

**MEMORANDUM MF NO. 17-14**

DATE: May 12, 2017

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Manager of Marine Facilities

RE: April 6, 2017 MAB – Application - Dock Waiver of Distance Limitations –Mr. Donald Sussman / 5 Harborage Isle Drive

Attached for your review is an application from Mr. Donald Sussman, 5 Harborage Isle Drive (see **Exhibit 1**).

**APPLICATION AND BACKGROUND INFORMATION**

The applicant is requesting approval for the construction of a new concrete marginal dock, the repair of an existing seawall, the installation of two (2) boat lifts, and the installation of two (2) triple mooring pile clusters. The proposed two (2) triple pile clusters encroach more than 25' from the property line into the adjacent Davock Bay, requiring a Dock Waiver of Distance Limitations. These pile clusters extend a maximum distance of +/-43' from the property line into Davock Bay as shown in the distance exhibit in the application package and summarized in Table 1:

**TABLE 1**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>Mooring Pile #1</b>	<b>+/- 43'</b>	<b>25'</b>	<b>+/- 18'</b>
<b>Mooring Pile #2</b>	<b>+/- 43'</b>	<b>25'</b>	<b>+/- 18'</b>

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3.D limits the maximum distance of mooring piles to 30% or 25', whichever is less, from the property line into the waterway. Section 47.19.3.E authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances.

The applicant's summary description specifies that the mooring piles are necessary to safely moor existing vessels, especially during high winter events and severe weather.

**PROPERTY LOCATION AND ZONING**

The property is located within the Harbor Beach RS 4.4 Residential Single Family / Low Density District.

## 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:

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.
3. The applicant is required to install and affix reflector tape to the proposed mooring piling clusters in accord with Section 47.19.3.E of the Unified Land and Development Regulations (ULDR).

AC  
Attachment

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

**EXHIBIT I**  
**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: Mr. Donald Sussman

TELEPHONE NO: \_\_\_\_\_  
(home)

FAX NO. \_\_\_\_\_

(business)

2. APPLICANT'S ADDRESS (if different than the site address): 888 East Las Olas Boulevard, Suite 210, Fort Lauderdale, FL, 33301

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: The applicant requests a waiver for the proposed installation of two (2) triple mooring pile clusters beyond 25 feet from the property line.

SITE ADDRESS: 5 Harborage Isle Drive, Fort Lauderdale Florida 33316

4. ZONING: RS-4.4

LEGAL DESCRIPTION: 12-50-42 THAT PT OF SW1/4 AS DESC IN OR 3528/222, 3761-113, 3558-84, 3655-388 & 3948-45 AKA: LOTS 2 THRU 7 THE HARBORAGE

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

  
Applicant's Signature

03/15/2017  
Date

The sum of \$ \_\_\_\_\_ was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 2017. 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**  
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**EXHIBIT III  
WARRANTY DEED**

Prepared by:  
John P. Wilkes, Esquire  
John P. Wilkes, P.A.  
901 S. Federal Highway, #101A  
Ft. Lauderdale, FL 33316

Property Appraiser's Parcel Identification No. 504212-29-0030

### WARRANTY DEED

THIS INDENTURE made this 23<sup>rd</sup> day of December, 2015, By and Between, **SYLVIA BALDINI**, a married woman, whose address is 9 Harborage Isle Drive, Fort Lauderdale, FL 33316, hereinafter referred to as "GRANTOR", and **JEFFREY L. GREENBERG**, as Trustee, of the 888 Property Trust dated November 30, 2015, with full power and authority to protect, conserve, sell, lease, encumber, or otherwise to manage or dispose of the real property described herein, as provided in Florida Statutes §689.073, and whose address is c/o Greenberg & Strelitz, P.A. 2500 N. Military Trail, Suite 235, Boca Raton, FL 33431, hereinafter referred to as GRANTEE.

**WITNESSETH** that said GRANTOR, for and in consideration of the sum of TEN 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 said GRANTEE'S heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida:

See Exhibit "A" attached hereto and made a part hereof

Subject to the following matters: (a) comprehensive land use plans, zoning, and other land use restrictions, prohibitions and requirements imposed by governmental authority; (b) restrictions and matters appearing on the Plat or otherwise common to the subdivision; (c) outstanding oil, gas, and mineral rights of record without right of entry and the covenants, easements and reservations of record as noted on Exhibit "B" attached hereto and made a part hereof, provided that reference thereto shall not be deemed to have re-imposed same; and (e) taxes for 2016 and thereafter.

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

*GRANTOR hereby states that the property described herein is not now and never has been her homestead or residence, nor is it contiguous to her homestead or residence, nor is it the homestead or residence of any member of GRANTOR's family or any person to whom GRANTOR owes a legal or natural obligation of support. The address of the GRANTOR'S residence is 9 Harborage Isle Drive, Fort Lauderdale, FL 33316.*

**IN WITNESS WHEREOF**, the GRANTOR has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered  
in our presence:

Print name: John P. Wilkes

Print name: Kimberly J. Simon

SYLVIA BALDINI

Jurat on Page 2



STATE OF FLORIDA )  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day before me, an ~~officer~~ duly qualified to take acknowledgments, personally appeared **SYLVIA BALDINI**, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath that she is the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same for the purpose therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 23<sup>rd</sup> day of December, 2015.

My Commission Expires:



**KIMBERLY J. SIMON**  
MY COMMISSION # FF 000049  
EXPIRES: May 5, 2017  
Bonded Thru Budget Notary Services

Kimberly J. Simon  
NOTARY PUBLIC, State of Florida  
Kimberly J. Simon  
(Print/type name of Notary)  
Commission Number: \_\_\_\_\_

**EXHIBIT "A"**

Lot 3 less the East 25 feet as measured at an angle along the South boundary line and Lot 4 of THE HARBORAGE, as shown on that drawing prepared by McLaughlin Engineering Co., attached to The Harborage Agreement as Exhibit "A", as filed in Official Records Book 3524, at Page 307, and being more fully described as follows:

Lot 3 less the East 25 feet as measured at an angle along the South boundary line of THE HARBORAGE:

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, and point being on the South line of said Section 12; thence South  $88^{\circ} 09' 38''$  West, along the South line of said Section 12, a distance of 2.47 feet; thence North  $01^{\circ} 28' 25''$  West a distance of 514.11 feet; thence South  $76^{\circ} 45' 35''$  West, a distance of 413.89 feet; thence North  $59^{\circ} 22' 45''$  West, a distance of 253.90 feet to the Point of Beginning; thence continuing North  $59^{\circ} 22' 45''$  West, a distance of 110 feet; thence North  $01^{\circ} 49' 41''$  East, a distance of 163.33 feet; thence South  $71^{\circ} 16' 08''$  East, a distance of 110 feet; thence South  $04^{\circ} 34' 42''$  West, a distance of 184.54 feet to the Point of Beginning.

LESS: The East 25 feet as measured at an angle along the South boundary line of Lot 3 of THE HARBORAGE.

AND

Lot 4 of THE HARBORAGE:

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, and point being on the South line of said Section 12; thence South  $88^{\circ} 09' 38''$  West, along the South line of said Section 12, a distance of 2.47 feet; thence North  $01^{\circ} 28' 25''$  West, a distance of 514.11 feet; thence South  $76^{\circ} 45' 35''$  West, a distance of 413.89 feet; thence North  $59^{\circ} 22' 45''$  West, a distance of 363.90 feet to the Point of Beginning; thence continue North  $59^{\circ} 22' 45''$  West, a distance of 135.00 feet; thence North  $00^{\circ} 23' 05''$  West, a distance of 144.94 feet; thence South  $74^{\circ} 05' 27''$  East, a distance of 117.25 feet to a point on a curve; thence Southerly along the arc of the curve to the left, whose radius is a prolongation of the last described course, having a radius of 15.00 feet, a central angle of  $87^{\circ} 10' 41''$  for an arc distance of 22.82 feet to a point of the East line of said Lot 4; thence South  $01^{\circ} 49' 41''$  West along said East line which forms an included angle of  $150^{\circ} 29' 31.5''$  with the chord of last described curve, a distance of 163.33 feet to the Point of Beginning.

Together with a permanent and perpetual easement with others on, over, upon, across, through and in Parcel "A" of Isla Bahia, according to the plat thereof, recorded in Plat Book 47, at Page 27, of the Public Records of Broward County, Florida, as established by that certain agreement made between Company Six-C, Inc., a Florida corporation, and Island Twenty, Inc., a Florida corporation, dated March 28, 1967, and filed in Official Records Book 3514, at Page 296, of the Public Records of Broward County, Florida.

**EXHIBIT "B"**

1. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of ISLA BAHIA, recorded in Plat Bok 47, Page 27.
2. Reservations in favor of the State of Florida by and through the Trustees of the Internal Improvement Trust Fund, as set forth in the Deeds recorded in Deed Book 41, Page 216, Deed Book 123, Page 223, and Deed Book 304, Page 176; however, the right of entry and exploration associated with any oil and mineral reservation(s) has been released pursuant to Sec. 270.11, F.S. Note: This exception has been amended to delete reference to the deed recorded in Official Records Book 3524, Page 306, which does not affect the insured land.
3. Covenants, conditions, restrictions and reservations contained in Warranty Deed recorded in Deed Book 248, Page 382, together with and as affected by Agreement recorded in Official Records Book 3514, Page 296.
4. Agreement with the City of Fort Lauderdale, as recorded in Official Records Book 3443, Page 691.
5. Restrictions, covenants, conditions and easements, which include provisions for A. An easement on the land; B. A lien for liquidated damages; C. A private charge or assessment; and D. An option to purchase, a right of first refusal or the prior approval of a future purchaser or occupant, as contained the in THE HARBORAGE AGREEMENT, recorded in Official Records Book 3524, Page 307, together with and as affected by Assignment and Delegation of Powers recorded in Official Records Book 4332, Page 400, Amendment recorded in Official Records Book 4332, Page 402, (Revived) Declaration of Protective Covenants recorded in Official Records Book 41415, Page 554, and Certificate of Correction of Scrivener's Error to Amendment recorded in Official Records Book 50404, Page 1147, as may be further amended. Said declaration and amendments include provisions for easements on the land, architectural, building and use restrictions, a private charge or assessment, a lien for liquidated damages, a right of first refusal, and for the prior approval of a future purchaser or occupant.
6. License Agreement with Selkirk Communications, as recorded in Official Records Book 9649, Page 182.
7. Notice Regarding Intracoastal Waterway Right-of-Way Broward County, as recorded in Official Records Book 28071, Page 945.
8. Easement(s) in favor of Florida Power & Light Company as recorded in Official Records Book 48356, Page 1937 (as to common areas/right-of-way only).

All of the public records of Broward County, Florida.

\\Server\\Data\\WORK\\Baldini\\Lot 3 & 4\\Sale to Sussman\\Exhibit B to WD.wpd

**THE HARBORAGE ASSOCIATION, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION**

21 HARBORAGE ISLE DRIVE, FT. LAUDERDALE, FL 33316

Mr. Jeffrey L. Greenberg, Trustee of  
the 888 Property Trust dated November 30, 2015  
c/o Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

**CERTIFICATE OF APPROVAL OF SALE AND PURCHASE**

Re: Sylvia Baldini's sale of 3 & 4 Harborage Isle Drive, Ft. Lauderdale, FL 33316 to Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015.

Dear Mr. Greenberg:

This Certificate of Approval confirms that the Board of Directors for The Harborage Association, Inc. has approved of your purchase of 3 Harborage Isle Drive, Ft. Lauderdale, FL 33316 from Sylvia Baldini.

The Harborage Association, Inc.,  
A Florida not for profit corporation

By: *Suzanne Watson*  
Print Name: SUZANNE WATSON  
Title: PRESIDENT

STATE OF FLORIDA                     )  
  )ss.  
COUNTY OF BROWARD             )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared SUZANNE WATSON, as PRESIDENT of The Harborage Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ identification and who acknowledged that he/she executed the foregoing instrument before me on behalf of said company.

WITNESS my hand and official seal in the County and State last aforesaid this 22 day of December, 2015.

[Notary Seal]



LOUISE T. ALBERT  
MY COMMISSION # EE 869050  
EXPIRES: May 28, 2017  
Bonded Thru Budget Notary Services

*Louise T. Albert*  
NOTARY PUBLIC  
Print Name: LOUISE T. ALBERT  
My Commission Expires: \_\_\_\_\_

Prepared by and return to:

All City Title Company  
2500 North Military Trail Suite 235  
Boca Raton, FL 33431  
561-368-7300  
File Number: AFP 15-039

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 23<sup>rd</sup> day of December, 2015 between David J. Stern and Jeanine Stern, husband and wife, whose post office address is 1 North Fort Lauderdale Beach Blvd., Unit 2401, Fort Lauderdale, FL 33304, grantor, and Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015, whose post office address is c/o Greenberg & Strelitz, P.A., 2500 N. Military Trail, Suite 235, Boca Raton, FL 33431, 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 of 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:

See Exhibit "A" Attached for legal description. Parcel Identification Number: 504212 29 0050

This conveyance is subject to: (a) comprehensive land use plans, zoning, and other land use restrictions, prohibitions and requirements imposed by governmental authority; (b) restrictions and matters appearing on the plat or otherwise common to the subdivision if any now exist, but any such interests that may have been terminated are not hereby re-imposed; and (c) taxes for 2016 and subsequent years.

**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 whomsoever; and that said land is free of all encumbrances except those described herein above.

Pursuant to Florida Statute §689.073, the grantee, as trustee, has the full power and authority to protect, to conserve, to sell, to lease, to encumber, or otherwise to manage and dispose of the real property described herein.

DoubleTimes

**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:

*Herbert G. Strelitz*  
Witness Name: Herbert G. Strelitz

*David J. Stern*  
David J. Stern

*Jasaline E. Quigg*, witness  
Witness Name: Jasaline E. Quigg, witness

*Herbert G. Strelitz*, witness  
Witness Name: Herbert G. Strelitz, witness

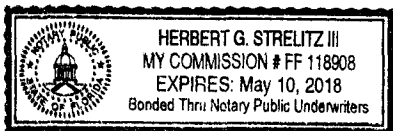
*Jeanine Stern*  
Jeanine Stern

*Jasaline E. Quigg*, witness  
Witness Name: Jasaline E. Quigg, witness

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of December, 2015 by David J. Stern and Jeanine Stern, who ☐ are personally known or ☒ have produced a driver's license as identification.

[Notary Seal]



*Herbert G. Strelitz III, Notary*  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**

Lots 5 and 6, of THE HARBORAGE (Unrecorded):

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88° 09' 38" West on the South line of said Section 12, a distance of 2.47 feet; thence North 1° 28' 25" West, a distance of 514.11 feet; thence South 76° 45' 35" West, a distance of 413.89 feet; thence North 59° 22' 45" West, a distance of 498.90 feet; thence continue North 0° 23' 05" West, a distance of 144.94 feet to the point of beginning; thence continue North 0° 23' 05" West a distance of 144.94 feet; thence continue South 84° 00' 40" East, a distance of 249.61 feet; thence South 1° 12' 53" West, a distance of 178.77 feet; thence North 71° 16' 08" West, a distance of 117.71 feet to a point of curvature; thence on the arc of a curve to the left having a radius of 15 feet, a central angle of 92° 49' 19" for an arc distance of 24.30 feet; thence North 74° 05' 27" West, a distance of 117.25 feet to the Point of Beginning.

AND

Lot 7, of THE HARBORAGE (Unrecorded):

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88° 09' 38" West, along the South line of said Section 12, a distance of 2.47 feet; thence North 1° 28' 25" West, a distance of 514.11 feet; thence South 76° 45' 35" West, a distance of 413.89 feet; thence North 59° 22' 45" West, a distance of 498.90 feet; thence North 0° 23' 05" West, a distance of 289.88 feet; thence South 84° 00' 40" East, a distance of 249.61 feet to the Point of Beginning; thence continue South 84° 00' 40" East, a distance of 110.00 feet; thence South 1° 12' 03" West a distance of 200.99 feet to a point on a curve; thence Westerly along the arc of a curve to the right, whose chord forms an included angle of 74° 50' 31.5" with last described course having a radius of 900.00 feet, a central angle of 4° 44' 41", for an arc distance of 74.53 feet to a Point of Tangency; thence North 71° 16' 08" West, a distance of 39.58 feet; thence North 1° 12' 53" East, a distance of 178.77 feet to the Point of Beginning.

All of the above described lands situate, lying and being in Broward County, Florida.

**THE HARBORAGE ASSOCIATION, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION**

---

21 HARBORAGE ISLE DRIVE, FT. LAUDERDALE, FL 33316

Mr. Jeffrey L. Greenberg, Trustee of  
the 888 Property Trust dated November 30, 2015  
c/o Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

**CERTIFICATE OF APPROVAL OF SALE AND PURCHASE**

Re: David J. and Jeanine Sterns' sale of 5, 6, 7 Harborage Isle Drive, Ft. Lauderdale, FL 33316 to Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015.

Dear Mr. Greenberg:

This Certificate of Approval confirms that the Board of Directors for The Harborage Association, Inc. has approved of your purchase of 5, 6, 7 Harborage Isle Drive, Ft. Lauderdale, FL 33316 from David J. and Jeanine Stern.

The Harborage Association, Inc.,  
A Florida not for profit corporation

By: *Suzanne Watson*  
Print Name: Suzanne Watson  
Title: President

STATE OF FLORIDA                     )  
   )ss.  
COUNTY OF BROWARD             )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared SUZANNE WATSON, as PRESIDENT of The Harborage Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ identification and who acknowledged that he/she executed the foregoing instrument before me on behalf of said company.

WITNESS my hand and official seal in the County and State last aforesaid this 22 day of December, 2015.

[Notary Seal]



LOUISE T. ALBERT  
MY COMMISSION # EE 869050  
EXPIRES: May 28, 2017  
Bonded Thru Budget Notary Services

*Louise T. Albert*  
NOTARY PUBLIC  
Print Name: LOUISE T. ALBERT  
My Commission Expires: \_\_\_\_\_





GREENBERG & STRELITZ, P.A.  
2500 North Military Trail  
Suite 235  
Boca Raton, FL 33431  
Tel: 561-361-9400  
Fax: 561-368-3711  
hgs@greenberg-law.com  
www.greenberg-law.com

March 3, 2016

Eric Gany  
Hewlett Bay Associates LLC  
800 Westchester Avenue Suite S-414  
Rye Brook, NY 10573

**Re: 888 Property Trust**

Dear Mr. Gany:

Enclosed you will find the following documents regarding the above mentioned trust:

- i) Original executed First Amendment to 888 Property Trust;
- ii) Original Resignation of Trustee and Appointment of Successor Trustee 888 Property Trust executed by Donald Sussman;
- iii) Original Successor Trustee Acceptance 888 Property Trust executed by Jeffrey L. Greenberg;
- iv) Original Resignation of Trustee 888 Property Trust executed by Jeffrey L. Greenberg;
- v) Original executed Certificate of Approval of Sale and Purchase from The Harborage Association, Inc. for transfer of 5 Harborage Isle Drive from Jeffrey L. Greenberg to Donald Sussman; and
- vi) two (2) original executed Certificate of Approval of Sale and Purchase from The Harborage Association, Inc. for transfer of 3 Harborage Isle Drive from Jeffrey L. Greenberg to Donald Sussman.

If you have any questions, do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Herb Strelitz', written over the typed name.

Herbert G. Strelitz III

HGS: jq  
Enclosures

**FIRST AMENDMENT TO  
888 PROPERTY TRUST**

This FIRST Amendment to the 888 Property Trust dated November 30, 2015 is made and executed this 17<sup>th</sup> day of December, 2015, by **S. DONALD SUSSMAN**, Grantor, hereinafter referred to in the first person.

**WITNESSETH:**

*WHEREAS*, on November 30, 2015, I executed that certain Declaration of Trust known as the 888 Property Trust (hereinafter referred to as "Trust Agreement") with myself as Trustee, whereunder I established a Trust for the benefit of the beneficiaries therein named; and

*WHEREAS*, I have resigned as Trustee of the Trust Agreement and have appointed **JEFFREY L. GREENBERG** as successor Trustee of the Trust Agreement;

*WHEREAS*, I reserved and retained, under ARTICLE III of the Trust Agreement, the right to revoke, amend or restate the Trust Agreement in whole or in part at any time; and

*WHEREAS*, I now desire to amend the Trust Agreement.

*NOW, THEREFORE*, I amend the Trust Agreement as follows:

1. Section 2.3 of the Trust Agreement shall be revoked in its entirety and the following shall be substituted in place thereof:

**"2.3 Trustee Appointments under Trust Agreement.**

I appoint **JEFFREY L. GREENBERG** to serve as Trustee of this Trust Agreement. In the event **JEFFREY L. GREENBERG** shall be unable or unwilling to serve as Trustee, or if he shall be removed as Trustee, then I shall serve as Trustee of this Trust Agreement."

2. I hereby readopt and confirm the remaining provisions of the Trust Agreement, and I reserve the right to further amend said Trust Agreement and this First Amendment.

IN WITNESS WHEREOF, I have hereunto set my hand and seal as Grantor on the 17<sup>th</sup> day of December, 2015.



**S. DONALD SUSSMAN**, Grantor




Initials



Print Name: Coni Kaplowitz of Stamford, CT.

STATE OF ~~FLORIDA~~ <sup>ny</sup> )  
 ) ss.  
COUNTY OF Westchester

  
S. DONALD SUSSMAN, Grantor

WITNESS

Norah Jones

WITNESS

Subscribed and sworn to before me by S. DONALD SUSSMAN, the Grantor, and by Roni Kaplowitz, and Nordh Tallet, the witnesses, on this 17<sup>th</sup> day of December, 2015, all of whom personally appeared before me. S. DONALD SUSSMAN, the Grantor, is personally known to me or has produced (personally known) as identification. Roni Kaplowitz, a witness, is personally known to me or has produced personally known as identification. Nordh Tallet, a witness, is personally known to me or has produced personally known as identification.

Renee Vadala

Notary Public, State of ny

Print Name: Renee Vadala

My commission expires: 8-3-18

Renee Vadala  
Notary Public-State of New York  
No. 5000071  
Qualified in Westchester County  
My Commission expires August 3, 18

SP  
Initials

**RESIGNATION OF TRUSTEE  
AND  
APPOINTMENT OF SUCCESSOR TRUSTEE**

**888 PROPERTY TRUST**

I, **S. DONALD SUSSMAN**, hereby resign as Trustee of the 888 Property Trust dated November 30, 2015 (the "Trust") on this 17<sup>th</sup> day of December, 2015. My resignation shall be effective upon the written acceptance of the successor Trustee of the Trust.

As Grantor, I retained the right to appoint a successor Trustee pursuant to Section 3.1(a) of the Trust. I hereby exercise that right and appoint **JEFFREY L. GREENBERG** to serve as successor Trustee of the Trust.

Signed, sealed and delivered in the presence of:

Roni Kaplowitz  
1<sup>st</sup> Witness  
Print Name: Roni Kaplowitz

S. Donald Sussman  
**S. DONALD SUSSMAN**

Norah Tallet  
2<sup>nd</sup> Witness  
Print Name: NORAH TALLETT

STATE OF ny )  
COUNTY OF Westchester ) SS.

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December 2015, by **S. DONALD SUSSMAN**, who is either personally known to me or has produced personally known as identification.

Renee Vadala  
Notary Public, State of ny  
Print Name: Renee Vadala

My commission expires: **Renee Vadala**  
**Notary Public-State of New York**  
**No. 5000071**

**Qualified in Westchester County**  
**My Commission expires August 3, 2018**





SUCCESSOR TRUSTEE ACCEPTANCE

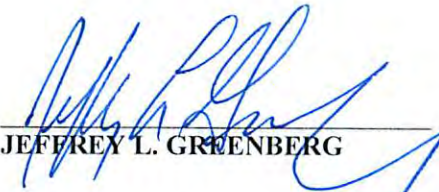
888 PROPERTY TRUST

I, **JEFFREY L. GREENBERG**, hereby accept the appointment to serve as successor Trustee of the 888 Property Trust dated November 30, 2015, on this 17<sup>th</sup> day of December, 2015. My acceptance shall be effective immediately.

Signed, sealed and delivered in the presence of:

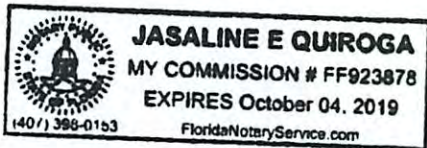
  
1<sup>st</sup> Witness  
Print Name: Anna Rot, witness

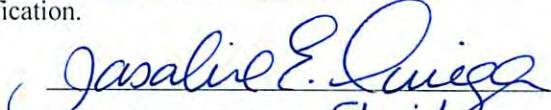
  
2<sup>nd</sup> Witness  
Print Name: Herbert Strelitz, witness

  
**JEFFREY L. GREENBERG**

STATE OF FLORIDA            )  
  )  
COUNTY OF Palm Beach    )    ss.

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December 2015, by **JEFFREY L. GREENBERG**, who is either personally known to me or has produced \_\_\_\_\_ as identification.



  
Notary Public, State of Florida  
Print Name: Jasaline E. Quiroga  
My commission expires: 10/4/19

RESIGNATION OF TRUSTEE

888 PROPERTY TRUST

I, **JEFFREY L. GREENBERG**, hereby resign as the Trustee of the 888 Property Trust dated November 30, 2015, on this 28<sup>th</sup> day of January, 2016.

My resignation shall be effective upon the written acceptance of the successor Trustee of the Trust.

Signed, sealed and delivered in the presence of:

[Signature]  
1<sup>st</sup> Witness

Print Name: Herbert Strelitz, witness

[Signature]  
**JEFFREY L. GREENBERG**

[Signature]  
2<sup>nd</sup> Witness

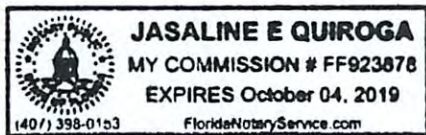
Print Name: Anna Rot, witness

STATE OF FLORIDA )

) ss.

COUNTY OF Palm Beach )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of January 2016, by **JEFFREY L. GREENBERG**, who is either personally known to me or has produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public, State of Florida  
Print name: Jasaline E. Quiroga  
My commission expires: 10/4/19



**THE HARBORAGE ASSOCIATION, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION**

21 HARBORAGE ISLE DRIVE, FT. LAUDERDALE, FL 33316

Mr. Jeffrey L. Greenberg, Trustee of  
the 888 Property Trust dated November 30, 2015  
c/o Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

**CERTIFICATE OF APPROVAL OF SALE AND PURCHASE**

Re: Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015 transfer of 5 Harborage Isle Drive, Ft. Lauderdale, FL 33316 to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

Dear Mr. Greenberg:

This Certificate of Approval confirms that the Board of Directors for The Harborage Association, Inc. has approved of the transfer of 5 Harborage Isle Drive, Ft. Lauderdale, FL 33316 by you as Trustee of the 888 Property Trust dated November 30, 2015, to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

The Harborage Association, Inc.,  
A Florida not for profit corporation

By: *Suzanne Watson*  
Print Name: SUZANNE WATSON  
Title: PRESIDENT

STATE OF FLORIDA                     )  
  )ss.  
COUNTY OF BROWARD             )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared SUZANNE WATSON, as PRESIDENT of The Harborage Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ identification and who acknowledged that he/she executed the foregoing instrument before me on behalf of said company.

WITNESS my hand and official seal in the County and State last aforesaid this 7<sup>th</sup> day of February 2016.

[Notary Seal]

*Louise T. Albert*  
NOTARY PUBLIC  
Print Name: LOUISE T. ALBERT  
My Commission Expires: \_\_\_\_\_



LOUISE T. ALBERT  
MY COMMISSION # EE 869050  
EXPIRES: May 28, 2017  
Bonded Thru Budget Notary Services



**THE HARBORAGE ASSOCIATION, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION**

21 HARBORAGE ISLE DRIVE, FT. LAUDERDALE, FL 33316

Mr. Jeffrey L. Greenberg, Trustee of  
the 888 Property Trust dated November 30, 2015  
c/o Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

**CERTIFICATE OF APPROVAL OF SALE AND PURCHASE**

Re: Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015 transfer of 3 Harborage Isle Drive, Ft. Lauderdale, FL 33316 to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

Dear Mr. Greenberg:

This Certificate of Approval confirms that the Board of Directors for The Harborage Association, Inc. has approved of the transfer of 3 Harborage Isle Drive, Ft. Lauderdale, FL 33316 by you as Trustee of the 888 Property Trust dated November 30, 2015, to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

The Harborage Association, Inc.,  
A Florida not for profit corporation

By: Suzanne Watson  
Print Name: Suzanne Watson  
Title: President

STATE OF FLORIDA                     )  
  )ss.  
COUNTY OF BROWARD                )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared SUZANNE WATSON, as PRESIDENT of The Harborage Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ identification and who acknowledged that he/she executed the foregoing instrument before me on behalf of said company.

WITNESS my hand and official seal in the County and State last aforesaid this 1<sup>ST</sup> day of February 2016.

[Notary Seal]



LOUISE T. ALBERT  
MY COMMISSION # EE 869050  
EXPIRES: May 28, 2017  
Bonded Thru Budget Notary Services

Louise T. Albert  
NOTARY PUBLIC  
Print Name: LOUISE T. ALBERT  
My Commission Expires: 5/28/17

**THE HARBORAGE ASSOCIATION, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION**

21 HARBORAGE ISLE DRIVE, FT. LAUDERDALE, FL 33316

Mr. Jeffrey L. Greenberg, Trustee of  
the 888 Property Trust dated November 30, 2015  
c/o Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

**CERTIFICATE OF APPROVAL OF SALE AND PURCHASE**

Re: Jeffrey L. Greenberg, as Trustee of the 888 Property Trust dated November 30, 2015 transfer of 3 Harborage Isle Drive, Ft. Lauderdale, FL 33316 to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

Dear Mr. Greenberg:

This Certificate of Approval confirms that the Board of Directors for The Harborage Association, Inc. has approved of the transfer of 3 Harborage Isle Drive, Ft. Lauderdale, FL 33316 by you as Trustee of the 888 Property Trust dated November 30, 2015, to S. Donald Sussman, as Trustee of the 888 Property Trust dated November 30, 2015.

The Harborage Association, Inc.,  
A Florida not for profit corporation

By: Suzanne Watson  
Print Name: Suzanne Watson  
Title: President

STATE OF FLORIDA                     )  
  )ss.  
COUNTY OF BROWARD             )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared Suzanne Watson, as PRESIDENT of The Harborage Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced \_\_\_\_\_ identification and who acknowledged that he/she executed the foregoing instrument before me on behalf of said company.

WITNESS my hand and official seal in the County and State last aforesaid this 15<sup>th</sup> day of February 2016.

[Notary Seal]



LOUISE T. ALBERT  
MY COMMISSION # EE 869050  
EXPIRES: May 28, 2017  
Bonded Thru Budget Notary Services

Louise T. Albert  
NOTARY PUBLIC  
Print Name: LOUISE T. ALBERT  
My Commission Expires: 5/28/17



**Prepared by and return to:**

H. Strelitz, Esq.  
Greenberg & Strelitz, P.A.  
2500 N. Military Trail, Suite 235  
Boca Raton, FL 33431

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**TRUST AFFIDAVIT**

Before me, a Notary Public, personally appeared the undersigned Jeffrey L. Greenberg, who after being duly sworn, deposes and says:

1. The 888 Property Trust u/a/d November 30, 2015, as amended by the First Amendment to the said trust dated December 7, 2015 (the "First Amendment") and by the Second Amendment to said trust dated January 28, 2016 (the "Second Amendment") (collectively the "Trust") is in full force and effect. There have been no other amendments or modifications to the Trust.
2. The Trust has filed an application for the waiver of limitations of mooring piles in connection with its application for Waterway Permit and Licenses (the "Application") in connection with those certain parcels of real property owned by the Trust located in Broward County, Florida which are more particularly described in Exhibit "A" (the "Property") attached hereto which is incorporated herein.
3. The Trust is owner of the Property.
4. S. Donald Sussman was initially appointed as the Trustee of the Trust; however, pursuant to the First Amendment, S. Donald Sussman resigned as the Trustee of the Trust, and I was appointed as the successor Trustee of the Trust. *See*, Resignation of Trustee and Appointment of Successor Trustee dated December 17, 2015, and Successor Trustee Acceptance dated December 17, 2015, true copies of which are attached hereto as composite Exhibit "B."
5. Subsequently, pursuant to the Second Amendment, I resigned as the Trustee of the Trust and S. Donald Sussman was appointed as the successor Trustee of the Trust. *See*, Resignation of Trustee dated January 28, 2016, and Successor Trustee Acceptance dated January 28, 2016, true copies of which are attached hereto as composite Exhibit "C."
6. S. Donald Sussman is the current Trustee of the Trust; and as the Trustee of the Trust, S. Donald Sussman has the full power and authority, without the consent of any other party including, but not limited to, any beneficiary of the Trust, to exercise the Trustee powers described Article 8 of the Trust, a copy of which is attached hereto as Exhibit "D."

7. Pursuant to an informal real property combination filed with the Broward County Property Appraiser, all of the parcels of real property comprising the Property have been combined by the Broward County Property Appraiser under Folio Number 5042 12 29 0050, having an address of 5 Harborage Isle Drive, Fort Lauderdale, FL 33316.
8. I have reviewed the Trust and S. Donald Sussman, as the current Trustee of the Trust, has the power to file the Application, and no joinder or consent of the beneficiaries of the Trust is required.
9. This Affidavit is given to with the full understanding that the City of Fort Lauderdale will rely upon this Affidavit to establish the factual matters set forth herein.
10. I further state that I have read, or have had read to me, the full facts of this Affidavit and to my knowledge and belief, they are true and correct based upon the information available to me.

**FURTHER AFFIANT SAYEHT NAUGHT.**

  
Jeffrey L. Greenberg


STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me on this the 2<sup>nd</sup> day of May, 2017, by Jeffrey L. Greenberg who is personally known to me.

[Notary Seal]



  
Notary Public for the State of Florida

**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS OF PROPERTY**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 2 of The Harborage:

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88°09'38" West, along the South line of said Section 12, a distance of 2.47 feet; thence North 1°28'25" West a distance of 514.11 feet; thence South 76°45'35" West, a distance of 413.89 feet; thence North 59°22'45" West a distance of 143.90 feet to the Point of Beginning; thence continue North 59°22'45" West, a distance of 110.00 feet; thence North 4°34'42" East, a distance of 184.54 feet; thence South 71°16'08" East, a distance of 110.00 feet; thence South 6°45'17" West, a distance of 206.09 feet to the Point of Beginning.

Together with a Portion of Lot 3, The Harborage

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88°09'38" West, along the South line of said Section 12, a distance of 2.47 feet; thence North 1°28'25" West, a distance of 514.11 feet; thence South 76°45'35" West, a distance of 413.89 feet; thence North 59°22'45" West, a distance of 253.90 feet to the Point of Beginning; thence continuing North 59°22'45" West, a distance of 25 feet; thence North 4°34'42" East, a distance of 179.22 feet; thence South 71°16'08" East, a distance of 23.16 feet; thence South 4°34'42" West, a distance of 184.54 feet to the Point of Beginning.

EXHIBIT "A" CONTINUED

Lot 3 less the East 25 feet as measured at an angle along the South boundary line and Lot 4 of THE HARBORAGE, as shown on that drawing prepared by McLaughlin Engineering Co., attached to The Harborage Agreement as Exhibit "A", as filed in Official Records Book 3524, at Page 307, and being more fully described as follows:

Lot 3 less the East 25 feet as measured at an angle along the South boundary line of THE HARBORAGE:

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, and point being on the South line of said Section 12; thence South  $88^{\circ} 09' 38''$  West, along the South line of said Section 12, a distance of 2.47 feet; thence North  $01^{\circ} 28' 25''$  West a distance of 514.11 feet; thence South  $76^{\circ} 45' 35''$  West, a distance of 413.89 feet; thence North  $59^{\circ} 22' 45''$  West, a distance of 253.90 feet to the Point of Beginning; thence continuing North  $59^{\circ} 22' 45''$  West, a distance of 110 feet; thence North  $01^{\circ} 49' 41''$  East, a distance of 163.33 feet; thence South  $71^{\circ} 16' 08''$  East, a distance of 110 feet; thence South  $04^{\circ} 34' 42''$  West, a distance of 184.54 feet to the Point of Beginning.

LESS: The East 25 feet as measured at an angle along the South boundary line of Lot 3 of THE HARBORAGE.

AND

Lot 4 of THE HARBORAGE:

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, and point being on the South line of said Section 12; thence South  $88^{\circ} 09' 38''$  West, along the South line of said Section 12, a distance of 2.47 feet; thence North  $01^{\circ} 28' 25''$  West, a distance of 514.11 feet; thence South  $76^{\circ} 45' 35''$  West, a distance of 413.89 feet; thence North  $59^{\circ} 22' 45''$  West, a distance of 363.90 feet to the Point of Beginning; thence continue North  $59^{\circ} 22' 45''$  West, a distance of 135.00 feet; thence North  $00^{\circ} 23' 05''$  West, a distance of 144.94 feet; thence South  $74^{\circ} 05' 27''$  East, a distance of 117.25 feet to a point on a curve; thence Southerly along the arc of the curve to the left, whose radius is a prolongation of the last described course, having a radius of 15.00 feet, a central angle of  $87^{\circ} 10' 41''$  for an arc distance of 22.82 feet to a point of the East line of said Lot 4; thence South  $01^{\circ} 49' 41''$  West along said East line which forms an included angle of  $150^{\circ} 29' 31.5''$  with the chord of last described curve, a distance of 163.33 feet to the Point of Beginning.

Together with a permanent and perpetual easement with others on, over, upon, across, through and in Parcel "A" of Isla Bahia, according to the plat thereof, recorded in Plat Book 47, at Page 27, of the Public Records of Broward County, Florida, as established by that certain agreement made between Company Six-C, Inc., a Florida corporation, and Island Twenty, Inc., a Florida corporation, dated March 28, 1967, and filed in Official Records Book 3514, at Page 296, of the Public Records of Broward County, Florida.

**EXHIBIT "A" CONTINUED**

**Lots 5 and 6, of THE HARBORAGE (Unrecorded):**

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88° 09' 38" West on the South line of said Section 12, a distance of 2.47 feet; thence North 1° 28' 25" West, a distance of 514.11 feet; thence South 76° 45' 35" West, a distance of 413.89 feet; thence North 59° 22' 45" West, a distance of 498.90 feet; thence continue North 0° 23' 05" West, a distance of 144.94 feet to the point of beginning; thence continue North 0° 23' 05" West a distance of 144.94 feet; thence continue South 84° 00' 40" East, a distance of 249.61 feet; thence South 1° 12' 53" West, a distance of 178.77 feet; thence North 71° 16' 08" West, a distance of 117.71 feet to a point of curvature; thence on the arc of a curve to the left having a radius of 15 feet, a central angle of 92° 49' 19" for an arc distance of 24.30 feet; thence North 74° 05' 27" West, a distance of 117.25 feet to the Point of Beginning.

**AND**

**Lot 7, of THE HARBORAGE (Unrecorded):**

A portion of Section 12, Township 50 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northeast corner of Government Lot 3, Section 13, Township 50 South, Range 42 East, said point being on the South line of said Section 12; thence South 88° 09' 38" West, along the South line of said Section 12, a distance of 2.47 feet; thence North 1° 28' 25" West, a distance of 514.11 feet; thence South 76° 45' 35" West, a distance of 413.89 feet; thence North 59° 22' 45" West, a distance of 498.90 feet; thence North 0° 23' 05" West, a distance of 289.88 feet; thence South 84° 00' 40" East, a distance of 249.61 feet to the Point of Beginning; thence continue South 84° 00' 40" East, a distance of 110.00 feet; thence South 1° 12' 03" West a distance of 200.99 feet to a point on a curve; thence Westerly along the arc of a curve to the right, whose chord forms an included angle of 74° 50' 31.5" with last described course having a radius of 900.00 feet, a central angle of 4° 44' 41", for an arc distance of 74.53 feet to a Point of Tangency; thence North 71° 16' 08" West, a distance of 39.58 feet; thence North 1° 12' 53" East, a distance of 178.77 feet to the Point of Beginning.

All of the above described lands situate, lying and being in Broward County, Florida.



**EXHIBIT "B"**

**RESIGNATION OF TRUSTEE AND APPOINTMENT OF SUCCESSOR TRUSTEE DATED DECEMBER  
17, 2015, AND SUCCESSOR TRUSTEE ACCEPTANCE DATED DECEMBER 17, 2015**

**RESIGNATION OF TRUSTEE  
AND  
APPOINTMENT OF SUCCESSOR TRUSTEE**

**888 PROPERTY TRUST**

I, S. DONALD SUSSMAN, hereby resign as Trustee of the 888 Property Trust dated November 30, 2015 (the "Trust") on this 17<sup>th</sup> day of December, 2015. My resignation shall be effective upon the written acceptance of the successor Trustee of the Trust.

As Grantor, I retained the right to appoint a successor Trustee pursuant to Section 3.1(a) of the Trust. I hereby exercise that right and appoint **JEFFREY L. GREENBERG** to serve as successor Trustee of the Trust.

Signed, sealed and delivered in the presence of:

Roni Kaplowitz  
1<sup>st</sup> Witness  
Print Name: Roni Kaplowitz

S. Donald Sussman  
S. DONALD SUSSMAN

Norah Tallet  
2<sup>nd</sup> Witness  
Print Name: NORAH TALLETT

STATE OF FLORIDA )  
COUNTY OF Westchester ) SS.

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December 2015, by S. DONALD SUSSMAN, who is either personally known to me or has produced personally known as identification.

Renee Vadala  
Notary Public, State of ny  
Print Name: Renee Vadala

My commission expires: **Renee Vadala**  
**Notary Public-State of New York**  
**No. 5000071**

**Qualified in Westchester County**  
**My Commission expires August 3, 2018**

SUCCESSOR TRUSTEE ACCEPTANCE

888 PROPERTY TRUST

I, JEFFREY L. GREENBERG, hereby accept the appointment to serve as successor Trustee of the 888 Property Trust dated November 30, 2015, on this 17<sup>th</sup> day of December, 2015. My acceptance shall be effective immediately.

Signed, sealed and delivered in the presence of:

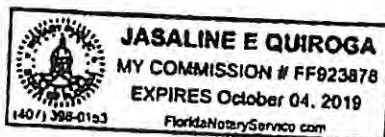
Anna Rot  
1<sup>st</sup> Witness  
Print Name: Anna Rot, witness

Herbert Streitz  
2<sup>nd</sup> Witness  
Print Name: Herbert Streitz, witness

Jeffrey L. Greenberg  
JEFFREY L. GREENBERG

STATE OF FLORIDA )  
COUNTY OF Palm Beach ) ss.

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December 2015, by JEFFREY L. GREENBERG, who is either personally known to me or has produced as identification.



Jasaline E. Quiroga  
Notary Public, State of Florida  
Print Name: Jasaline E. Quiroga  
My commission expires: 10/4/19

**EXHIBIT "C"**

**RESIGNATION OF TRUSTEE DATED JANUARY 28, 2016, AND SUCCESSOR TRUSTEE  
ACCEPTANCE DATED JANUARY 28, 2016**

RESIGNATION OF TRUSTEE

888 PROPERTY TRUST

I, **JEFFREY L. GREENBERG**, hereby resign as the Trustee of the 888 Property Trust dated November 30, 2015, on this 28<sup>th</sup> day of January, 2016.

My resignation shall be effective upon the written acceptance of the successor Trustee of the Trust.

Signed, sealed and delivered in the presence of:

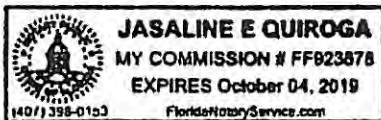
[Signature] witness  
1<sup>st</sup> Witness  
Print Name: Herbert Strelitz, witness

[Signature]  
JEFFREY L. GREENBERG

[Signature] witness  
2<sup>nd</sup> Witness  
Print Name: Anna Rot, witness

STATE OF FLORIDA                    )  
  )    ss.  
COUNTY OF Palm Beach        )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of January 2016, by **JEFFREY L. GREENBERG**, who is either personally known to me or has produced \_\_\_\_\_ as identification.




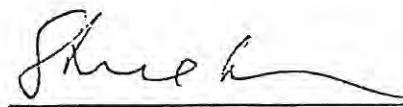
[Signature]  
Notary Public, State of Florida  
Print name: Jasaline E. Quiroga  
My commission expires: 10/4/19

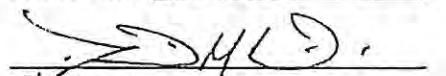
APPOINTMENT OF SUCCESSOR TRUSTEE  
888 PROPERTY TRUST

As Grantor of the 888 Property Trust dated November 30, 2015, I retained the right to appoint a successor Trustee pursuant to Section 3.1(a) of the Trust. I hereby exercise that right and appoint S. Donald Sussman to serve as successor Trustee of the Trust.

Signed, sealed and delivered in the presence of:


  
1<sup>st</sup> Witness  
Print Name: Jennifer Burke

  
S. DONALD SUSSMAN

  
2<sup>nd</sup> Witness  
Print Name: David M. Gilman

STATE OF FLORIDA            )  
COUNTY OF Broward        )    ss.

The foregoing instrument was acknowledged before me this 28 day of January 2016, by S. DONALD SUSSMAN, who is either personally known to me or has produced \_\_\_\_\_ as identification.

  
Notary Public, State of Florida  
Print name: Robin Kurtz-Lendner  
My commission expires:



SUCCESSOR TRUSTEE ACCEPTANCE  
888 PROPERTY TRUST

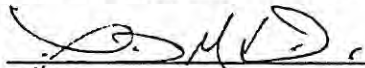
I, S. Donald Sussman, hereby accept the appointment to serve as successor Trustee of the  
888 Property Trust dated November 30, 2015, on this 28<sup>th</sup> day of January, 2016. My  
acceptance shall be effective immediately.

Signed, sealed and delivered in the presence of:



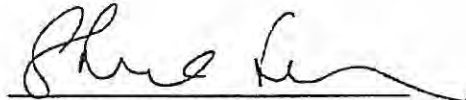
1<sup>st</sup> Witness

Print Name: Jennifer Burke



2<sup>nd</sup> Witness

Print Name: David M. Gilman

  
S. DONALD SUSSMAN

STATE OF FLORIDA )

COUNTY OF Broward )

ss.

The foregoing instrument was acknowledged before me this 28 day of January 2016, by  
S. DONALD SUSSMAN, who is either personally known to me or has produced  
\_\_\_\_\_ as identification.



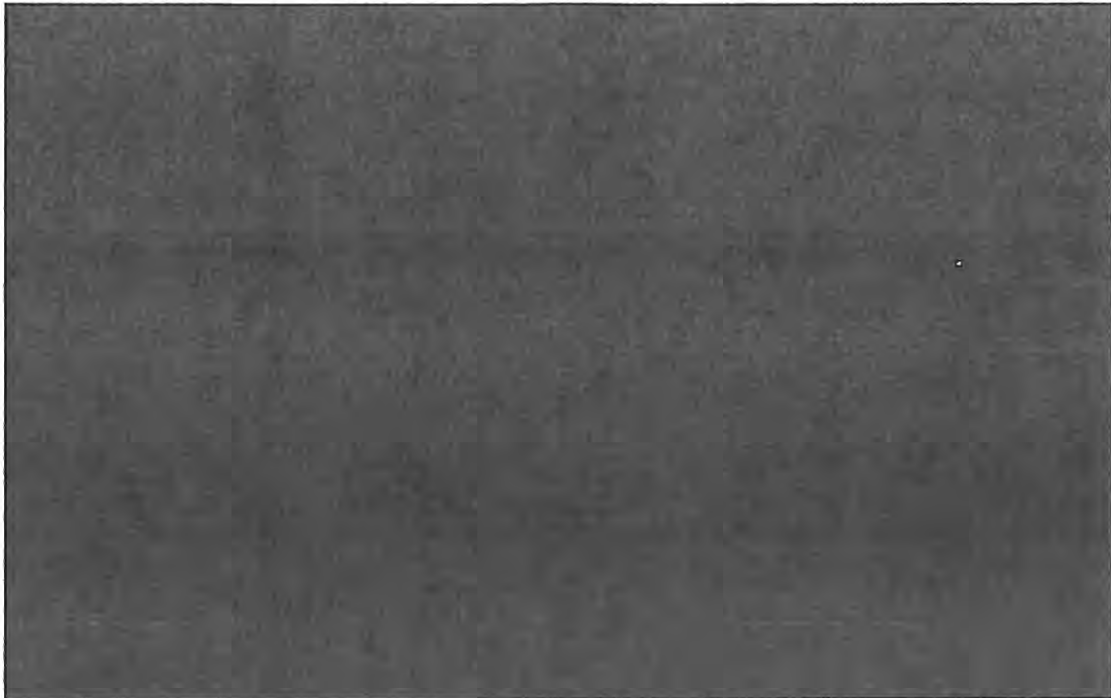
Notary Public, State of Florida  
Print name: Robin Kurtz-Lendner  
My commission expires:



**EXHIBIT "D"**

**ARTICLE 8 FROM TRUST – TRUSTEE'S POWERS**





## ARTICLE VII—FIDUCIARY POWERS

### 7.1 Fiduciary Powers.

My Trustee (including any substitute or successor Trustee) shall have the following powers, in addition to, and not in limitation of, those powers provided under F.S. §§ 736.0815, 736.0816, or similar provision of subsequent law:

(a) To retain any investments or property owned by me at the time of my death or acquired thereafter for so long as shall seem prudent, without restriction to investments authorized by law;

(b) To invest and reinvest and acquire by purchase, exchange or otherwise, and retain, any kind of realty and personalty, including common stocks, bonds or other securities and unsecured obligations, undivided interests and interests in investment trusts, mutual funds, options, leases, mortgages on property wherever located, in such property and in such proportions of such property wherever located as they shall deem advisable, including custody or brokerage accounts (including margin accounts), common trust funds, banking deposits or stock of a corporate fiduciary if one is named, even though such investments are not of the character or proportions approved by applicable law for the investment of such funds;

(c) With respect to an interest in real property, construct, or make ordinary or extraordinary repairs to, alterations to, or improvements in, buildings or other structures, demolish improvements, raze existing or erect new party walls or buildings, subdivide or develop land, dedicate land to public use, and make or vacate plats and adjust boundaries.

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Initials

Paul E. Ghougassian, P.A., 2300 Glades Road, Suite 270W, Boca Raton, FL 33431 (561) 391-4700

(d) To manage, mortgage, lease, abandon, or grant easements with respect thereto, regardless of location, for periods to begin presently or in the future without regard to any statutory restriction on leasing and even though such period may extend beyond the term of the estate or of any trust;

(e) To sell or exchange or otherwise dispose of realty or personalty received by them or any investment at or after my death at such time, price and terms, wholly or partly on credit as shall seem advisable at public or private sale, and exercise stock options, all without notice to any beneficiary or court approval;

(f) To amortize bond premiums and to borrow money for purposes of my estate or any trust and pledge or mortgage any property in order to secure repayment from any source, including, but not limited to, the Personal Representative of my estate or the Trustee, regardless of any relationship to me or to a fiduciary acting hereunder, for periods and conditions as shall be deemed advisable, and secure repayment of the amount borrowed by pledge or mortgage of any property;

(g) To pay the costs of ancillary and similar proceedings in other jurisdictions from funds or property held in the state of my domicile;

(h) To make distributions in cash or in kind or partially in each, to allot different kinds or disproportionate shares or undivided interests in property for the purpose of distribution in kind or setting up any trust, and to determine which assets shall be sold, to select such securities or property as they deem advisable, without regard to differences in tax bases of any such property and without notice to or consent of any beneficiary; and for this purpose, the determination of my Trustee as to the value of any property shall be conclusive;

(i) To vote in person or proxy and to become party to any voting trust agreement for any securities held and to hold property in my Trustee's own name, in the name of a nominee or in bearer form;

(j) To compromise, settle, renew, assign, alter, extend, release with or without consideration, debts, claims or controversies which affect trust assets without obtaining the consent of any beneficiary;

(k) To merge any trust created hereunder with any other trust created by me by Will or *inter vivos* trust agreement, provided the beneficiaries, terms, and tax characteristics thereof are substantially the same;

(l) To make such elections and allocations under the tax laws as shall be deemed advisable; to exercise or not exercise any election, option, or deduction of administration expenses in connection with the computation of federal estate tax or federal income tax liabilities of my estate, regardless of the fact that the federal estate tax on my estate is thereby increased or that there is a change in the proportions in which various persons share in my estate; to allocate between, or charge or credit to, income or principal any money, property or expenses of any trust in such manner as shall be deemed advisable, without regard to any statutory restrictions; and to establish and maintain reserves for depreciation on any property subject thereto under generally accepted accounting principles as a charge against income and a credit to principal. My fiduciaries shall have no liability for or obligation to make compensating adjustments between principal and income or in the interests of the beneficiaries by reason of having made or not made any such election. Any decision made by my fiduciaries with respect to the foregoing shall be binding and conclusive on all persons and not subject to question by any beneficiary or court, and my fiduciaries shall have no liability as a result of any such decision;

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Initials

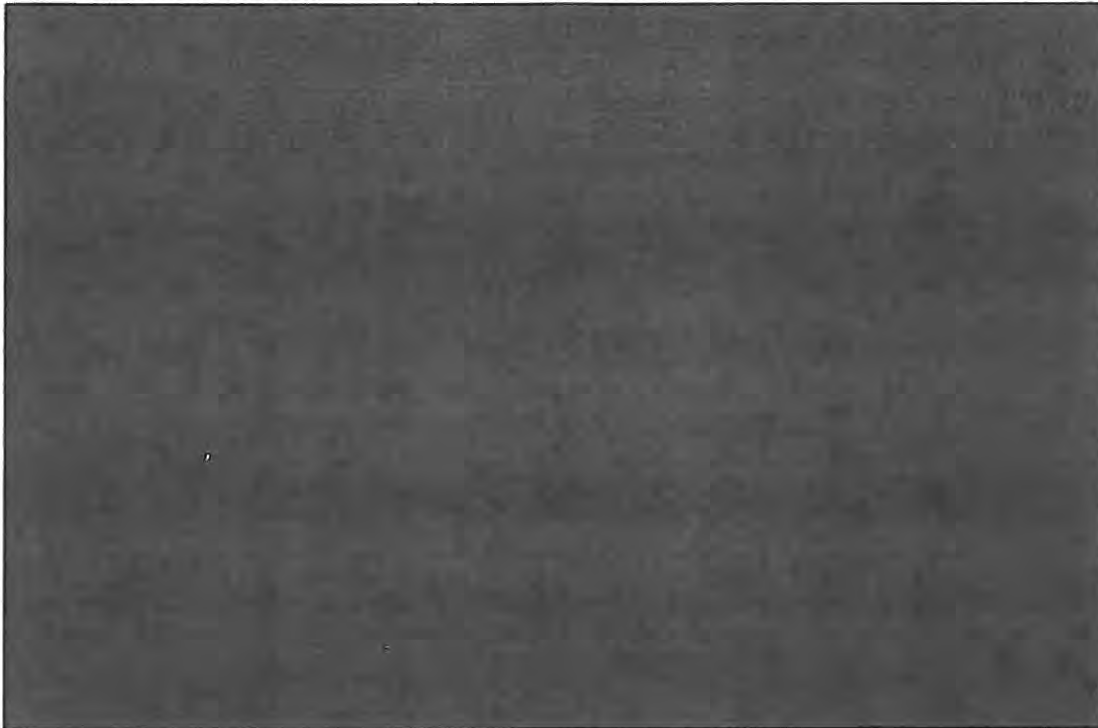
Paul E. Ghougassian, P.A., 2300 Glades Road, Suite 270W, Boca Raton, FL 33431 (561) 391-4700

(m) To employ and pay compensation of accountants, legal counsel, brokers and other agents, regardless of their relationship to me or to a fiduciary acting hereunder, and to pay Trustee's commissions and attorney's fees on account without beneficiary or court approval, but subject to allowance or disallowance on the settlement of their accounts;

(n) To retain and continue my interest in any business or enterprise, in which I may own or in which I have an interest, to employ agents to manage and operate any business without liability for acts of such agent, or for any loss, liability, or indebtedness of any such business if the management is selected or retained with reasonable care; and use funds of any trust hereunder in the management of such business; to incorporate any such business and to hold the stock as an investment or to become a partner, general, limited or special, in any business which my Trustee deems advisable for the benefit of my estate or to take any other action with respect to any such business, interest, partnership or corporation;

(o) To lend money to my estate, or to such persons and/or entities regardless of any relationship to me or to a fiduciary acting hereunder, upon such terms but with adequate interest and security as Trustee may, from time to time, deem advisable, all without obtaining the consent of any beneficiary; and

(p) To purchase assets from my estate at fair market value; or exchange assets, including cash, with my estate, at fair market value.



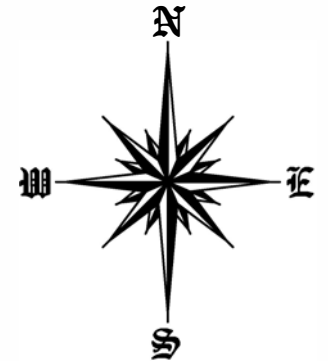
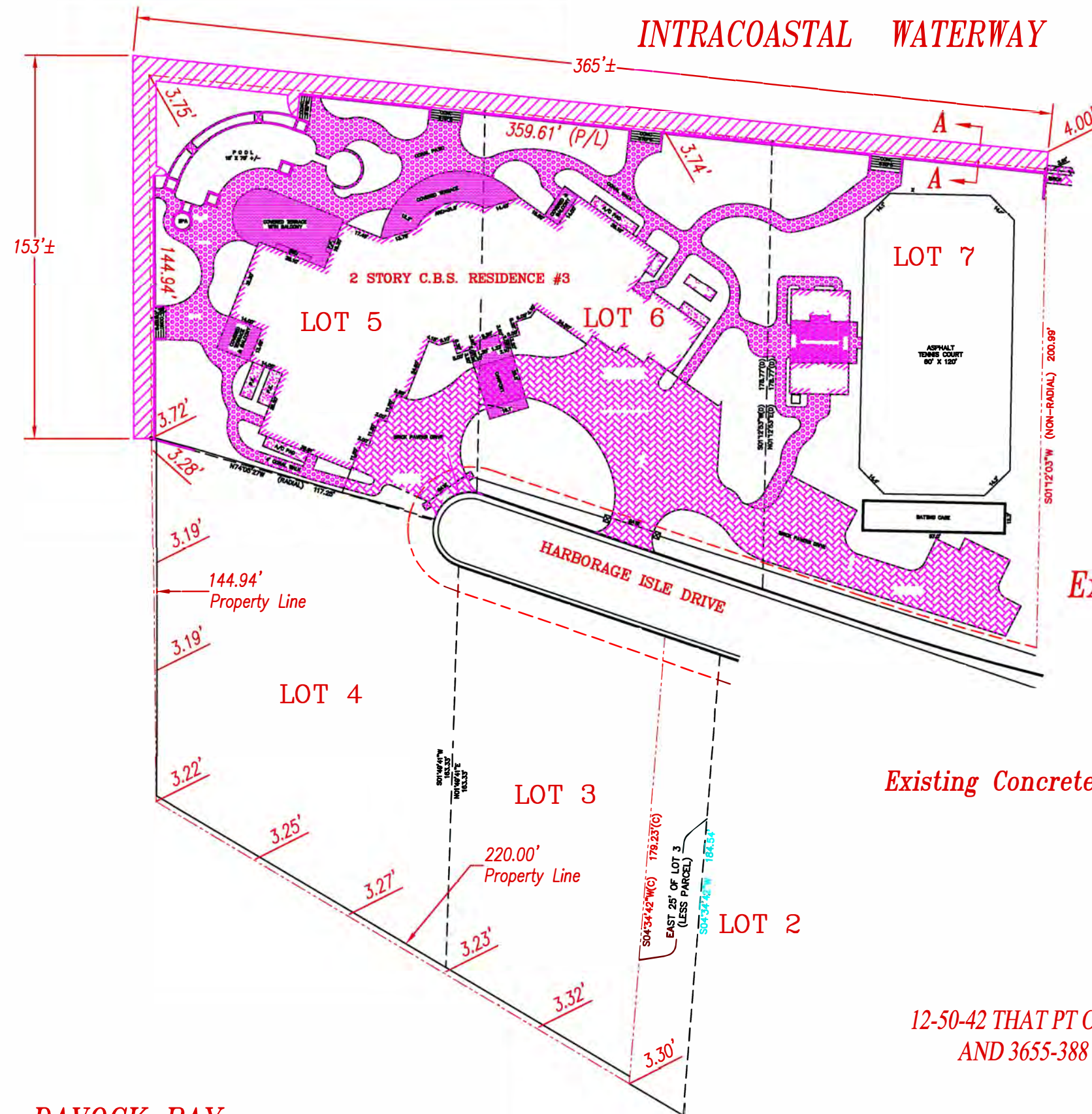
  
Initials

## **EXHIBIT IV PROJECT PLANS**



NOTE "A"  
Existing Concrete Dock To Remain,  
New Concrete "Over Pour" to  
Elevation 4.92' NAVD (6.5' NGVD)

See attached survey supplied by  
owner for exact property  
information.



Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 600 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 5 SP 600
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 956-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	



INTRACOASTAL WATERWAY



DAVOCK BAY

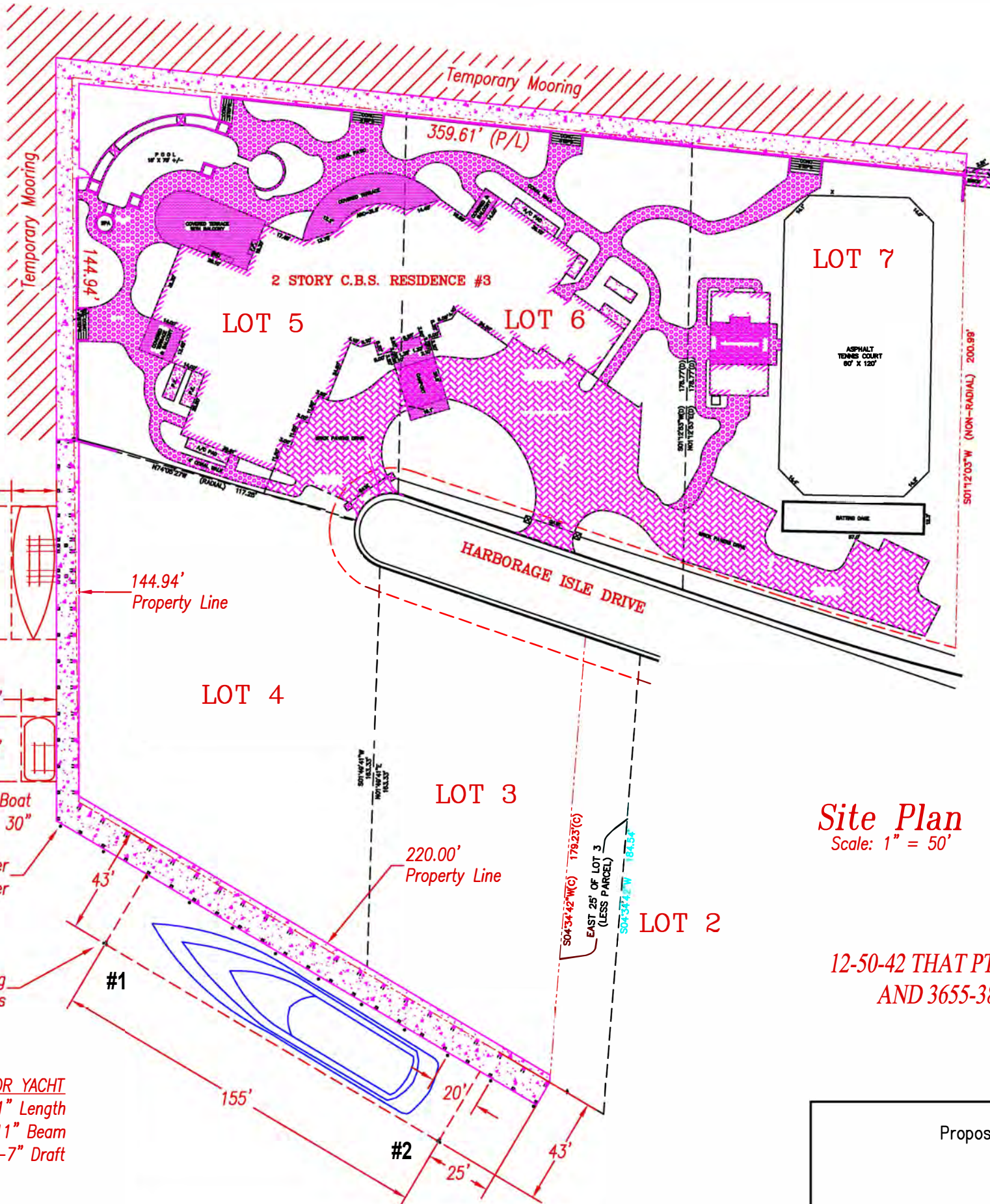
HYDRA SPORT 53  
Length = 53'  
Beam = 13'  
Draft = 36"

MOTOR YACHT  
129'-11" Length  
25'-11" Beam  
6'-7" Draft

(12) New 12"Ø Wood Bumper  
Piles @ 20' On Center

(2) Triple Mooring  
Pile Clusters

25' Pontoon Boat  
Draft = 30"



Site Plan  
Scale: 1" = 50'

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Mooring Pile #1	±43'	25'	±18'
Triple Mooring Pile #2	±43'	25'	±18'

Legal Description

12-50-42 THAT PT OF SW1/4 AS DESC IN OR 3528-222, 3761-113, 3558-84  
AND 3655-388 AKA: LOT 3 LESS ELY 25 & ALL LOT 4 THRU 7

THE HARBORAGE

Proposed Dock, Seawall Repair and Boatlift  
Donald Sussman  
5 Harborage Isle  
Ft Lauderdale, Florida 33316



FDEP NOTE:

*BMP's will be implemented during all pile installation.*

*See attached survey supplied by  
owner for exact property  
information.*

4.00' Existing Top of Seawall Cap and Top of Dock Elevations in NAVD

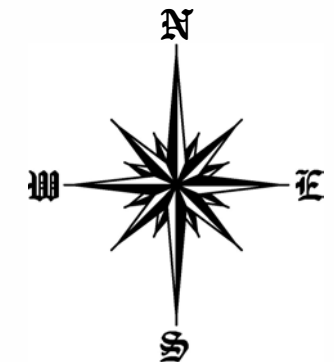
**NOTE:**

*Proposed Dock Over Pour, New Concrete Dock and Batter Piles and New Cap To Be Set at Elevation 4.92' NAVD (6.5' NGVD)*

LOT 8

# Site Plan

Scale: 1" = 50'



Existing Concrete Dock = 2,849 Square Feet  
New Concrete Dock = 3,066 Square Feet

**TOTAL SQUARE FOOTAGE = 5,915**

### Legal Description

12-50-42 THAT PT OF SW1/4 AS DESC IN OR 3528-222, 3761-113, 3558-84  
AND 3655-388 AKA: LOT 3 LESS ELY 25 & ALL LOT 4 THRU 7

## THE HARBORAGE

*DAVOCK BAY*

<i>Date</i>	<i>Notes</i>	NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL	<b>James Bushouse, Inc.</b> CONSULTING ENGINEERS C.A. #27565  1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 956-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 600 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 5 SP 600
		James Bushouse, P.E. Professional Engineer #20311 State of Florida				Sheet 1 17 of 533

- Licensed Contractor shall verify the existing conditions prior to commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawings shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements.
- Do not scale drawings for dimensions.
- All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- For all prestressed piles, extend pile strands a min. of 18" into cap steel or cut strands even w/ top of pile & dowel & epoxy (2) #5 L-bars, 24" long w/ 12" bend, into top of pile, w/ a min. of 4" embedment.
- New dock pilings to have a minimum 3" penetration into the new dock forms.
- New batter pilings to have a minimum 4" penetration into the new seawall cap forms.
- Concrete piling to be 12"x12" prestressed piles with (4) 7/16" strands.
- Piles to be driven a minimum of 8' into berm with a minimum bearing capacity of 10 tons.
- Piles to be driven with a drop hammer or gravity hammer. The hammer weight shall not be less than 3,000 lbs and the fall shall not exceed 6 feet.
- Pile driving operations shall be observed by a special inspector, including test piles sufficient to determine the approximate length required to meet design capacity.
- Concrete to be min. 5000 psi @ 28 days, .40 water/cement ratio.
- Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 Specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Concrete cover shall be 3 inches unless otherwise noted on the approved drawings.
- Splices in reinforcing bars shall not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- Elevations shown are based on the national geodetic vertical datum of 1929.
- Design in accordance with Florida Building Code 5th Edition (2014).

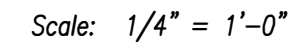
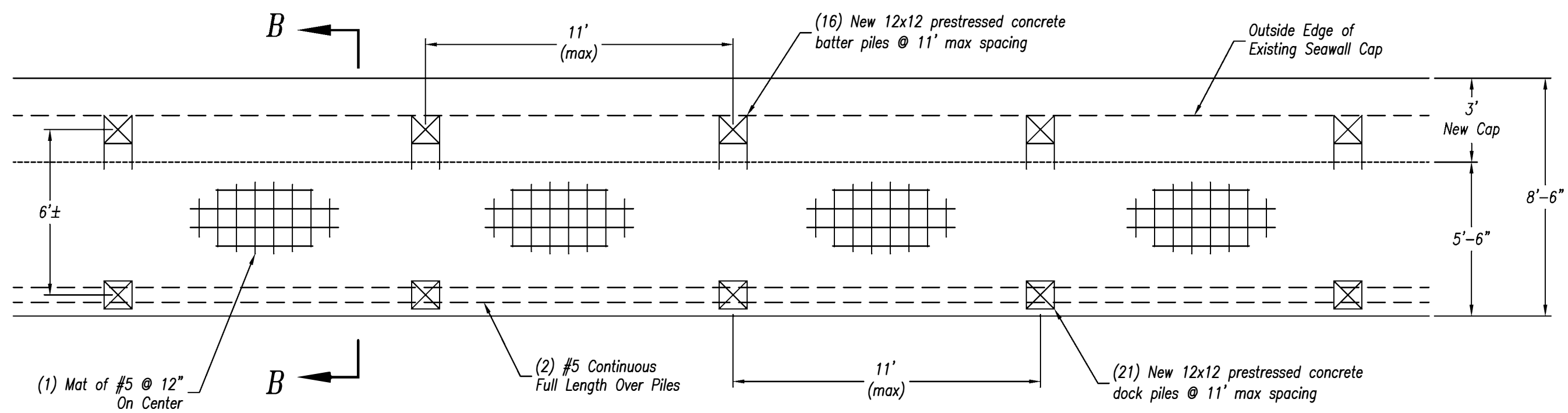


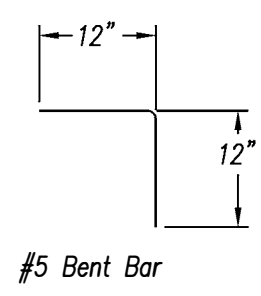
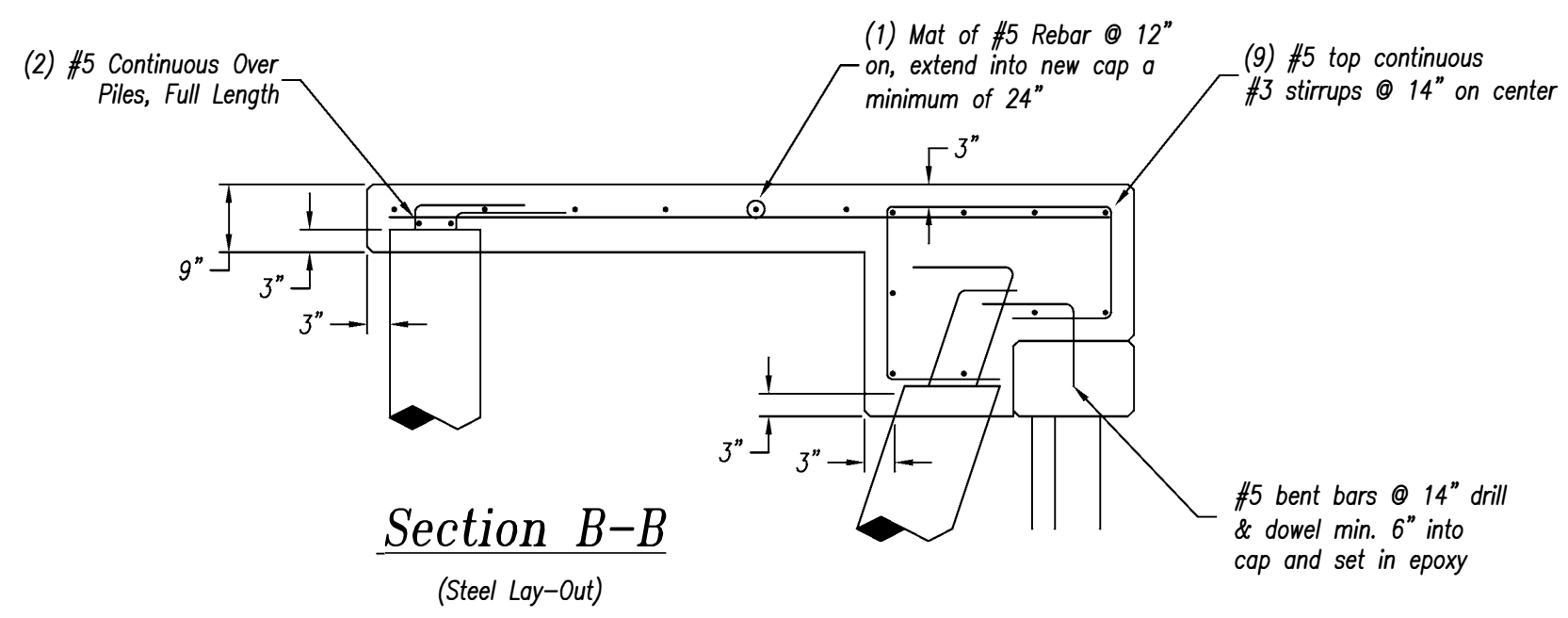
Exhibit 1  
Page 48 of 67





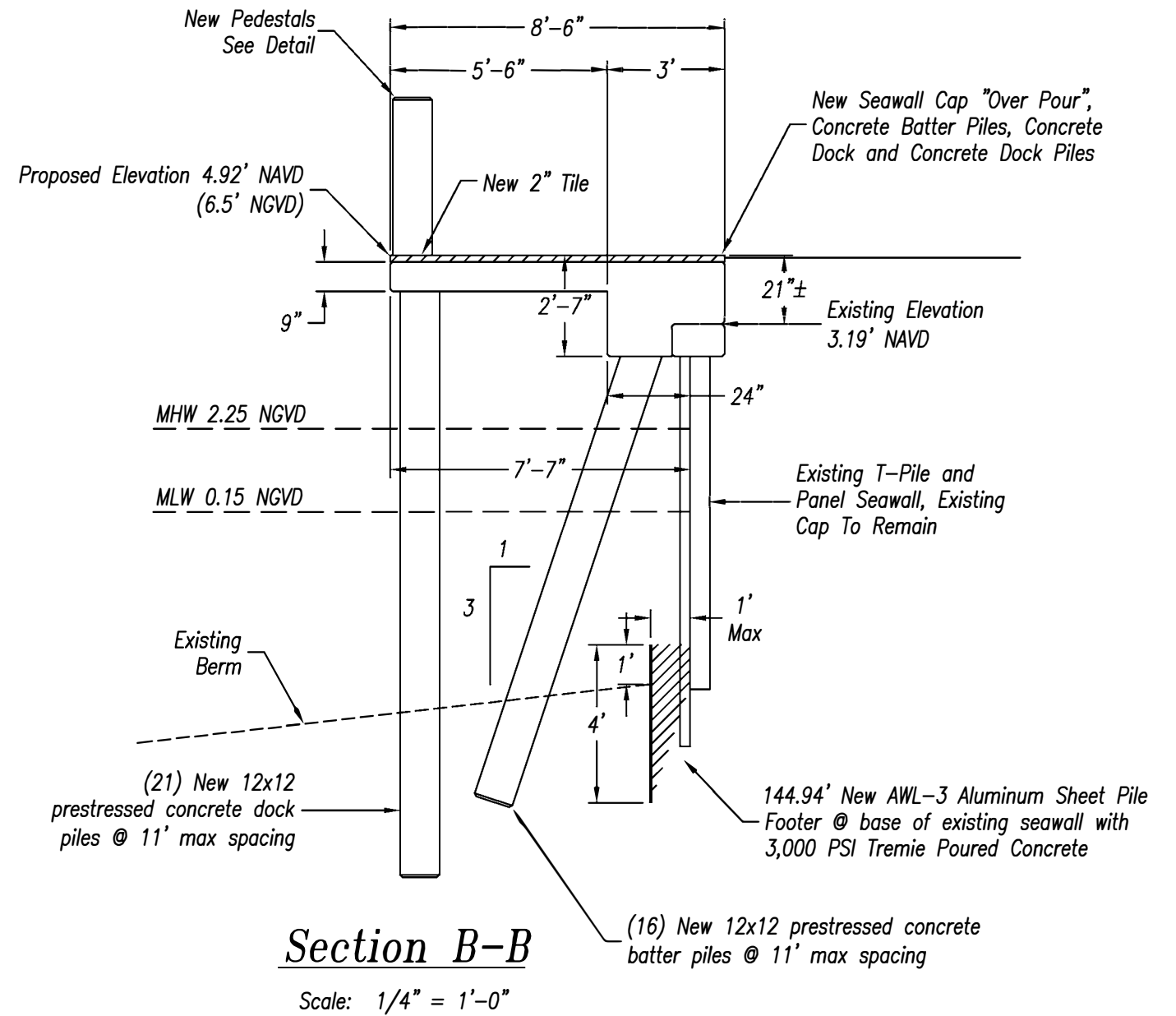
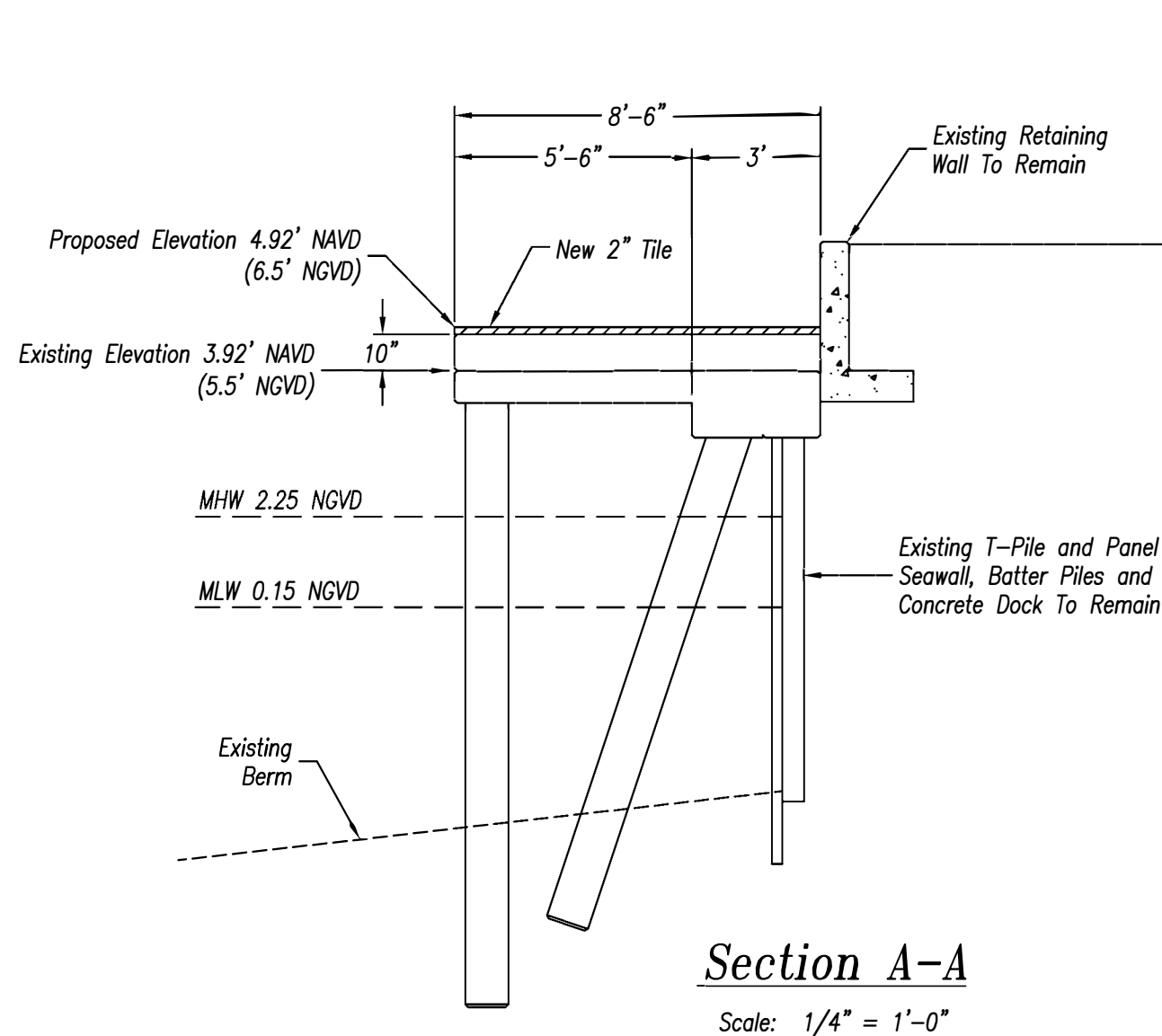
# Plan View

Scale: 1/4" = 1'-0"

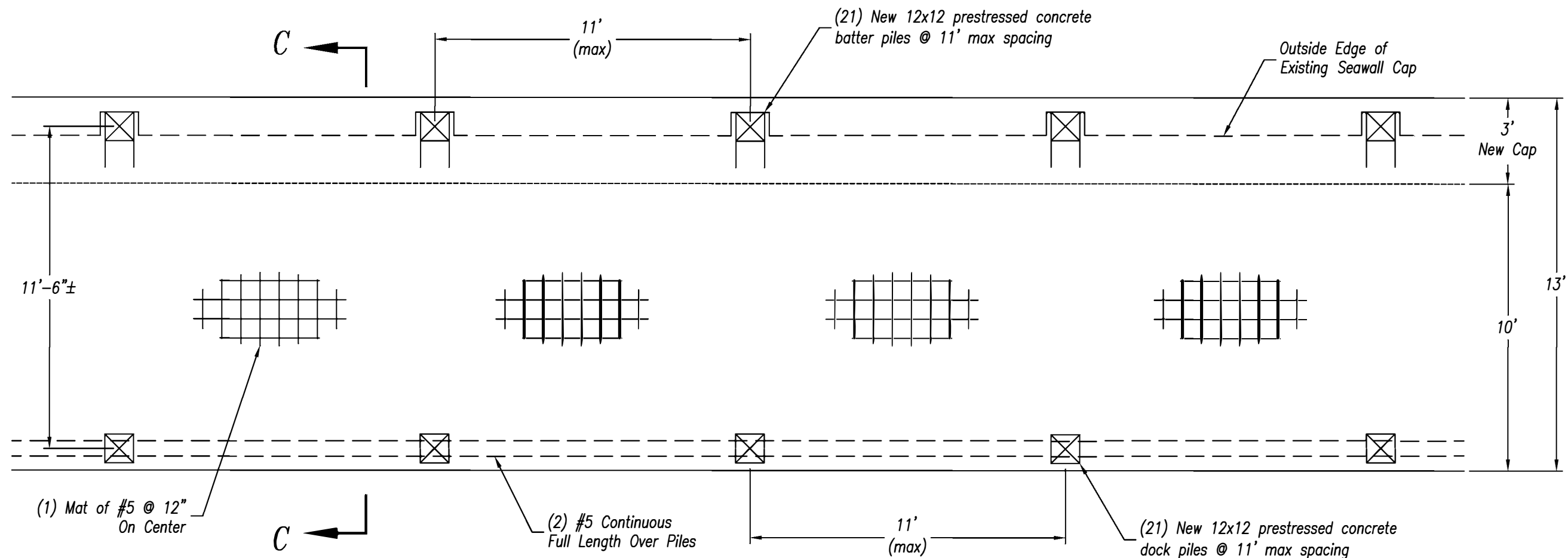


## Section B-B (Steel Lay-Out)

Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 48 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 3 Details 48
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 958-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Sheet 3 CAM 17-0533

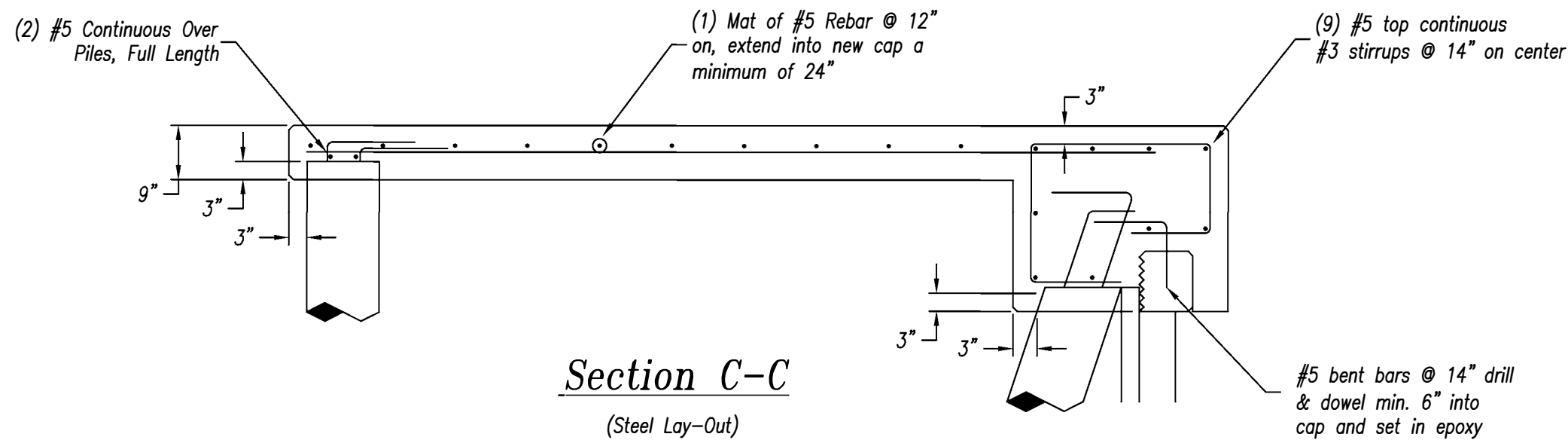


Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 48 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 3 Details 48
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 958-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Sheet 4 CAM 17-0533



### Plan View

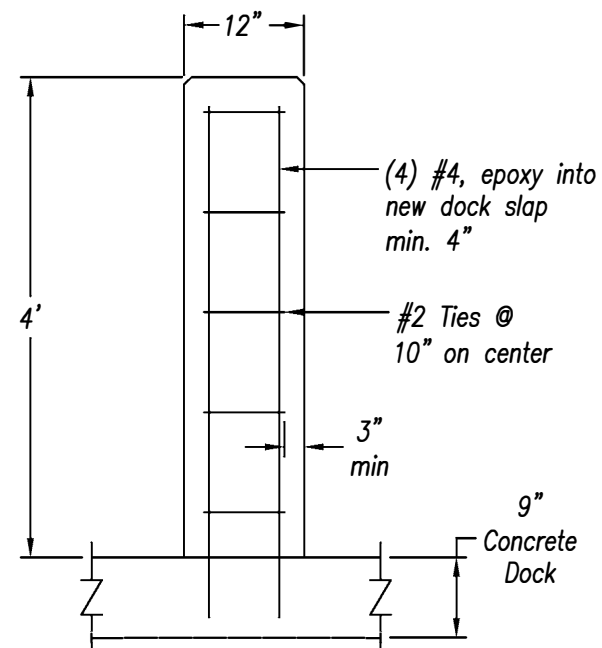
Scale: 1/4" = 1'-0"



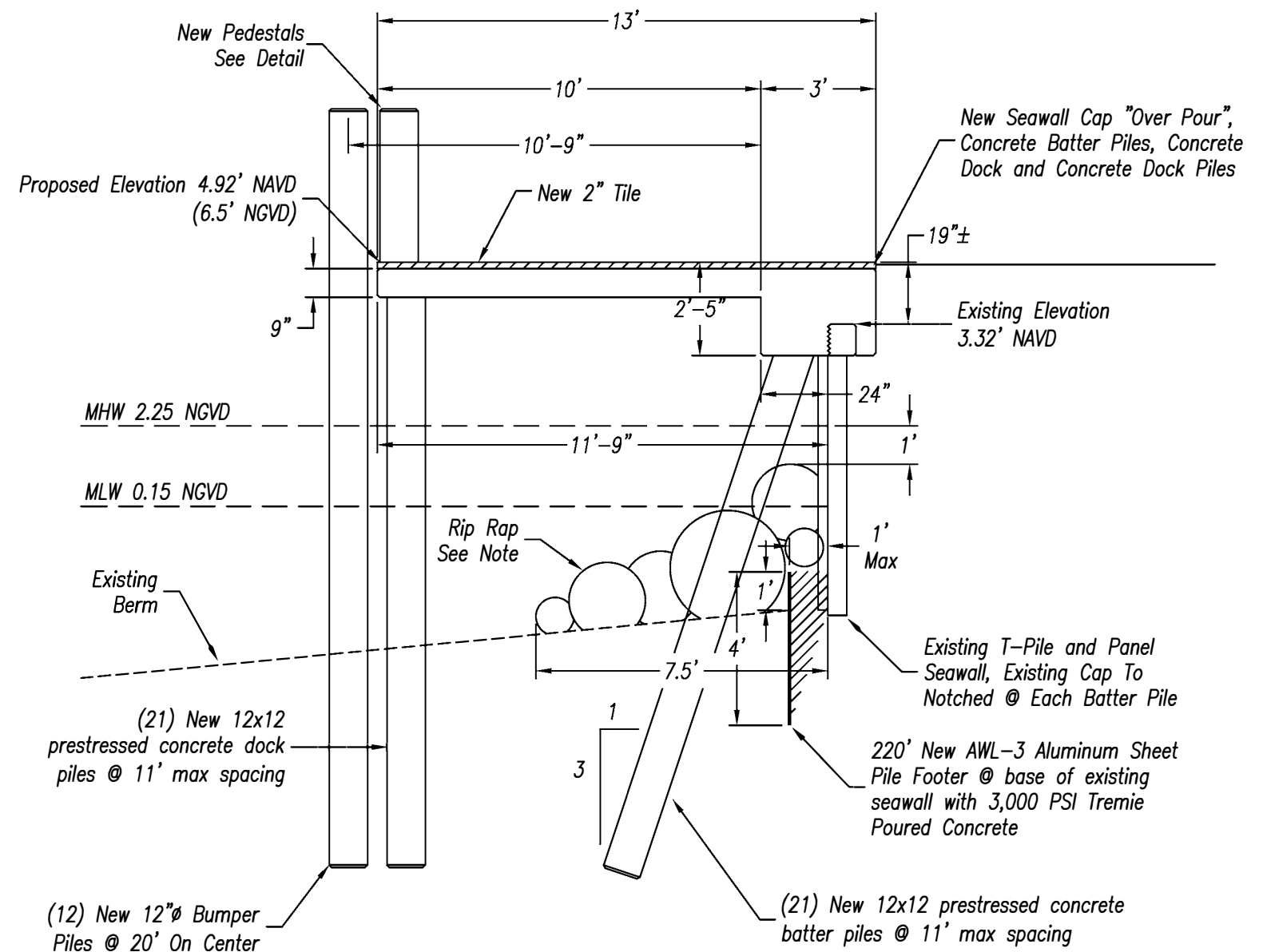
### Section C-C

(Steel Lay-Out)

Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 48 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 3 Details 48
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 956-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Sheet 5 CAM 17-0533



Pedestal Detail



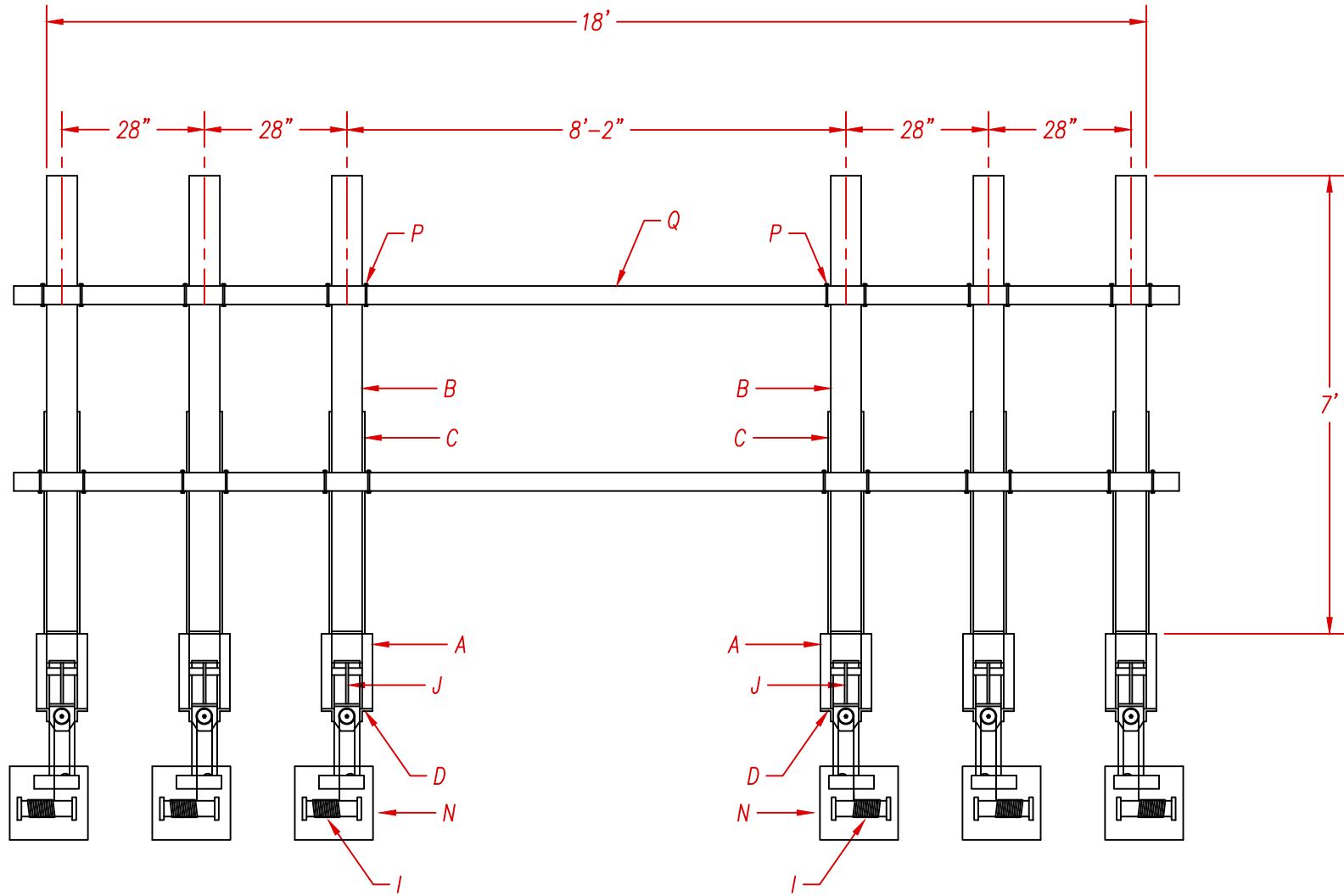
Section C-C

Scale: 1/4" = 1'-0"

RIP RAP NOTE:

New 1' to 3' natural lime rock boulders at a 2:1 slope (approximately 100 cubic yards)

Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 4/8 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 3 Details 48
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 956-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Sheet 6 CAM 17-0533



Plan View  
Scale: 3/8" = 1'=0"

ANCHOR SCHEDULE 1

SLOPED TRACK BEAM

(3) 3/4"Ø thru bolts (except for 5K elevator which required (2) 3/4"Ø thru bolts only), 3 1/2" from top of pile, 3" apart min., centered with 3"x3"x1/4" thick square washers

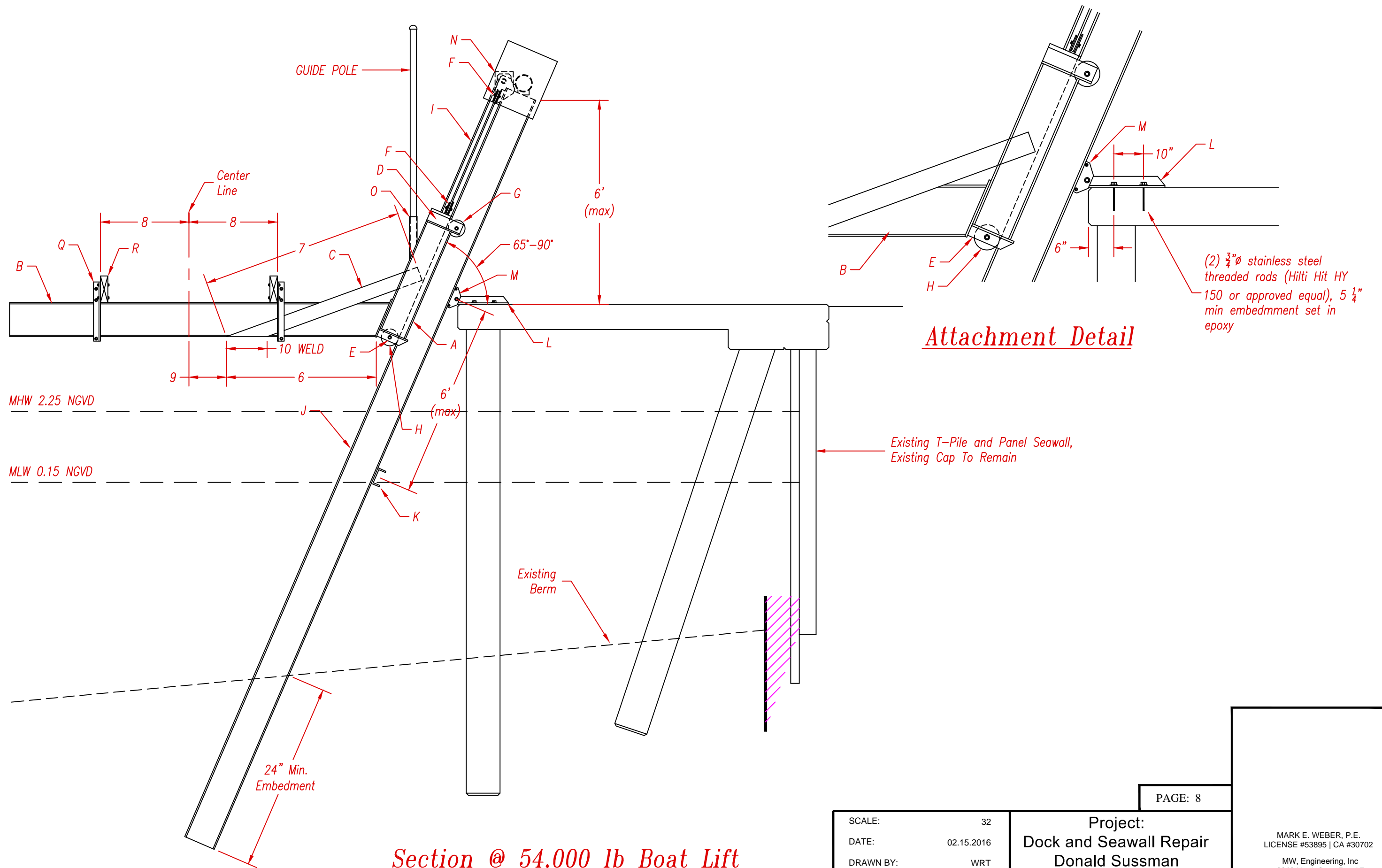
VERTICAL TRACK BEAM (See Connection Detail)

(3) 3/4"Ø thru bolts, 3 1/2" from top of pile, 3" apart min., centered with 3"x3"x1/4" thick square washers

Components	
	Lift Capacity (In Pounds)
	54,000
A	Carriage Boom (3 Required per Lift Arm)
B	Cradle Arm
C	Gusset Plate (3 Required per Lift Arm)
D	Upper Carriage Angle (3 Required per Lift Arm)
E	Lower Carriage Angle (3 Required per Lift Arm)
F	Pulley Plate (3 Required per Lift Arm)
G	Upper Guide Wheel (8 Required per Lift Arm)
H	Lower Guide Wheel (1 Required per Lift Arm)
I	Cable Size (Stainless Steel)
J	Guide Track
K	Guide Track To Guide Track Brace
L	Attachment Bracket
M	Track Mount Connector (3 Required per Lift Arm)
N	Motor Size (Horse Power/Voltage)
O	Guide Post Socket
P	Bunk Bracket Support (2 Each Side of Lift Arm)
Q	Bunk Boards

SCALE:	32
DATE:	02.15.2016
DRAWN BY:	WRT
CHECKED BY:	MW
YL\Docks\3 Details 48.dwg	

Project:
Dock and Seawall Repair
Donald Sussman
5 Harborage Isle Drive
Ft Lauderdale, FL 33316



# Section @ 54,000 lb Boat Lift

Scale: 3/8" = 1'-0"

## Attachment Detail

(2) 3/4" stainless steel threaded rods (Hilti Hit HY 150 or approved equal), 5 1/4" min embedment set in epoxy

Existing T-Pile and Panel Seawall,  
Existing Cap To Remain

Existing Berm

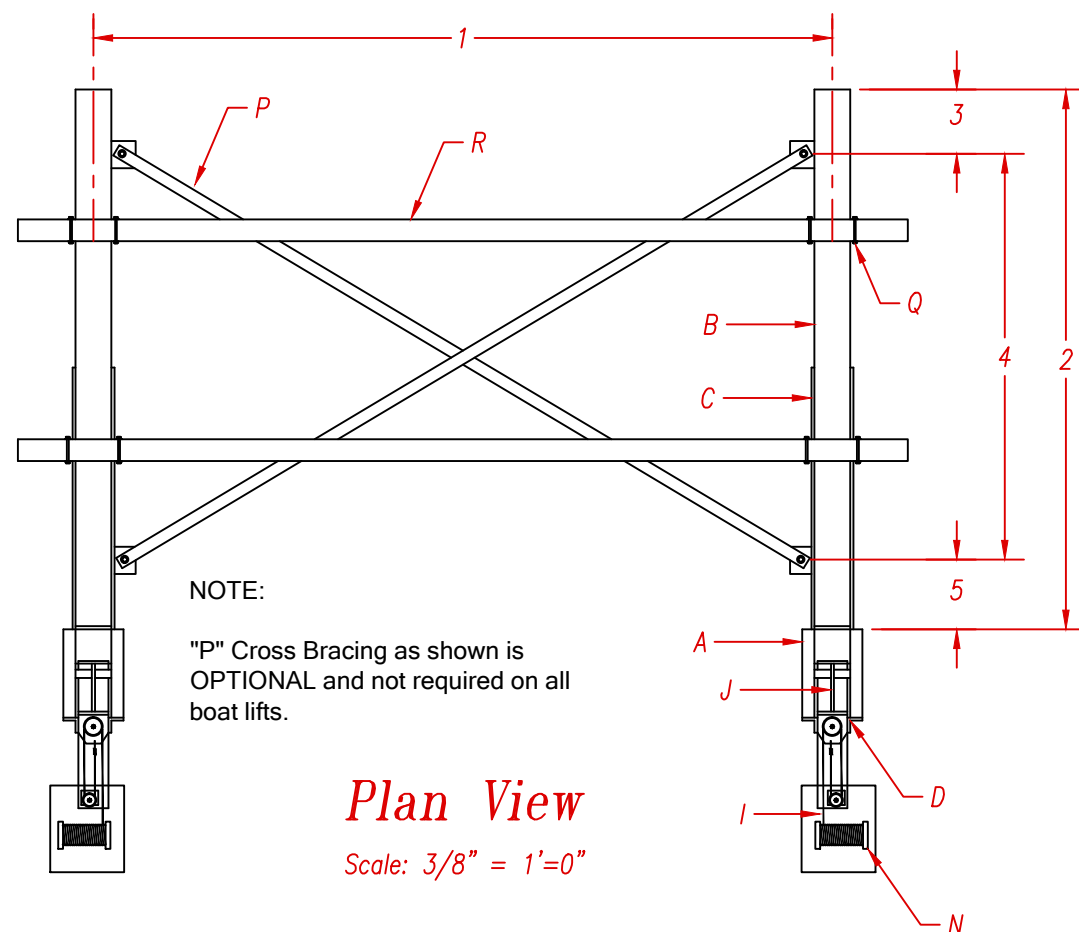
24" Min.  
Embedment

PAGE: 8

SCALE: 32  
DATE: 02.15.2016  
DRAWN BY: WRT  
CHECKED BY: MW  
YL\Docks\3 Details 48.dwg

Project:  
Dock and Seawall Repair  
Donald Sussman  
5 Harborage Isle Drive  
Ft Lauderdale, FL 33316

MARK E. WEBER, P.E.  
LICENSE #53895 | CA #30702  
MW, Engineering, Inc  
6810 North State Road 7  
Coconut Creek, FL 33073  
561-305-0476  
WWW.MwEngineering.net  
CAM 17-0533



Dimensions		
Lift Capacity (In Pounds)		7,000
Dimension Mark	1	10'
	2	7'
	3	6"
	4	6'
	5	1'-6"
	6	2'-8"
	7	4'
	8	1'-6"
	9	13"
	10	8"

Components		
Lift Capacity (In Pounds)		7,000
A	Carriage Boom (2 Required per Lift Arm)	AS C 6"x3.6
B	Cradle Arm	AA I - 6"x4.7
C	Gusset Plate (2 Required per Lift Arm)	$\frac{3}{8}$ "x3" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	$\frac{3}{8}$ "x2"x3" Angle
E	Lower Carriage Angle (2 Required per Lift Arm)	$\frac{3}{8}$ "x2"x3" Angle
F	Pulley Plate (2 Required per Lift Arm)	$\frac{3}{8}$ "x6" Flat Bar
G	Upper Guide Wheel (4 Required per Lift Arm)	4" Diameter
H	Lower Guide Wheel (1 Required per Lift Arm)	4" Diameter
I	Cable Size (Stainless Steel)	$\frac{5}{16}$ " Diameter 7x19 SS 304
J	Guide Track	AA I - 8"x6.3
K	Guide Track To Guide Track Brace	AA CS 4"x1.8
L	Attachment Bracket	(2) $\frac{3}{8}$ "x2"x3" Angles with welded $\frac{1}{2}$ " Thick Inner Plate
M	Track Mount Connector (2 Required per Lift Arm)	$\frac{3}{8}$ "x2"x4" Angle & $\frac{3}{4}$ " Bolts
N	Motor Size (Horse Power/Voltage)	
O	Guide Post Socket	2" Diameter Schedule 80 Pipe
P	Cross Brace (Telescoped)	2" Diameter 80 & 1-1/2" Schedule 40
Q	Bunk Bracket Support (2 Each Side of Lift Arm)	$\frac{1}{4}$ "x2"x2"
R	Bunk Boards	3"x8" Pressure Treated Southern Yellow Pine #1

#### General Notes:

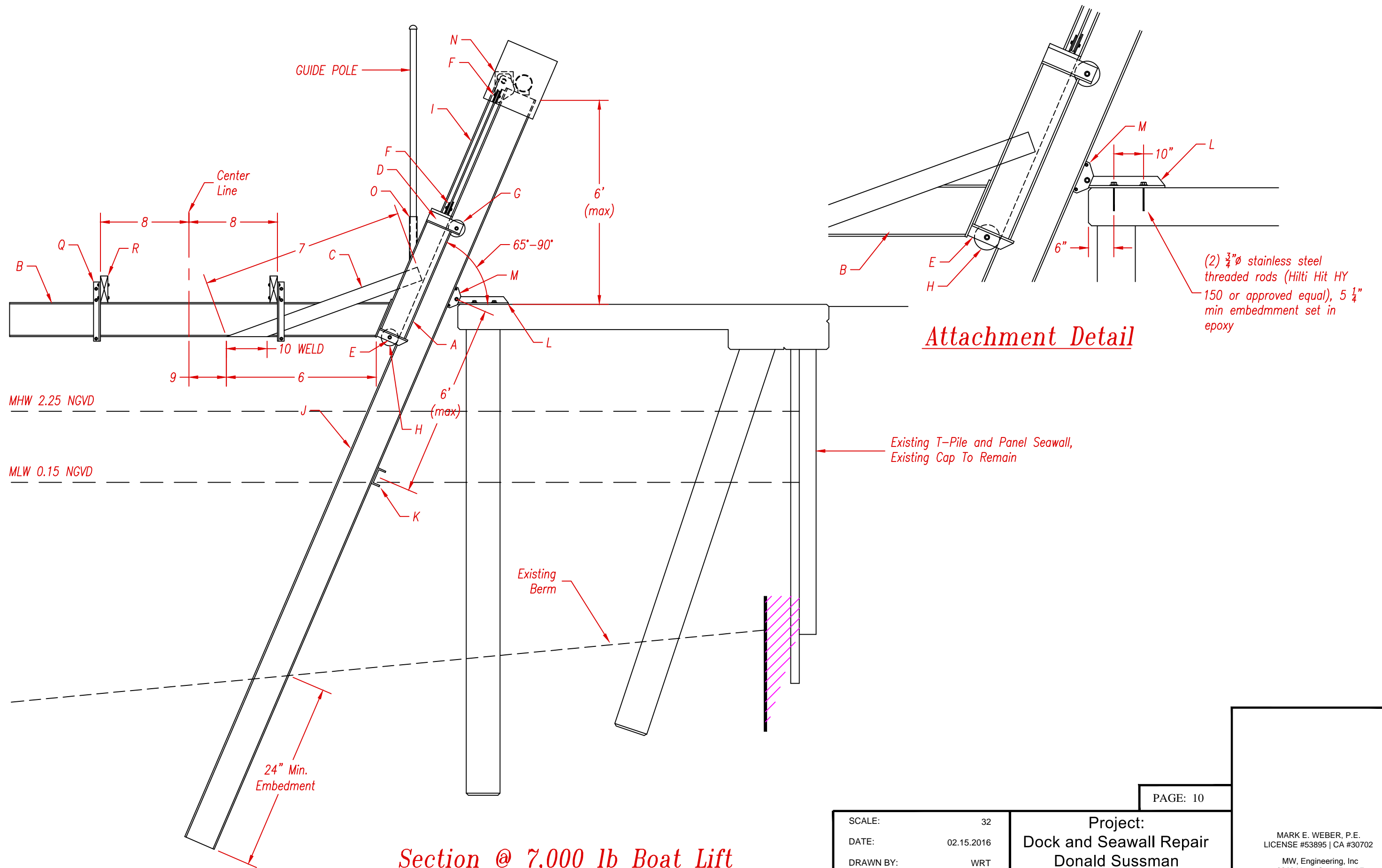
- Design in accordance with Florida Building Code, 5th Edition (2014).
- This lifting structure has been designed to withstand wind loads associated with speeds of  $V_{ult} = 175$  MPH, (3 Second Gust) Exposure 'D' without a boat on the lift per ASCE 7-10 using above ground sign/wall method. The lifting structure including boat has been designed to withstand wind speeds of  $V_{ult} = 73$  MPH in Exposure 'D'.
- Boats shall not be stored on lift during high wind events.
- Do not scale drawings for dimensions.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper installation of the work.
- Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Aluminum: Material 6061 T6 Aluminum, all welds are min.  $\frac{1}{4}$ " full fillet weld using 5556 filler alloy, all welding must conform to AISC steel construction manual 13th ED as inspected and verified by others. The contractor is responsible to insulate aluminum members from dissimilar metals to prevent electrolysis.
- Aluminum members in contact with concrete and wood shall be protected by "Koppers Bituminous Paint" or Polyethylene Tape UHMW (ultra high molecular weight). 11.7 mils (0.30 mm) min. total thickness in accordance with current Florida Building Code.
- All anchors to be Hilti Brand or Approved Equal. All bolts shall be hot dipped galvanized or stainless steel & meet the requirements of ASTM A304 with hardened washers and hex nuts. Washers shall be used between wood & bolt head & between wood & nut. Where generic fasteners are labeled in details, capacities shall be equal to or greater than Hilti Kwik Bolt II or Red Head thru bolts SAE Grade 5 or better. Embedment depths specified herein are depths into solid substrate and do not included thickness of other finishes.
- MW Engineering has no control of the manufacturing, performance or installation of this product. These generic plans were engineered in accordance with accepted engineering practices and data provided by the manufacturer.

PAGE: 9

SCALE: 32  
DATE: 02.15.2016  
DRAWN BY: WRT  
CHECKED BY: MW  
YL\Docks\3 Details 48.dwg

Project:  
Dock and Seawall Repair  
Donald Sussman  
5 Harborage Isle Drive  
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Coconut Creek, FL 33073  
561-305-0476  
WWW.MwEngineering.net  
CAM 17-0533



## Section @ 7,000 lb Boat Lift

Scale: 3/8" = 1'-0"

## Attachment Detail

(2) 3/4" stainless steel threaded rods (Hilti Hit HY 150 or approved equal), 5 1/4" min embedment set in epoxy

Existing T-Pile and Panel Seawall,  
Existing Cap To Remain

Existing  
Berm

24" Min.  
Embedment

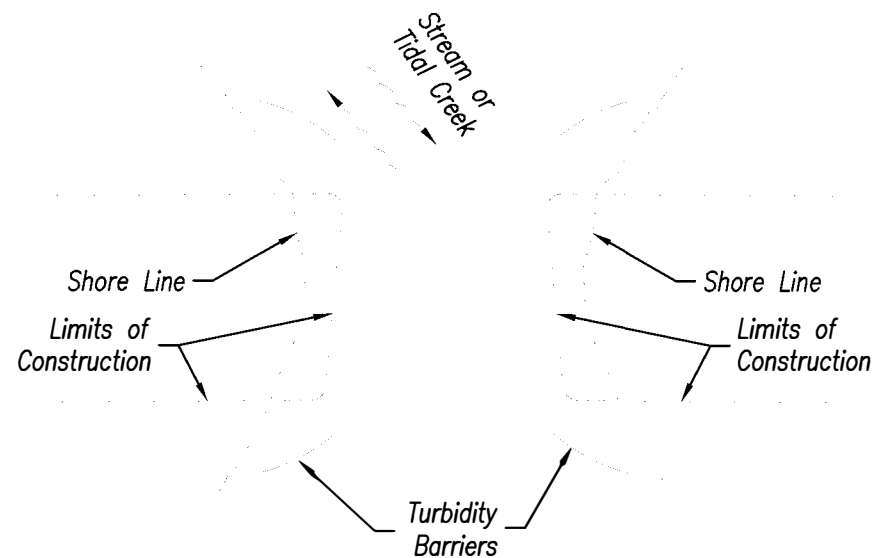
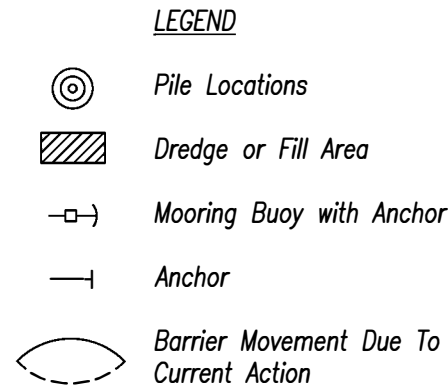
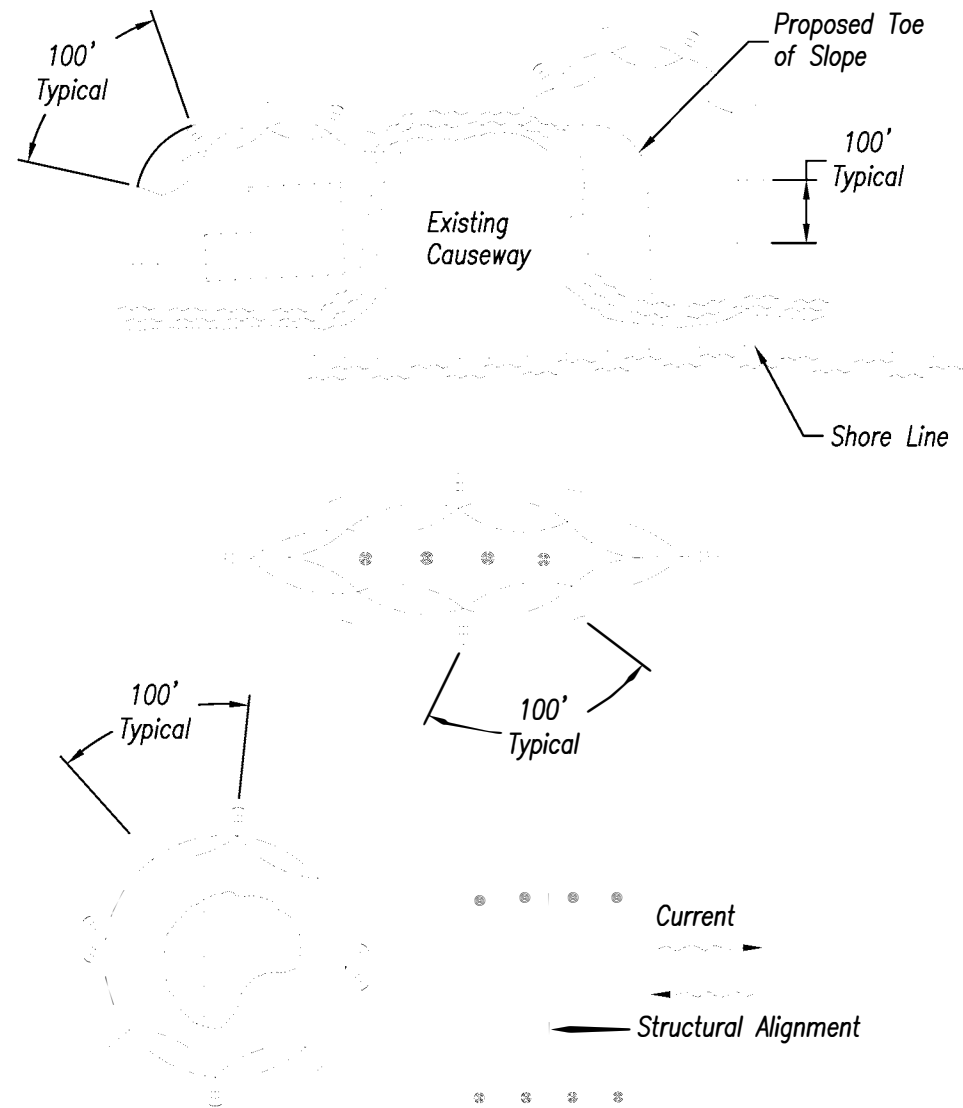
PAGE: 10

SCALE: 32  
DATE: 02.15.2016  
DRAWN BY: WRT  
CHECKED BY: MW  
YL\Docks\3 Details 48.dwg

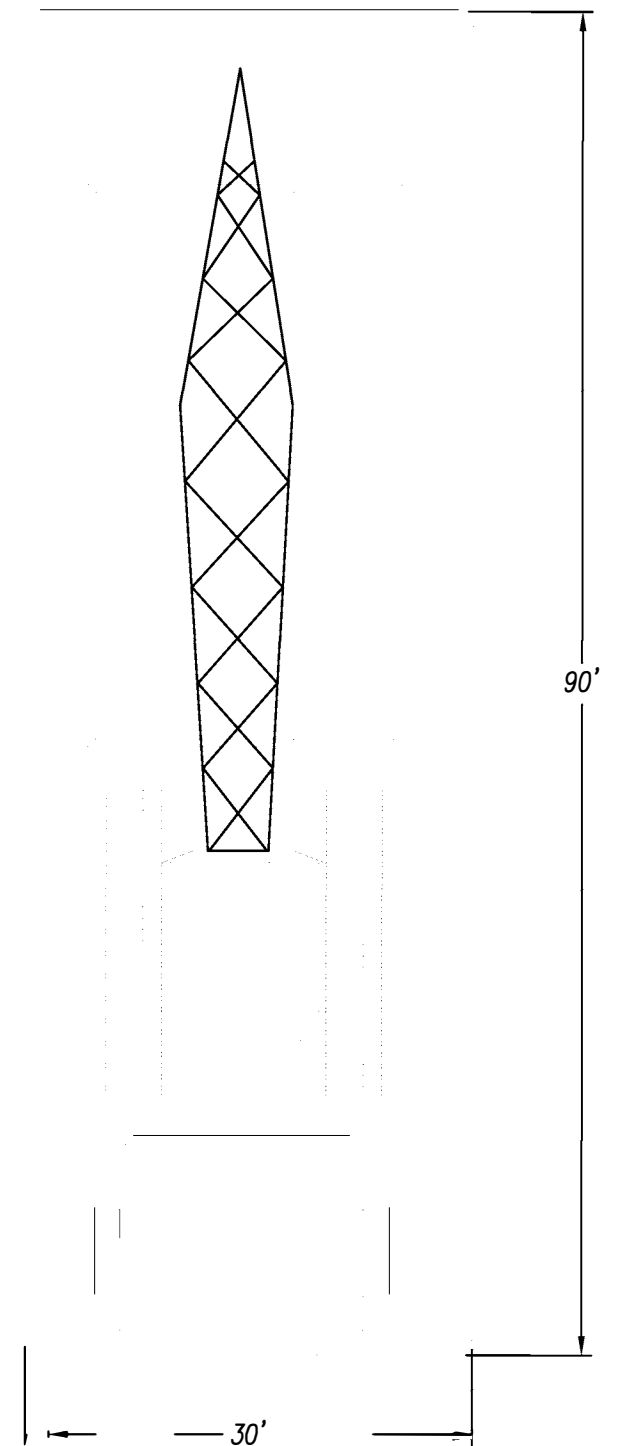
Project:  
Dock and Seawall Repair  
Donald Sussman  
5 Harborage Isle Drive  
Ft Lauderdale, FL 33316

MARK E. WEBER, P.E.  
LICENSE #53895 | CA #30702  
MW, Engineering, Inc  
6810 North State Road 7  
Coconut Creek, FL 33073  
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CAM 17-0533





## Construction Barge



### 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.

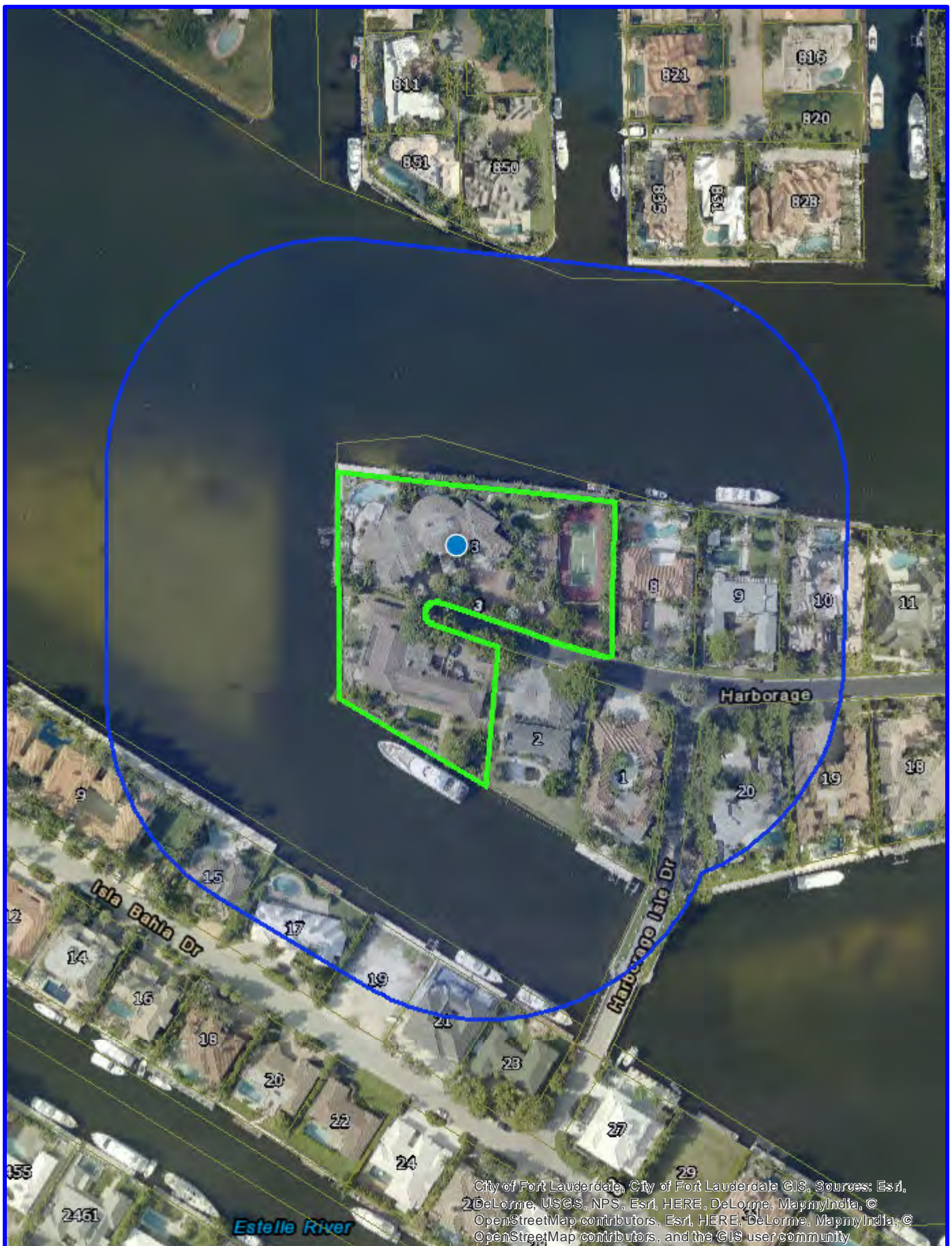
### NOTE:

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 Contractor's 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 of Record.

## TURBIDITY BARRIER APPLICATIONS

Date	Notes	NOT VALID UNLESS SEALED WITH THE EMBOSSSED SEAL	James Bushouse, Inc. CONSULTING ENGINEERS C.A. #27565	Proposed Dock, Seawall Repair and Boatlift Donald Sussman 5 Harborage Isle Ft Lauderdale, Florida 33316	SCALE: 48 DATE: 10.20.2015 DRAWN BY: WRT CHECKED BY: JB JOB No: 3 Details 48
		James Bushouse, P.E. Professional Engineer #20311 State of Florida	1550 N. ANDREWS AVENUE POMPANO BEACH, FLORIDA 33069 (954) 956-2203	216 E. MAGNOLIA STREET ARCADIA, FLORIDA 34266 (863) 491-8242	Sheet 11 CAM 17-0533

**EXHIBIT V**  
**ZONING AERIAL**



CITY OF FORT LAUDERDALE

## 5 Harborage Isle



0 90 180 Feet

**GIS**  
Fort Lauderdale

CAM 17 0533

Printed on: 5/12/2017

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## **EXHIBIT VI SUMMARY DESCRIPTION**

**Summary Description**  
**5 Harborage Isle**  
**TCG Project No. 16-0014**

The project site is located along the Intracoastal Waterway (ICWW) and Davock Bay at 5 Harborage Isle Drive, in Section 12, Township 50, Range 42, in the City of Fort Lauderdale, Broward County, Florida.

The property is located along the ICWW and Davock Bay, which are a tidal waters. The nearest direct connection to the Atlantic Ocean is 1.2 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 southeast and the outgoing waters (ebb) move to the northwest.

The project site consists of an existing  $\pm 2,849$  sq. ft. marginal concrete dock. The proposed project includes the construction of a new concrete marginal dock, the repair of an existing seawall, the installation of two (2) boat lifts, and the installation of two (2) triple mooring pile clusters. As measured from the property line, the proposed two (2) triple pile clusters encroach more than 25' from the property line into Davock Bay. As these distances are over the allowable 25' distance into the waterway from the property line, the proposed 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 width of the waterway at this location to the closest structure ( $\pm 165$ ), the proposed project will not impede navigation within Davock Bay.
3. The mooring piles are necessary for safely mooring existing vessels, especially during high wind events and severe weather.

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

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM PROPERTY LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>Triple Mooring Pile #1</b>	<b>±43'</b>	<b>25'</b>	<b>±18'</b>
<b>Triple Mooring Pile #2</b>	<b>±43'</b>	<b>25'</b>	<b>±18'</b>

**EXHIBIT VII  
SITE PHOTOGRAPHS**





1. Southeastern corner of the property, facing northwest along the Intracoastal Waterway.



2. Southwestern corner of the property, facing southeast along the Intracoastal Waterway.





3. Davock Bay, facing northeast from Harborage Isle Drive towards the property.



4. Davock Bay, facing east along 1 Harborage Isle Drive. Note existing pilings extending into Davock Bay.

**EXHIBIT VIII**  
**DISTANCE EXHIBIT**



INTRACOASTAL WATERWAY



DAVOCK BAY

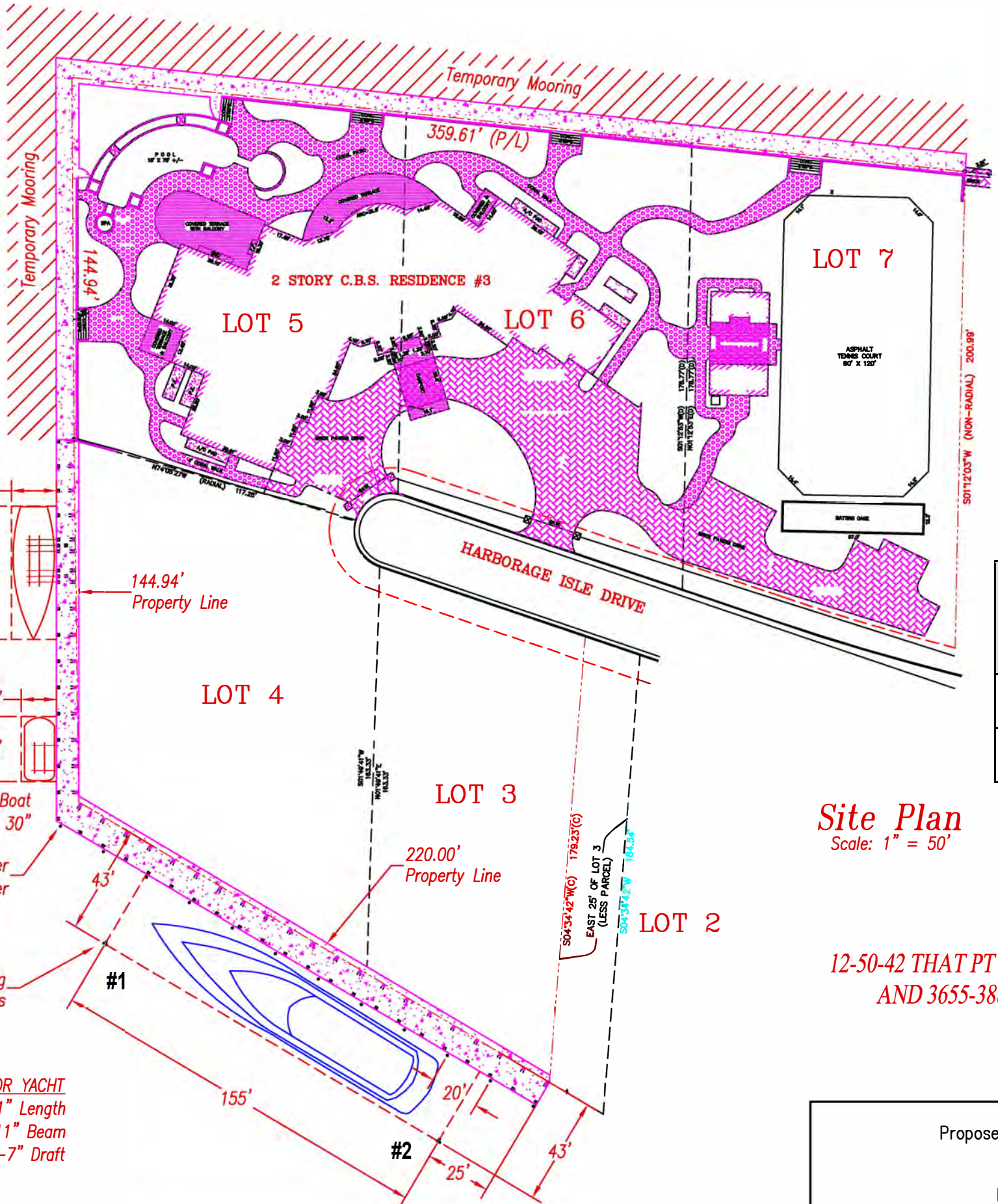
HYDRA SPORT 53  
Length = 53'  
Beam = 13'  
Draft = 36"

MOTOR YACHT  
129'-11" Length  
25'-11" Beam  
6'-7" Draft

(12) New 12"Ø Wood Bumper  
Piles @ 20' On Center

(2) Triple Mooring  
Pile Clusters

25' Pontoon Boat  
Draft = 30"



Site Plan  
Scale: 1" = 50'

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Triple Mooring Pile #1	±43'	25'	±18'
Triple Mooring Pile #2	±43'	25'	±18'

Legal Description

12-50-42 THAT PT OF SW1/4 AS DESC IN OR 3528-222, 3761-113, 3558-84  
AND 3655-388 AKA: LOT 3 LESS ELY 25 & ALL LOT 4 THRU 7

THE HARBORAGE

Proposed Dock, Seawall Repair and Boatlift  
Donald Sussman  
5 Harborage Isle  
Ft Lauderdale, Florida 33316