MEMORANDUM MF NO. 16-05

DATE: August 18, 2016

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: September 1 2016 MAB – Application - Dock Waiver of Distance Limitations – Larry & Cathy Danielle, 357 Idlewyld Drive

Attached for your review is an application from Larry & Cathy Danielle, 357 Idlewyld Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of two (2) triple pile clusters, and the expansion of an existing "T" dock by 580 square feet, requiring a Dock Waiver of Distance Limitations for both the proposed and existing structures. These structures extend a maximum distance of +/- 71.4' from the property line as shown in the revised survey in **Exhibit 1** and summarized in Table 1:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Pile Cluster #1	**+/-65.8'**	**25'**	**+/-40.8'**
Triple Pile Cluster #2	**+/-71.4'**	**25'**	**+/-46.4'**
Existing "T" Dock	**+/-36.8'**	**25'**	**+/-11.8'**
Proposed "T" Dock Extension	**+/-38.2'**	**25'**	**+/-13.2'**
Existing Hydro Lift	**+/-33.3'**	**25'**	**+/-8.3'**

The City's Unified Land and Development Regulations (UDLR), Sections 47-19.3.C and D limits the maximum distance of both the proposed and existing pile clusters and mooring structures at this location to 25'. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances.

The applicant's narrative summary indicates that the extended "T" dock and triple pile clusters are necessary for safely mooring existing vessels, especially during high wind events and severe weather necessitating mooring structures extending beyond Code.

PROPERTY LOCATION AND ZONING

The property is located within the Idlewyld Isles RS-8 Residential Low Density Zoning District. It is situated on the western shore of the Intracoastal Waterway where the overall width of the New River Sound is identified as approximately+/-290'.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect that there have been sixteen (16) waivers of docking distance limitations approved by the City Commission since 1986 with the most recent at 721 Idlewyld Drive approved by the City Commission at their meeting of February 4, 2014. A comparison of these follows:

TABLE 2

DATE	ADDRESS	MAXIMUM DISTANCE
1986	801 Idlewyld Drive	54.00'
1994	407 Idlewyld Drive	63.75'
1995	517 Idlewyld Drive	42.00'
2000	629 Idlewyld Drive	50.70'
2001	606 Idlewyld Drive	55.80'
2005	413 Idlewyld Drive	81.45'
2007	649 Idlewyld Drive	45.00'
2007	375 Idlewyld Drive	68.00'
2008	674 Idlewyld Drive	58.00'
2008	637 Idlewyld Drive	58.00'
2009	709 Idlewyld Drive	53.20'
2011	815 Idlewyld Drive	42.70'
2011	417 Idlewyld Drive	78.00'
2013	801 Idlewyld Drive	38.10'
2014	721 Idlewyld Drive	61.50'
2014	505 Idlewyld Drive	68.50'

RECOMMENDATIONS

Should the Marine Advisory Board 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 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, and verification of receipt of all applicable Federal and State permits.

AC
Attachment

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

EXHIBIT I
APPLICATION FOR WATERWAY WAIVER

EXHIBIT 1

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: **Larry & Cathy Danielle**

   TELEPHONE NO: _____ (home) (business) FAX NO. _____

2. APPLICANT'S ADDRESS (if different than the site address):

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: **The applicant requests a waiver for the proposed construction of two (2) triple pile clusters, an existing "T" dock, and a modification to the existing "T" dock, beyond 25 feet from the property line.**

SITE ADDRESS: **357 Idlewyld Drive, Fort Lauderdale Florida 33301**

4. ZONING: **RS-8**

LEGAL DESCRIPTION: **IDLEWYLD 1-19 B POR OF LOT 1 & 2 DESC AS:COMM SW COR SAID LOT 2,N 22.75 TO POB; CONT N 115.63,SELY ARC DIST OF 89.10,CONT SELY 46.85,SW 95.49, NW 53.31 TO POB TOGETHER WITH WATER FRONTAGE AREA LYING BET OCEAN VIEW DR & NEW RIVER SOUND WHICH LIES NLY & ELY OF LOT 1 BLK 1 MORE PARTICULARY DESC'D IN OR 29160/704**

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

_____ 8/10/16
Applicant's Signature Date

==========

The sum of $_____ was paid by the above-named applicant on the _____ of _____, 2014____ 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_____

EXHIBIT II
TABLE OF CONTENTS

TABLE OF CONTENTS

	PAGE
WARRANTY DEED	1
PROJECT PLANS	2
ZONING AERIAL	3
SUMMARY DESCRIPTION	4
SITE PHOTOGRAPHS	5
DISTANCE EXHIBIT	6

EXHIBIT III
WARRANTY DEED

Record & Return To:

This Document Prepared By and Return to:
Robert S. Forman, Esquire
Forman & Altino, P. A.
2101 West Commercial Boulevard,
Suite 2800
Fort Lauderdale, Florida 33309

Parcel ID Number: 10212-02-00100

Warranty Deed

This Indenture, Made this ~~20th~~ 23th day of April, 2007 A.D., **Between** Kenneth L. Shimm, a single man

of the County of Palm Beach, State of Florida, **grantor,** and Larry Danielle and Cathy Danielle, husband and wife

whose address is: 357 Idlewyld Drive, Fort Lauderdale, FL 33301

of the County of Broward, State of Florida, **grantees.**

Witnesseth that the GRANTOR, for and in consideration of the sum of ---------- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Broward State of Florida to wit:

A parcel of land, being a portion of Lots 1 and 2, Block 1 of IDLEWYLD, according to the Plat thereof, as recorded in Plat Book 1, Page 19, of the Public Records of Broward County, Florida, being more particularly described as follows:

PARCEL 1 (Upland Portion) Commence at the Southwest corner of said Lot 2; thence along the West line of said Lot 2, North 00°45'15" East, 22.75 feet to the Point of Beginning; thence continue along said line and along the West line of said Lot 1, North 00°45'15" East, 115.63 feet to the Northwest corner of said Lot 1 (said point being on the arc of a curve with a radial line through said point bearing North 13°15'12" East); thence along the Northerly line of said Lot 1 and Southeasterly along the arc of said curve being concave to the Southwest, having a radius of 475.00 feet, a central angle of 10°44'52", an arc distance of 89.10 feet to a point of compound curvature; thence continue along said line and Southeasterly along the arc of said curve being concave to the Southwest, having a radius of 160.00 feet, a central angle of 16°46'41", an arc distance of 46.85 feet; thence South 48°52'51" West, 95.49 feet; thence North 89°17'09" West, 53.31 feet to the Point of Beginning; and

(Continued on Attached)

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Jean Seibold
Printed Name: Jean Seibold
Witness

Victoria Luckett
Printed Name: VICTORIA LUCKETT
Witness

(Seal)
Kenneth L. Shimm
P.O. Address: 647 Osprey Point Circle, Boca Raton, FL 33431

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 19th day of April, 2007 by Kenneth L. Shimm, a single man

he is personally known to me or he has produced his Florida driver's license as identification.

Jean Seibold
Commission # DD306503
Expires April 4, 2008
Bonded Troy Fain - Insurance, Inc. 800-385-7019

Jean Seibold
Printed Name:
Notary Public
My Commission Expires:

500025

Warranty Deed - Page 2

Parcel ID Number: 10212-02-00100

PARCEL II (Water Frontage Area):A strip of land, approximately 178' in length, lying between Ocean View Drive (Idlewyld Drive) and New River South bounded on the West by the West line of Lot 1 of PARCEL I extended Northward to the New River Sound and on the East by the Eastern lot line of PARCEL I described above, extended Northeasterly to the New River Sound.

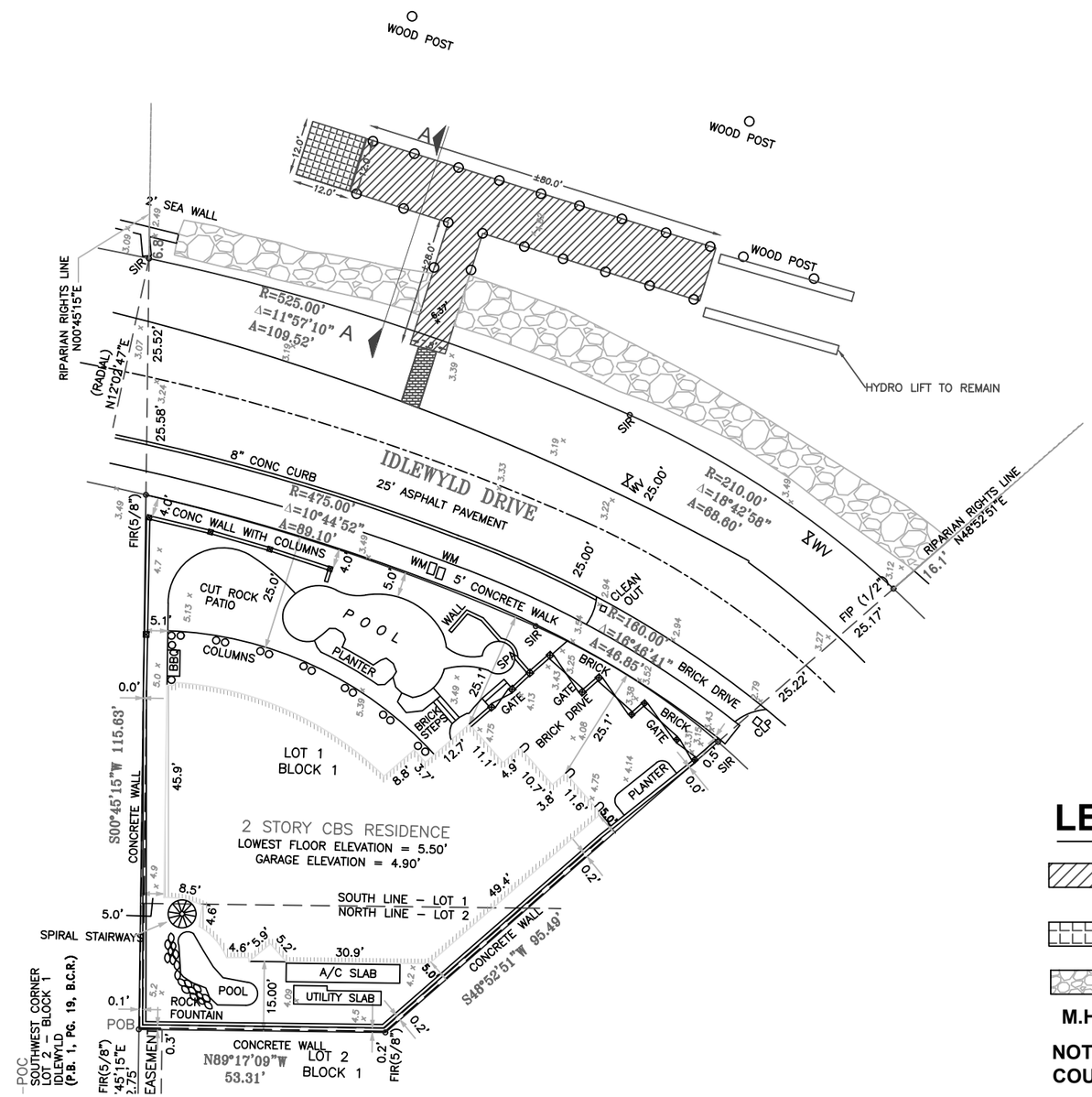
Subject to covenants, conditions, restrictions, reservations, limitations, easements, zoning ordinances and other regulatory laws and ordinances affecting the land, if any, which are not reimposed hereby, and taxes for the year 2006 and subsequent years.

Laser Generated by © Display Systems, Inc., 2007 (863) 763-5555 Form FLWD-1

EXHIBIT IV
PROJECT PLANS

NORTH

SCALE
1" = 30'



LEGEND

- EXISTING WOOD DOCK TO REMAIN (±1,146 SQ. FT.)
- EXISTING FLOATING JETSKI DOCK (±144 SQ. FT.)
- EXISTING RIPRAP SHORELINE (±380.0 LN.FT.)

M.H.W. = 0.4' NAVD M.L.W. = (-) 1.8' NAVD

NOTE: SURVEY INFORMATION PROVIDED BY COUSINS SURVEYORS & ASSOCIATES, INC.

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. 2016

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
- Phase I ESAs

357 IDLEWYLD

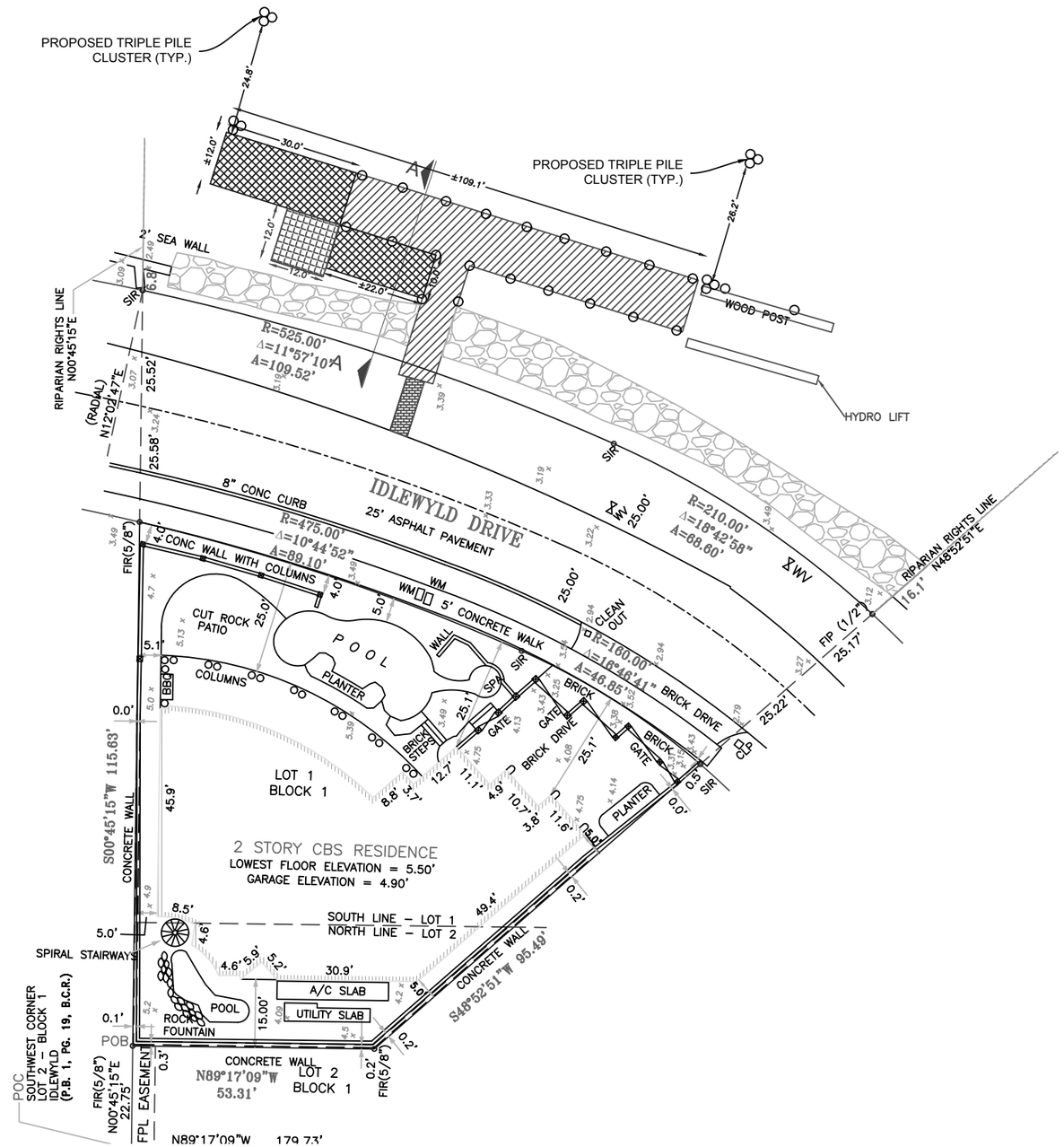
PREPARED FOR:
LOVELL MARINE, INC.

EXISTING CONDITIONS

Date: 3-18-2016	Sheet : 1	of : 4
Proj No.: 16-0006		

NORTH

SCALE
1" = 30'



LEGEND

- EXISTING WOOD DOCK TO REMAIN (±1,146 SQ. FT.)
- EXISTING FLOATING JETSKI DOCK (±144 SQ. FT.)
- PROPOSED T- DOCK EXTENSION (±581 ft²)

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. 2016

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
- Phase I ESAs

357 IDLEWYLD

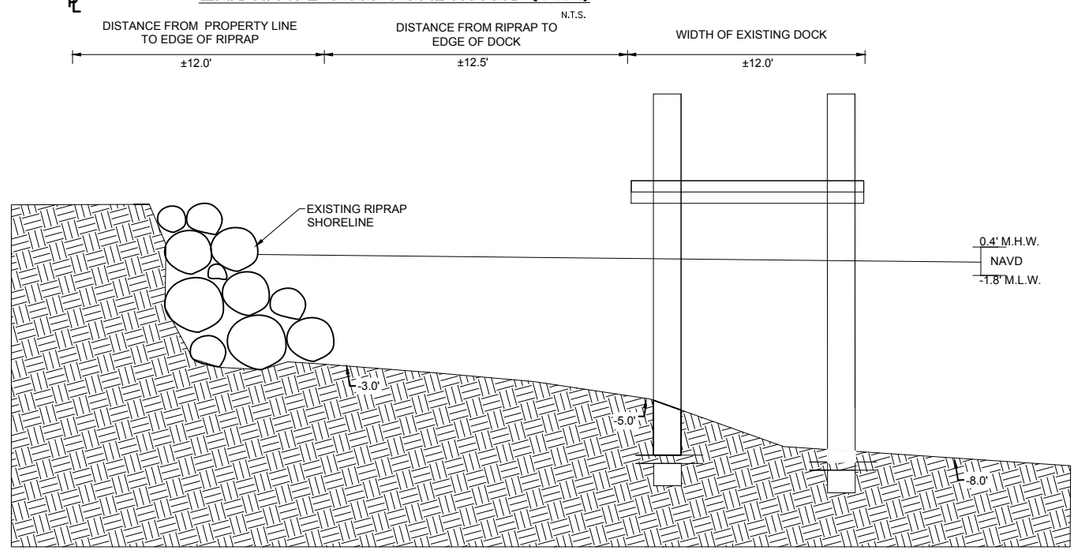
PREPARED FOR:
LOVELL MARINE, INC.

PROPOSED CONDITIONS

Date:	Sheet :	of :
3-31-2016	2	4
Proj No.: 16-0006		

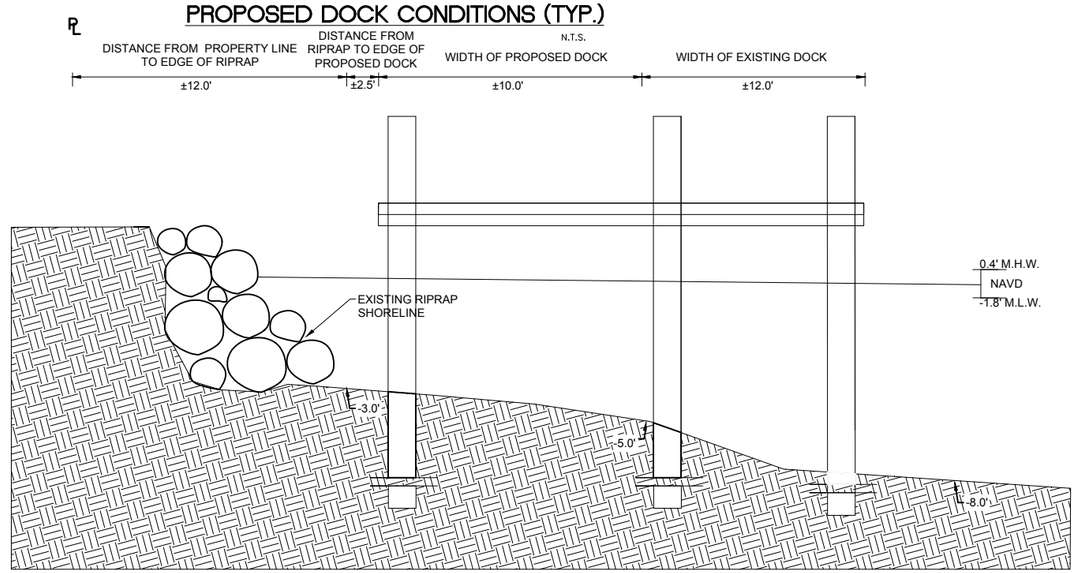
EXISTING DOCK CONDITIONS (TYP.)

N.T.S.



PROPOSED DOCK CONDITIONS (TYP.)

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. 2016

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
- Phase I ESAs

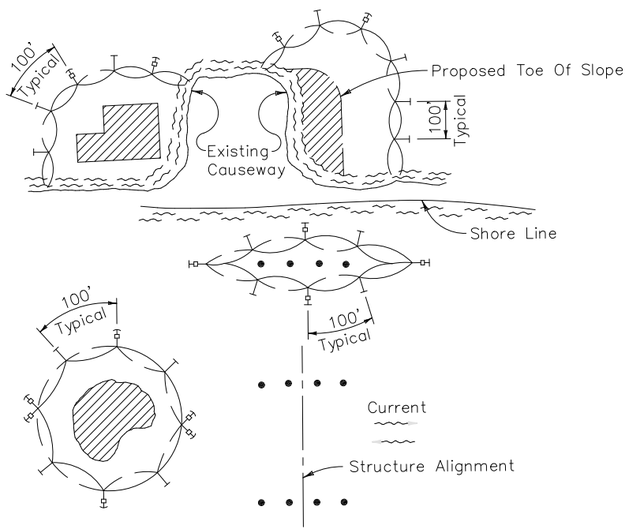
357 IDLEWYLD

PREPARED FOR:

LOVELL MARINE, INC

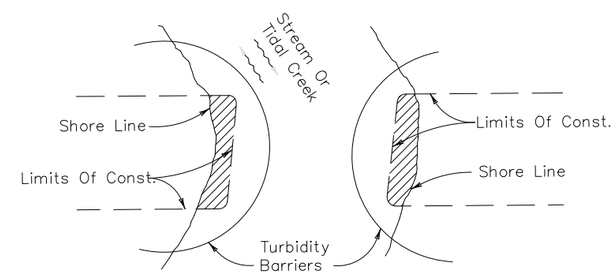
SECTIONS

Date:	Sheet :	of :
3-18-2016	3	4
Proj No.: 16-0006		



LEGEND

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



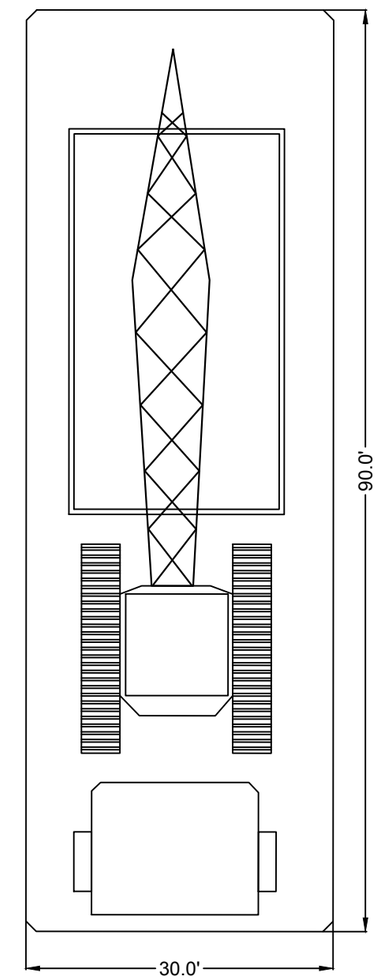
NOTES:

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.

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.

TURBIDITY BARRIER APPLICATIONS

CONSTRUCTION BARGE (TYP.)



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. 2016

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
- Phase I ESAs

357 IDLEWYLD

PREPARED FOR:

LOVELL MARINE CONSTRUCTION, INC.

DETAILS

Date:	Sheet :	of :
3-18-2016	4	4
Proj No.: 16-0006		

EXHIBIT V
ZONING AERIAL

CITY OF FORT LAUDERDALE

357 IDLEWYLD DRIVE

GIS
Fort Lauderdale

Date: 8/18/2016

Path: J:\PKR\CED_DOCKMASTER_14_DR\ArcMap\DOCKMASTER 300FT BUFER MASTER FORM 141008.mxd

EXHIBIT VI
SUMMARY DESCRIPTION

Summary Description
357 Idlewyld
TCG Project No. 16-0006

The project site is located along the New River Sound at 357 Idlewyld Drive, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida

The property is located along the New River Sound, which is a tidal water. The nearest direct connection to the Atlantic Ocean is 1.7 miles to the south at the Port Everglades Inlet. As the project site is located along the New River Sound, 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 ±1,146 sq. ft. "T" dock, two (2) wood mooring piles, a 12'x12' floating jetski dock, and an existing hydro lift. The proposed project includes the expansion of the existing "T" dock by 580 sq. ft. and the installation of two (2) triple pile clusters into the Middle River. As measured from the property line, the existing "T" dock, the "T" dock extension and the two (2) triple pile clusters encroach more than 25' from the property line into the New River Sound. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed dock and triple pile clusters will require a variance waiver.

The proposed docks and triple pile clusters have been approved by the Broward County Environmental Protection & Growth Management Department, Florida Department of Environmental Protection, and US Army Corps of Engineers.

The following four (4) matters provide justification for this waiver request:

1. All structures and piles will not exceed 30% of the width of the waterway.

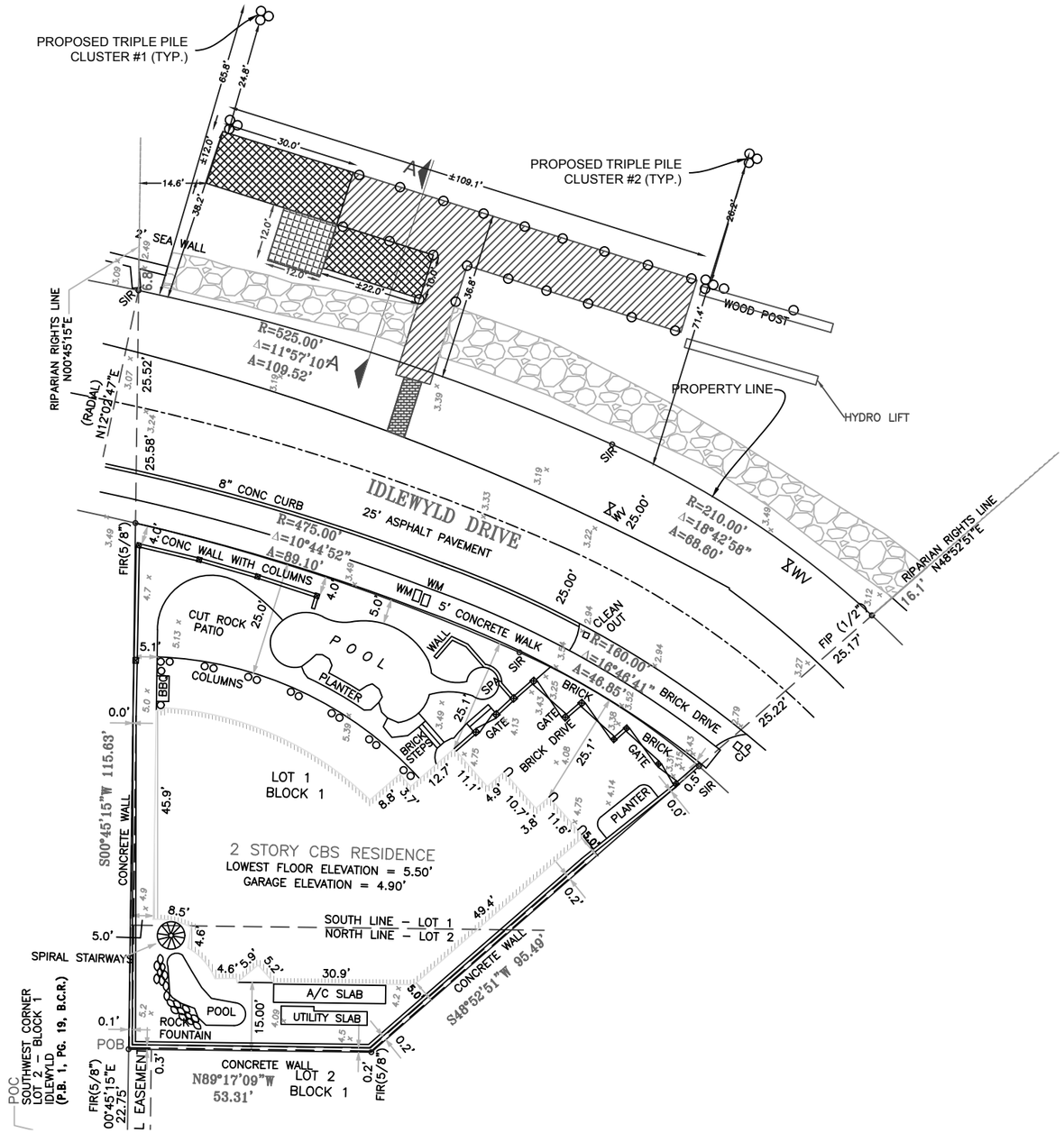
2. Due to the extraordinary width of the waterway at this location to the closest structure (±290), the proposed project will not impede navigation within the New River Sound.

3. The "T" dock and triple pile clusters are necessary for safely mooring existing vessels, especially during high wind events and severe weather.

4. The proposed structures are consistent with the adjacent waivers and do not exceed the neighbor's current waiver of 81.45'.

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

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Pile Cluster #1	±65.8’	25’	±40.8’
Triple Pile Cluster #2	±71.4’	25’	±46.4’
Existing “T” Dock	±36.8’	25’	±11.8’
Proposed “T” Dock Extension	±38.2’	25’	±13.2’
Existing Hydro Lift	±33.3’	25’	±8.3’



NORTH

SCALE
1" = 30'

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Pile Cluster #1	±65.8'	25'	±40.8'
Triple Pile Cluster #2	±71.4'	25'	±46.4'
Existing "T" Dock	±36.8'	25'	±11.8'
Proposed "T" Dock Extension	±38.2'	25'	±13.2'
Existing Hydro Lift	±33.3'	25'	±8.3'

LEGEND

- EXISTING WOOD DOCK TO REMAIN (±1,146 SQ. FT.)
- EXISTING FLOATING JETSKI DOCK (±144 SQ. FT.)
- PROPOSED T- DOCK EXTENSION (±581 ft²)
- PROPOSED TRIPLE PILE CLUSTERS

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. 2016

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
- Phase I ESAs

357 IDLEWYLD

PREPARED FOR:
LOVELL MARINE, INC.

DISTANCE EXHIBIT

Date: 8-10-2016	Sheet : 1	of : 1
Proj No.: 16-0006		

EXHIBIT VII
SITE PHOTOGRAPHS

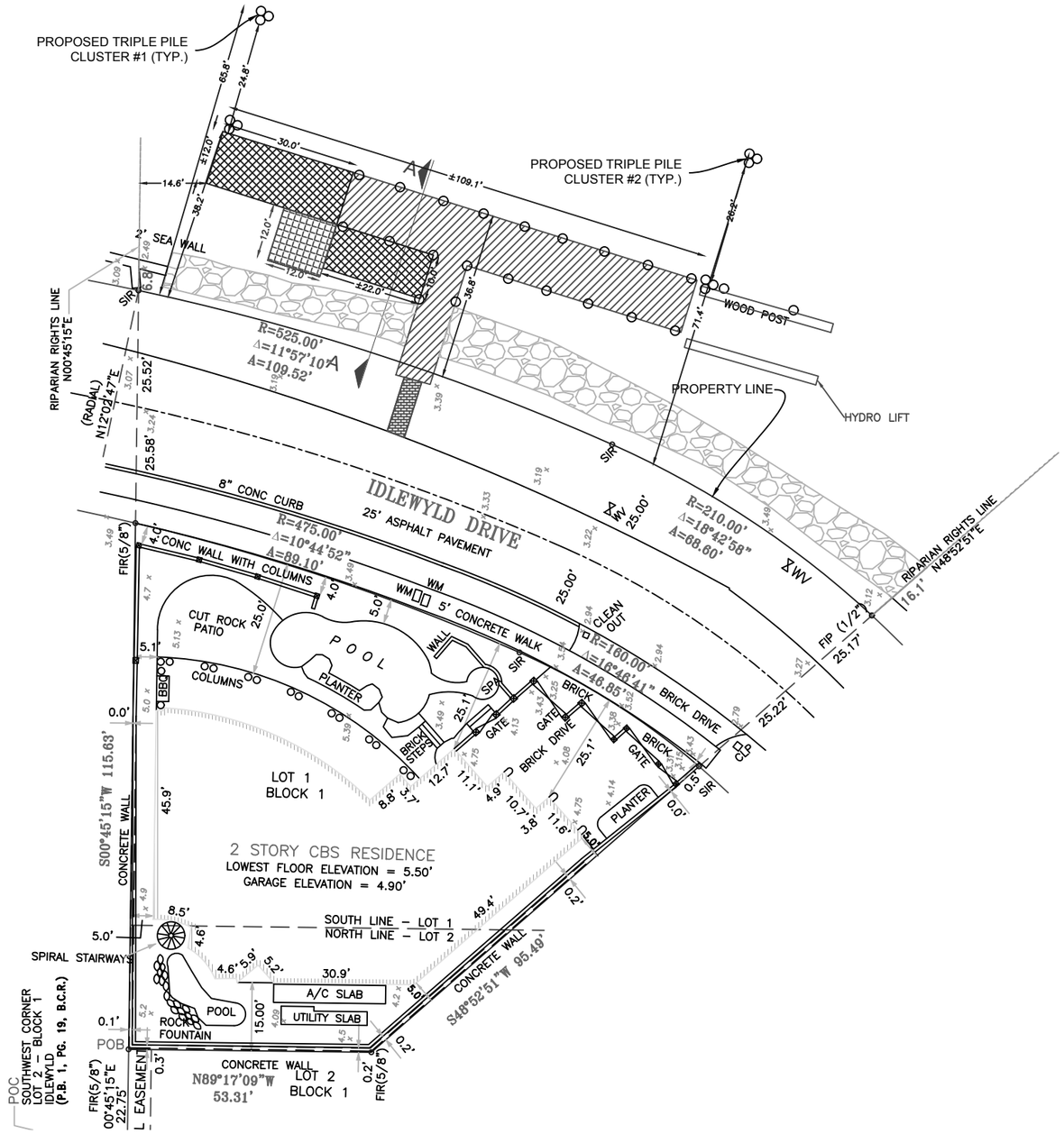
1. **Central portion of the subject site, facing west.**

2. **Central portion of the subject site, facing east.**

3. **Western portion of the subject site, facing east. Note existing mooring piles.**

4. **Eastern portion of the subject site, facing west.**

EXHIBIT VIII
DISTANCE EXHIBIT



PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Pile Cluster #1	±65.8'	25'	±40.8'
Triple Pile Cluster #2	±71.4'	25'	±46.4'
Existing "T" Dock	±36.8'	25'	±11.8'
Proposed "T" Dock Extension	±38.2'	25'	±13.2'
Existing Hydro Lift	±33.3'	25'	±8.3'

LEGEND

- EXISTING WOOD DOCK TO REMAIN (±1,146 SQ. FT.)
- EXISTING FLOATING JETSKI DOCK (±144 SQ. FT.)
- PROPOSED T- DOCK EXTENSION (±581 ft²)
- PROPOSED TRIPLE PILE CLUSTERS

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. 2016

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
- Phase I ESAs

357 IDLEWYLD

PREPARED FOR:

LOVELL MARINE, INC.

DISTANCE EXHIBIT

Date: 8-10-2016	Sheet : 1	of : 1
Proj No.: 16-0006		