

**ZA-22-0002**  
**REZONING AMENDMENT**

**AGENT AUTHORIZATION FORM**

Owner(s) of Record: SHM NEW PORT COVE LLC & RBY LLC

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared TIM SARGENT

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

SEE ATTACHED PARCEL ID'S

the street address of which is: \_\_\_\_\_

and that we hereby appoint:

Name: Mike Spruce / Liam Sargent

Address: 1615 South Congress Ave, Suite 201

Telephone: 561-484-5257

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

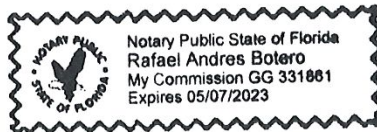
[Signature] (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

Sworn to and subscribed before me this 29th day of March, 2023.

[Signature]  
Notary Public



<b>Number</b>	<b>Location</b>	<b>PCN</b>	<b>Owner</b>
1	1900 BROADWAY	5643422833000010	RBY LLC
2	1940 AVENUE C	56434228110020041	RBY LLC
3	2035 AVENUE C	56434228110070010	RBY LLC
4	156 E 20TH ST	56434228110050010	RBY LLC
5	2017 AVENUE B	56434228110050030	SHM NEW PORT COVE LLC
6	2100 AVENUE B	56434228110020030	RBY LLC
7	170 E 21ST ST	56434228110040010	SHM NEW PORT COVE LLC
8	AVENUE B	56434228110040020	SHM NEW PORT COVE LLC
9	AVENUE B	56434228110040030	SHM NEW PORT COVE LLC
10	E 22ND ST	56434228110040041	SHM NEW PORT COVE LLC
11	157 E 22ND ST	56434228110040042	RBY LLC
12	117 E 22ND ST	56434228110040150	RBY LLC
13	2160 AVENUE C	56434228110040130	RBY LLC
14	108 E 21ST ST	56434228110040110	RBY LLC
15	100 E 21ST ST	56434228110040120	RBY LLC
16	2101 AVENUE C	56434228110080010	RBY LLC
17	43 E 22ND ST	56434228110080130	RBY LLC
18	34 E 21ST ST	56434228110080030	RBY LLC
19	26 E 21ST ST	56434228110080040	RBY LLC
20	19 E 22ND CT	56434228110030161	RBY LLC
21	30 E 22ND ST	56434228110030150	RBY LLC
22	43 E 22ND CT	56434228110030140	RBY LLC
23	56 E 22ND ST	56434228110030130	RBY LLC
24	103 E 22ND CT	56434228110030101	RBY LLC
25	107 E 22ND CT	56434228110030090	RBY LLC
26	133 E 22ND CT	56434228110030070	RBY LLC
27	148 E 22ND ST	56434228110030050	RBY LLC
28	167 E 22ND CT	56434228110030040	SHM NEW PORT COVE LLC
29	156 E 22ND ST	56434228110030030	SHM NEW PORT COVE LLC
30	E 22ND CT	56434228110030020	SHM NEW PORT COVE LLC
31	E 22ND ST	56434228110030010	SHM NEW PORT COVE LLC

December 5<sup>th</sup>, 2022

Clarence Sirmons, Director of Development Services  
City of Riviera Beach  
600 West Blue Heron Blvd  
Riviera Beach, FL 33404

***Re: Safe Harbor Rybovich Marina Expansion  
Rezoning Resubmittal***

Dear Mr. Sirmons,

The applicant, Safe Harbor Marinas, represents a significant business investment in the growing city of Riviera Beach. The group has acquired what was previously known as the “Rybovich Marine Facility” and several additional parcels to the north for operational expansion. The facility and parcels are located off Broadway Street corridor, five (5) blocks south of Blue Heron Boulevard, with water access to the intracoastal.

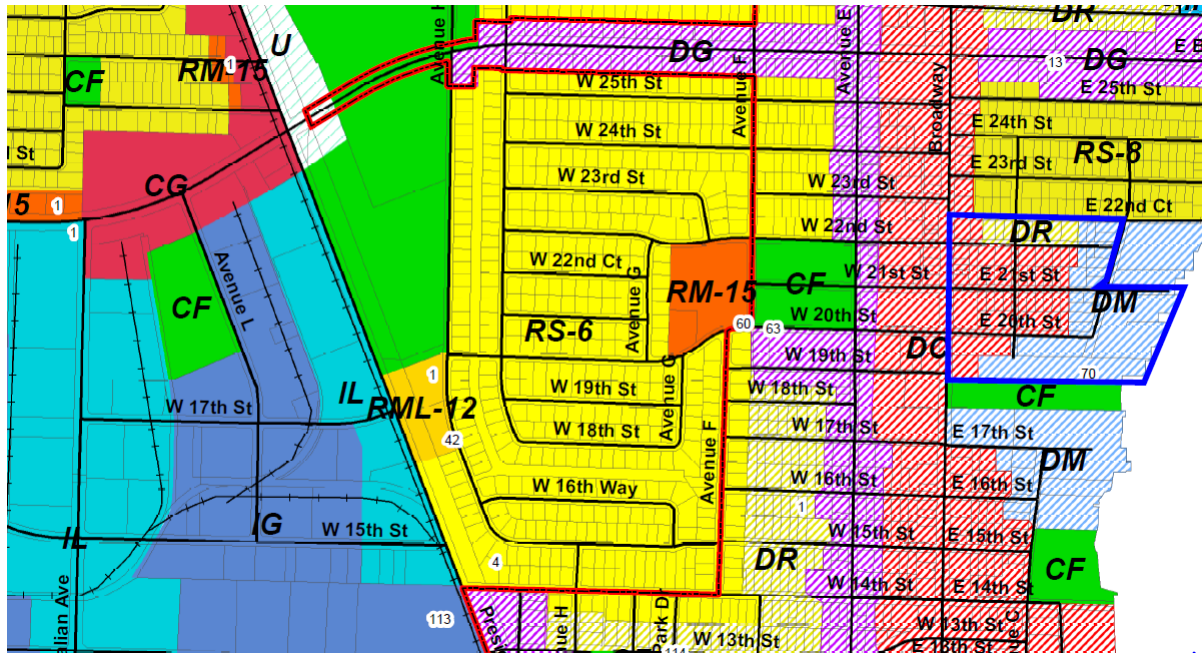
Through the acquisition of the Rybovich Marine Facility, Safe Harbor Marinas has also inherited the significant business and global customer base associated with the prior owner and is fully committed to ensuring the superyacht repair industry remains and grows as a significant asset for the City of Riviera Beach, its downtown business district, and the surrounding working waterfront of complimentary marine industries. A large part of that commitment was recently demonstrated by Safe Harbor's announcement to make the Riviera Beach property their international superyacht headquarters.

Safe Harbor Marinas, as the "applicant", is proposing a footprint of the existing facility that will include current operations, as well as the ability to absorb the entire upland operations of the former Rybovich facility in West Palm Beach. As a result, the City of Riviera Beach will become the international focal point as the largest superyacht repair facility in the United States and the beneficiary of the global recognition that will come with that exposure.

The applicant's expansion proposal targets the area from E 21<sup>st</sup> Street north to E 22<sup>nd</sup> Court, between Broadway Street in the west and Avenue B in the East. These two blocks are folded into the overall Safe Harbor Rybovich campus site plan and are expected include additional tender storage, marine service areas and contractor buildings.

As this expansion occurs, it is the request of the applicant to rezone portions of the overall site to remain contiguous and conforming with the adjacent districts and uses of the campus. As it

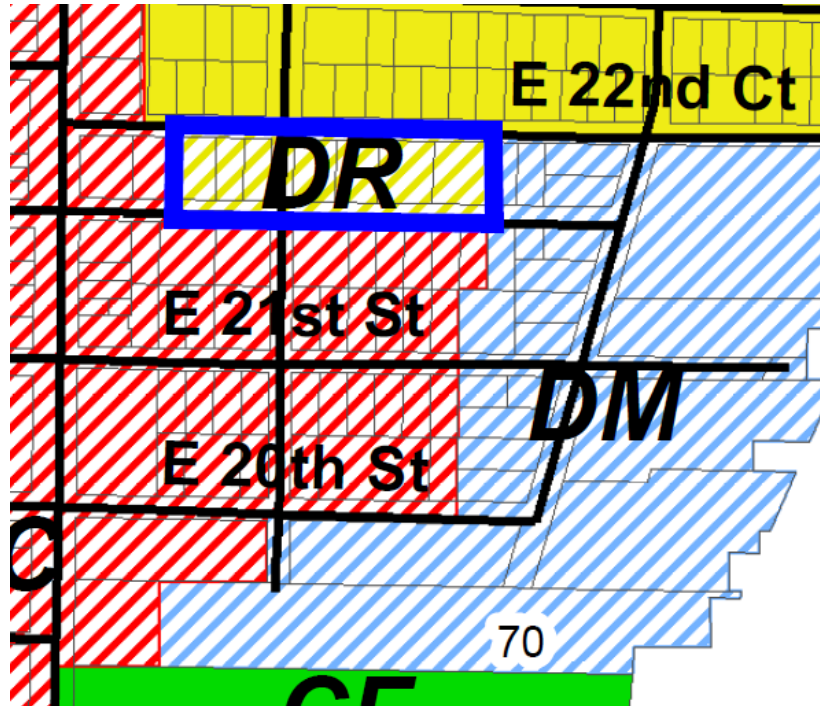
exists today, shown by the figure below, the site is primarily split between the Downtown Core (DC) and Downtown Marina (DM) zoning districts.



## Rezoning

A formal rezoning is requested to change the Downtown Residential (DR) district located off E 22<sup>nd</sup> Court to Downtown Marina (DM) and a small section of Downtown Core (DC) to Downtown Marine (DM) as described in the below. Downtown Marine (DM) being a district that is more compatible with the uses and existing zoning districts of the downtown marine area.

A minor section of vacant and existing single-family parcels, zoned Downtown Residential (DR), are included within the proposed expansion. The parcels are under contract and have been already replaced with marine oriented buildings. The proposed structures are not compatible with the existing Downtown Residential (DR) zoning district and are significant to the Safe Harbor Marina expansion and development. They are expected to range in use from Maintenance to Repairing and Servicing Facilities for Marine Equipment.



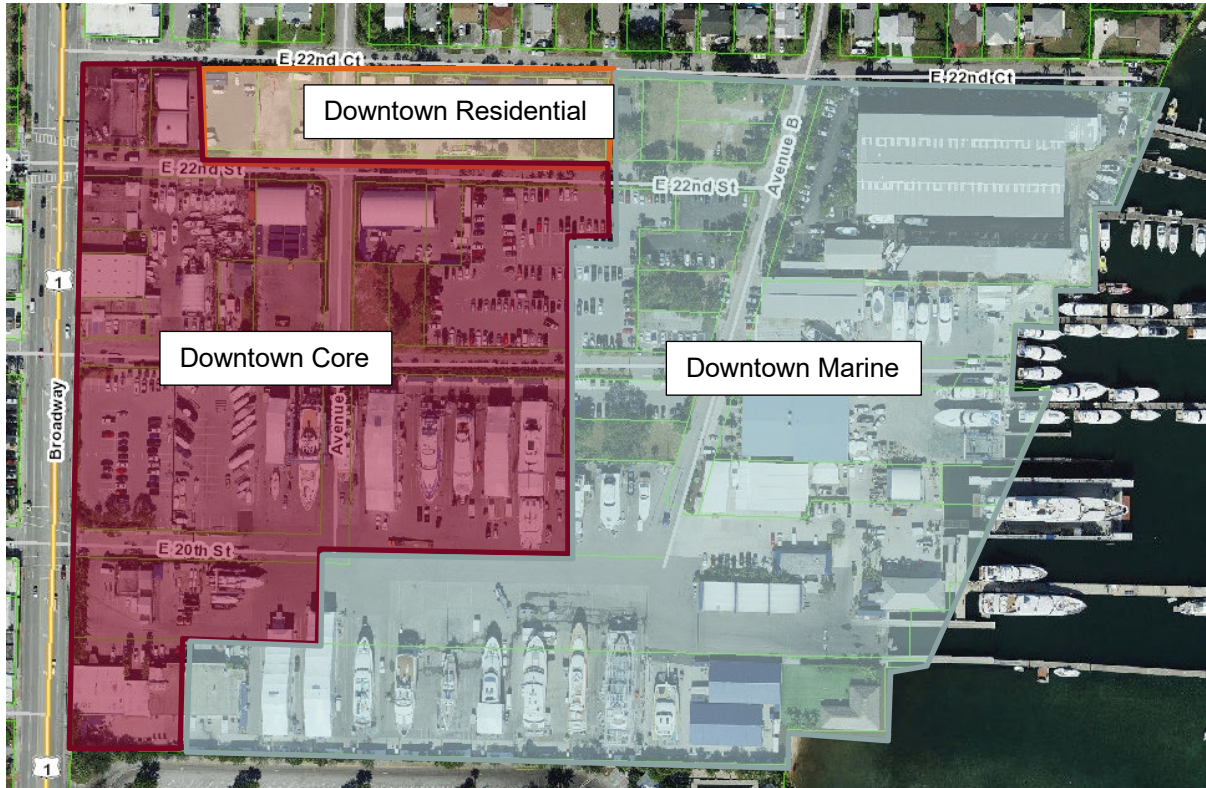
Looking to the map above, all the parcels to the east of the project area (Specifically towards the end of E 22<sup>nd</sup> Court) are Downtown Marine (DM) with no supporting Downtown Residential (DR). This is due to the commercial and marine nature of Broadway and the downtown waterfront location. A complete Downtown Marine (DM) zoning district offers a more polished transition while being a more efficient buffer to the marine servicing and boat movements occurring within the Safe Harbor Rybovich facility and in the general Downtown Marine (DM) District. The DM district is expected to be an efficient buffer, maximizing the potential of uses while maintaining an overall less intense façade and sightline as compared to other potential uses. The new district will buffer the residential to the north through height transitions and opaque buffers. The proposed buildings complete and incorporate themselves with the existing commercial and marine related uses associated along Broadway and within the Safe Harbor Marina campus.

Additionally, the applicant believes that transitioning the DC district area within the campus, excluding the area along Broadway, will better serve the interior layout and uses on site. The DC district will remain along the parcels adjacent to Broadway, while the DC area to the east of the immediate Broadway area will be transitioned to Downtown Marine to make a complete Marine district for the campus.

An exhibit has been provided which shows the expected zoning change from an aerial and map perspective, extending the Downtown Marine (DM) section to E 22<sup>nd</sup> Court in replacement of

the Downtown Residential (DR) district. This creates a whole and complete district, avoiding the fragmentation of any residential districts and providing an efficient buffer to the complete residential district to the north. Due to the proposed rezoning, there are no special exception uses being requested along those areas. Additionally, there are no variances being sought.

Existing:



## Proposed



## Criterion

- 1) *Whether the proposed amendment is consistent with all elements of the city comprehensive plan;*

The proposed rezoning amendment requests to formally define the area along and with access to the intracoastal as part of the Downtown Marine district with the specific primarily high-quality marine repair use. The rezoning additionally identifies the parcels along Broadway as part of Downtown Core, a more transitional district that is commercial in nature.

The applicant affirms that this amendment is consistent with all elements of the comprehensive plan. There are specifically three policies within the Future Land Use Element that the amendment meets and exceeds:



POLICY FLUE 1.2.13: THE REVISIONS TO THE ADOPTED REDEVELOPMENT PLAN SHALL CONTINUE TO PURSUE THE PLANNING AND DEVELOPMENT OF THE WORKING WATERFRONT TO OPTIMIZE RIVIERA BEACH'S UNIQUE WATERFRONT LOCATION. THE PLAN SHALL ALSO CREATE OPPORTUNITIES FOR MIXED USES, SUCH AS HIGH-QUALITY BOAT BUILDING AND REPAIR, MARINE INDUSTRY USES REQUIRING EASY ACCESS TO THE OCEAN, SUPPORT BUSINESSES INCLUDING RESTAURANTS, BOAT SALES AND RELATED BUSINESSES AND WET AND DRY BOAT STORAGE REQUIRING "IN & OUT" SERVICES WITH PRIORITIES FOR BUSINESSES WITH DEPENDENCE ON THE PROXIMITY TO DEEP WATER

The proposed rezoning allows for the city to continue the pattern of planning and developing necessary marine-oriented uses along the waterfront while encouraging a mix of uses near major roadways and public ROW.

POLICY FLUE 1.2.21.(7) COMMERCIAL MARINE AREA: THE LAND DEVELOPMENT REGULATIONS WILL DEFINE APPROPRIATE TRANSITIONS BETWEEN MARINE INDUSTRY AND SURROUNDING USES. RATHER THAN RELYING SOLELY ON LANDSCAPE BUFFERS FOR SEPARATION, THE LAND DEVELOPMENT REGULATIONS WILL INCLUDE TECHNIQUES WHICH WILL REGULATE THE EDGES OF THE LOTS USING MIXED USE BUILDINGS WITH USABLE WINDOWS AND DOORS TO PROVIDE APPROPRIATE TRANSITIONS. RESIDENTIAL USES, BUSINESSES, RESTAURANTS, AND OFFICE FUNCTIONS CAN BE LOCATED ALONG THESE EDGES TO PROVIDE AN APPROPRIATE TRANSITION.

A transition has been defined by the Rezoning which shall encourage Downtown Core uses and development regulations along Broadway. This will create an appropriate transition of the Downtown Marine district by providing a stricter set of code compliant commercial-oriented uses along the edges of the site.

POLICY FLUE 1.8.1 WORKING WATERFRONT: COMMERCIAL FISHING, VESSEL CONSTRUCTION AND REPAIR, MARINE-RELATED REPAIR AND CONSTRUCTION, MARINE COMMERCE, RESEARCH, SERVICES AND SALES, MARINE RELATED DEFENSE INDUSTRY AND RELATED MANUFACTURING AND SUPPORT SERVICES, INSIDE AND OUTSIDE BOAT STORAGE, AND RELATED USES INCLUDING BOAT RAMPS, MARINAS, AND WATERFRONT RESTAURANTS. THE CITY WILL CONTINUALLY PROMOTE POLICIES TO ENCOURAGE BUSINESSES (AND THOSE THAT SERVICE THEM) REQUIRING DEEP WATER ACCESS. TRANSITIONS BETWEEN WORKING

WATERFRONT PROPERTIES AND EXISTING RESIDENTIAL STREETS WILL BE MANAGED USING TRANSITIONAL/FLEXIBLE SPACES AS SET FORTH IN POLICY 1.3.5.

The rezoning encourages and promotes a longtime marine related business within the City of Riviera Beach. This includes the transitions and mixes of uses identified in previous policies.

2) *Whether there exist changed conditions which require an amendment.*

The applicant is rezoning an isolated Downtown Residential zoning district within the project boundaries to create two unified zoning districts. The incorporation of these existing Downtown Residential parcels into the development signifies a completion of the expansion up to E 22<sup>nd</sup> Court. As such, the zoning district of this area requires a change to make the land compliant with the proposed marine-oriented uses of the site.

3) *Whether the proposed amendment is in conformance with all applicable portions of the city development code.*

The proposed amendment is in conformance with all applicable rezoning portions of the City's Code of Ordinances.

4) *Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses.*

The proposed rezoning is consistent with the proposed land uses. As it exists today, the current zoning district of a portion of the site does not allow for the specific marine industrial repair and associated uses. The rezoning from Downtown Residential to Downtown Core and Downtown Marine removes any inconsistencies between uses and zoning district on site.

5) *Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities.*

The proposed amendment does not exceed existing capacity for public facilities, including stormwater, water/sewer utility services or solid waste for the project.

6) *Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment.*

The proposed amendment has no adverse impacts on the natural environment. All of the parcels included within the rezoning have no significant environmental value and either vacant or previously developed lots.

7) *Whether and the extent to which the proposed amendment would adversely affect property values in the area; and*

The proposed amendment is only applicable to the parcels included within the overall site redevelopment. Regarding adjacent parcels and the surrounding area, it is expected that the change will generally improve property values in the area and not adversely affect them.

8) *Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.*

The amendment creates a logical zoning district pattern that follows the policies of the City's Comprehensive Plan. As shown in the exhibits above, the new pattern reflects the marine oriented, more intense, Downtown Marine district encompassing the areas of the site dedicated to the repair and storage of high value boats and equipment. These areas will continue to have direct access to the waterway. To transition this area, the Downtown Core district is proposed to remain linear along Broadway. The less intense commercial uses will serve to visually limit the impacts of any marine repair uses.

We appreciate your consideration of this application package and are available for discussion or meetings to discuss particular aspects of the exhibits if that would be helpful.

Best Regards.

Liam Sargent

***Attachments***

***Cc: Client***



CFN 20060006068  
 OR BK 19754 PG 0509  
 RECORDED 01/04/2006 15:19:27  
 Palm Beach County, Florida  
 AMT 29,455,300.00  
 Doc Stamp 206,187.10  
 Sharon R. Bock, CLERK & COMPTROLLER  
 Pgs 0509 - 517; (9pgs)

W/C Box 116/RJ

Prepared by and return to:  
 Lawrence W. Smith  
 Attorney at Law  
 Gary, Dytrych & Ryan, P.A.  
 701 U. S. Highway One Suite 402  
 North Palm Beach, FL 33408  
 561-844-3700  
 File Number: 2647274 RBY  
 Will Call No. 116

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### Special Warranty Deed

This Special Warranty Deed made this 3<sup>rd</sup> day of January, 2006 between Hudgins 2010 Corporation, a Florida corporation, as owner of Exhibit "A" Parcels A, B, C, D, E, F, G, O and Q; Acme 1930 Corp., a Florida corporation, as owner of Exhibit "A" Parcel H; Millennium Development, LLC, a Florida limited liability company, as owner of Exhibit "A" Parcel P whose post office address is 2010 Avenue "B", Riviera Beach, FL 33404, grantor, and RBY, LLC, a Florida limited liability company whose post office address is 450 E. Las Olas Blvd., Suite 1500, Fort Lauderdale, FL 33301, grantee:

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

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

See Parcels A, B, C, D, E, F, G, H, O, P and Q on Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Subject to taxes for 2006 and subsequent years, covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

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

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

DoubleTime

Signed, sealed and delivered in our presence:

[Signature]  
Witness Name: LAWRENCE W. SMITH  
[Signature]  
Witness Name: Robin Jarrell

Hudgins 2010 Corporation, a Florida corporation

By: [Signature]  
John Staluppi, President  
  
(Corporate Seal)

[Signature]  
Witness Name: LAWRENCE W. SMITH  
[Signature]  
Witness Name: Robin Jarrell

Acme 1930 Corp., a Florida corporation

By: [Signature]  
John Staluppi, President  
  
(Corporate Seal)

[Signature]  
Witness Name: LAWRENCE W. SMITH  
[Signature]  
Witness Name: Robin Jarrell

Millennium Development, LLC, a Florida limited liability company

By: [Signature]  
John Staluppi, Manager

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2005 by John Staluppi, President of Hudgins 2010 Corporation, a Florida corporation, on behalf of the corporation. He  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



[Signature]  
Notary Public  
Printed Name: Robin A. Jarrell  
My Commission Expires: 4/2/2006

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of December, 2005 by John Staluppi, President of Acme 1930 Corp., a Florida corporation, on behalf of the corporation. He  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]

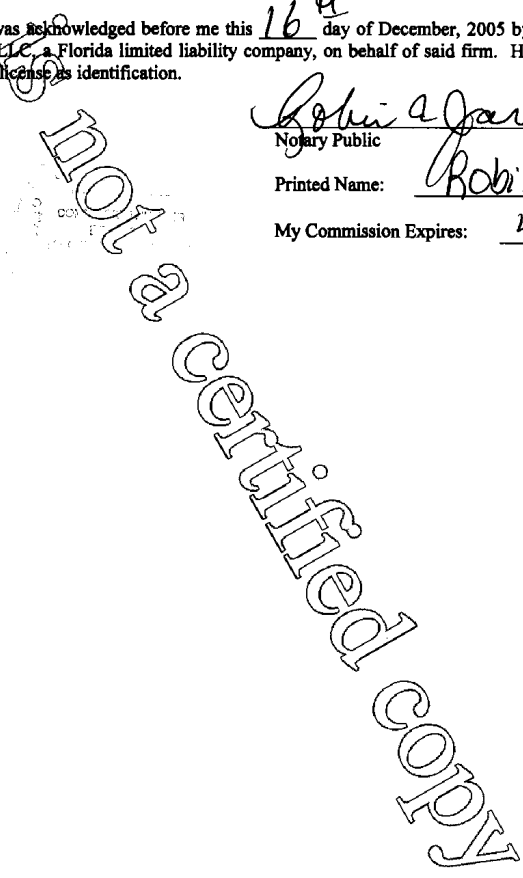


Robin A. Jarrell  
Notary Public  
Printed Name: Robin A. Jarrell  
My Commission Expires: 4/2/2006

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of December, 2005 by John Staluppi, Manager of Millennium Development, LLC, a Florida limited liability company, on behalf of said firm. He  is personally known or  has produced a driver's license as identification.

[Notary Seal]



Robin A. Jarrell  
Notary Public  
Printed Name: Robin A. Jarrell  
My Commission Expires: 4/2/2006

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

**PARCEL A:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-005-0110**

Lot 11, Block 5, REVISED PLAT OF COCOANUT LODGE, according to the Plat recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida.

**PARCEL B:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**Parcel 1:**            **PCN: 56-43-42-28-33-000-0010**

Lot 1, RANDOLPH PARK, according to the Plat thereof, recorded in Plat Book 27, Page 7, in and for the Public Records of Palm Beach County, Florida.

Together With:

**Parcel 2:**            **PCN: 56-43-42-28-11-006-0090**

Lots 9 thru 15, inclusive, of the unnumbered block lying West of Block 6 and South of Block 7, REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, recorded in Plat Book 7, Page 52, in and for the Public Records of Palm Beach County, Florida.

LESS AND EXCEPTING the lands conveyed to the State of Florida in those certain Deeds recorded in Official Record Book 810, Page 80 and in Official Record Book 810, Page 94, being more particularly described as follows:

The West 5 feet of Lot 15, of the unnumbered block lying West of Block 6 and South of Block 7, REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, recorded in Plat Book 7, Page 52, in and for the Public Records of Palm Beach County, Florida.

**PARCEL C:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-006-0040**

Lot 4, Block 6 of REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida; said lands situate, lying and being in Palm Beach County, Florida.

**PARCEL D:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-005-0050**

Lot 5, Block 5, REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida

**PARCEL E:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-006-0050 AND 56-43-42-28-11-006-0070**

Lots 5, 6 and 7, Block 6, REVISED PLAT OF COCOANUT LODGE, Riviera Beach, Florida, according to the Plat thereof, on file in the office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida in Plat Book 7, Page 52.

**PARCEL F:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-005-0010**

Lot 1, Block 5, REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, as recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida.

**PARCEL G:**            **HUDGINS 2010 CORPORATION, a Florida corporation**

**Parcel 1:**            **PCN: 56-43-42-28-11-002-0041**

Lot 4, LESS the North 24 feet of the West 150 feet of said Lot and all of Lot 5, Block 2, of the REVISED PLAT OF COCOANUT LODGE, according to the map or plat thereof as recorded in Plat Book 7, Page 52, Public Records of Palm Beach County, Florida:

TOGETHER WITH:

**Parcel 2:**

A parcel of submerged land in Lake Worth, in Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Beginning at a point in the South line of Lot 5, Block 2, REVISED PLAT OF COCOANUT LODGE, according to the Plat thereof, as recorded in Plat Book 7, Page 52, at a distance of 332.95 feet, South 88°22'00" East of the Southwest corner of Said Lot 5, said point being in the high water line on the Westerly shore of Lake Worth thence continue Easterly along the same course, a distance of 64.34 feet, more or less, to a point



in the City of Riviera Beach Bulkhead Line, as established by Ordinance No. 691, and recorded in Plat Book 28, Pages 95 and 96, of the Public Records of Palm Beach County, Florida; thence North 24°12'00" East, along said City of Riviera Beach Bulkhead Line, a distance of 117.57 feet to a point in the Easterly projection of the North line of Lot 4, of said Coconut Lodge Revised Plat; thence North 88°22'00" West, along said Easterly projection of the North line of Lot 4, a distance of 138 feet, more or less, to a point in the aforesaid high water line on the Westerly shore of Lake Worth; thence South 17°20'15" East, along said high water line, a distance of 88.37 feet; thence South 1°38'00" West, along said high water line, a distance of 25 feet to the Point of Beginning.

**TOGETHER WITH A LEASEHOLD INTEREST IN THE FOLLOWING DESCRIBED PROPERTY (SUBJECT TO TERMS OF SOVEREIGNTY SUBMERGED LANDS LEASE AND APPROVAL OF ASSIGNMENT BY THE STATE OF FLORIDA):**

A parcel of submerged land lying in Section 28, Township 42, Range 43, Riviera Beach, Florida

More particularly described as follows:

Commencing at the Northwest corner of Lot 4, Block 2, Revised Plat of Coconut Lodge, Riviera Beach, Florida according to the Plat thereof recorded in Plat Book 7, Page 52, Public Records of Palm Beach County, Florida, thence Easterly, along the North line of said Lot 4, a distance of 402.31 feet to a point in the City of Riviera Beach Bulkhead line as recorded in Plat Book 28, Pages 95 and 96, Public Records of Palm Beach County, Florida, and the Point of Beginning; thence continuing Easterly along the Easterly extension of the North line of said Lot 4, a distance of 384.19 feet; thence Southerly at right angles a distance of 108.28 feet to a point in the Easterly extension of the South line of Lot 5 of said Block 2; thence Westerly along said Easterly extension a distance of 429.31 feet to a point in said Bulkhead Line; thence Northeasterly along said Bulkhead Line a distance of 117.57 feet to the Point of Beginning.

**PARCEL H:**            **ACME 1930 CORP., a Florida corporation**

**PCN: 56-43-42-28-11-002-0060**

**PCN: 56-43-42-28-11-006-0011**

**PCN: 56-43-42-28-11-006-0012**

**PCN: 56-43-42-28-11-006-0020**

**PCN: 56-43-42-28-11-006-0030**

PARCEL 1: Lots 1, 2 and 3, Block 6, Revised Plat of COCOANUT LODGE according to the map or plat thereof as recorded in Plat Book 7, Page 52 of the Public Records of Palm Beach County, Florida.

PARCEL 2: That portion of Avenue B lying between the Easterly extension of the North and South lines of Lot 1, block 6, all as shown on the Revised Plat of COCOANUT

LODGE according to the map or plat thereof as recorded in Plat Book 7, Page 52 of the Public Records of Palm Beach County, Florida.

PARCEL 3: Lots 6 and 7, Block 2, as shown on the Revised Plat of COCOANUT LODGE according to the map or plat thereof as recorded in Plat Book 7, Page 52 of the Public Records of Palm Beach County, Florida, together with former sovereignty land lying in Lake Worth, now filled and being contiguous with the Easterly line of said Lots 6 and 7, Block 2 and lying North, West and South of Jurisdictional Line certified in Official Records Book 11995, Page 74, together with those parcels lying East of said Jurisdictional Line, as deeded by the State of Florida in Official Records Book 18541, Page 1921 and less that portion lying West of said Jurisdictional Line, deeded to the State of Florida in Official Records Book 18541, Page 1918, all Official Records Books recorded in the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Northwest corner of Lot 6, Block 2, as shown on the Revised Plat of COCOANUT LODGE according to the map or plat thereof as recorded in Plat Book 7, Page 52 of the Public Records of Palm Beach County, Florida, thence on an assumed bearing of S 88°22'00" E along the North line and the Easterly extension of the North line of said Lot 6 a distance of 379.18 feet to a point on the Easterly face of a concrete bulkhead at the waterward boundary line as of July 1, 1975 and a point lying on the Jurisdictional Line certified in Official Records Book 11995, Page 74, Public Records of Palm Beach County, Florida; said point also being the Northwest corner of parcel deeded to the State of Florida and shown as parcel 1 in Official Records Book 18541, Page 1918, Public Records of Palm Beach County, Florida; thence S 01°50'06" W along said concrete bulkhead and said Jurisdictional Line a distance of 39.48 feet to a corner of said concrete bulkhead; thence N 88°22'00" W continuing along said concrete bulkhead a distance of 53.64 feet; thence departing said Jurisdictional Line S 02°17'23" W along the waterward face of a concrete bulkhead and along the East line of parcel deeded from the State of Florida and shown as parcel 2 in Official Records Book 18541, Page 1921, Public Records of Palm Beach County, Florida and along the West line of parcel deeded to the State of Florida and shown as parcel 2 in said Official Records Book 18541, Page 1918, a distance of 69.01 feet to a point of intersection with the Easterly extension of the South line of Lot 7, Block 2, said Revised Plat of COCOANUT LODGE; thence N 88°22'00" W along said Easterly extension and along the South line of said Lot 7, Block 2 a distance of 355.81 feet to the Southwest corner of said Lot 7, Block 2; thence N 17°40'39" E along the West line of said Lots 6 and 7, Block 2, a distance of 112.88 feet to the Point of Beginning.

**TOGETHER WITH A LEASEHOLD INTEREST IN THE FOLLOWING DESCRIBED PROPERTY (SUBJECT TO TERMS OF SOVEREIGNTY SUBMERGED LANDS LEASE AND APPROVAL OF ASSIGNMENT BY THE STATE OF FLORIDA):**

A parcel of Sovereignty Land lying in Lake Worth, abutting Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida. Being more particularly described as follows:

Commencing at the Northwest corner of Lot 6, Block 2, Revised Plat of Cocoanut Lodge, Riviera Beach, Florida, according to the Plat thereof as recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida; thence on an assumed bearing of S 88°22'00" E, along the North line and the Easterly extension of the North line of said Lot 6, a distance of 397.51 feet to a point in the City of Riviera Beach Bulkhead Line as recorded in Plat Book 28, Page 95 and 96, Public Records of Palm Beach County, Florida, and being the POINT OF BEGINNING; thence S 24°12'00" W, along said bulkhead line, a distance of 42.75 feet; thence N 88°22'00" W, a distance of 71.00 feet; thence N 1°38'00" E, a distance of 9.20 feet; thence N 88°22'00" W, a distance of 20.00 feet; thence S 1°38'00" W, a distance of 34.00 feet; thence S 88°22'00" E, a distance of 40.40 feet; thence S 1°38'00" W, a distance of 44.20 feet to a point on the Easterly extension of the South line of Lot 7, Block 2 of said Plat of Cocoanut Lodge; thence S 88°22'00" E, along said Easterly extension of Lot 7, Block 2, a distance of 344.51 feet; thence N 1°38'00" E, a distance of 108.48 feet to a point on the Easterly extension of the North line of said Lot 6, Block 2; thence N 88°22'00" W, along said easterly extension, a distance of 277.50 feet to the POINT OF BEGINNING. LESS AND EXCEPT that portion of the foregoing property lying North, West and South of Jurisdictional Line certified in Official Records Book 11995, Page 74, of the Public Records of Palm Beach County, Florida, together with those parcels lying East of said Jurisdictional Line, as deceded by the State of Florida in Official Records Book 18541, Page 1921, of the Public Records of Palm Beach County, Florida.

- PARCEL I:** INTENTIONALLY OMITTED
- PARCEL J:** INTENTIONALLY OMITTED
- PARCEL K:** INTENTIONALLY OMITTED
- PARCEL L:** INTENTIONALLY OMITTED
- PARCEL M:** INTENTIONALLY OMITTED
- PARCEL N:** INTENTIONALLY OMITTED
- PARCEL O:** HUDGINS 2010 CORPORATION, a Florida corporation  
PCN: 56-43-42-28-11-007-0040

Lot 4, Block 7, REVISED PLAT OF COCOANUT LODGE, a subdivision in the City of Riviera Beach, Florida, according to the Plat thereof, recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida.

**PARCEL P:            MILLENNIUM DEVELOPMENT, LLC**

**PCN: 56-43-42-28-65-000-0010**

A parcel of land in Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, being a portion of the Plat of LIGHT HARBOR MARINA, recorded in Plat Book 68, Page 28, of the Public Records of Palm Beach County, Florida, more particularly described as follows:

BEGIN at the Northwest corner of said Plat, thence along the Northerly boundary of said Plat for the following courses:

thence N. 90 degrees 00' 00" E. for 365.00 feet; thence N. 00 degrees 07' 00" W. for 105.92 feet; thence N. 90 degrees 00' 00" E. for 805.14 feet to the Easterly boundary of said Plat; thence along said Easterly boundary for the following courses: thence S. 00 degrees 00' 00" E. for 13.75 feet; thence S. 89 degrees 40' 43" W. for 26.75 feet; thence S. 59 degrees 08' 16" W. for 4.75 feet; thence S. 01 degree 54' 11" E. for 88.78 feet; thence S. 89 degrees 26' 49" W. for 135.71 feet; thence S. 03 degrees 03' 14" W. for 48.85 feet; thence departing said boundary S. 90 degrees 00' 00" W. for 1003.64 feet to the West boundary of said Plat; thence along said West boundary, N. 00 degrees 07' 00" W. for 49.24 feet to the Point of Beginning.

**PARCEL Q:            HUDGINS 2010 CORPORATION, a Florida corporation**

**PCN: 56-43-42-28-11-007-0020**

Lots 2 and 3, Block 7, REVISED PLAT OF COCOANUT LODGE according to the Plat recorded in Plat Book 7, Page 52, as recorded in the Public Records of Palm Beach County, Florida; said land situate, lying and being in Palm Beach County, Florida.

**PARCEL R:            INTENTIONALLY OMITTED**

**PARCEL S:            INTENTIONALLY OMITTED**

**PARCEL T:            INTENTIONALLY OMITTED**

G:\DOCS\lws\0000\LWS2247-2713.3\2647.274 Riviera Properties\Legal Descriptions\BY LLC Parcels A B C D E F G H O P Q.doc



CFN 20180087221

DR BK 29696 PG 0902  
RECORDED 03/07/2018 15:28:29  
AMT 10.00  
Doc Stamp 0.70  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 0902 - 910; (9pgs)

PREPARED BY AND SHOULD BE  
RETURNED TO:

H. William Perry, Esquire  
Günster, Yoakley & Stewart, P.A.  
777 S. Flagler Drive, Suite 500E  
West Palm Beach, FL 33401

Will Call No. 22

Parcel Control Nos.:

- 56-43-42-28-11-001-0010
- 56-43-42-28-11-003-0010
- 56-43-42-28-11-003-0020
- 56-43-42-28-11-003-0030
- 56-43-42-28-11-003-0040
- 56-43-42-28-11-004-0010
- 56-43-42-28-11-004-0020
- 56-43-42-28-11-004-0030
- 56-43-42-28-11-004-0041
- 56-43-42-28-11-005-0030

**CORRECTIVE SPECIAL WARRANTY DEED**

**THIS CORRECTIVE SPECIAL WARRANTY DEED** is made this 7<sup>th</sup> day of March, 2018, by **OLD PORT COVE HOLDINGS, INC.**, a Florida corporation, whose mailing address is 1216 US Highway No. 1, Suite E, North Palm Beach, Florida 33408 ("**Grantor**"), to **SHM NEW PORT COVE, LLC**, a Delaware limited liability company, whose mailing address is 14785 Preston Road, Suite 975, Dallas, Texas 75254 (the "**Grantee**").

**WITNESSETH:**

GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, grants, bargains and sells to Grantee, its successors and assigns forever, all of that certain real property, situate in Palm Beach County, Florida as more particularly described on the attached Schedule A (the "**Property**").

TOGETHER WITH all improvements thereon and all of Grantor's right, title and interest, if any, in and to all hereditaments and appurtenances thereto (including all utility mains, service laterals, hydrants, valves and appurtenances); and all right, title and interest of Grantor, if any, in and to all oil, gas, minerals, soil, flowers, shrubs, crops, trees, timber, compacted soil, development rights, air rights, drainage rights, beach rights, riparian and littoral rights, filled, submerged and bulkheaded land, accretions, streets, roads, highways or avenues, easements, accesses, rights-of-way, contract rights, covenants, restrictions and agreements appurtenant to and/or benefiting the real property.

*This Corrective Special Warranty Deed is being recorded to amend the legal description in the Special Warranty Deed recorded in Official Records Book 29681, Page 1899, of the Public Records of Palm Beach County, Florida.*

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT TO taxes for the year 2018 and all years subsequent thereto; restrictions, reservations, easements, encumbrances and covenants listed on Schedule B attached (with no intent to reimpose or preserve the specifically identified matters from the operation of the Marketable Record Title Act); parties in possession; zoning, land use and all other regulations imposed by governmental authority; and matters which would be disclosed by an accurate and comprehensive survey and inspection of the Property; and all other matters of record (unless created by Seller).

GRANTOR does hereby covenant with Grantee that, at the time of delivery of this Deed, and except as noted above, the Property was free from all encumbrances made by Grantor, and that Grantor will warrant and defend the title to the same against the lawful claims of all persons, claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed these presents on the day and the year first above written.

[SIGNATURE PAGE FOLLOWS]



**Schedule A**

**Legal Description**

**New Port Cove Marina**

The land referred to herein below is situated in the County of Palm Beach, State of Florida, and is described as follows:

FEE SIMPLE ESTATE:

PARCEL 1:

LOTS 1, 2 AND 3, BLOCK 1, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH A TRACT OF SUBMERGED LAND ADJACENT THERETO LYING BETWEEN THE HIGH WATER LINE AND CITY OF RIVIERA BEACH BULKHEAD AS RECORDED IN THE DEED NO. 24455 AND THE DEED NO. 24452 IN OFFICIAL RECORDS BOOK 1491, PAGE 144 AND 145, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH  $88^{\circ}22'00"$  EAST, ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 412 FEET TO A POINT IN THE HIGH WATER LINE ON THE WESTERLY SHORE OF LAKE WORTH; SAID POINT BEING THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF SUBMERGED LAND; THENCE CONTINUE EASTERLY ALONG THE SAME COURSE A DISTANCE OF 58.19 FEET TO A POINT IN THE CITY OF RIVIERA BEACH BULKHEAD LINE AS ESTABLISHED BY ORDINANCE NO. 691 AND RECORDED IN PLAT BOOK 28, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH  $21^{\circ}18'37"$  WEST ALONG SAID CITY OF RIVIERA BEACH BULKHEAD LINE A DISTANCE OF 57.62 FEET TO A POINT IN THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1; THENCE NORTH  $88^{\circ}22'00"$  WEST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 44.48 FEET TO A POINT IN THE AFOREMENTIONED HIGH WATER LINE ON THE WESTERLY SHORE OF LAKE WORTH; THENCE NORTH  $7^{\circ}38'00"$  EAST ALONG THE SAID HIGH WATER LINE A DISTANCE OF 54.54 FEET TO THE POINT OF BEGINNING;

AND

-4-

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COMMENCING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 1, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°22'00" EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 421.88 FEET TO A POINT IN THE HIGH WATER LINE ON THE WESTERLY SHORE OF LAKE WORTH, SAID POINT BEING THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF SUBMERGED LAND; THENCE CONTINUE EASTERLY ALONG THE SAME COURSE, A DISTANCE OF 44.48 FEET TO A POINT IN THE CITY OF RIVIERA BEACH BULKHEAD LINE AS ESTABLISHED BY ORDINANCE NO. 691 AND RECORDED IN PLAT BOOK 28, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 21°18'37" WEST ALONG THE CITY OF RIVIERA BEACH BULKHEAD LINE, A DISTANCE OF 115.24 FEET TO A POINT IN THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 3, BLOCK 1; THENCE NORTH 88°22'00" WEST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 22.69 FEET TO A POINT IN THE AFOREMENTIONED HIGH WATER LINE ON THE WESTERLY SHORE OF LAKE WORTH; THENCE NORTH 12°37'38" EAST, ALONG SAID HIGH WATER LINE, A DISTANCE OF 64.50 FEET; THENCE CONTINUE NORTH 7°38'00" EAST ALONG SAID HIGH WATER LINE, A DISTANCE OF 45.46 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

LOTS 4 AND 5, BLOCK 1, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH A TRACT OF SUBMERGED LAND LYING BETWEEN THE SHORELINE AND CITY OF RIVIERA BEACH BULKHEAD LINE AS RECORDED IN TIF DEED NO. 24364 IN OFFICIAL RECORDS BOOK 1523, PAGE 369, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CITY OF RIVIERA BEACH BULKHEAD LINE AS SAME APPEARS IN PLAT BOOK 28, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 5, BLOCK 1, OF THE REVISED PLAT OF COCOANUT LODGE AS SAME APPEARS IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 5, NORTH 88°22'00", WEST, A DISTANCE OF 4.03 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE WESTERLY SHORE LINE OF LAKE WORTH; THENCE

-5-

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DEPARTING FROM SAID SOUTHERLY LINE OF LOT 5, AND RUNNING ALONG THE WESTERLY SHORE LINE OF LAKE WORTH, NORTH 01 47'10" WEST, A DISTANCE OF 14.44 FEET; THENCE NORTH 12°12'30" EAST, A DISTANCE OF 40.53 FEET TO THE INTERSECTION OF SAID WESTERLY SHORE LINE AND THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF AFORESAID LOT 5; THENCE SOUTH 88°22'00" EAST, ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 16.85 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE AFORESAID BULKHEAD LINE; THENCE SOUTH 21°18'37" WEST, ALONG THE SAID BULKHEAD LINE, A DISTANCE OF 57.62 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

LOTS 1, 2, 3 AND 4, LESS THE WEST 50 FEET OF LOT 4, BLOCK 4, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 4:

LOT 4, BLOCK 3, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

PARCEL 5:

LOT 3, BLOCK 5, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 6:

LOTS 1, 2 AND 3, BLOCK 3, REVISED PLAT OF COCOANUT LODGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Schedule B**

**Permitted Exceptions**

**New Port Cove Marina**

1. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
2. Matters appearing on the Plat of REVISED PLAT OF COCOANUT LODGE, recorded in Plat Book 7, Page 52, as affected by that certain Ordinance No. 2816 of the City of Riviera Beach vacating a portion of the street as shown on said Plat, recorded in Official Records Book 19754, Page 481.
3. Riparian and/or littoral rights are not insured.
4. Rights of the public to use the waters over the submerged lands lying adjacent to or within the Lake Worth Waterway for boating, fishing, swimming and other public purposes (as to the Leasehold Estate).
5. This commitment and the policy to be issued do not insure, and should not be construed to insure, the right of the insured to fill any portion of the submerged lands described under Schedule A hereof without first having complied with all applicable state and federal requirements.
6. This Policy does not insure title to any part of the land lying below the mean high water line of Lake Worth.
7. Due to all or a part of the land described herein being artificially filled in land in what was formerly navigable waters, this policy is subject to the right of the United States Government, arising by reason of the United States Government's control over navigable waters in the interest of navigation and commerce and/or the inalienable right of the State of Florida in the lands and/or waters of such character.
8. Bulkhead line as recorded in Plat Book 28, Page 95, and Certificate of Approval for Establishment of Bulkhead Line recorded in Official Records Book 1284, Page 285.  
  
Note: Chapter 253.1221, F.S., re-established existing bulkhead lines at the line of mean high water or ordinary high water, and provides that there shall be no filling waterward of the line of mean high water or ordinary high water except upon compliance with Chapter 253, Florida Statutes.
9. Intentionally deleted.

10. Terms and conditions of those certain Sidewalk Agreements recorded in Official Records Book 1716, Page 1685 (as to Lots 1 through 3, Block 1) and Official Records Book 1876, Page 568 (as to Lot 1, Block 4).
11. Rights of tenants, as tenants only, pursuant to those certain unrecorded leases, which leases contain no options to purchase or rights of first refusal.
12. Reservations set forth in that certain Deed from the Trustees of the Internal Improvement Fund of the State of Florida dated January 20, 1941, filed April 22, 1941, in Deed Book 627, Page 482 (as to Lot 3, Block 5).
13. Reservations set forth in that certain Deed from the Trustees of the Internal Improvement Fund of the State of Florida dated October 4, 1966, filed May 9, 1967, in Official Records Book 1523, Page 369 (as to Lots 4 and 5, Block 1). Note: The right of entry has been released by Chapter 86-205, Laws of the State of Florida, which amended Section 270.11, F.S.
14. Reservations set forth in that certain Deed from the Trustees of the Internal Improvement Fund of the State of Florida dated January 4, 1967, filed February 27, 1967, in Official Records Book 1491, Page 144 and Page 145 (as to Lots 1 through 3, Block 1). Note: The right of entry has been released by Chapter 86-205, Laws of the State of Florida, which amended Section 270.11, F.S.
15. Easement granted to Florida Power & Light Company by instrument recorded in Official Records Book 15967, Page 1360 (as to Lots 1 through 5, Block 1).
16. Survey prepared by Masteller, Moler & Taylor, Inc., under file number 7149, drawing name 7149-NPC-M.dwg, dated 12/08/16, last revised 2/28/18, shows the following on sheet 3 of 4:
  - a. Sign encroaching into Parcel 6 along the South property line.
  - b. 2 signs located within the E. 22nd Street right-of-way along the North line of parcel 3.
  - c. 8 foot chain link fence extending beyond subject property line into adjacent land to the south of Parcel 5.
  - d. Signs, concrete drive and walkway, parking area, and planters extending beyond the Northerly property line of parcel 1 and into E. 22nd Court 40 foot right-of-way.

- e. Curbs and parking spaces encroaching into the FPL easement recorded in Book 15967, page 1360 along the Westerly line of Parcels 1 and 2.

**Note.** All of the recording information contained herein refers to the Public Records of Palm Beach County, Florida, unless otherwise indicated. Any reference herein to a Book and Page or Instrument Number is a reference to the Official Record Books of said county, unless indicated to the contrary.

This is not a certified copy



CFN 20130515803  
 OR BK 26481 PG 1364  
 RECORDED 12/03/2013 14:11:50  
 Palm Beach County, Florida  
 ANT 550,000.00  
 Doc Stamp 3,850.00  
 Sharon R. Bock, CLERK & COMPTROLLER  
 Pgs 1364 - 1366; (3pgs)

Prepared By and Return To:

Daniel J. Shepherd, Esquire  
 Daniel J. Shepherd, P.A.  
 3896 Burns Road  
 Suite 101  
 Palm Beach Gardens, Florida 33410

Property Control Numbers:  
 56-43-42-28-11-008-0081  
 56-43-42-28-11-008-0040

Consideration: \$550,000.00

(SPACE ABOVE THIS LINE FOR RECORDING PURPOSES)

**QUIT-CLAIM DEED**

This Quit-Claim Deed, made effective the 18 day of **October, 2013**, by **Boathouse Real Property, Inc., a Florida corporation**, whose post office address is **2124 Broadway, Riviera Beach, Florida 33404**, party of the first part, to **Riviera Broadway Properties, LLC, a Florida limited liability company**, party of the second part, whose post office address is **1039 Aspri Way, Palm Beach Gardens, Florida 33418**.

**Witnesseth**, That said first party, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, in hand paid by said second party, the receipt whereof is hereby acknowledged, do hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of **Palm Beach**, State of Florida, to wit:

**Parcel 1:**

**The North 75 feet of Lots 8 and 9, Block 8, Revised Plat of Coconut Lodge, according to the Plat thereof, as recorded in Plat Book 7, Page 52, less the West 5 feet of Lot 8, Palm Beach County, Florida, Public Records.**

**Parcel 2:**

**Lot 4, Block 8, Revised Plat of Coconut Lodge, according to the plat thereof, as recorded in Plat Book 7, Page 52, of the Public Records of Palm Beach County, Florida.**

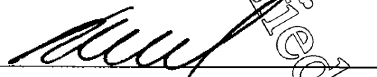
**Subject** to restrictions, reservations, easements, and limitations of record, if any, provided that this deed shall not serve to reimpose same, zoning ordinances and taxes for the current and subsequent years.

**To Have and to Hold** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or in equity, to the only proper use, benefit and behoof of the said second party forever.

**In Witness Whereof**, the said first party has caused these presents to be executed effective the 18 day of **October**, 2013.

**IN WITNESS WHEREOF**, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

  
(1<sup>st</sup> Witness - Signature)  
**Daniel J. Shepherd**

(1<sup>st</sup> Witness - Printed Name)  
V. Chubbini Sanchez  
(2<sup>nd</sup> Witness - Signature)

V. Christine Sanchez  
(2<sup>nd</sup> Witness - Printed Name)

**Boathouse Real Property, Inc., a Florida corporation**

By   
**Zouheir A. Yassine, President**

By   
**Anthony Cerrito, Secretary/Treasurer**

**State of Florida  
County of Palm Beach**

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared **Zouheir A. Yassine, as President of Boathouse Real Property, Inc., a Florida corporation, and Anthony Cerrito as Secretary/Treasurer of Boathouse Real Property, Inc., a Florida corporation,** to me well known and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily and that they did not take an oath and

\_\_\_\_\_ are personally known to me; or

have produced Florida driver's license as identification to me.

WITNESS my hand and official seal in the County and State last aforesaid this 18 day of **October, 2013**.

My Commission Expires:

*Alces*  
Notary Public



{This Quit-Claim Deed was prepared at the request of the first party and the second party without the benefit of title search or opinion of title.}





"The Best Waterfront City in Which to Live, Work and Play."

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**CITY OF RIVIERA BEACH – MEMORANDUM**

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**TO:** LIAM SARGENT, KIMLEY-HORN & ASSOCIATES

**FROM:** CLARENCE SIRMONS, AICP, DIRECTOR OF DEVELOPMENT SERVICES

**SUBJECT:** ZA-22-0002

**DATE:** OCTOBER 20, 2020

---

Please respond to the following questions regarding this rezoning request:

1. Whether the proposed amendment is consistent with all elements of the city comprehensive plan;
2. Whether there exist changed conditions which require an amendment;
3. Whether the proposed amendment is in conformance with all applicable portions of the city development code;
4. Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;
5. Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;
6. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;



7. Whether and the extent to which the proposed amendment would adversely affect property values in the area; and

8. Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

Please contact me if you have any questions or concerns.

"The Best Waterfront City in Which to Live, Work And Play."



December 5, 2022

Michelle L. Duchene, PLA, ASLA  
JMorton Planning & Landscape Architecture, Inc.  
3920 RCA Blvd. Suite 2002  
Palm Beach Gardens, FL 33410

**RE: Safe Harbor Marina  
Application No. SP-22-0014; KHA Project No.:145994004  
Response to Rezoning Comments**

This letter is in response to the comments for the above-mentioned project. The original comment has been provided for your reference with the response in **bold**.

**REZONING**

- 1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan.

**Response:** The applicant affirms that this amendment is consistent with all elements of the comprehensive plan. There are specifically three policies within the Future Land Use Element that the amendment meets and exceeds: 1.2.13, 1.2.21(7), 1.81.

- 2) Whether there exist changed conditions which require an amendment.

**Response:** The applicant is rezoning an isolated Downtown Residential zoning district within the project boundaries to create two unified zoning districts. The incorporation of these existing Downtown Residential parcels into the development signifies a completion of the expansion up to E 22nd Court. As such, the zoning district of this area requires a change to make the land compliant with the proposed marine-oriented uses of the site.

- 3) Whether the proposed amendment is in conformance with all applicable portions of the city development code.

**Response:** The proposed amendment is in conformance with all applicable rezoning portions of the City's Code of Ordinances. A variance regarding the percentage of open space has been requested. The rezoning would have no impact on the need for the variance due to the nature of the proposed use.

- 4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses.

**Response:** The proposed rezoning is consistent with the proposed land uses. As it exists today, the current zoning district of a portion of the site does not allow for the specific marine industrial repair and associated uses. The rezoning from Downtown Residential to Downtown Core and Downtown Marine removes any inconsistencies between uses and zoning district on site.

- 5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities.

**Response:** The proposed amendment does not exceed existing capacity for public facilities, including stormwater, water/sewer utility services or solid waste for the project.

- 6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment.

**Response:** The proposed amendment has no adverse impacts on the natural environment. All of the parcels included within the rezoning have no significant environmental value and either vacant or previously developed lots.

- 7) Whether and the extent to which the proposed amendment would adversely affect property values in the area; and

**Response:** The proposed amendment is only applicable to the parcels included within the overall site redevelopment. Regarding adjacent parcels and the surrounding area, it is expected that the change will generally improve property values in the area and not adversely affect them.

- 8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

**Response:** The amendment creates a logical zoning district pattern that follows the policies of the City's Comprehensive Plan. As shown in the exhibits above, the new pattern reflects the marine oriented, more intense, Downtown Marine district encompassing the areas of the site dedicated to the repair and storage of high value boats and equipment. These areas will continue to have direct access to the waterway. To transition this area, the Downtown Core district is proposed to remain linear along Broadway. The less intense commercial uses will serve to visually limit the impacts of any marine repair uses.

Please feel free to contact me at (561) 585-5257 or [liam.sargent@kimley-horn.com](mailto:liam.sargent@kimley-horn.com) should you have any questions.

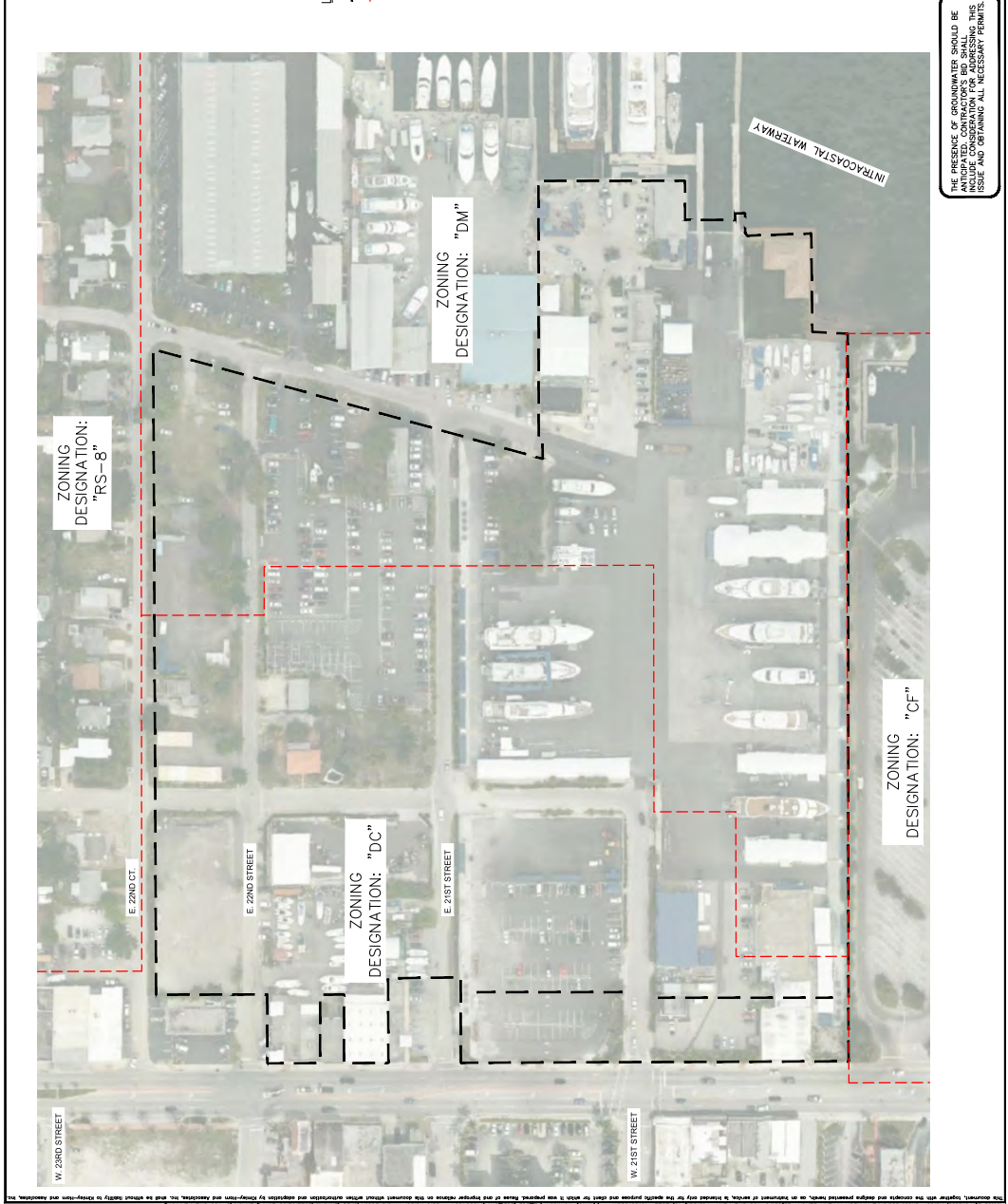
Sincerely,  
Liam Sargent  
Land Planner

**LEGEND**

- PROPERTY BOUNDARY
- - - ZONING DESIGNATION LINE

PLANS ARE IN NAD 1983 DATUM  
 NORTHING: 1815000.00  
 EASTING: 1105000.00  
 (NAD 1983) 11-22-22 (11-05-2022)

THE PRESENCE OF GROUNDWATER SHOULD BE  
 CONSIDERED IN ANY DESIGN AND CONSTRUCTION  
 AND THE DESIGNER SHALL BE RESPONSIBLE FOR  
 VERIFYING THE GROUNDWATER CONDITIONS  
 AND OBTAINING ALL NECESSARY PERMITS.







## PLAN CORRECTIONS REPORT ZA-22-0002 FOR CITY OF RIVIERA BEACH

**PLAN ADDRESS:** 1900 Broadway, D  
Riviera Beach

**PARCEL:** 56434228330000010

**APPLICATION DATE:** 02/14/2022      **SQUARE FEET:** 0.00      **DESCRIPTION:** The applicant is requesting to rezone a portion of the Safe Harbor Marina expanded campus area to remain consistent with the existing compatible zoning districts.

**EXPIRATION DATE:**      **VALUATION:** \$0.00

CONTACTS	Name	Company	Address
Applicant	Liam Sargent	Kimley-Horn & Associates	1615 South Congress Avenue Suite 201 , Suite 201 Delray Beach, FL 33445
	SAFE HARBOR MARINAS LLC	RBY, LLC	14785 Preston Rd, 975 Dallas, TX 75254

### Plan Review

REVIEW ITEM	STATUS	REVIEWER
Community Redevelopment Agency v.2 Community Redevelopment Agency	Approved	Scott Evans email: sevans@rbcr.com
Engineering v.1 Engineering	Approved	Terrence Bailey Ph: 5618454066 email: tbailey@rivierabeach.org
Zoning v.1 Zoning	Requires Re-submit	Mary Savage-Dunham email: msavagedunham@rivierabeach.org
Zoning v.2 Zoning	Approved	Clarence Sirmons Ph: 561-845-4062 email: CSirmons@rivierabeach.org



### Development Services Department Guidance on Community Outreach

In order to encourage public involvement in the development review and approval process the City of Riviera Beach encourages the applicant team to develop an informational handout for the project and distribute it to abutters.

#### Suggested format:

1. Each handout must clearly state the Project Name/Application Number;
2. Each handout shall provide a summary of the project being proposed including the who/what/where/why/when details;
3. Engagement with the neighbors and distribution of the handout by the applicant team should be initiated after the first resubmittal of revised materials to city staff.
4. Each handout should include a QR code which will take the interested party to the project files online. The project files are posted on the *Application Under Review* page on the Development Services Department webpage currently so this will help the public find the project information more easily. Below is the QR code. Do not re-size it.



5. Each handout must include a QR code which will take the interested party to the online survey form to provide their comments on the proposal directly to the Planning and Zoning Division. When the survey form is submitted it is automatically emailed to the Planning and Zoning Division and will be provided to the Planning and Zoning Board and public as part of the meeting backup. Below is the QR Code. Do not re-size it.



"The Best Waterfront City in Which to Live, Work And Play."







**SAFE HARBOR**  
- LAUDERDALE MARINE CENTER -

**NOTICE FOR PUBLIC HEARING \*AMENDED**

REGARDING THE REDEVELOPMENT OF THE SAFE HARBOR RYBOVICH MARINA  
FACILITIES LOCATED AT 2010 AVENUE B, RIVIERA BEACH, FL 33404.



**Applicant:** Safe Harbor Marinas

**Proposal:** The Safe Harbor Rybovich campus expansion includes the area from E 21st Street North to E 22nd Court, between Broadway Street in the West and Avenue B in the East. The proposed site plan to expand the high-quality super-yacht repair facilities is designed to include additional marine service areas, maintenance buildings, a parking garage, and office/contractor buildings.

Along Broadway Street, the office/contractor buildings reflect its commercial nature, with taller heights and increased setbacks and streetscapes. To the north, along E 22nd Court, care was taken to provide opaque screening and pedestrian oriented sidewalks, as to blend the transition to the residential neighborhood to the North. Great effort was put into reducing the overall height and scale of the proposed campus, as to reduce any potential concerns of over development and increased intensity.

**Meeting Details:**

City of Riviera Beach Planning and Zoning Board

Thursday, March 23, 2023

Meeting starts at 6:30PM

City Event Center – 190 E 13<sup>th</sup> Street, Riviera Beach, FL 33404

For More Information, the City Development Services Department: (561)845-4060

Contact: Julie Bulleit – [jbulleit@shmarinas.com](mailto:jbulleit@shmarinas.com), (561) 840-8190

2029 SW 20th St. | Fort Lauderdale, FL 33315 | 954.713.0333



City of Riviera Beach Planning and Zoning Division
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404
Phone: (561) 845-4060
Email: comdev@rivierabch.com

AFFIDAVIT OF INSTALLATION OF NOTIFICATION SIGNS

INSTRUCTIONS: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

Application Number and Name:

Date(s) of Public Hearing(s):

STATEMENT OF COMPLETENESS AND ACCURACY

In accordance with the requirements of Section 31-4 Public Notification Signs, of the Code of Ordinances of Riviera Beach, Tim Sargent, hereby certify that 10 Notification Signs, herein called Signs, for the above Application Number and Name have been posted/installed on the subject property under review for said Application located at: 255 E 22nd Ct, Riviera Beach, FL 33404

The Signs have been produced and meet the specifications of the requirements of the City of Riviera Beach, Zoning Division's Technical Manual. Posting/Installation of the Signs was completed on 05/02/23 which was no less than fifteen (15) days prior to the first public hearing listed above. Said signs have been posted in a manner which provides an unobstructed view and which allows for clear reading from the street(s) along 22nd st, 22nd Ct Ave B, Ave C

I will ensure that the Signs remain on the subject property, until the application has had a Final Development Order by the Hearing Officer, Planning and Zoning Board, or City Council or has been withdrawn by the Applicant. The Signs, in no case, shall remain on the subject property more than five (5) days following the Final Board Action. I understand that any knowingly false, inaccurate, or incomplete information provided by me will result in the denial, revocation, postponement, or administrative withdrawal of this application request.

Supportive Documents: Attached hereto as Attachment "A" is a complete list of all photographs of posted signs along the subject property.

Check (X) one: I am the [X] property owner [ ] agent [ ] other

Tim Sargent

[Handwritten Signature]

(Name - type, stamp or print clearly)

(Signature)

Safe Harbor Marinas

14785 PRESTON ROAD, SUITE 975, DALLAS, TX 75254

(Name of Firm)

(Address, City, State, Zip)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10th day of May, 2023 by

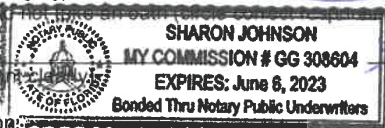
Tim Sargent

He/she is personally known to me or has produced (Type of identification)

(Name of person acknowledging)

(Type of identification)

(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on:

NOTARY'S SEAL OR STAMP
Revised 05/18/2018





**Order Confirmation**

**Not an Invoice**

<b>Account Number:</b>	731063
<b>Customer Name:</b>	Riviera Beach, City Of
<b>Customer Address:</b>	Riviera Beach, City Of 600 W Blue Heron BLVD  Riviera Beach FL 33404-4311
<b>Contact Name:</b>	Riviera Beach, City Of
<b>Contact Phone:</b>	5618454000
<b>Contact Email:</b>	
<b>PO Number:</b>	Hearing 3/23

<b>Date:</b>	03/15/2023
<b>Order Number:</b>	8584231
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	2.0000
<b>Line Count:</b>	103.0000
<b>Height in Inches:</b>	0.0000

**Print**

Product	#Insertions	Start - End	Category
WPB Palm Beach Post	1	03/19/2023 - 03/19/2023	Govt Bids & Proposals
WPB palmbeachpost.com	1	03/19/2023 - 03/19/2023	Govt Bids & Proposals

<b>Total Order Confirmation</b>	<b>\$636.54</b>
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