




HISTORIC PRESERVATION BOARD APPLICATION

Application Form: Historic Designation Application | Rev. 3/1/2022

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). The application form must be filled out accurately and completely. Print or type and answer all questions or indicate N/A if item does not apply. To obtain property information such as land use, zoning, ownership, folio, lot size, etc., please visit <http://gis.fortlauderdale.gov/zoninggis>

A APPLICANT	
Name	Chris Gandolfo c/o P66 Land Trust, LLC.
Address	6900 Tavistock Lakes Boulevard, Suite #200
City, State, Zip	Orlando, FL 32827
Phone	(786) 236-2558
Email	chris.gandolfo@tavistock.com
APPLICANT SIGNATURE:	 11/9/2022 <small>DocuSigned by: 4b7bc533e3c0484...</small>

B PROPERTY INFORMATION	
Proposed Historic Landmark, Archaeological Site, or Historic District Name	Pier 66 Motor Hotel Addition, Pier 66 Hotel Tower
Address <small>For a Historic District, please attach a list of properties</small>	2301 SE 17th Street, Fort Lauderdale, FL
Folio Number(s) <small>For a Historic District, please attach a list of properties</small>	504213210010
Legal Description <small>For Historic Landmark or Archaeological Site</small>	KIMBERLY PLAT 130-1 B TRACT A
Boundary Description <small>For Historic Districts or Archaeological Site with Multiple Parcels</small>	
Zoning	B-1 - Boulevard Business
Existing Use of Parcel	39 - Commercial - Hotels, motels
Commission District	District 4

APPLICATION TYPES: Check the appropriate boxes for application request.

<input checked="" type="checkbox"/> HISTORIC LANDMARK	<input type="checkbox"/> ARCHAEOLOGICAL SITE	<input type="checkbox"/> HISTORIC DISTRICT
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APPLICANT TYPES: Check the appropriate boxes for applicant type.

<input type="checkbox"/> CITY COMMISSION	<input type="checkbox"/> HPB	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> PROPERTY OWNERS HISTORIC DISTRICT	<input type="checkbox"/> NON-PROFIT CORPORATION
By Motion of the City Commission to Initiate a Historic Designation Application.	By Motion of the Historic Preservation Board to Initiate a Historic Designation Application.	Real Property Owner. Additional documents are required for condominiums and cooperatives.	A simple majority of property owners for designation within the boundaries of a proposed district.	By corporate resolution of a non-profit corporation with a recognized interest in historic preservation.

Specific requirements to support each applicant type are outlined in ULDR Section 47-24.11.C.

CRITERIA FOR HISTORIC DESIGNATION: Pursuant to ULDR Section 47-24.11.C.7, the designation of property as a landmark, archaeological site or historic district shall be based on one (1) or more of the following criteria (Check all that apply):

- a. Its value as a significant reminder of the cultural or archeological heritage of the city, state, or nation; or
- b. Its location as a site of a significant local, state or national event; or
- c. Its identification with a person or persons who significantly contributed to the development of the city, state, or nation; or
- d. Its identification as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state, or nation; or
- e. Its value as a building recognized for the quality of its architecture, and sufficient elements showing its architectural significance; or
- f. Its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials; or
- g. Its character as a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or
- h. Its character as an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.



CRITERIA CONSIDERATIONS HISTORIC DESIGNATION: When Section 47-24.11.C.8. of the ULDR is applicable, the requirements in this subsection are in addition to meeting at least one of the criteria listed in Section 47-24.11.C.7. of the ULDR. (Check all that apply):

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- d. A cemetery that derives its primary significance from graves of persons of outstanding importance, from age, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented appropriately as part of a restoration master plan and no other building or structure with the same association has survived; or
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past fifty (50) years if it is of exceptional importance.

CHECKLIST FOR SUBMITTAL AND COMPLETENESS: The following checklist outlines the necessary items for application submittal to ensure the application is complete. Failure to provide this information will result in your application being deemed incomplete.

- Development Application Form** completed with the applicable information including property owner signature and agent signature.
- Files and Documents** consistent with the applicable specifications for historic designation of a historic landmark, archaeological site, or historic district.

INFORMATION: The specifications listed herein are intended to guide applicants with the submittal of a Historic Designation related review. The specifications below are required in order for an efficient and accurate review of applications. Failure to provide the required information will result in the application being deemed incomplete.

SPECIFICATIONS: Applicant shall submit digitally one (1) application, and any additional requirements, as specified below. Within thirty (30) days of receipt, Urban Design & Planning staff shall review the application to determine its completeness. Following the receipt of a complete application, the applicant will be required to submit ten (10) copies of the entire submittal to the Urban Design and Planning Division to distribute to the Historic Preservation Board Members.

- **Sketch Map** all sketch maps shall include a scale and a north arrow):
 - **Historic Landmark, Landmark Site, and Archaeological Site Designations.** Clearly show the boundaries of the property as it relates to a legal description as found in the Broward County Official Records; and outline of any structures, objects, and buildings on the site; and their relationship to streets. Each designation of a landmark shall automatically include the designation of the site upon which the landmark exists as a landmark site. If the applicant is requesting boundaries that vary from the legal description of a parcel as found in the Broward County Official Records, a current sign and sealed survey (no less than six months old), which is signed and sealed by a licensed professional surveyor, authorized to engage in the practice of surveying and mapping in the State of Florida in accordance with Chapter 472, Florida Statutes must be provided; or
 - **Historic Districts.** Clearly show the boundaries of the proposed district; all buildings and structures (with their addresses and status as a contributing or non-contributing structure); and all streets within the proposed boundaries. Historic district boundaries shall in general be drawn to include all contributing structures reasonably contiguous within an area and may include properties which individually do not contribute to the historic character of the district, but which require regulation in order to control potentially adverse influences on the character and integrity of the district; and
- **Narrative** A written description of the architectural, historical, or archeological significance of the proposed landmark and landmark site, or buildings in the proposed historic district, and specifically address and document criteria for significance contained in Section 47-24.11.C.7 of the ULDR and if applicable, a response to the criteria considerations in Section 47-24.11.C.8 of the ULDR; and
- **Year Built** Date structure(s) on the property were built, and the names of its current and all known past owners and, if available, their dates of ownership. Provide proof of date of construction which shall include but is not limited to the following: permits, original plans, certificate of occupancy, plat or Sanborn map, etc.; and
- **Period of Significance** of the proposed landmark and landmark site, archaeological site, or buildings in the proposed historic district; and
- **Map** identifying contributing structures within a proposed historic district or features of the individual landmark site; and
- **Color photographs** of all sides of the property and historic photographs, if available; and
- **Legal Description** from Broward County Official Records of landmark and landmark site, or archaeological site; and
- **References and citations** for resources used to support the proposed designation including but not limited to published books or articles, newspaper articles or advertisements; and
- **Historic District Boundary Map** for applications for the designation of a historic district shall contain a written description of the boundaries of the district and a map identifying contributing and non-contributing structures; and
- **Narrative** Interior Landmark. Building interiors that meet the criteria for significance contained in Section 47-24.11.C.7 of the ULDR that are regularly open to the public may be subject to regulation under this section. The application shall describe precisely those features subject to review and shall set forth standards and guidelines for such regulations. Building interiors not so described shall not be subject to review under this section.



PUBLIC NOTICE:

Historic District Designation applications are required to mail notice requirements as outlined in ULDR Section 47-27. Applicants shall provide a signed and notarized [affidavit](#) stating compliance with mail notice requirements. An affidavit can be downloaded on the City's website. The following information is required to be submitted to fulfill mail notice requirements:

- **Tax Map** showing locations of properties to be noticed. Map is available from the City of Fort Lauderdale GIS Mailer Application at (<https://gis.fortlauderdale.gov/mailer>). Neighborhood Association Presidents and Condominium Association Presidents of affected properties are to be clearly shown and delineated. Each property shown on the map must be numbered on the map to cross-reference with Property Owner Notice List.
- **Property Owners Notice List** of properties to be noticed and can be downloaded from the City of Fort Lauderdale GIS Mailer Application at (<https://gis.fortlauderdale.gov/mailer>). List must include property owner name, Folio ID, and complete address of all properties with the proposed boundary, and all homeowners' associations, master associations, municipalities and counties notices, as indicated on the tax roll. **IMPORTANT!!** If the petitioner or Association President(s) own(s) adjacent property, radius of notice must be measured from boundary of adjacent property.
- **Envelopes** showing business size (#10) envelopes addressed (typewritten or labeled – no handwritten addresses) for all addresses along with a copy of the mailing labels before they are affixed to the envelopes shall be submitted to the City with the application. **Stamps only, metered mail will not be accepted.** First class postage required. Overseas addresses to be posted by first class mail only. Contact Post Office for postage amount. Business size envelopes addressed **by certified mail required for all municipalities and/or counties.** Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 N.W. 19 Avenue, Fort Lauderdale, FL 33311.

APPLICATION DEADLINE: Submittals must be received by 12:00 PM on the deadline date that can be found on the City's [Historic Preservation Board](#) webpage. Note: Deadlines for Historic Designation Applications are due at least 45 days in advance of each meeting date.

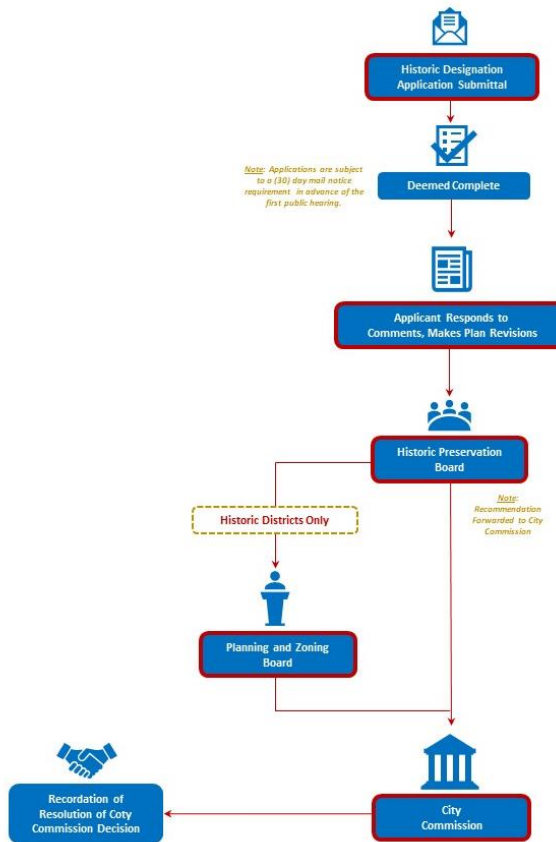
DETERMINATION OF COMPLETENESS: Submittals are reviewed for completeness to ensure the application submittal contains all the required information. The City will notify the applicant for a Historic Designation Application within thirty (30) business days from submittal with a determination of completeness. The notification will be sent via email and will indicate application completeness or incompleteness with required changes.

PAYMENT OF FEES: Applicants will receive invoices electronically indicating the applicable fee.

PUBLIC SIGN NOTICE AND MAIL NOTICE: Applications are subject to public sign notice and mail notice requirements. Affidavits must be completed and submitted to the City stated compliance that such has been completed. The [affidavit](#) form can be found on the City's website.

HISTORIC PRESERVATION BOARD MEETING: Closer to the date of the meeting, staff will provide an agenda for the meeting as well as a copy of the staff report. Meetings are held in person at 5pm at City Hall, 100 N. Andrews Avenue and the applicant or his/her representative must be in attendance. The HPB meeting dates can be found on the City's website at the [Historic Preservation Board](#) webpage.

HISTORIC DESIGNATION FLOWCHART: The review process for Historic Designation applications is depicted in the graphic below. Variations in the review process are noted.



FOR QUESTIONS OR ASSISTANCE REGARDING THE HISTORIC PRESERVATION BOARD CONTACT:

Urban Design and Planning
 954-828-6520 (select Option 4)
planning@fortlauderdale.gov

New to the LauderBuild Plan Room (LPR)? We would recommend reviewing the [LPR Quick Start Guide](#) to ensure you are prepared to submit your application to avoid delays in processing. You can also visit the [City LauderBuild Plan Room](#) page for more details, help and video tutorials! Question about fees? Review the [DSD Fee Schedules](#).

All Urban Design & Planning (UDP) online submissions must also include a corresponding hard copy of the online application.



Receipt

Thank you!
Please keep a copy of this confirmation for your records.

2301 SE 17 ST

[UDP-HPD22001](#)

A notice was added to this record on 07/11/2022.
Condition: Archaeologically Significant Zone Severity: Notice
Total Conditions: 1 (Notice: 1)

[Hide additional details](#)

Conditions

Showing 1-1 of 1

Default - 1 Applied

Notice

Archaeologically Significant Zone

This property is located in an Archaeologically Significant Zone – conditions to the this development site apply. Please contact Trisha Logan at 954-828-7101 or at tlogan@fortlauderdale.gov.

Applied | Notice | 11/13/2018

Department Contacts

Questions? Call or click to contact the Department / Division for assistance

Alarm Billing - Fire | 954-828-5961

Alarm Billing - Police | 954-828-6429

Business Tax | 954-828-5195

Enforcement - Community & Compliance | 954-828-5207

DSD Engineering - Right-of-Way | 954-828-5232

Permitting | 954-828-6520, Option 1

Urban Design and Planning (UDP) | 954-828-6520, Option 3

Special Events | 954-828-4349

Transportation and Mobility (TAM) | 954-828-3700

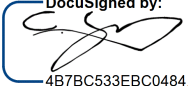
DSD Customer Service - LauderBuild Assistance | 954-828-6520, Option 1

City of Fort Lauderdale | Development Services (DSD) | 700 NW 19th Avenue, Fort Lauderdale, FL 33311

AFFIDAVIT OF MAIL NOTICE WAIVER

STATE OF FLORIDA
BROWARD COUNTY

As the property owner of Pier Sixty-Six, 2301 SE 17th Street, Fort Lauderdale, FL. 33316, I hereby waive the required mail notice for the Historic Landmark Designation Application for the December 5th, 2022 Historic Preservation Board Meeting.

DocuSigned by:

4B7BC533EBC0484...

10/25/2022

Chris Gandolfo
Senior Vice President of Development
chris.gandolfo@tavistock.com

P66 LAND TRUST, LLC
MANAGERS' ACTION BY WRITTEN CONSENT
IN LIEU OF MEETING

The undersigned, being all of the Managers of **P66 LAND TRUST, LLC**, a Florida limited liability company (the "Company"), in accordance with the Florida Limited Liability Company Act and the Operating Agreement of the Company relating to the action taken without a meeting, hereby consents to and adopts the following resolutions and actions thereunder.

WHEREAS, the Managers deem it in the best interest of the Company to appoint Christopher Gandolfo to sign certain applications, agreements, contracts and other necessary documents.

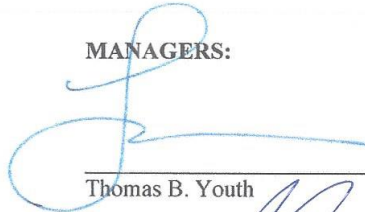
IT IS HEREBY

RESOLVED, that Christopher Gandolfo ("Authorized Signatory"), be and hereby is authorized to sign construction and permit applications, agreements, contracts, and other documents binding the Company for any and all matters not to exceed a value of Five Hundred Thousand Dollars (\$500,000.00).

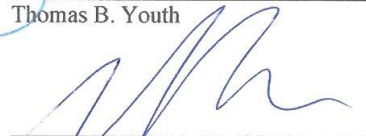
FURTHER RESOLVED, that Authorized Signatory be, and hereby is, authorized, directed and empowered, for and on behalf of the company, to execute, verify, deliver and perform all such documents and to take such further action as he may deem necessary, appropriate or advisable to effect the business operations of the Company.

Dated this 30 day of April, 2020

MANAGERS:



Thomas B. Youth



Nicholas F. Beucher, III



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
P66 LAND TRUST, LLC

Filing Information

Document Number	L19000303249
FEI/EIN Number	84-4042572
Date Filed	12/18/2019
State	FL
Status	ACTIVE

Principal Address

6900 TAVISTOCK LAKES BLVD, SUITE 200
ORLANDO, FL 32827

Mailing Address

6900 TAVISTOCK LAKES BLVD, SUITE 200
ORLANDO, FL 32827

Registered Agent Name & Address

<https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=P66LANDTRUST L190003032490&aggregateId=flal-190003...> 1/3

NATIONAL REGISTERED AGENTS, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Authorized Person(s) Detail

Name & Address

Title MGR

Beucher, Nicholas F, III
6900 TAVISTOCK LAKES BLVD, SUITE 200
ORLANDO, FL 32827

Title MGR

Weaver, Benjamin A.
6900 TAVISTOCK LAKES BLVD, SUITE 200
ORLANDO, FL 32827

Annual Reports

Report Year	Filed Date
2020	04/15/2020
2021	04/09/2021
2022	04/12/2022

Document Images

[04/12/2022 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[04/09/2021 -- ANNUAL REPORT](#)

[View image in PDF format](#)

11/7/22, 1:04 PM

Detail by Entity Name

[04/15/2020 -- ANNUAL REPORT](#)

View image in PDF format

[12/18/2019 -- Florida Limited Liability](#)

View image in PDF format

Florida Department of State, Division of Corporations

<https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=P66LANDTRUST L190003032490&aggregateId=flal-190003...> 3/3



PROPERTY SUMMARY

Tax Year: 2023	Property Use: 39-03 Hotel - full service	Deputy Appraiser: Commercial Department
Property ID: 504213210010	Millage Code: 0312	Appraisers Number: 954-357-6835
Property Owner(s): TRUST NUMBER P66-2020 P66 LAND TRUST LLC TRSTEE	Adj. Bldg. S.F.: 221572	Email: commercialtrim@bcpa.net
Mailing Address: 6900 TAVISTOCK LAKES BLVD # 200 ORLANDO, FL 32827	Bldg Under Air S.F.:	Zoning : B-1 - BOULEVARD BUSINESS
Physical Address: 2301 SE 17 STREET FORT LAUDERDALE, 33316	Effective Year: 1978	Abbr. Legal Des.: KIMBERLY PLAT 130-1 B TRACT A
	Year Built: 1957	
	Units/Beds/Baths: 151 / 0 / 8	

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2023	\$78,573,500	\$12,018,880	0	\$90,592,380	\$90,592,380	
2022	\$78,573,500	\$12,018,880	0	\$90,592,380	\$90,592,380	
2021	\$78,573,500	\$12,018,880	0	\$90,592,380	\$90,592,380	\$1,777,702.49

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$90,592,380	\$90,592,380	\$90,592,380	\$90,592,380
Portability	0	0	0	0
Assessed / SOH	\$90,592,380	\$90,592,380	\$90,592,380	\$90,592,380
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$90,592,380	\$90,592,380	\$90,592,380	\$90,592,380

SALES HISTORY FOR THIS PARCEL

Date	Type	Price	Book/Page or Cin
01/06/2020	Deed Non-Sale Title Change	\$100	116289955
12/02/2016	Special Warranty Deed Qualified Sale	\$163,271,700	114083185
06/25/1993	Multi Quit Claim Deed		20842 / 747
07/29/1987	Multi Special Warranty Deed	\$4,820,900	14668 / 646
07/29/1987	Multi Special Warranty Deed	\$100	14668 / 640

LAND CALCULATIONS

Unit Price	Units	Type
\$100.00	718,235 SqFt	Square Foot
\$25.00	270,000 SqFt	Square Foot

RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
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SPECIAL ASSESSMENTS

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
Ft Lauderdale Fire-rescue (03) Commercial (C) 221,572						(F2) 715,747.00		

SCHOOL

Harbordale Elementary: A
Sunrise Middle: C
Fort Lauderdale High: A

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	22	Ted Deutch

Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
93	Chip LaMarca	34	Gary M. Farmer, Jr.	Sarah Leonardi

This instrument prepared by and after recording return to:

Name: Nancy B. Lash, Esq.
Address: Greenberg Traurig, P.A.
333 2nd Avenue
Miami, Florida 33131

Property Appraiser's Folio Nos.: 5042-13-21-0010

(Space Reserved for Clerk of the Court)

CONVEYANCE DEED TO TRUSTEE UNDER LAND TRUST AGREEMENT
(Pier Sixty-Six Project)

THIS CONVEYANCE DEED TO TRUSTEE UNDER LAND TRUST AGREEMENT (the "Deed") is made as of this 15th day of January, 2020, by PIER 66 VENTURES, LLC, a Florida limited liability company ("Grantor"), whose address is 6900 Tavistock Lakes Boulevard, Suite 200, Orlando, FL 32827, to P66 LAND TRUST, LLC, a Florida limited liability company, as trustee ("Trustee") under the provisions of that certain Land Trust Agreement (as the same may be modified, amended, restated and supplemented from time to time, the "Trust Agreement") dated as of January 15, 2020, and known as Trust Number P66-2020 ("Grantee"), whose address is 6900 Tavistock Lakes Boulevard, Suite 200, Orlando, FL 32827.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby conveys and warrants unto Grantee the following property located in Broward County, Florida (the "Property"):

See Exhibit A attached hereto and by this reference made a part hereof.

TOGETHER with all the tenements, hereditaments, easements (temporary and permanent), privileges, rights-of-way, lands underlying any adjacent streets or roads appurtenant to the Property and all other appurtenances thereto belonging or in any way appertaining to the Property.

TOGETHER with all buildings, structures and other facilities now or hereafter located on the Property.

SUBJECT TO (i) taxes and assessments for the year 2020 and subsequent years; (ii) restrictions, reservations, easements, covenants, agreements, limitations, and other matters of record, without hereby reimposing the same, and (iii) all laws, ordinances, and governmental

NOTE TO RECORDER: THIS IS A CONVEYANCE TO A LAND TRUST PURSUANT TO FLORIDA STATUTES §689.071 IN WHICH GRANTOR IS THE BENEFICIARY OF THE LAND TRUST WITH RESPECT TO THE PROPERTY CONVEYED HEREBY. THIS DEED IS EXEMPT FROM DOCUMENTARY STAMP TAX PURSUANT TO RULE 12B-4.013(28)(a) OF THE FLORIDA ADMINISTRATIVE CODE SINCE THERE IS NO CHANGE IN THE BENEFICIAL OWNERSHIP OF THE PROPERTY.

regulations, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations.

TO HAVE AND TO HOLD the Property with the appurtenances upon the trust and for the uses and purposes herein and in said Trust Agreement.

Pursuant to Florida Statutes §689.071 and/or §689.073, full power and authority is hereby granted to Trustee to protect, conserve, improve, sell, lease, encumber or otherwise to manage and dispose of the Property, which shall include the power and authority:

(a) to improve and subdivide the Property (or any part thereof), to vacate any subdivision and resubdivide the Property (or any portion thereof), to plat and replat the Property and to obtain development rights and other entitlements for the Property;

(b) to contract for the development and/or redevelopment of the Property

(c) to contract to sell, grant options to purchase, and sell on any terms;

(d) to take back, foreclose and release mortgages;

(e) to convey the Property either with or without consideration;

(f) to donate, dedicate, mortgage, pledge or otherwise encumber the Property (or any part thereof);

(g) to lease the Property (or any part thereof), from time to time, in possession or reversion, by leases to commence *in praesenti* or *in futuro*, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of one hundred twenty-five (125) years, and to renew or extend leases upon any terms and for any period or periods of time, and to amend, change or modify leases and the terms and provisions thereof at any time or times;

(h) to contract to make leases and to grant options to lease, options to renew leases and options to purchase the whole or any part of the reversion, and to contract respecting the manner of fixing the amount of present and future rentals;

(i) to enter into management agreements for the management and operation of the Property;

(j) to partition or exchange the Property (or any part thereof), for other real or personal property;

(k) to grant easements or charges of any kind;

(l) to submit the Property (or any part thereof) to the condominium form of ownership or to any other collective ownership regime;

(m) to release, convey or assign any right, title or interest in the Property (or any part thereof); and

(n) to deal with the Property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, from time to time and at any time hereafter.

No party dealing with Trustee in relation to the Property or to whom the Property or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by Trustee, shall be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on the Property, or be obliged to see that the terms of the trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of Trustee, or be obliged or privileged to inquire into any of the terms of the Trust Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by Trustee in relation to the Property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument: (i) that at the time of the delivery thereof the trust created by this Deed and by the Trust Agreement was in full force and effect; (ii) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Deed and in the Trust Agreement and binding upon all beneficiaries thereunder; (iii) that Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and (iv) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of the predecessor in trust.

The interest of any beneficiary hereunder and under the Trust Agreement is hereby declared to be real property and may be assigned and transferred as such. Although legal and record title to the Property shall be held by Trustee pursuant to the terms of this Deed and the Trust Agreement, the rights, benefits and obligations with respect to the Property (including the power of direction under Florida Statutes §689.071 and/or §689.073) shall belong exclusively to the respective beneficiary thereof.

And Grantor hereby fully warrants title to the Property and will defend the same against the lawful claims of all persons whomsoever.

[The remainder of this page is intentionally left blank.]

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Tract A of KIMBERLY PLAT, according to the Plat thereof, as recorded in Plat Book 130, Page 1 of the Public Records of Broward County, Florida.