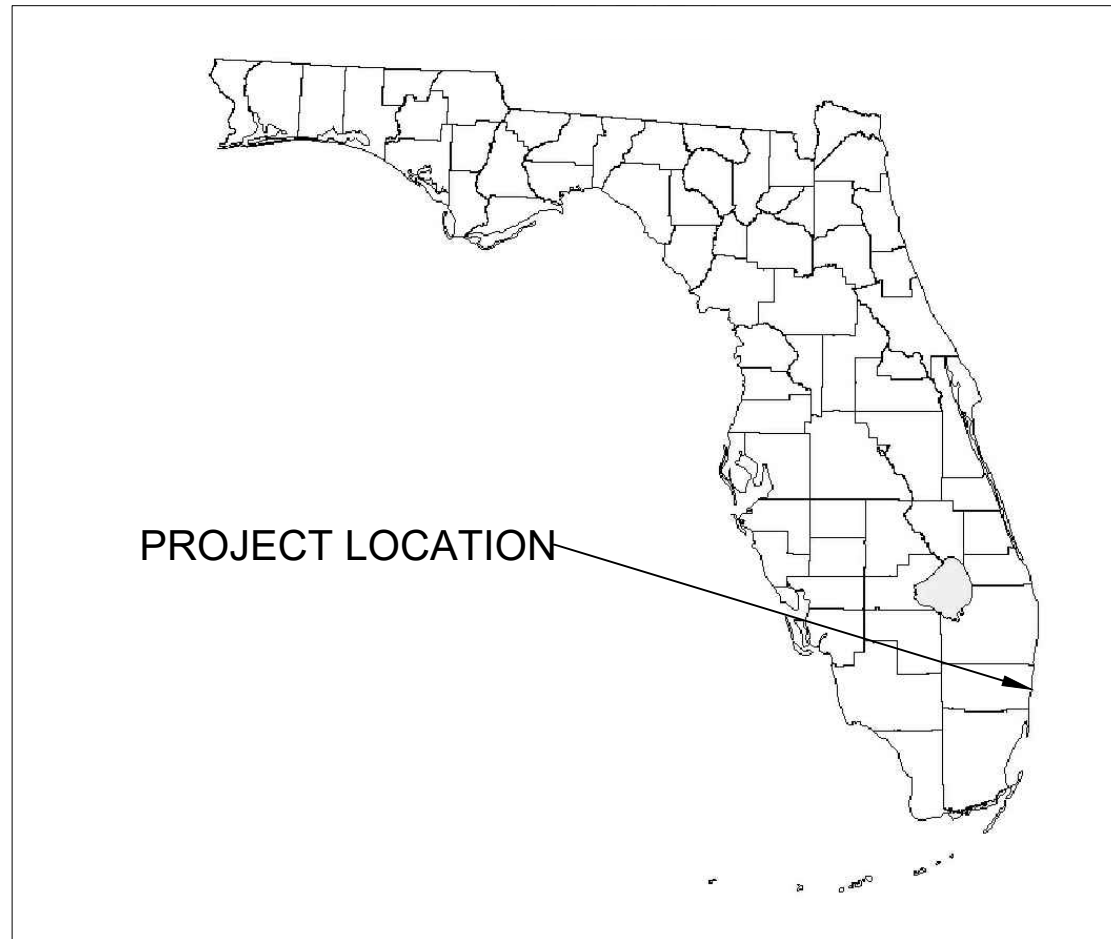
5. Central portion of the subject site, facing southwest.

EXHIBIT VII PROJECT PLANS

321 N BIRCH RD - ENGLER FLOATING DOCKS

CITY OF FORT LAUDERDALE

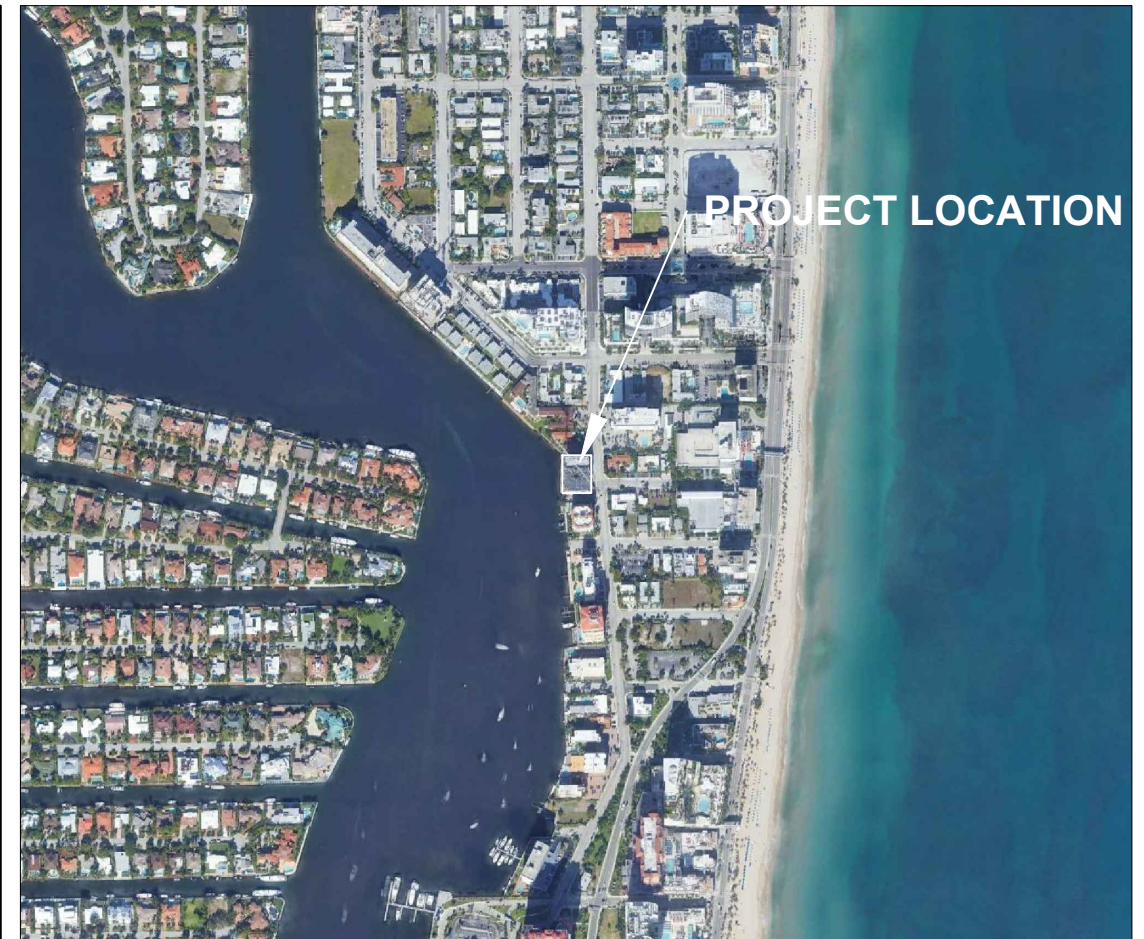
PLAN SET



LOCATION MAP (N.T.S.)

DRAWING INDEX

- SHEET 1: COVER**
- SHEET 2: EXISTING CONDITIONS**
- SHEET 3: PROPOSED CONDITIONS**
- SHEET 4: SECTION A**
- SHEET 5: SECTION B**
- SHEET 6: FLOATING DOCK DETAILS**
- SHEET 7: DETAILS**



VICINITY AERIAL (N.T.S.)

THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.
© THE CHAPPELL GROUP, INC. 2023

THE Chappell GROUP INC.
714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108
www.thechappellgroup.com

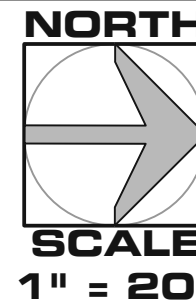
- *Environmental Consultants*
- *Marina & Wetland Permitting*
- *Mitigation Design & Monitoring*
- *T&E Species Surveys*
- *Tree Surveys/Appraisals*

321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

COVER

Date: 2/13/2023	Sheet : 1	of : 7
Proj No.: 21-0038.001		



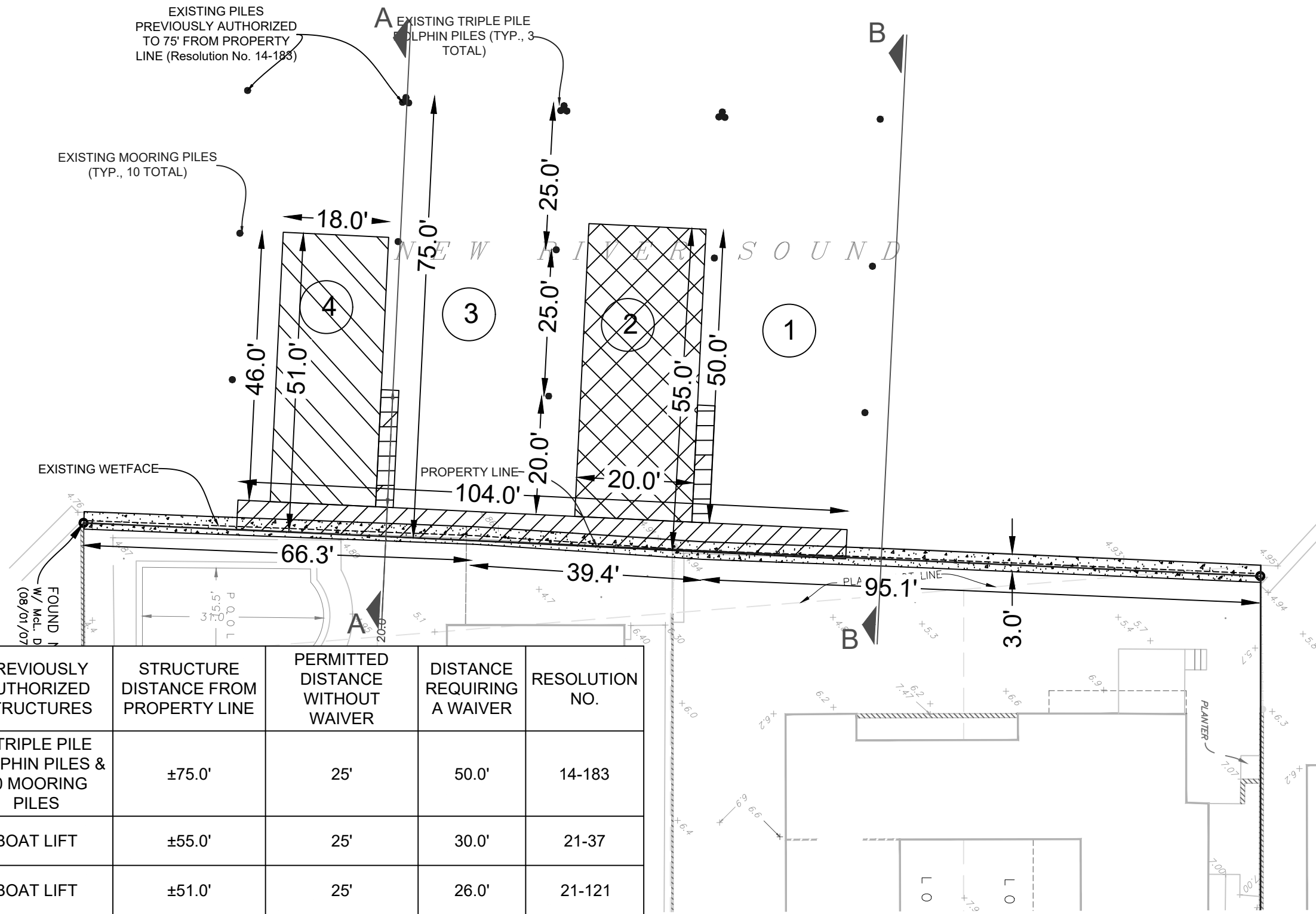
LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO BE REMOVED (±120 SQ. FT.)
- EXISTING 50,000 LB NO PROFILE BOAT LIFT TO BE REMOVED (±1,000 SQ. FT.)
- PREVIOUSLY AUTHORIZED NO PROFILE BOAT LIFT (±828 SQ. FT.)
- EXISTING MOORING PILES (10)
- EXISTING TRIPLE MOORING PILES (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

NOTE:

1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCPGMD ERL NO. DF14-1052 & DF21-1182, FDEP NO. 06-0323079-001 & 06-0323079-005-EI, AND USACOE No. SAJ-2021-02202.
3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.
4. EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-37.
5. BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-121.



PREVIOUSLY AUTHORIZED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER	RESOLUTION NO.
3 TRIPLE PILE DOLPHIN PILES & 10 MOORING PILES	±75.0'	25'	50.0'	14-183
BOAT LIFT	±55.0'	25'	30.0'	21-37
BOAT LIFT	±51.0'	25'	26.0'	21-121

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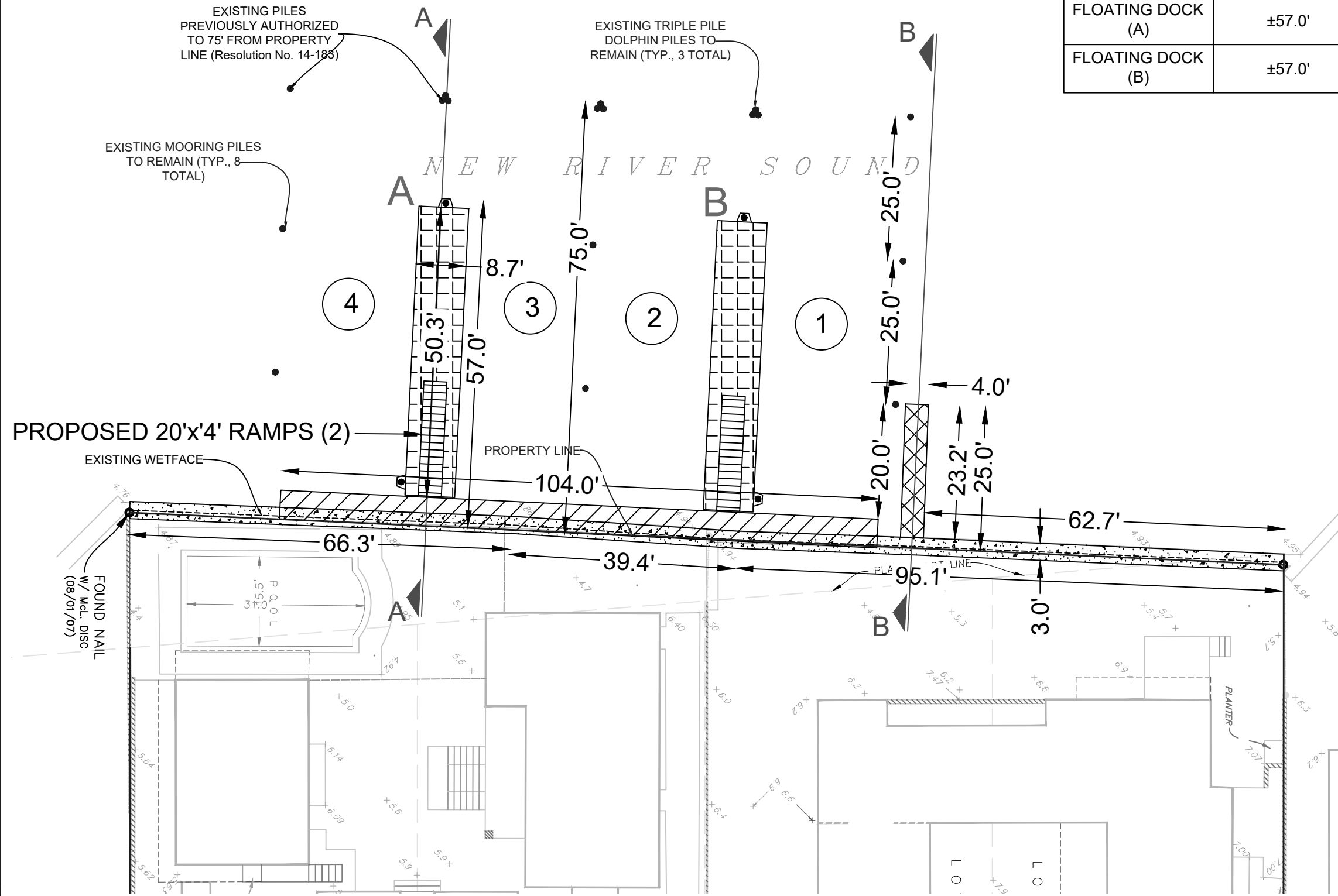
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321 N BIRCH RD- ENGLER FLOATING DOCKS
 PREPARED FOR:
MR. LEE ENGLER

EXISTING CONDITIONS		
Date: 2/13/2023	Sheet :	of :
Proj No.: 21-0038.001	2	7

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK (A)	±57.0'	25'	32.0'
FLOATING DOCK (B)	±57.0'	25'	32.0'



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (8)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
- PROPOSED FLOATING DOCKS (±875 SQ. FT.)
- PROPOSED CONCRETE FINGER PIER (±93 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:**
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
 - EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.

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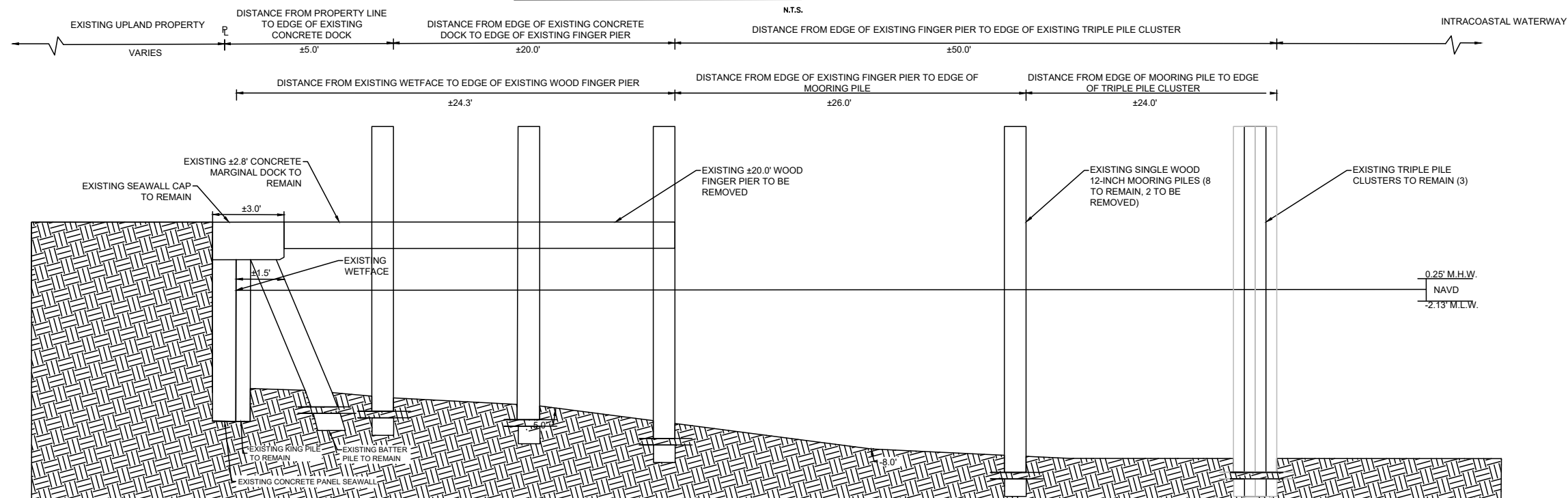
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321 N BIRCH RD- ENGLER FLOATING DOCKS

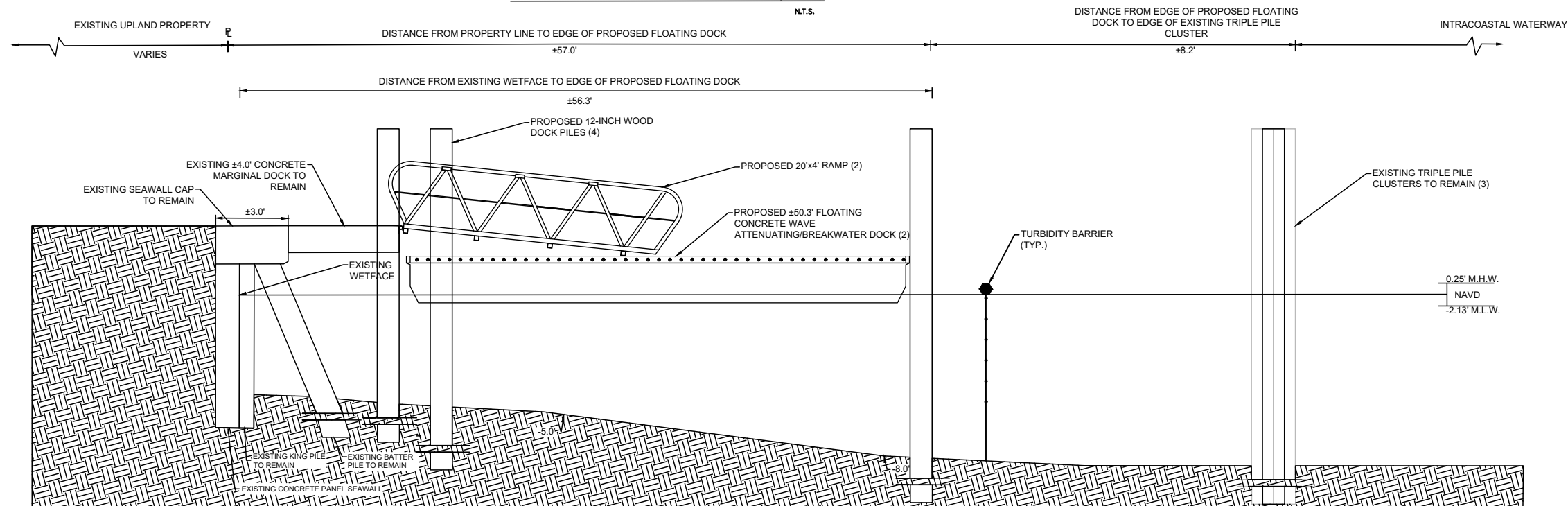
PREPARED FOR:
MR. LEE ENGLER

PROPOSED CONDITIONS		
Date: 2/13/2023	Sheet : 3	of : 7
Proj No.: 21-0038.001		

EXISTING CONDITIONS A-A (TYP.)



PROPOSED CONDITIONS A-A (TYP.)



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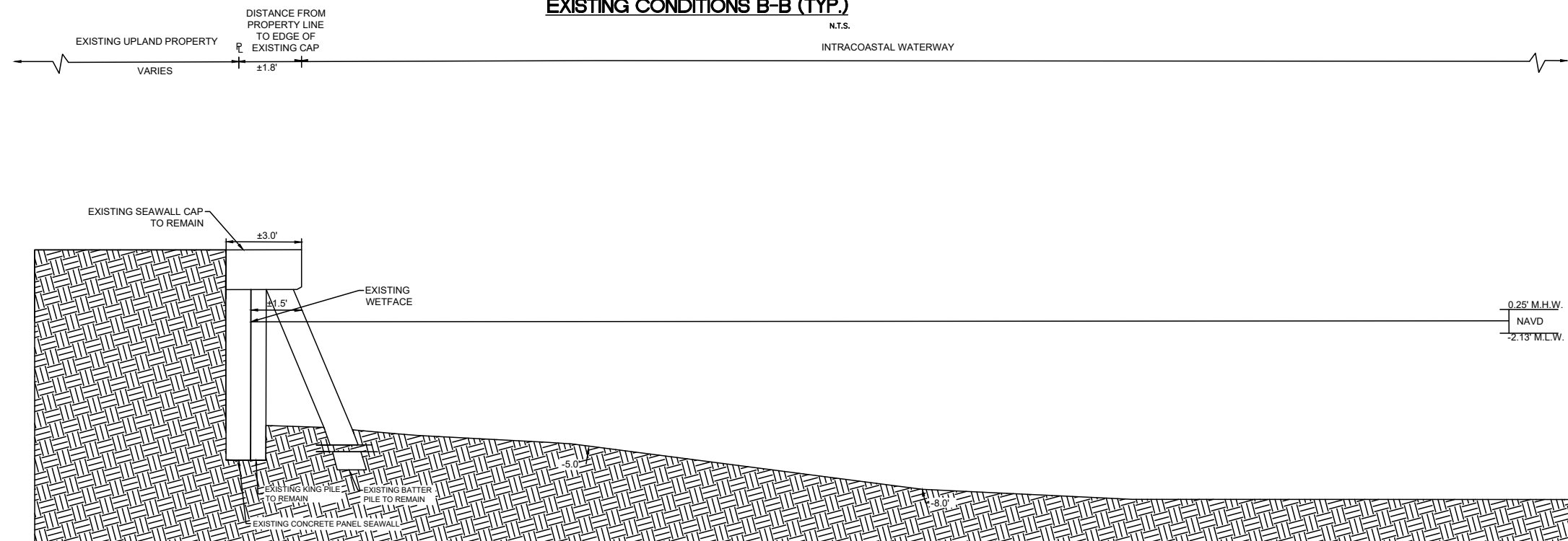
321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

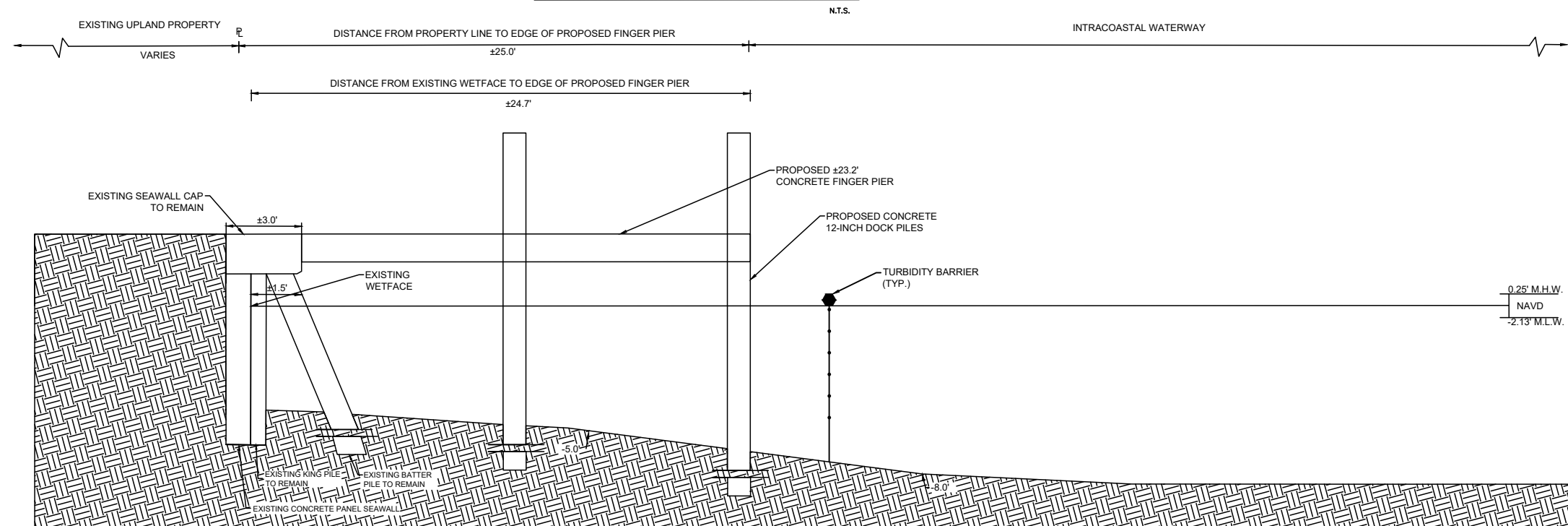
SECTION A

Date: 2/13/2023	Sheet :	of :
Proj No.: 21-0038.001	4	7

EXISTING CONDITIONS B-B (TYP.)



PROPOSED CONDITIONS B-B (TYP.)



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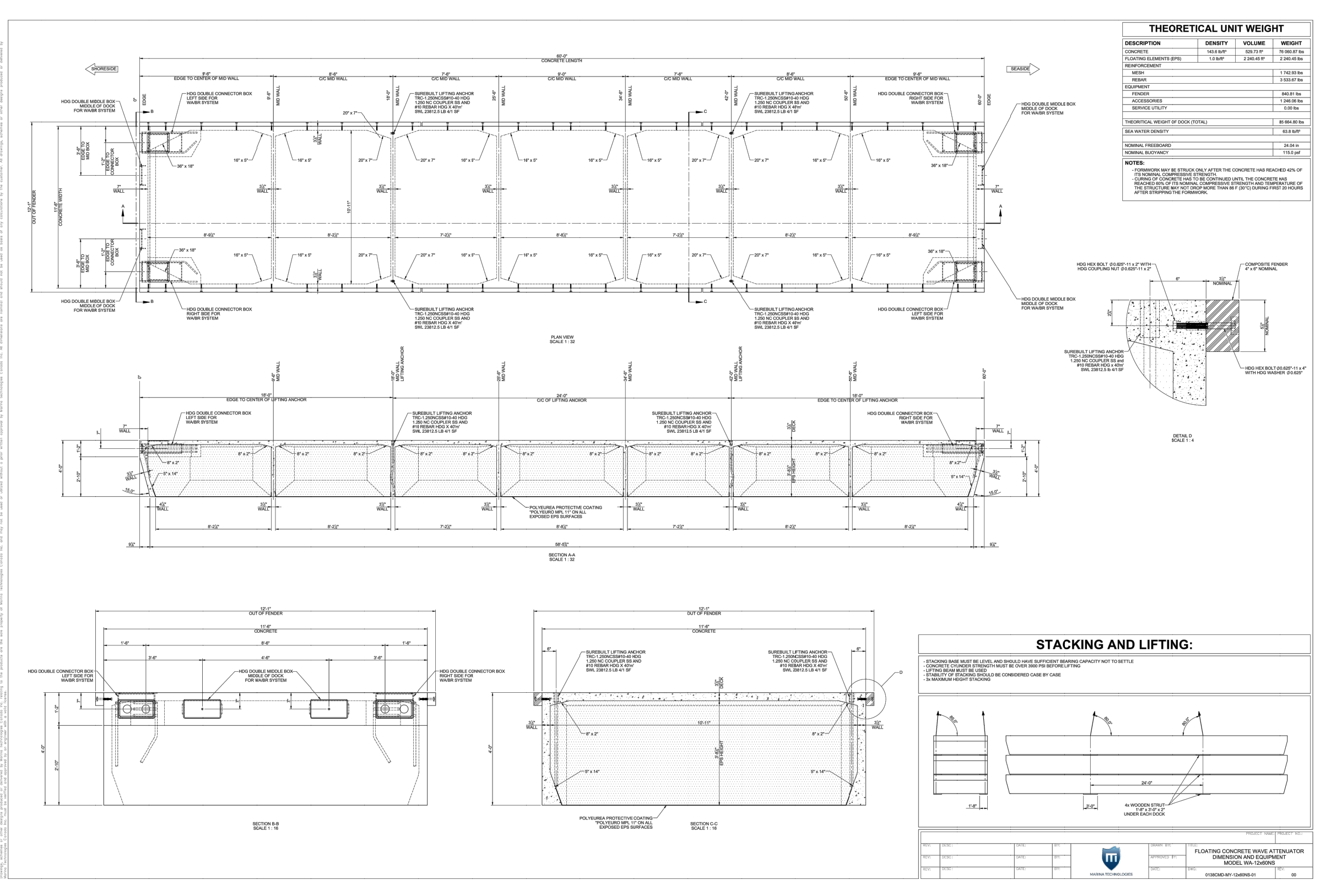
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321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

SECTION B

Date: 2/13/2023	Sheet : 5	of : 7
Proj No.: 21-0038.001		



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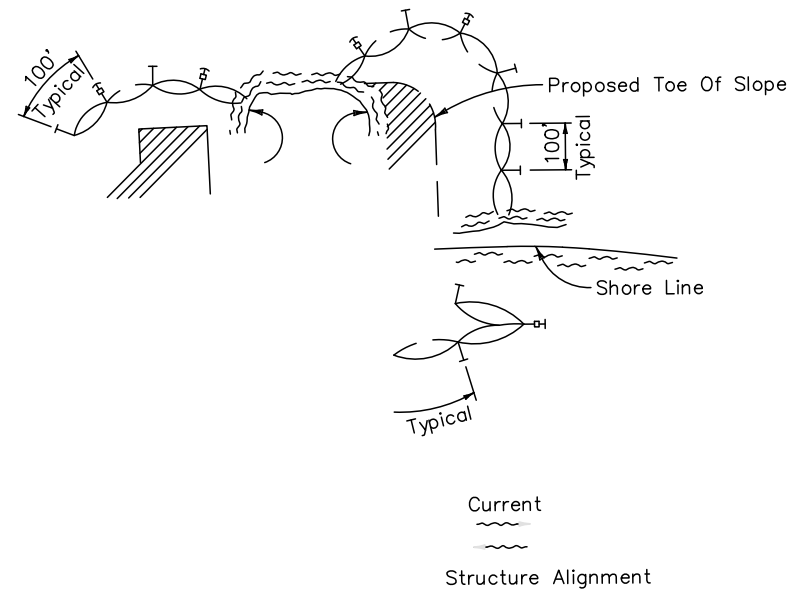
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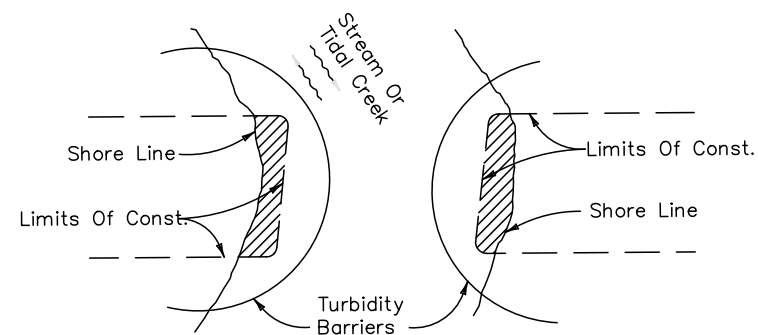
321 N BIRCH RD- ENGLER FLOATING DOCKS
 PREPARED FOR:
MR. LEE ENGLER

FLOATING DOCK DETAILS		
Date: 2/13/2023	Sheet : 6	of : 7
Proj No.: 21-0038.001		

CONSTRUCTION BARGE (TYP.)



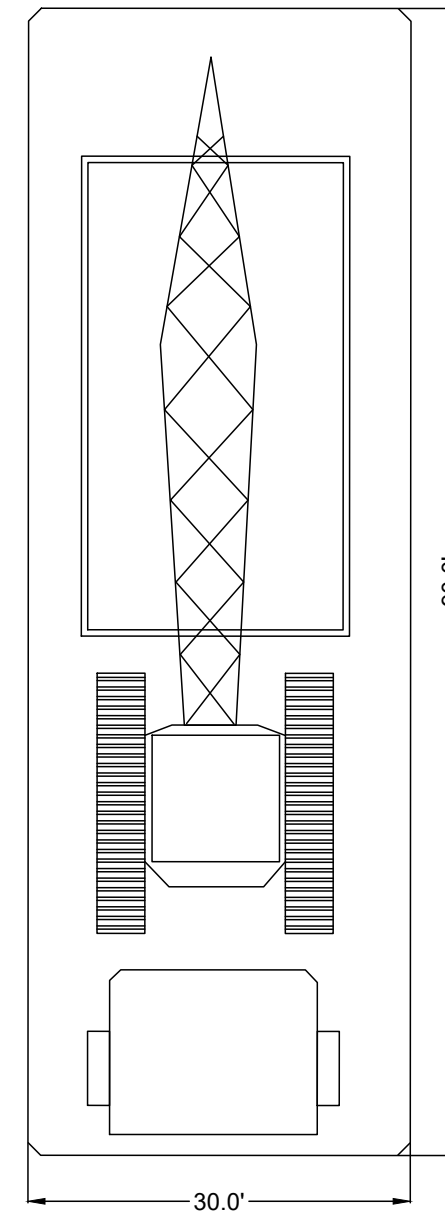
- LEGEND**
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy w/Anchor
 - Anchor
 - Barrier Movement Due To Current Action



Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

TURBIDITY BARRIER APPLICATIONS



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321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

DETAILS

Date: 2/13/2023	Sheet : 7	of : 7	
Proj No.: 20-0038.001			

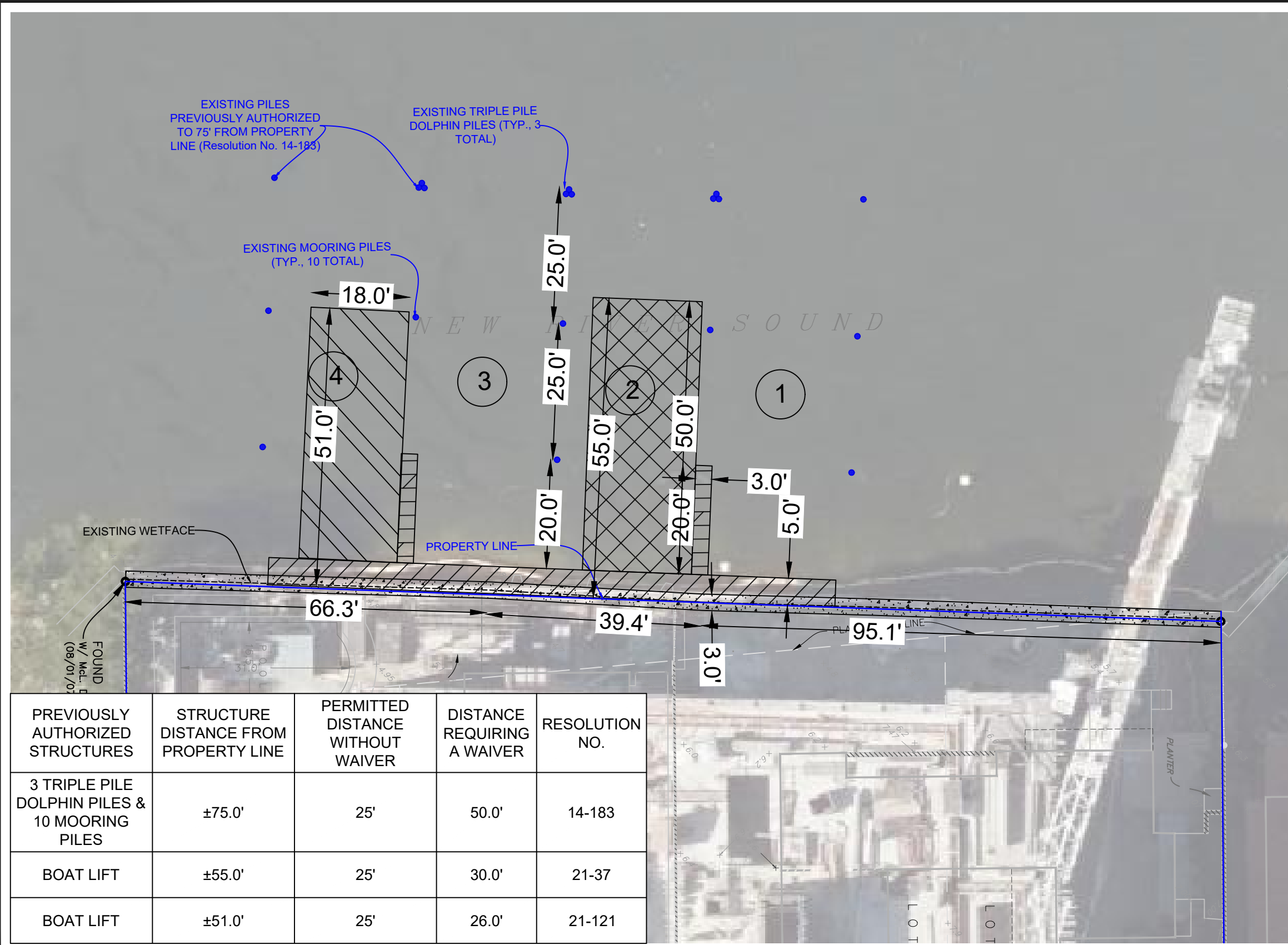
EXHIBIT VIII DISTANCE EXHIBIT



EXISTING PILES PREVIOUSLY AUTHORIZED TO 75' FROM PROPERTY LINE (Resolution No. 14-183)

EXISTING TRIPLE PILE DOLPHIN PILES (TYP., 3 TOTAL)

EXISTING MOORING PILES (TYP., 10 TOTAL)



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING WOOD FINGER PIERS TO BE REMOVED (±120 SQ. FT.)
- EXISTING 50,000 LB NO PROFILE BOAT LIFT TO BE REMOVED (±1,000 SQ. FT.)
- PREVIOUSLY AUTHORIZED NO PROFILE BOAT LIFT (±828 SQ. FT.)
- EXISTING MOORING PILES (10)
- EXISTING TRIPLE PILE DOLPHIN PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

NOTE:

1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.
4. EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-37.
5. BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-121.

PREVIOUSLY AUTHORIZED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER	RESOLUTION NO.
3 TRIPLE PILE DOLPHIN PILES & 10 MOORING PILES	±75.0'	25'	50.0'	14-183
BOAT LIFT	±55.0'	25'	30.0'	21-37
BOAT LIFT	±51.0'	25'	26.0'	21-121

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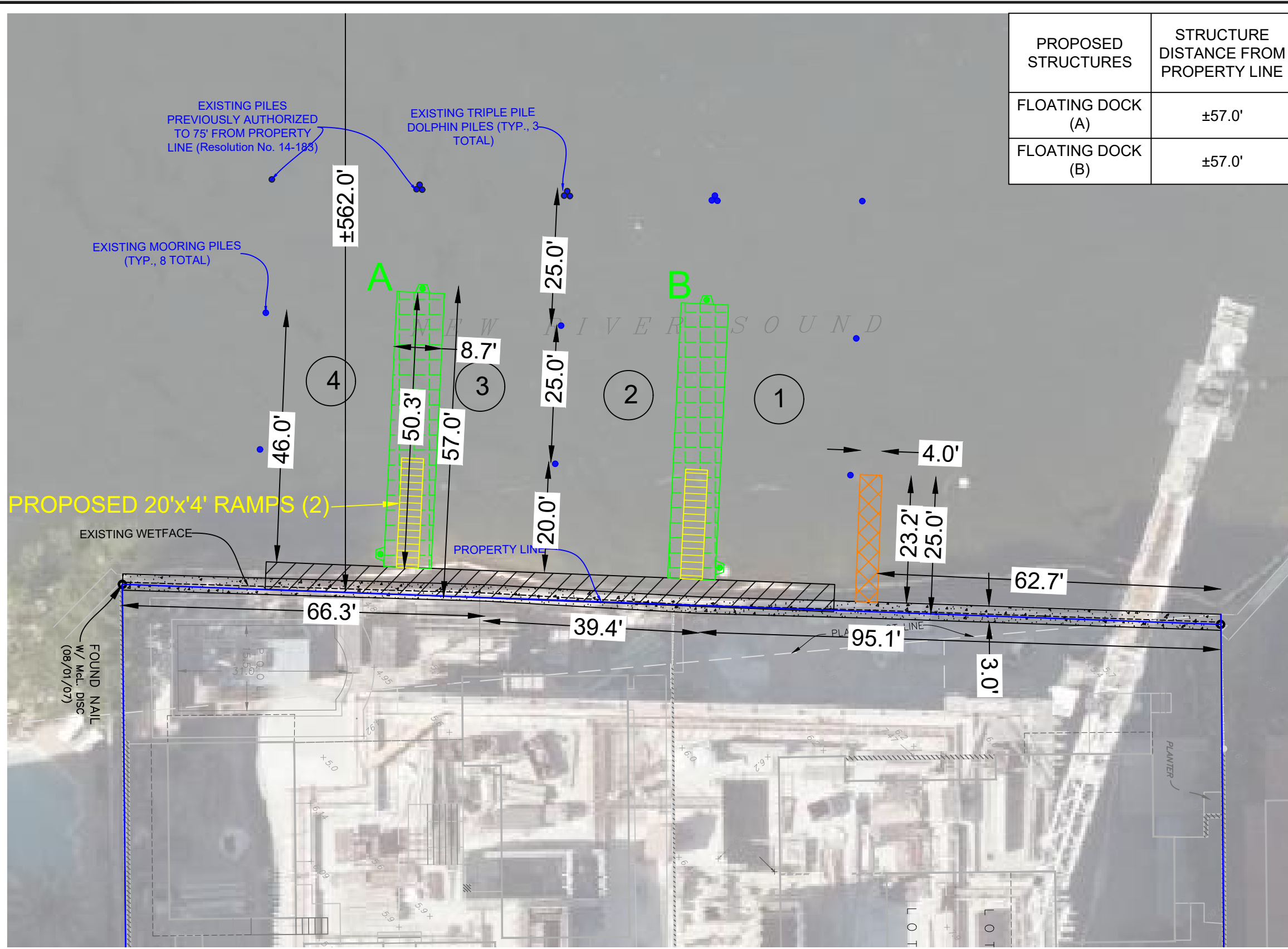
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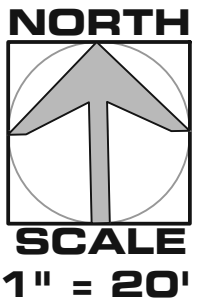
321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

DISTANCE AERIAL - EXISTING		
Date: 3/21/2023	Sheet :	of :
Proj No.: 21-0038.001	1	3



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK (A)	±57.0'	25'	32.0'
FLOATING DOCK (B)	±57.0'	25'	32.0'



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (8)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
- PROPOSED FLOATING DOCKS (±875 SQ. FT.)
- PROPOSED CONCRETE FINGER PIER (±93 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:**
1. EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 2. EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
 3. EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.
 4. EXISTING BOAT LIFT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 21-37.

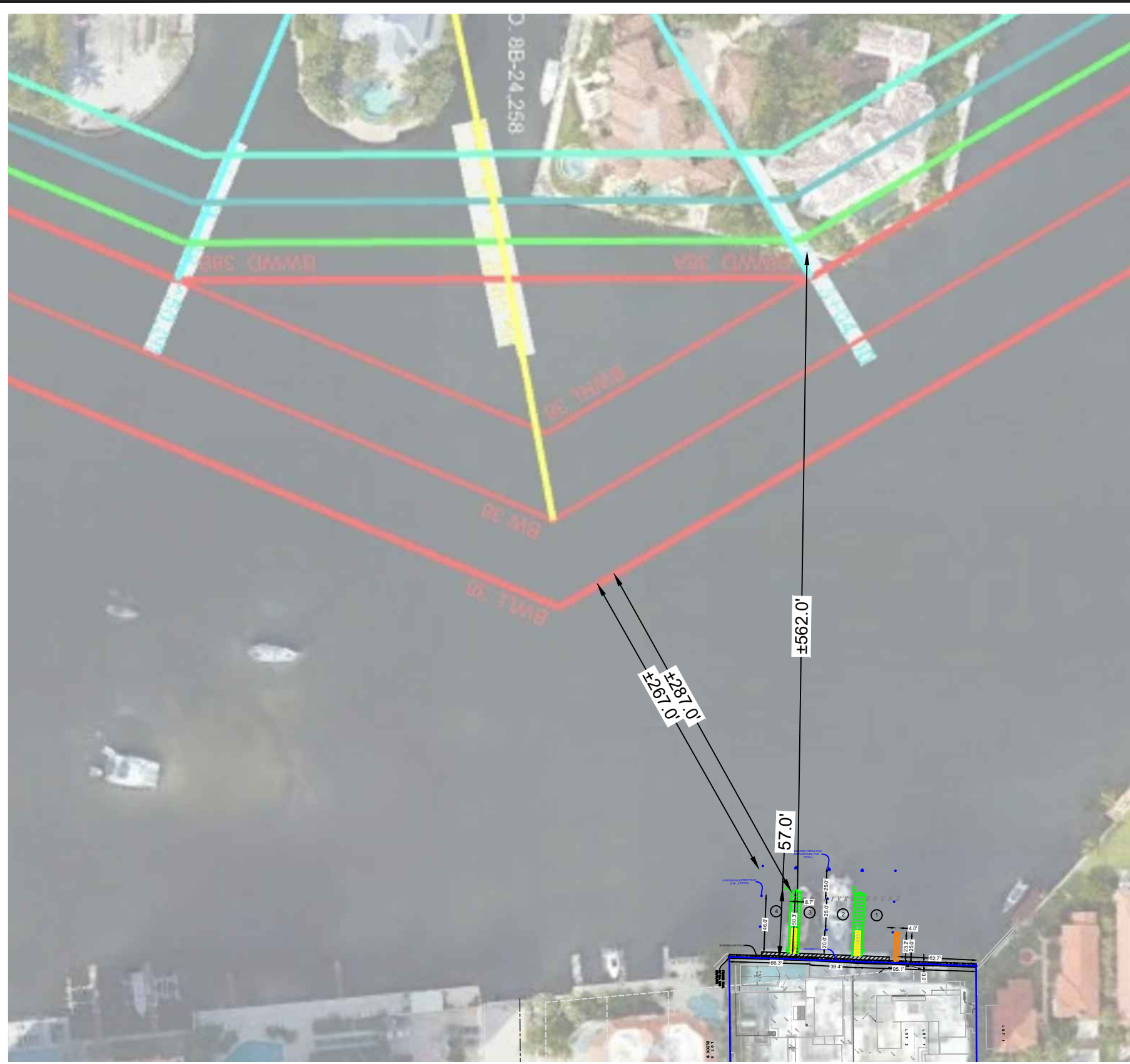
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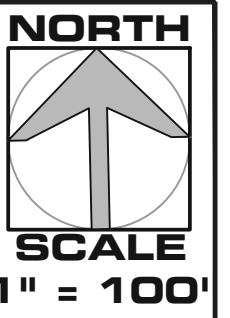
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321 N BIRCH RD- ENGLER FLOATING DOCKS
 PREPARED FOR:
 MR. LEE ENGLER

DISTANCE AERIAL - PROPOSED		
Date: 3/21/2023	Sheet :	of :
Proj No.: 21-0038.001	2	3



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
FLOATING DOCK (A)	±57.0'	25'	32.0'
FLOATING DOCK (B)	±57.0'	25'	32.0'



LEGEND

- SUBJECT SITE (0.58 AC)
- EXISTING CONCRETE SEAWALL W/ 3.0' CAP TO REMAIN (±200 LN. FT.; ±300 SQ. FT. OVERWATER)
- EXISTING CONCRETE MARGINAL DOCK TO REMAIN (±520 SQ. FT.)
- EXISTING MOORING PILES TO REMAIN (8)
- EXISTING TRIPLE MOORING PILES TO REMAIN (3)
- EXISTING BOAT SLIPS AUTHORIZED UNDER MFOL17-0002 (4)
- PROPOSED FLOATING DOCKS (±875 SQ. FT.)
- PROPOSED CONCRETE FINGER PIER (±93 SQ. FT.)

M.H.W. = 0.25' NAVD M.L.W. = (-)2.13' NAVD

- NOTE:**
- EXISTING LOCATIONS ARE APPROXIMATE AND BASED ON SURVEY BY MCLAUGHLIN ENGINEERING COMPANY FILE NO. 06-3-004(07).
 - EXISTING STRUCTURES PREVIOUSLY AUTHORIZED UNDER BCEPGMD ERL NO. DF14-1052 AND FDEP NO. 06-0323079-001.
 - EXISTING PILES WERE PREVIOUSLY AUTHORIZED UNDER RESOLUTION 14-183.

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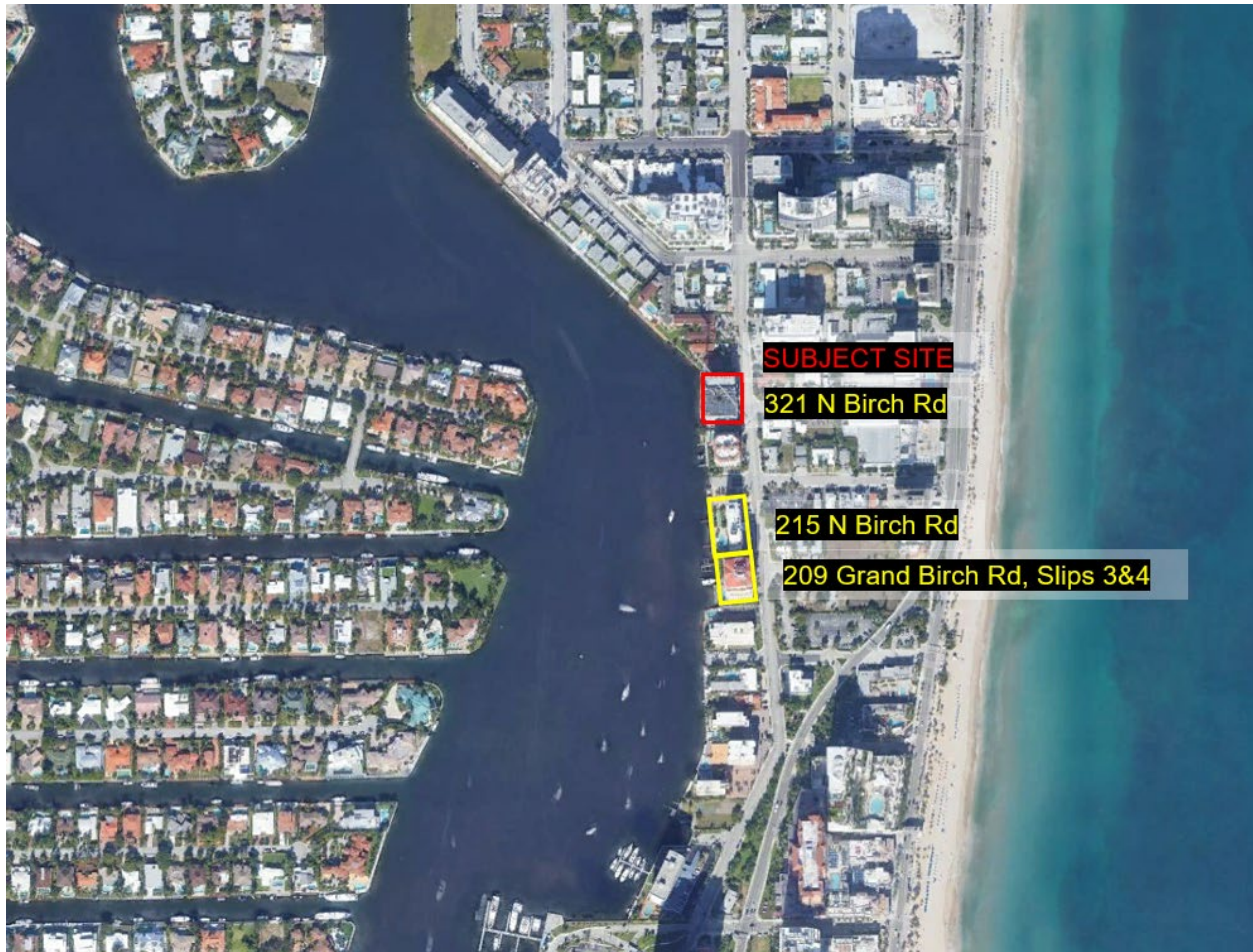
321 N BIRCH RD- ENGLER FLOATING DOCKS

PREPARED FOR:
MR. LEE ENGLER

DISTANCE AERIAL - PROPOSED		
Date: 3/21/2023	Sheet : 3	of : 3
Proj No.: 21-0038.001		

EXHIBIT IX EXISTING WAIVERS IN THE VICINTY

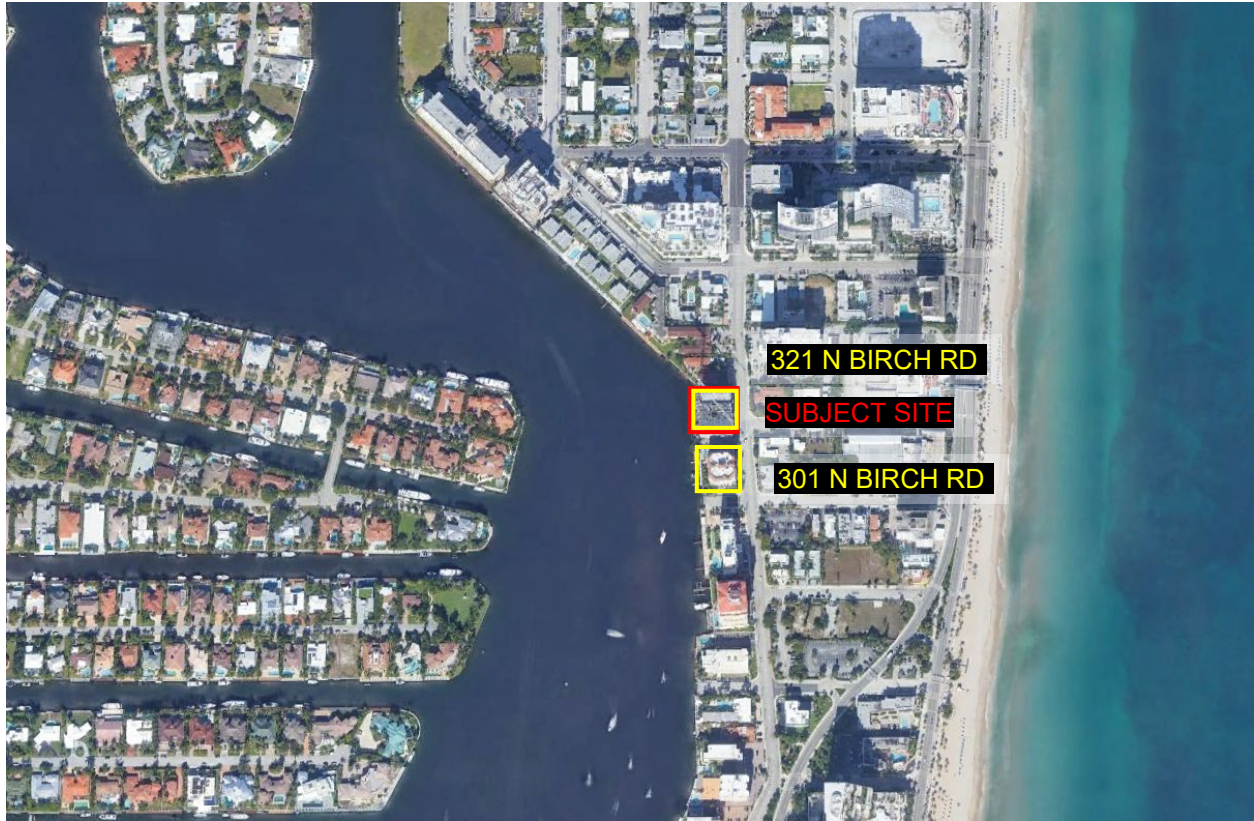
EXISTING WAIVERS IN THE VICINITY



ADDRESS	MAXIMUM DISTANCE
321 N Birch Rd	75'
321 N Birch Rd	55'
215 N Birch Rd	47.5'
209 Grand Birch, Slip 3	39.3'
209 Grand Birch, Slip 4	45.5'
Subject Site	66.8'

EXHIBIT X LETTERS OF SUPPORT

LETTERS OF SUPPORT



ADDRESS	OWNER
301 N Birch Rd	Michael Kelly, Treasurer, Birch Pointe Condo Association
321 N Birch Road #401	Richard Caparso
321 N Birch Rd #403	Edward & Jeannie Cave
321 N Birch Rd #503	Daniel Adams
321 N Birch Road #602	Jeffrey & Dawn Grubs
321 N Birch Rd #603	Peter Rosenfeld
321 N Birch Rd #701	Patrick Sullivan
321 N Birch Rd #702	Harri Weckstrom
321 N Birch Rd #703	Robert Hughes
321 N Birch Rd #501	Michael DiTullio

ADDRESS	OWNER
321 N Birch Rd #1002	Steven Huntley
321 N Birch Rd #1003	Richard & Deborah Maser
321 N Birch Rd #801	Margo Cook & Renee Cohen
321 N Birch Rd #802	Malkon Baboyian
321 N Birch Rd #803	Robert Verdun
321 N Birch Rd #901	Brenda Lapointe
321 N Birch Rd #902	Pierre Grenier
321 N Birch Rd #903	David Sidwell
321 N Birch Rd #PH01	Robert & Mary Berard
321 N Birch Rd #PH02	Herbert Parker

June 1, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

Handwritten signature of Richard & Joan Caparso in black ink.

Richard & Joan Caparso
321 N Birch Road Apt 401
Fort Lauderdale, FL 33304

June 1, 2022

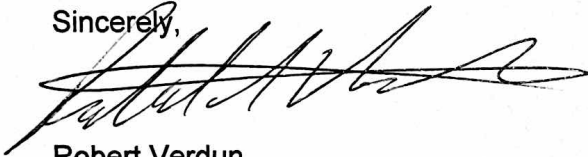
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Verdun', written over a horizontal line.

Robert Verdun
321 N Birch Road Apt 803
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstatement of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #503, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Adams", written in a cursive style.

Mr. Daniel Adams
321 N Birch Road Apt 503
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #501, and support the project as proposed.

Sincerely,



Michael DiTullio
321 N Birch Road Apt 501
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #1003, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard & Deborah Maser". The signature is fluid and cursive, with the first name being the most prominent.

Richard & Deborah Maser
321 N Birch Road Apt 1003
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #PH02, and support the project as proposed.

Sincerely,

A handwritten signature in black ink that reads "Herbert Parker". The signature is written in a cursive style and is followed by a long horizontal line extending to the right.

Herbert Parker
321 N Birch Road Apt PH02
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304


RE: 321 N Birch Rd

City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Edward & Jeannie Cave
321 N Birch Road Apt 403
Fort Lauderdale, FL 33304

June 1, 2022

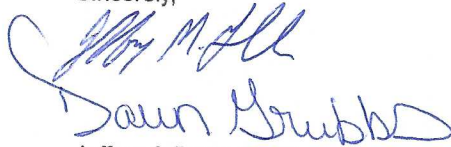
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,

Handwritten signature in blue ink, appearing to read "Jeffrey & Dawn Grubbs".

Jeffrey & Dawn Grubbs
321 N Birch Road Apt 602
Fort Lauderdale, FL 33304

June 1, 2022

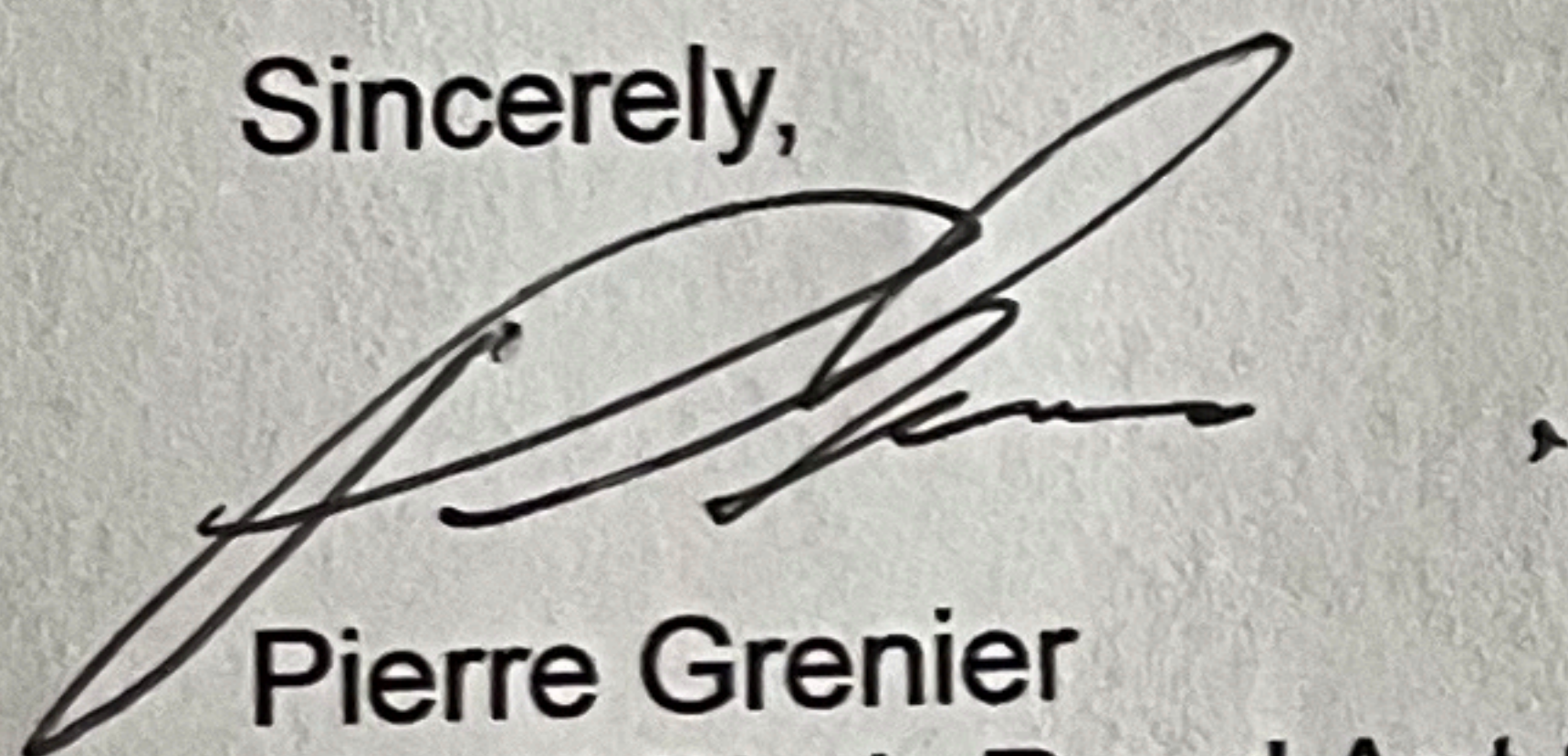
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Pierre Grenier
321 N Birch Road Apt 902
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee Engler
321 N Birch Road #PH03
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 301 N Birch Rd, and support the project as proposed.

Sincerely,



Mr. Michael Kelly
Birch Pointe Condo Association, *TREASURER*
301 N Birch Rd
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Harri Weckstrom
President, Midaja Inc.
321 N Birch Road Apt 702
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #603, and support the project as proposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter M. Rosenfeld".

Mr. Peter M. Rosenfeld
321 N Birch Road Apt 603
Fort Lauderdale, FL 33304

June 6, 2022

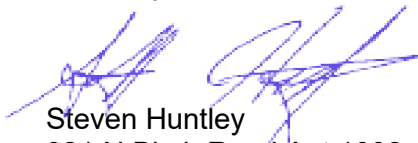
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #1002, and support the project as proposed.

Sincerely,



Steven Huntley
321 N Birch Road Apt 1002
Fort Lauderdale, FL 33304

June 1, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Robert & Mary Berard
321 N Birch Road Apt PH01
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #703, and support the project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "R Hughes".

Robert Hughes
321 N Birch Road Apt 703
Fort Lauderdale, FL 33304

June 6, 2022

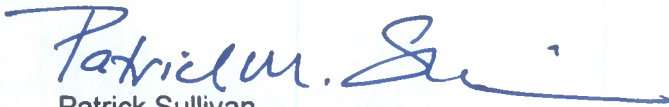
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #701, and support the project as proposed.

Sincerely,

A handwritten signature in blue ink that reads "Patrick M. Sullivan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Patrick Sullivan
321 N Birch Road Apt 701
Fort Lauderdale, FL 33304

June 6, 2022

Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstatement of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #802, and support the project as proposed.

Sincerely,



Mr. Malkon Baboyian
321 N Birch Road Apt 802
Fort Lauderdale, FL 33304

June 6, 2022

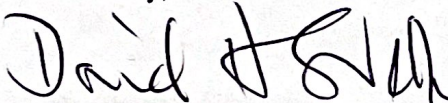
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #903, and support the project as proposed.

Sincerely,



David Sidwell
321 N Birch Road Apt 903
Fort Lauderdale, FL 33304

June 1, 2022

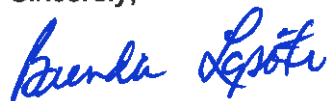
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd, and support the project as proposed.

Sincerely,



Brenda Lapointe
321 N Birch Road Apt 901
Fort Lauderdale, FL 33304

June 6, 2022

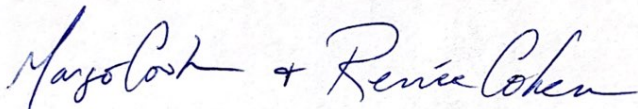
Mr. Lee & Patti Engler
321 N Birch Road Apt 1103
Fort Lauderdale, FL 33304

RE: 321 N Birch Rd
City of Fort Lauderdale Waiver Request

Dear Mr. Engler,

I have reviewed the attached plans (Attachment A), for the proposed project to install two (2) floating docks with ramps and the reinstallation of the existing no profile boat lift beyond 25 feet from the property line into the New River Sound. I understand that the proposed project will require a waiver of limitations through the City of Fort Lauderdale along with permitting through the regulatory agencies. I reside at 321 N Birch Rd #801, and support the project as proposed.

Sincerely,

Handwritten signature of Margo Cook and Renee Cohen in blue ink.

Margo Cook & Renee Cohen
321 N Birch Road Apt 801
Fort Lauderdale, FL 33304