

**ZA-23-0001**  
**TEXT 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)

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



CFN 20060006068  
 OR BK 19754 PG 0509  
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 Palm Beach County, Florida  
 AMT 29,455,300.00  
 Doc Stamp 206,187.10  
 Sharon R. Beck, 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 10<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

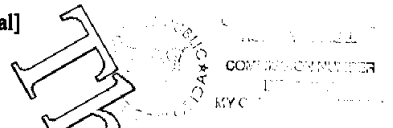
Printed Name: Robin A. Jarrell

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]

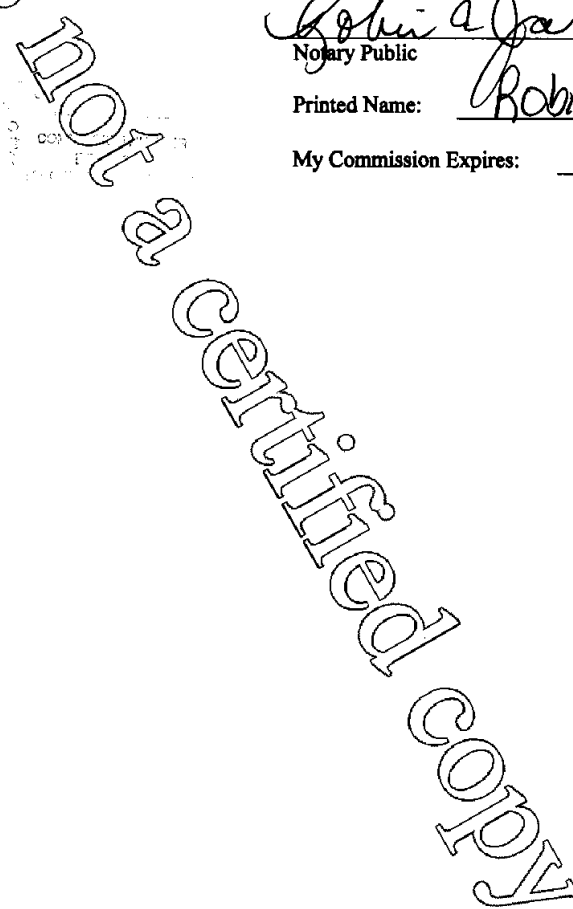


Robin A. Jarrell  
Notary Public  
Printed Name: Robin A. Jarrell  
My Commission Expires: 4/2/2006

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 130 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 deeded 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 O:                    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**

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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  
Gunster, 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]

Not a certified copy

Signed, sealed and delivered  
 in the presence of:

OLD PORT COVE HOLDINGS, INC., a  
 Florida corporation

Shered L. Norfolk  
 Print Name: Shered L. Norfolk

By: [Signature]  
 Name: Richard Morgan  
 Title: President

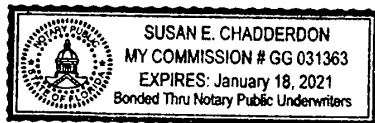
Donna Hale  
 Print Name: DONNA HALE

STATE OF FLORIDA )  
 ) ss.  
 COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2018,  
 by Richard Morgan, the President of Old Port Cove Holdings, Inc., a Florida corporation, on  
 behalf of the corporation. The above-named individual  is personally known to me or  has  
 produced \_\_\_\_\_ as identification.

[Signature]  
 Print Name: Susan Chadderdon  
 Commission No. \_\_\_\_\_  
 Commission Expires: \_\_\_\_\_

(NOTARIAL SEAL)



*Seller's Signature Page: Corrective Special Warranty Deed – New Port Cove*

**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 TIF DEED NO. 24455 AND TIF 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°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°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°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°38'00" EAST ALONG THE SAID HIGH WATER LINE A DISTANCE OF 54.54 FEET TO THE POINT OF BEGINNING;

AND



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

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.**

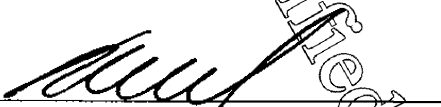
**Subject** to restrictions, reservations, easements, and limitations of record, if any, provided that this deed shall not serve to reimpose same, zoning ordinances and taxes for the current and subsequent years.

**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 17 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)

  
\_\_\_\_\_  
(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

I have produced Florida Drivers 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:

  
Notary Public



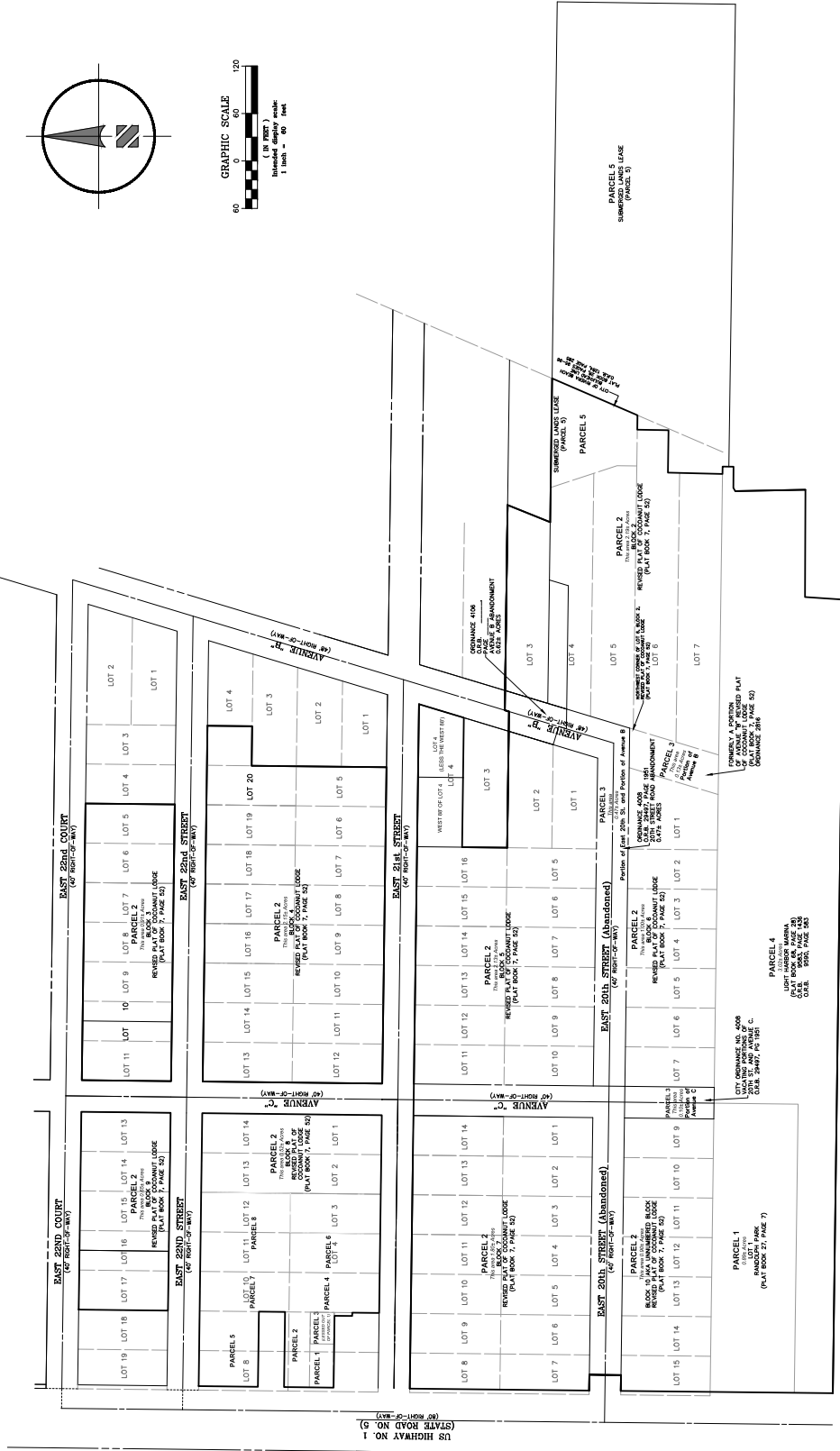
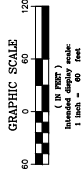
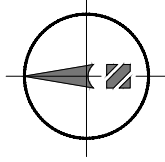
{This Quit-Claim Deed was prepared at the request of the first party and the second party without the benefit of title search or opinion of title.}







# PROJECT BOUNDARY & PARCEL OVERVIEW

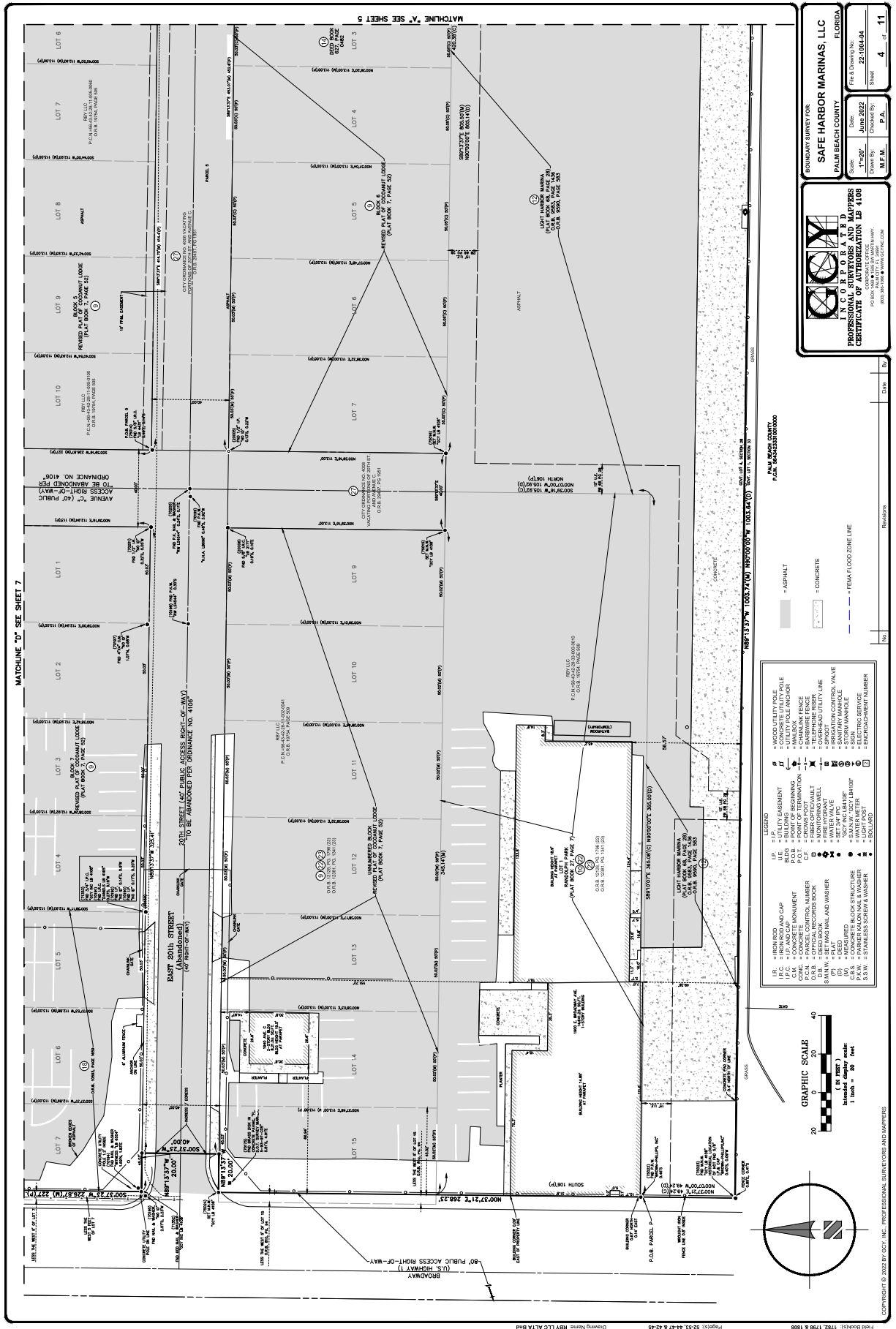


**BOUNDARY SURVEY FOR:**  
**SAFE HARBOR MARINAS, LLC**  
 PALM BEACH COUNTY  
 FLORIDA

**UNCORRECTED**  
**PROFESSIONAL SURVEYORS AND MAPPERS**  
**CERTIFICATE OF AUTHORIZATION LP 4108**

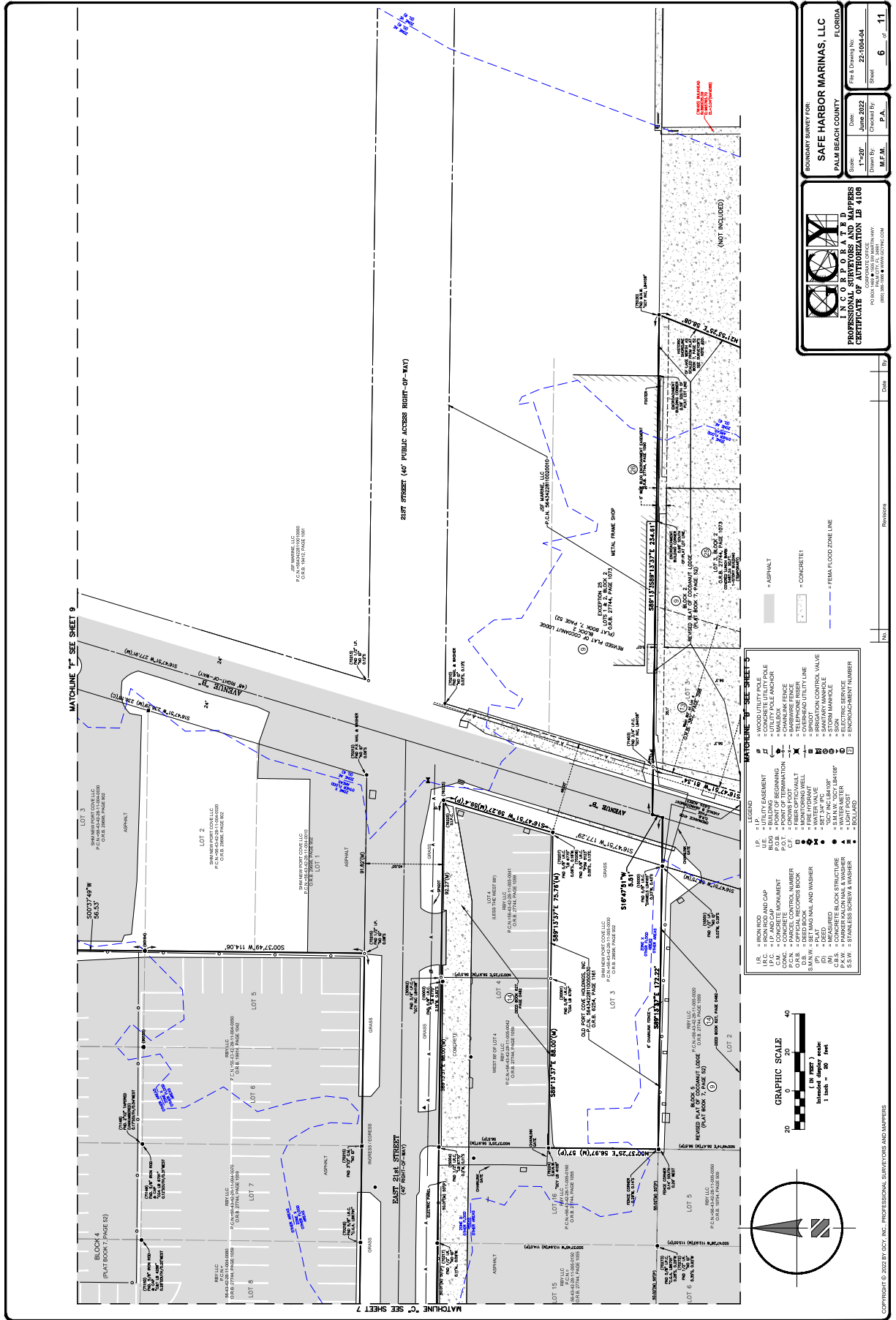
DATE: June 2022  
 DRAWN BY: J.F.M.  
 CHECKED BY: P.A.

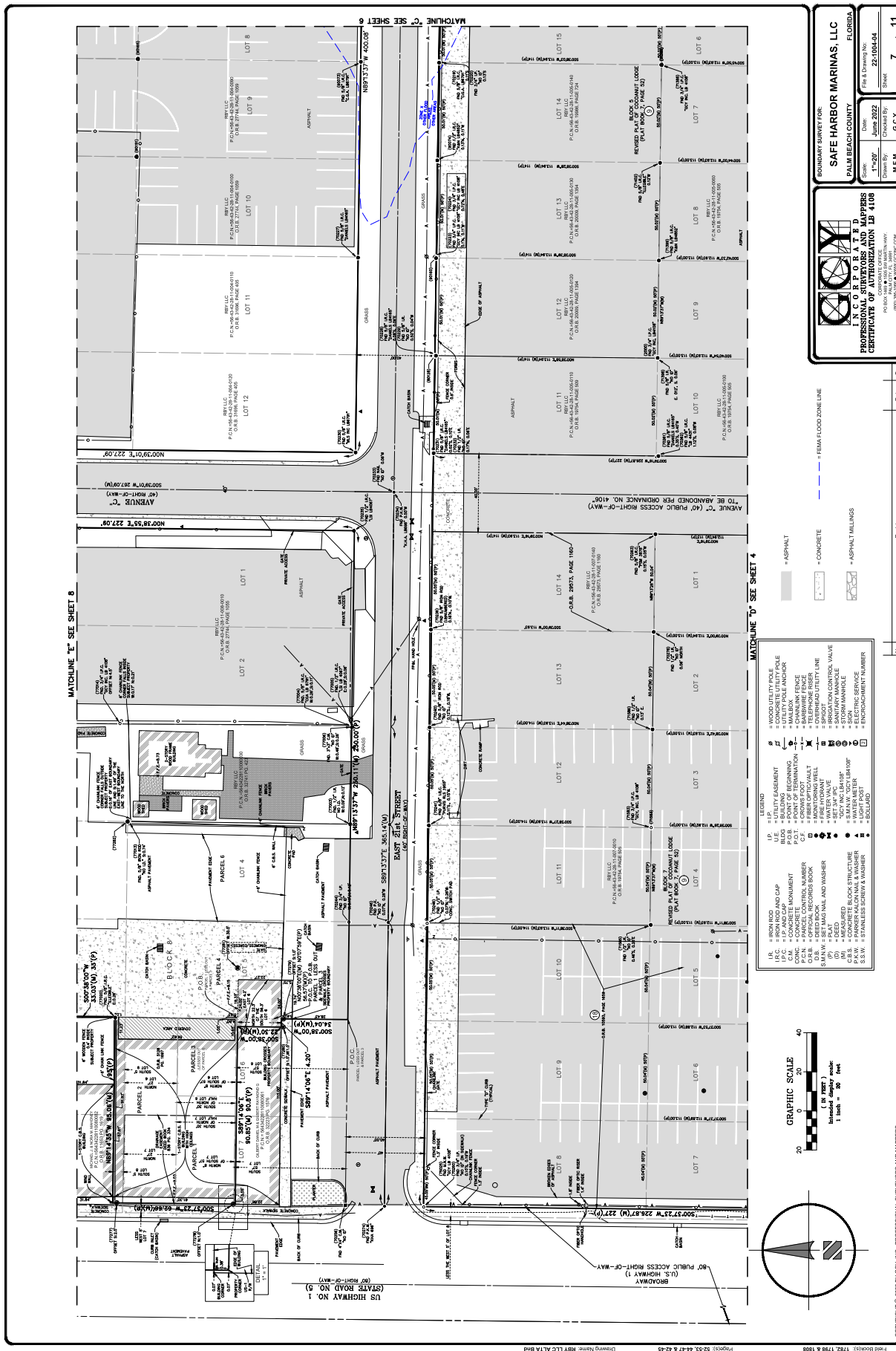
FILE # Drawing No: 22-100424  
 SHEET 3 of 11



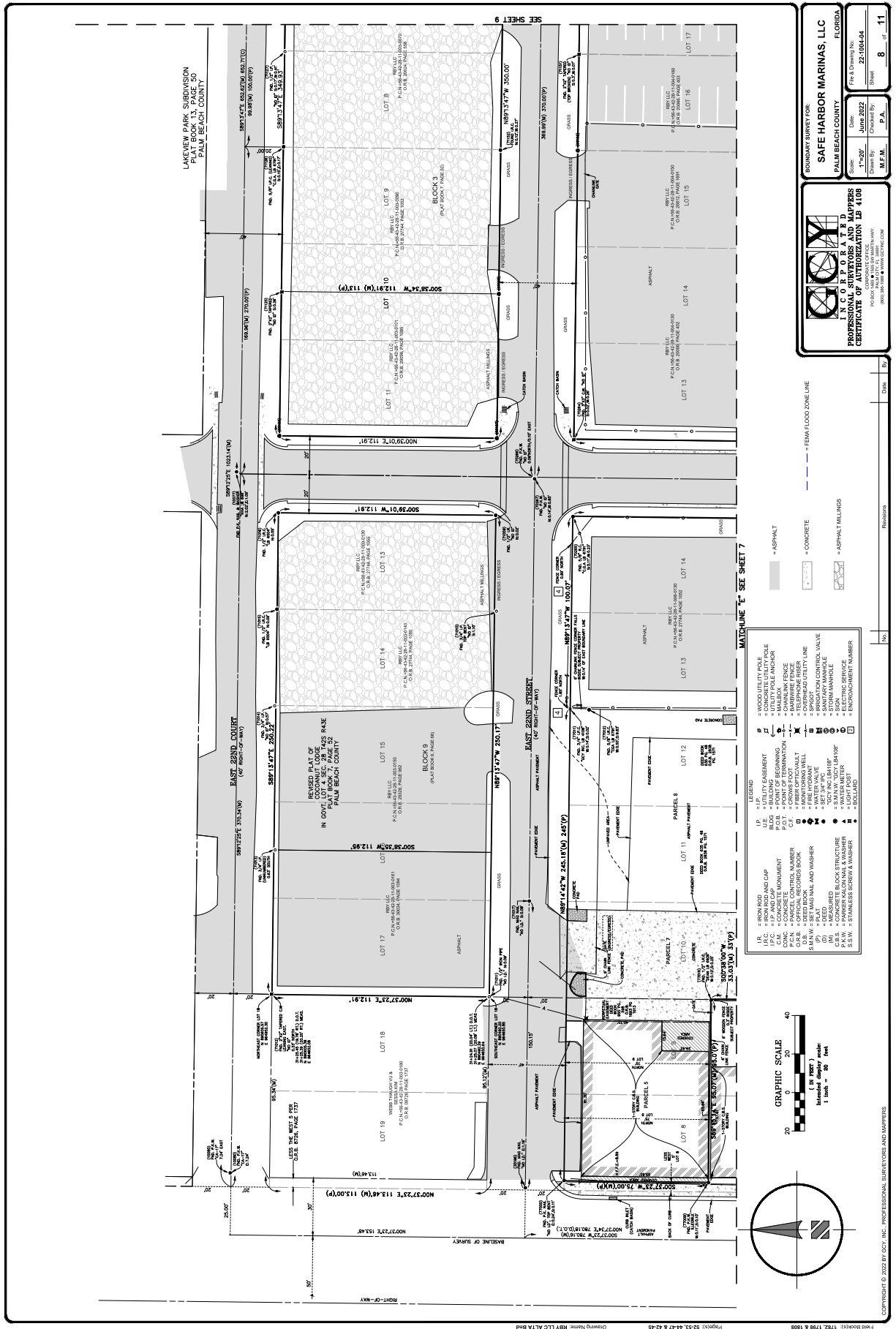
Copyright © 2022 by COTY, INC. PROFESSIONAL SURVEYORS AND MAPPERS  
Field Book(s): 1782, 1783, 1784 & 42-45  
Drawing Name: RBV LLA 17A Blvd  
Page(s): 22-53, 44-47 & 42-45





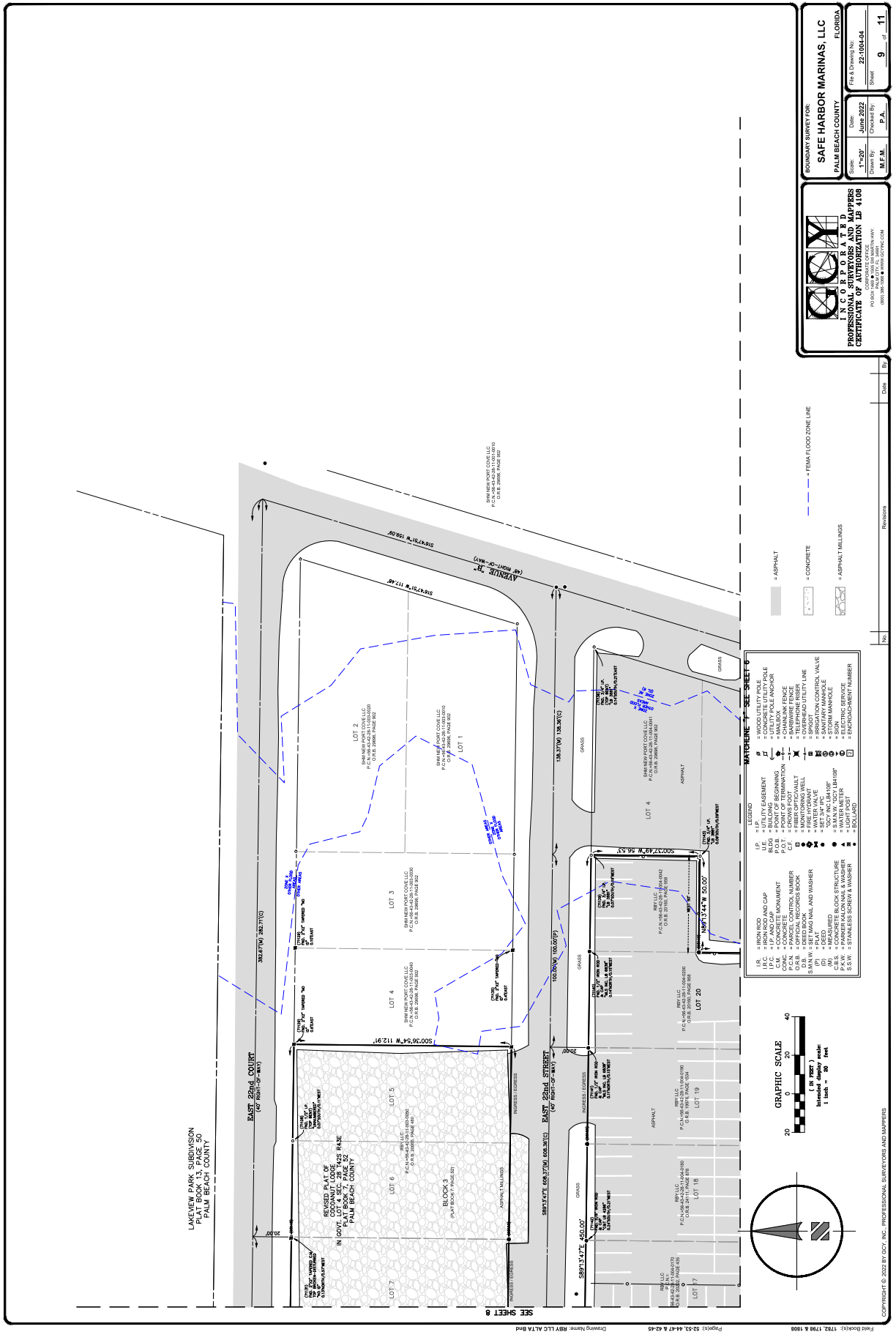


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Field Book(s): 1782, 1788 & 1808  
Page(s): 82-53, 84-47 & 43-45  
Drawing Name: RBV L.L.A. Blvd  
Revision: 1B  
Date: 7/11



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BOUNDARY SURVEY FOR:  
SAFE HARBOR MARINAS, LLC  
PALM BEACH COUNTY  
FLORIDA

Drawn By: J.M.F.  
Checked By: P.A.  
Date: June 2022  
Scale: 1"=50'

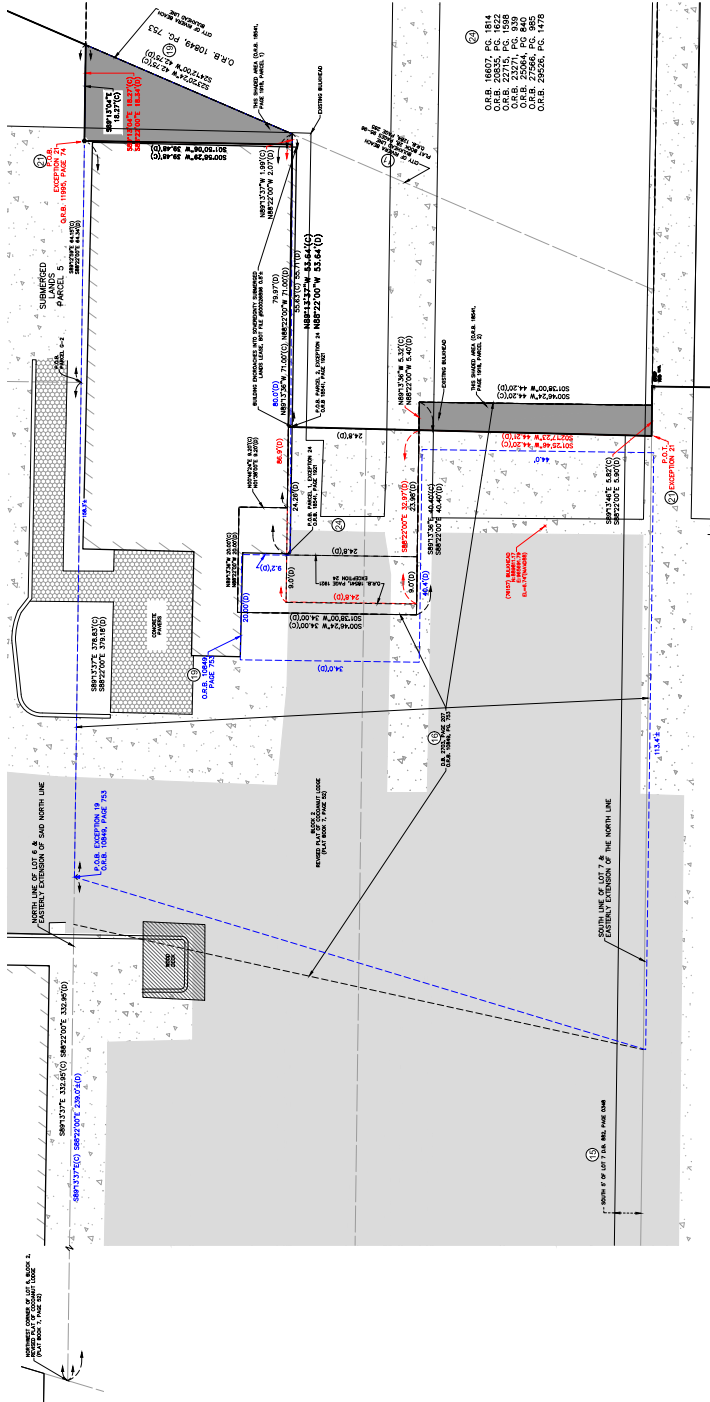
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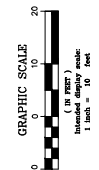
UNCORPORATED  
PROFESSIONAL SURVEYORS AND MAPPERS  
CERTIFICATE OF AUTHORIZATION LP 4108

1000 N. U.S. 1  
SUITE 200  
WEST PALM BEACH, FLORIDA 33411  
PH: 561-839-4444  
WWW.SURVEYINGANDMAPPING.COM

# EXCEPTIONS DETAIL



LEGEND	
IP	IRON PIPE AND CAP
U/C	UTILITY EASEMENT
BLOC	BUILDING FOUNDATION
P.O.T.	POINT OF TERMINATION
C	CONCRETE
C.S.R.	CORNER SURVEY ROD
B.B.R.	BEEHIVE
PL	PLATE
REAS	REASURED
P.W.	PAPER
P.W.M.	PAPER WALKWAY
S.S.W.	STAINLESS STEEL WALKWAY
IP	IRON PIPE AND CAP
U/C	UTILITY EASEMENT
BLOC	BUILDING FOUNDATION
P.O.T.	POINT OF TERMINATION
C	CONCRETE
C.S.R.	CORNER SURVEY ROD
B.B.R.	BEEHIVE
PL	PLATE
REAS	REASURED
P.W.	PAPER
P.W.M.	PAPER WALKWAY
S.S.W.	STAINLESS STEEL WALKWAY



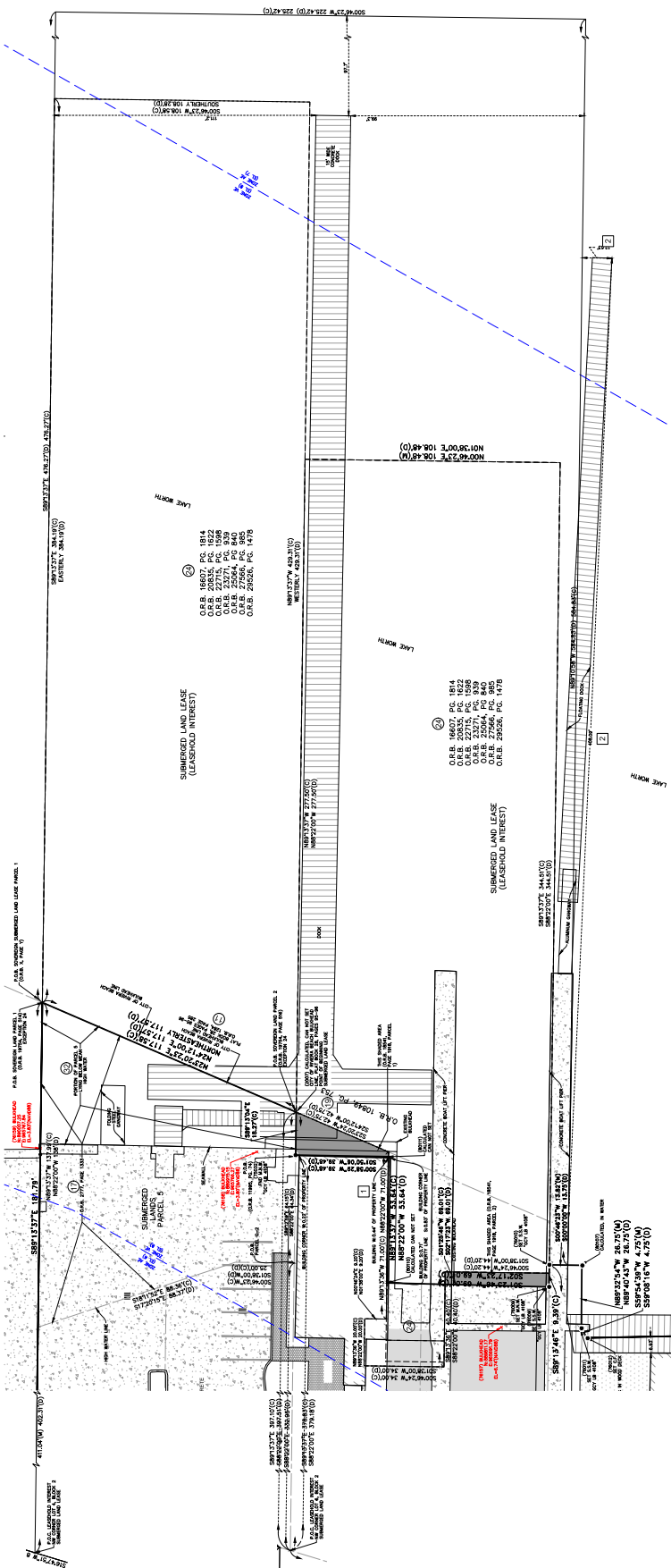
	ASPHALT
	CONCRETE
	CONCRETE PAVING
	FEEM FLOOD ZONE LINE

	WOODEN UTILITY POLE
	UTILITY POLE ANCHOR
	CHAINLINK FENCE
	TELEPHONE FENCE
	UNDERGROUND UTILITY LINE
	WATER VALVE
	FIRE HYDRANT
	FIRE OPTICAL WELL
	IRRIGATION CONTROL VALVE
	STORM MANHOLE
	ELECTRIC SERVICE
	ELECTRIC SERVICE METER
	ELECTRIC SERVICE ENCLOSURE NUMBER

**BOUNDARY SURVEY FOR:**  
SAFE HARBOR MARINAS, LLC  
PALM BEACH COUNTY  
FLORIDA

Date: June 2022  
Drawn By: J.E.M.  
Checked By: P.A.  
Scale: 1"=10'  
Sheet: 10 of 11

# SUBMERGED LANDS DETAIL



BOUNDARY SURVEY FOR:

**SAFE HARBOR MARINAS, LLC**

PALM BEACH COUNTY  
FLORIDA

DATE: June 2022

Drawn By: M.F.M.

Checked By: P.A.

File # Drawing No.: 22-1004-14

Sheet: 11 of 11

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**COTY, INC.**  
PROFESSIONAL SURVEYORS AND MAPPERS  
CERTIFICATE OF AUTHORIZATION LP 4108

11655 N.W. 107th Street, Suite 200  
Miami Lakes, FL 33054  
www.coty.com • 407.576.5700

**LEGEND**

- IRC = IRON ROD AND CAP
- U/E = UTILITY EASEMENT
- BLD = BUILDING
- P.O.T. = POINT OF TERMINATION
- CONC = CONCRETE
- G.I.B. = OFFICIAL RECORDS BOOK
- SM.W.W. = SETTING WELLS AND WASHERS
- DEED = DEED
- MEAS = MEASURED BLOCK STRUCTURE
- P.R.W. = PRINTER PLAIN LINE & WASHER
- S.W.W. = STANLEY'S SURVEY & WASHER
- CONC. UTILITY POLE
- UTILITY POLE ANCHOR
- CHAIN LINK FENCE
- TELEPHONE RISER
- WOOD DOCK
- STORM MANHOLE
- ELECTRIC SERVICE
- ENCUMBRANCE NUMBER

**GRAPHIC SCALE**

1 inch = 80 Feet

(D IN FEET)

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Field Book(s): 1792, 1798 & 1808

Figure(s): 82-53, 84-47 & 43-45

Drawing Name: RBV LLC ALTA Blvd



March 3<sup>rd</sup>, 2023

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

**Re: Safe Harbor Rybovich Marina Expansion  
LDC Text Change**

Dear Mr. Sirmons,

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 is notifying the reviewer that the proposed project is not able to comply with the local code and ordinance for landscape areas. This is because the site is a part of the marine-oriented working waterfront district and is dedicated to the maintenance and repair of high-end mega-yachts. The repairs being done to the mega yachts within this facility require extensive amounts of hardened impervious ground cover to facilitate their dry-docking relief from the water, transportation on site, individual repair, temporary storage, and ultimate release. Pervious surfaces, including landscape, jeopardize the value of the yachts and hamper the ability to conduct typical day to day business.

As a result, the applicant has worked diligently with the Riviera Beach Community Redevelopment Agency to create an acceptable LDC text change that meets the intent of the code while also reflecting the intensive nature of the use on site and thus the limitations. The change reads as follows:

**Sec. 31-609. - Development landscaping requirements.**

(C) Commercial and other nonresidential development. A commercial or other nonresidential development being new development, renovation development or vacant development shall include one existing or planted tree for every 1,500 square feet, or fraction thereof, of development site. The owner shall landscape not less than 20 percent of the developed site. *Working Waterfront projects within the Downtown Marine Zoning district, and projects within the Port land use district may submit a request to provide a contribution in lieu of meeting the required landscaping requirement for consideration by the City Council at the time of Site Plan consideration. The contribution shall be calculated based on the cost to construct those improvements that would be required to meet the minimum standards. Only the minimum reduction of landscaping to allow for operational feasibility may be considered. The City shall reserve funds provided under this requirement for future landscaping and beautification expenditures.*

Included within this proposed LDC change is a request to provide a fee-in-lieu of calculation for the landscape on site that are not able to be provided. The calculations of said fee have been provided and submitted alongside this statement under separate cover for review.

If you have any questions or require additional information, please do not hesitate to contact me.  
Sincerely,

*Liam Sargent*

Liam Sargent  
Planner  
Kimley-Horn & Associates  
Date: 2023-03-17



**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>	

<b>Date:</b>	03/15/2023
<b>Order Number:</b>	8584205
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	1.0000
<b>Line Count:</b>	55.0000
<b>Height in Inches:</b>	0.0000

**Print**

Product	#Insertions	Start - End	Category
WPB Palm Beach Post	1	03/20/2023 - 03/20/2023	Public Notices
WPB palmbeachpost.com	1	03/20/2023 - 03/20/2023	Public Notices

<b>Total Order Confirmation</b>	<b>\$169.95</b>
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**Ad Preview**

**PUBLIC HEARING NOTICE  
PLANNING AND ZONING  
BOARD**

**CITY OF RIVIERA BEACH,  
PALM BEACH COUNTY,  
FLORIDA**

The Planning and Zoning Board of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Thursday, March 23, 2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31, ZONING, ARTICLE VIII, - FLORIDA FRIENDLY LANDSCAPE REGULATIONS, SECTION 31-609, DEVELOPMENT LANDSCAPING REQUIREMENTS, IN ORDER TO ALLOW WORKING WATERFRONT PROJECTS WITHIN THE DOWNTOWN MARINE ZONING DISTRICT AND PROJECTS WITHIN THE PORT FUTURE LAND USE DISTRICT TO REQUEST TO PROVIDE A CONTRIBUTION TO PAY IN LIEU OF MEETING LANDSCAPING REQUIREMENTS FOR CONSIDERATION BY CITY COUNCIL AT TIME OF SITE PLAN CONSIDERATION, WITH ASSOCIATED REGULATIONS FOR CONTRIBUTION CALCULATION AND RESERVE FUNDS ALLOCATION FOR FUTURE LANDSCAPING EXPENDITURES; PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

March 20, 2023 #8584205



**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>	

<b>Date:</b>	03/15/2023
<b>Order Number:</b>	8584205
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	1.0000
<b>Line Count:</b>	55.0000
<b>Height in Inches:</b>	0.0000

**Print**

Product	#Insertions	Start - End	Category
WPB Palm Beach Post	1	03/20/2023 - 03/20/2023	Public Notices
WPB palmbeachpost.com	1	03/20/2023 - 03/20/2023	Public Notices

<b>Total Order Confirmation</b>	<b>\$169.95</b>
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## Ad Preview

PUBLIC HEARING NOTICE  
PLANNING AND ZONING  
BOARD  
CITY OF RIVIERA BEACH,  
PALM BEACH COUNTY,  
FLORIDA  
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the City of Riviera Beach, Palm  
Beach County, Florida  
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from time to time thereafter as  
necessary, at the Riviera Beach  
Event Center located at 190 E  
13th Street, Riviera Beach, FL  
33404, to consider the below:  
AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF  
RIVIERA BEACH, PALM  
BEACH COUNTY, FLORIDA,  
AMENDING CITY CODE OF  
ORDINANCES CHAPTER 31,  
ZONING, ARTICLE VIII. -  
FLORIDA FRIENDLY LAND-  
SCAPE REGULATIONS,  
SECTION 31-609, DEVELOP-  
MENT LANDSCAPING  
REQUIREMENTS, IN ORDER  
TO ALLOW WORKING WATER-  
FRONT PROJECTS WITHIN  
THE DOWNTOWN MARINE  
ZONING DISTRICT  
AND PROJECTS WITHIN THE  
PORT FUTURE LAND USE  
DISTRICT TO REQUEST TO  
PROVIDE A CONTRIBUTION  
TO PAY IN LIEU OF MEETING  
LANDSCAPING REQUIRE-  
MENTS FOR CONSIDERATION  
BY CITY COUNCIL AT TIME OF  
SITE PLAN CONSIDERATION,  
WITH ASSOCIATED REGULA-  
TIONS FOR CONTRIBUTION  
CALCULATION AND  
RESERVE FUNDS ALLOCA-  
TION FOR FUTURE LAND-  
SCAPING EXPENDITURES;  
PROVIDING FOR APPLICABIL-  
ITY, CONFLICTS, SEVERABIL-  
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PROVIDING FOR AN EFFEC-  
TIVE DATE  
March 20, 2023 #8584205