Dear Ms. Franco, et al

Thank-you for your recent request for information from First Evangelical Lutheran Church Fort Lauderdale on behalf of the City Commissioners. For the record, this is the first such request made of the congregation through this whole process. I am confounded as to why or how the City Commission could or would proceed on this matter without investigating the rumors, faulty information, innuendo, and outright untruths which form the basis of the petitioner's and his registered agent's activity in this process. From the flawed application to the Historical Board to the present collusion with our City Commissioners, this process has ignored the Constitution of the United States, the rights of the owners of First Evangelical Lutheran Church, and the simple, just, and equitable rule of law for all which our leaders pledge to uphold. It reflects poorly on our city's government which is elected to justly serve all the city's population.

We note that not a single current member of the congregation has appeared to speak in favor of this petition and none of those who have spoken in favor are members of the congregation at this time. The fundamental interest here is not to serve the community but to serve the personal desires and support the personal agendas of the applicant, his registered agent, and the members of a congregation that have no part in the business of First Evangelical Lutheran Church.

Simply restating for the record, the congregation of First Evangelical Lutheran Church has not disbanded, nor has it merged with any other entity. Even under this inexcusable duress, the congregation continues its mission and ministry in new and perhaps unconventional ways in the city which has been our home for more than ninety years and will continue to be so for the foreseeable future.

The following material outlines the process we have been through, including the removal and sale of our windows for use in our new facility. Relevant exhibits are attached as well.

While I am certain our opinions may differ in this matter, I do appreciate receiving this request and having the opportunity to provide the following information.

Sincerely,

All A fith t

The Rev. William H, Knott, Interim Pastor, First Evangelical Lutheran Church of Fort Lauderdale, Florida Dean, Broward-Bahamas Conference, Florida Bahamas Synod Evangelical Lutheran Church in America

From the January 2016 Annual Meeting of the Congregation

M-S-C Resolution(s) Regarding the Proposed Property Sale

1. The congregation of First Church Fort Lauderdale prefers to consider proposals which will allow the congregation, its mission and ministry, and its worshipping community to remain housed in the facility at 441 NE 3rd Avenue, Fort Lauderdale.

2. The congregation of First Church Fort Lauderdale welcomes any and all proposals regarding property sale that are submitted in writing by U.S. Mail or electronically to our attorney, James Stroup.

3. The congregation of First Church Fort Lauderdale instructs its Church Council, while keeping the congregation fully apprised of developments regarding any pending sale, to proceed in a timely manner to commit to an agreement for sale that serves the purposes of the congregation insofar as they are able, i.e. to remain in its present location, and grow a sustainable and enduring vision for mission and ministry in this location.

March 10, 2016 M-S-C Leadership Team

The Church Council / Leadership Team rejects the Workforce Housing Project Proposal.

The Church Council / Leadership Team strongly opposes any proposal that results in First Church becoming a tenant of City Church.

The Church Council / Leadership Team recommends the congregation's acceptance of the TAHO proposal pending further clarification of certain details noted above and in the proposed Letter of Intent.

March 31, 2016 Leadership Team Discussion Regarding the Synod Relationship

The Synod is not advocating any choice over any other that the congregation may have. They are mindful, as should we be, that any choice or no choice each has its own consequences.

The Synod does want to be clear that whatever choices the congregation may make, the Synod will continue to walk with the congregation, provide prayerful encouragement and support as they are able, and engage whatever resources may be most helpful to the congregation as they develop / redevelop a vision for mission and ministry into the 21st century and beyond.

NEW NOTE: Should the congregation fail to continue its ability to manage its own matters then the congregation would be liable to be placed under Synodical Administration. This action has not been taken by the Synod to date and is not the Synod's desire or intention.

Regarding the Flagler Village Relationship

The existing lease agreement has been officially terminated, per the Congregation's direction. Formal notice has been given of same.

Regarding the Workforce Proposal

Too little money

Too much time

Too late – This proposal might have worked a year ago, but, in fact we would still be waiting to find out if there would even be a Workforce Project. (We have since discovered that there could be no firm deal before November at the soonest because of the city's approval process for these projects.)

Per our meeting with Tom Eagan for information, no substantive items are open to negotiation in this proposal

Regarding the Taho Proposal

••••

The congregation retains rights to all personal property on premises.

The congregation retains rental rights and income from sub-lease units.

The Church Council / Leadership Team will continue to explore the possibility of a tenancy relationship in the new TAHO construction project, however, this concept has been rejected by the TAHO group. (*Our community relationship has serious issues.*)

April 10, 2016 M-S-C (By secret ballot to all voting members present)

Given the detail herein presented, the Church Council (Leadership Team) of First Evangelical Lutheran Church of Fort Lauderdale, Inc. proposes that: The congregation of First Evangelical Lutheran Church Fort Lauderdale, Inc. does hereby direct the Church Council to enter into a sales agreement with TAHO Group LLC or its assigns as outlined in their proposal to the congregation and to complete contractual paperwork required to bring that agreement to closing in an expeditious manner.

The congregation of First Evangelical Lutheran Church of Fort Lauderdale, Inc. further directs that the Congregational Council/ Leadership Team shall keep the congregation fully apprised of progress in this matter and

shall provide opportunity for the entire congregation to share in planning for the future mission and ministry of First Evangelical Lutheran Church of Fort Lauderdale, Inc.

May 10, 2016 M-S-C Leadership Team

Accept the proposal from the TAHO Group or its assigns and authorize Parish Administrator Douglas A. Simpkins to execute any and all necessary paperwork to bring the proposed sale to closing.

May 19, 2016

Signature of Purchase and Sales Agreement WITH TAHO Company

June 3, 2016 Leadership Team

Property Concerns

All documents required to execute closing have been completed except one which requires the signature of each and all members of the Leadership Team.

We are prepared to go to closing at any time upon completion of that document and the buyer's declaration of intent to close.

The first escrow deposit of funds has been made into the escrow agent's account.

The final transfer of funds from the Oppenheimer Fund has been made into the General Fund.

July 7, 2016 M-S-C Leadership Team

M-S-C: To formally endorse, adopt, and enter onto the Grace Alone ministry model as being developed in cooperation with Abiding Savior and Todos los Santos under the prayerful guidance of Pastor Bill and the careful leadership of all three member congregations and their Leadership Teams.

Packing & Provisioning M-S-C

Douglas Simpkins is authorized to enter into an agreement with Willet Hauser Architectural Glass to remove and store listed windows after Easter 2017, per contract. Further, to arrange storage for same if needed for a period not to exceed 12 months from removal.

August 4, 2016 Leadership Team Reported

Douglas Simpkins, as authorized, has entered into an agreement with Willet Hauser Architectural Glass to remove and store listed windows after Easter 2017, per contract. Further, to arrange storage for same if needed for a period not to exceed 12 months from removal.

September 12, 2016 Sale of Windows

In keeping with our partnership understanding with Abiding Savior Church, ownership of the stained glass windows, by sale, was effected on this date. The windows will be used in the new facility to be constructed on property currently owned by Abiding Savior Church.

A permit for removal of the windows will be required by the City for removal of the windows.

October 8, 2016 Notice Received of Petition and Hearing before the Historical Board

Comments: At no point in our 90+ year history had the city ever hinted that our property was not ours to use in our ongoing mission and ministry without their interference. At one time the Registered Agent had discussed the possibility of registering the church as a historic property and though considered, the move was declined by the congregation. In no time in all the many years since that time had the Registered Agent ever moved to apply for historical status of our facility until now, when it served her personal interests and those of her co-conspirators in this scam being marketed as a public service.

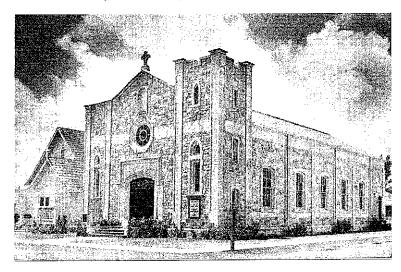
The Permits:

First Church had previously arranged with Willet-Hauser Studios to remove the windows from the nave following Easter 2016. After receiving notice of the Historical Board meeting, it was determined that in order to avoid possible conflicts and issues with the parties involved, we would attempt to remove our windows prior to the hearing. As previously noted, we were aware that a permit would be required.

Doug Simpkins, Parish Administrator went to the city permit office and came away with a mound of paperwork and permit that was incorrectly designated. Additionally, Mr. Simpkins was informed that his signature was not valid to authorize the application. We had to pay for this permit but it was ultimately closed out by City personnel and a new permit was issued for an additional fee. Whatever the permit may say, it should be clear that the intention was solely to remove the windows and board up the open space. The City personnel were quite clear that it might not be possible to acquire a required additional permit to replace the windows as they were because of the requirements of current code.

In any case, the proper permit was acquired and the windows were removed. They have since been sold to Abiding Savior Lutheran Church, Fort Lauderdale, where it is anticipated they will be installed in a new facility to be built on the land which Abiding Savior Church holds for that purpose.

Picture of Original Facility removed to First Church:



This is the building whose façade was moved from the site of St. Anthony's Church. Adjacent is the original first unit building which housed First Church on this site. Examination of this exhibit clearly shows that the main building has been altered significantly over the years with the removal of an entire wall and concomitant structures and appurtenances. Additionally, note that of five original windows only four window frames remain, the fifth having been closed during a prior renovation.

The only arguably historical piece remaining of this structure might be the façade.

As for claims of desiring quiet, reflective, holy public space. I have lately spent many "holy moments" in the city park just North of the First Church property. Such discussion in a public meeting of this city is inappropriate at best and possibly out of order in terms of considering a historical designation by a public entity.

Original Windows



These are images of some of the original windows, their whereabouts today are unknown.

Architectural Glass. Inc.

VILLET HAUSER

August 23, 2016

First Lutheran Church 441 NE 3rd Avenue Fort Lauderdale, FL 33301 (954) 764-3418 Client ID: 1018124 Attn: Mr. Ben Pilotte benjipilotte@gmail.com

Project Total: \$15,300 Replacement Value: \$195,214

(12) ROSE WINDOW (5 ft x 5 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$14,375



(13) TRANSOM - COME UNTO ME (7 ft x 2.5 ft)

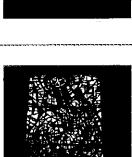
- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$10,063

(14) NAVE - NATIVITY (4.5 ft x 8.5 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$21,994



Studio Consultant: Cynthia Gallagher Phone: 800-533-3960 x727 Proposal Title: Proposal Two Proposal Subtitle: Window Removal Client ID: 1018124 Page 1 of 6

> CAM #17-0304 Exhibit 5 8 of 21

WILLET HAUSER

Architectural Glass, Inc.

(15) NAVE - BAPTISM (4.5 ft x 8.5 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$21,994



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(16) NAVE - JESUS PREACHING ON THE MOUNT (4.5 ft x 8.5 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$21,994

(17) NAVE - RISEN CHRIST (4.5 ft x 8.5 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$21,994

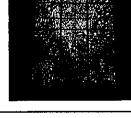
(18) CHANCEL - DESCENDING DOVE (12 ft x 12 ft)

- a. Remove the stained glass window.
- b. Install temporary painted plywood in the vacated window opening.
- c. Transport to a storage unit about one mile away.

Replacement Value: \$82,800







Studio Consultant; Cynthia Gallagher Phone: 800-533-3960 x727 Proposal Title: Proposal Two Proposal Subtitle: Window Removal Client ID: 1018124 Page 2 of 6

> CAM #17-0304 Exhibit 5 9 of 21

County of Broward State of Florida

Bill of Sale

FOR AND IN CONSIDERATION OF the sum of \$10.00 U.S. Dollars, inclusive with all sales tax, paid by Cash, the receipt of which is hereby acknowledged and the perpetual use of certain lots to be mutually agreed upon at some future date, First Evangelical Lutheran Church of Fort Lauderdale (the "Seller") of 441 NE Third Avenue, Fort Lauderdale, Florida 33304 **DOES HEREBY SELL, ASSIGN, AND TRANSFER** to Abiding Savior Lutheran Church, (the "Buyer") of 1900 SW 35 AVE, Fort Lauderdale, Florida 33312, the stained glass windows created by the Willet Hauser Studios and paid for by the congregation of First Evangelical Lutheran Church.

Seller represents and warrants that Seller is the lawful owner of all Property, transferred hereunder, free and clear of all mortgages, liens or encumbrances of any nature whatsoever, and Seller shall indemnify, defend and hold Buyer harmless against such claims and demands.

In the event any dispute between the parties hereto should result in litigation or arbitration, the prevailing party shall be reimbursed for all reasonable costs in connection therewith, including, but not limited to, reasonable attorney's fees and defense costs. In no event shall either party be liable for incidental, consequential, indirect or special damages of any kind, including but not limited to loss of profit.

The terms of this Bill of Sale shall bind and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

The parties hereby agree to execute such other documents and perform such other acts as may be necessary or desirable to carry out the purposes of this Bill of Sale.

This Bill of Sale shall be signed by the Buyer's Representative and by the Seller's Representative, and shall be effective as of September 12, 2016.

IN WITNESS WHEREOF, the parties have executed this Bill of Sale on September 12, 2016.

Date: <u>9/12/16</u> Bv:

Douglas Simpkins, on behalf of First Evangelical Lutheran Church of Fort Lauderdale 441 NE Third Avenue

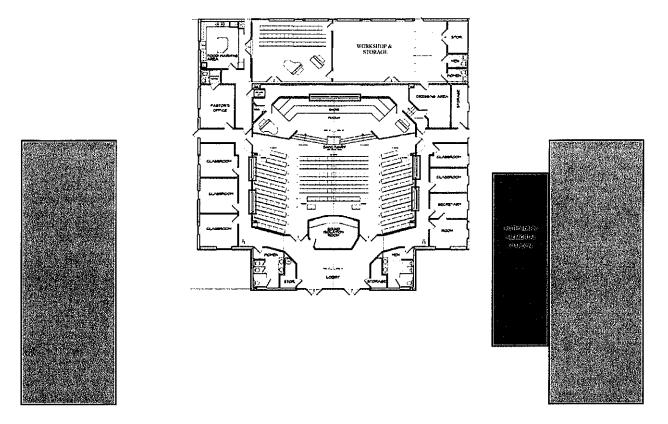
Fort Lauderdale, Florida 3/3304

Date: 12 September 2016 23g Bv⊹

Roger Suarez, on behalf of Abiding Sayior Lutheran Church 1900 SW 35 AVE Fort Lauderdale, Florida 33312

CAM #17-0304 Exhibit 5 10 of 21

Early Rendering of New Facility



This early rendering of the new facility is designed to fit in the space originally planned for Abiding Savior's proposed expansion in the 1980's. This facility will be the new home for our windows but not the newest home for First Church.

Update

While we are sensitive to the necessity to move through this process, please note that the congregation has kept its word regarding removal of items or changes within the existing structure. This has directly impacted our support of new ministry initiatives, particularly that of HOPE, South Florida. Additionally, there have been at least two reported break-ins at the property in spite of our daily surveillance. We cannot be responsible for any damage or alterations that have occurred because of these illegal activities which, police believe, have been carried out by a person or persons with access to the facility.

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Exhibit 5
13 of 21

INCIDENT/INVESTIGATION REPORT

Ft Lauderdale Police Department

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Case # 34-1703-037900

Status	L=	Lost 3	S = Stolen K = Ke	covered $D = Dan$	naged $Z = Seized B = Burned C = Counterfeit /$	Forged F = Found
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Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Ft Lauderdale Police Department

Victim

FIRST LUTHERAN CHURCH

BURGLARY CONVEYANCE

OCA 34-1703-037900

Date / Time Reported

Thu 03/09/2017 09:21

Offense

RESPONDED TO THE LISTED LOCATION IN REFERENCE TO A BURGLARY. SPOKE TO MR. PILOTTE WHO STATED THAT SOMETIME OVER NIGHT, SOMEONE ENTERED THE BUILDING AND TOOK A UNDETERMINED AMOUNT OF FAUCETS, COPPER PIPES AND TWO WINDOW AIRCONDITIONERS.

PILOTTE STATED THAT THE POINT OF ENTRY WAS A SIDE DOOR LOCATED ON THE NORTHSIDE OF THE BUILDING ON THE SECOND FLOOR. HE FOUND THIS DOOR OPEN WHILE HE CHECKED THE INTERIOR OF THE BUILDING. PILOTTE ADVISED THAT THE BUILDING IS NOT BEING USED ANYMORE AND IS UP FOR SALE.

PILOTTE SHOWED ME AROUND THE INSIDE AND WHOM EVER THE CULPRIT IS TOOK THE ITEMS FROM SEVERAL OF THE ROOM INCLUDING THE KITCHEN AND BATHROOMS. OFF. DEBORD PROCESSED THE SCENE BUT NO LATENTS WERE FOUND. IT APPEARS THAT THE CULPRIT USED GLOVES. THE CULPRIT DID LEAVE A HACK SAW BEHIND. THE HACK SAW WAS RECOVERED AND PLACED INTO EVIDENCE.

PILOTTE ADVISED THAT HE DOES DESIRE TO PROSECUTE AND SIGNED THE AFFIDAVIT. IT IS UNKNOWN AT THIS TIME WHAT THE TOTAL MONEY AMOUNT IS FOR THE LOSS. PILOTTE STATED THAT HE SPOKE TO A HOMELESS PERSON NAMED CHARLES (NFI) WHO SLEEPS ON THE STEPS OF THE BUILDING. CHARLES STATED THAT HE SAW A WHITE VAN PULL UP AND HEARD A LOT OF NOISE INSIDE BUT DID NOT SEE ANYONE.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief. Electronically signed: Ofc. K.Robertson 1177 03-09-17

Incident Report Related Property List

Ft Lauderdale Police Department

OCA: 34-1703-037900

Property Description BUILDING MA	TERLALS		Make	I	Model		Caliber		
Color	Serial No.		Value	\$1, 000.00	Qty	1.000	Ūnit	Jurisdi	ction <i>Locally</i>
Status Stolen	Date 03/08/2017	NIC #		State #	Lo	cal #		OAN	
Name (Last, First, Mie FIRST LUTHE	idie) <i>RAN CHURCH</i> ,			DOB		A	ge	Race	Sex

<u>Notes</u>

11 MAR 2017 PM 1:33

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FORT LAUDERDALE POLICE DEPARTMENT OFFENSE INCIDENT REPORT

BURGL	ARY OVERVIEW
Point of Entry:	Method of Entry:
DNA: Location:	Elimination Swab(s): Smart Water:
Method of Operation:	Loss: \$
Suspects: Witnesses: Processing: Vi	deo/Surveillance: Suspect Vehicle: Canvass:
VICTIM AFFIDAVIT/A	FFIDAVIT OF PROSECUTION
I hearby swear that on <u>2・5 いつ</u> , I was the vid	tim of a Burcerry which
was committed without my permission and against my w	will, as reported by me, by persons unknown 🔀 /known 📋 to me
asa	nd further, that I do 🔀 /do not 🗌 desire to prosecute.
Sworn and Subscribed by me this day of	Rest 2017.
Sworn and Subscribed by me this day of ma	
Victim's Signature & Devel With	Officer's Signature
AUTO T	HEFT AFFIDAVIT
Before me, the undersigned authority, personally appea	ared, who
	and says that the following information is true and correct. I own/
have lawful custody of the afore described vehicle(s) #	listed on page(s)
did not give anyone permission to steal, drive, take, po	osses or otherwise take control of my vehicle. I wish to prosecute
any and all persons apprehended in this case. Further	, I fully understand that evidence of the above vehicle being sold
or exchanged for drugs or any other property, or evid	ence of the filing of a false police report concerning said vehicle
may result in my prosecution for felony offenses and/or	forfeiture of the afore described vehicle.
Sworn and Subscribed by me this day of	, 20 .
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INCIDENT/INVESTIGATION REPORT

Ft Lauderdale Police Department

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Case # 34-1704-051659

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
					······	
R J						
G S						
	Assis	ting Offic	cers	1	<u></u>	

NARRATIVE

REPORTING OFFICER NARRATIVE

Ft Lauderdale Police Department

Victim

FIRST LUTHERAN CHURCH

BURGLARY CONVEYANCE

OCA 34-1704-051659 Date / Time Reported Sat 04/01/2017 10:24

I was dispatched to the incident location in reference to a burglary. Upon arrival I made contact with the facilities manager, Pilotte. He advised that the church has been broken into several times. The church is being renovated and the inside consists of a lot of debris and dust. Pilotte advised that he believed that the culprits, entered through a door on the northwest side of the bulding that had been "propped open". Upon further inspection it appears that whomever placed the paper in the door had to do so from the inside. There were no signs of forced entry on any door in the church. The culprits who entered the church took wiring and galvanized pipe. Also an unknown make and model a/c unit was removed from upstairs in the attic. The scene was unable to be processed due to the disarray of the inside with the construction debris and dust. Most of the debris was wood. Pilotte valued the loss at about \$2000.

Pilotte indicated that he does wish to prosecute and signed a victim affidavit to that effect.

Offense

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Electronically Signed: Doni E. Robinson Date: April 1, 2017

Ft Lauderdale Police Department

OCA: 34-1704-051659

1 Pr	operty Description				Make		Model		Caliber	
Ŀ	BUILDING MA	TERIALS								
Co	olor	Serial No.		Value		Qty	· · · · · · · · · · · · · · · · · · ·	Unit	Jurisdic	tion
					\$2, 000.00		1.000			Locally
St	atus	Date	NIC #		State #		Local #	•	OAN	
	Stolen	03/31/2017				_				
Na	ame (Last, First, Mi	ddle)			DOB		A	.ge	Race	Sex
	FIRST LUTHE	RAN CHURCH,								

Notes

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electrical wiring galvanized pipe a/c unit