



# AGENDA ITEM MEMORADUM

Development Services

Bud Bentley/Tuchette Torres

Department

Department Director/Code Officer

<b>COMMISSION MEETING DATE (*) - 7:00 PM</b>	<b>Deadline to Town Clerk</b>
<input checked="" type="checkbox"/> May 22, 2012	May 14, 2012

\*Subject to Change

- Presentation     Reports     Consent     Ordinance  
 Resolution     Quasi-Judicial     Old Business     New Business

FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

**SUBJECT TITLE:** Application for Relief of Code Enforcement Lien at 1821 W Terra Mar Drive.

**EXPLANATION:** The Town issued a Notice of Violation to the previous property owner, William Gannon, on September 9, 2010 for failure to obtain a vacation rental license for the single family house at 1821 W Terra Mar Drive. The Special Magistrate heard the case and ordered the property owner to comply within 30 days or a fine of \$100 per day would commence on May 20, 2011.

James Lowe, a representative for the previous and new owner, provided documentation that the electric service was turned off on May 29, 2011 so it could not be rented and arranged an inspection of the property on March 7, 2012 by the Code Inspector. On March 26, 2012, the ownership of the property was transferred to Joseph Berg, who is a member of an investment group. We have been told they are marketing the property for sale.

The owner's application is attached (**Exhibit 1**). The requested relief must be approved by the Town Commission. The table below provides a summary of the case:

**Case No. 10-KW-00059**

	Lien Amount	Offered Settlement	% of lien	# of Days in Violation
Violation	\$29,200	\$1,500	5%	292

In addition, the Town has costs of \$52.27 (recording fees). The Administrative fee was waived by the Special Magistrate.

Under the Town's procedures for relief from code enforcement liens (Resolution 2010-13, Subsection 2), the Commission shall consider all relevant factors to determine what relief, if any, is appropriate, including the following criteria:

**A. The nature and gravity of the violation.**

The gravity of the violation is moderate.



**B. Any actions taken by the Respondent to correct the violation.**

The previous owner had the property vacated and we have a March 12, 2012 letter from FPL that the electric service was turned off on May 29, 2011 so it could not be rented.

The prospective new owners addressed the continuing violation on March 7, 2012 by arranging for an inspection of the property by the Code Enforcement Officer.

**C. The length of time between the previously ordered compliance date and the date the violation was brought into compliance.**

It took 292 days for the documentation of compliance to be provided to the Town (May 8, 2010 to March 7, 2012).

The new owner documented that the previous owner could not, for all practical purposes, have been in violation for more than 9 days since on May 29, 2011, the electric services was discontinued at the property.

**D. Any other prior or current violations committed by the Respondent on the subject property or upon any other property owned by the Respondent within the Town.**

Yes- The property was issued a Notice of Violation on September 8, 2010 for failure to obtain a rental license and on November 23, 2010 for trash and debris. Both cases are in compliance.

It could be argued that the property owner should be responsible for the fine for only the nine (9) days that they had electricity at the property after the May 20<sup>th</sup> compliance date (May 20 – May 29). At the established \$100/day fine, this would total \$900. However, it is also reasonable to assume that the new property owner would have been informed of the violation during the purchase of the property and negotiated the sales price of the home accordingly. The Broward County Property Appraiser recorded the sale price for this Intracoastal property at \$667,000.

**RECOMMENDATION:** Staff recommends that the Commission determine an equitable fee for relief from the code enforcement lien.

**EXHIBITS:** Exhibit 1-Respondent's Application and Staff's history of involvement.

Reviewed by Town Attorney  
 Yes  No

Town Manager Initials CM

**TOWN OF LAUDERDALE-BY-THE-SEA**

4501 Ocean Drive  
Lauderdale-By-The-Sea, FL 33308  
Tel: (954) 640-4210  
Fax: (954) 640-4211

**APPLICATION FOR RELIEF FROM CODE ENFORCEMENT FINES OR LIENS**

\* No application will be accepted or processed unless all violations on the property have been placed in compliance by Code Enforcement

CASE # 10-KW-00059

TOWN OF LAUDERDALE-BY-THE-SEA vs. William Gannun  
(Name of Respondent(s) as listed)

NAME OF APPLICANT: (Print): Joseph Berg  
(Person to attend Hearing)

ADDRESS OF APPLICANT: 2130 Hlwd Blvd 33020  
(Full mailing address) 2130 Hollywood Blvd Hollywood Florida 33020

PHONE NUMBER: 954-663-8121

ADDRESS OF PROPERTY: 1821 W Terramar Drive  
(Where violation(s) existed)

NATURE OF VIOLATION: Not registered for rental

TOTAL AMOUNT OF FINE: \_\_\_\_\_

AMOUNT REQUESTING FINE BE REDUCED TO: 1,500<sup>00</sup>

THIS PROPERTY CURRENTLY IS  IS NOT  (check one) INVOLVED IN LITIGATION

**All Applications for Relief (where applicable) MUST have the following documentation provided as part of the Application to be reviewed:**

1. A copy of the Notice of Lis Pendens recorded with Broward County Records with the date, book and page shown;
2. A copy of the Foreclosure Complaint;
3. A copy of the Foreclosure Order, with the recording date, book and page shown;
4. A copy of the Final Summary Judgment of Foreclosure, with the recording date, book and page shown;
5. A copy of the Certification of Lien Order, with the recording date, book and page shown;
6. A copy of the new Certificate of Title, with the recording date, book and page shown;
7. A copy of the Town's Final Order of Imposition of Fine; and ✓
8. A copy of the Claim of Lien(s) with the recording date, book and page shown.

LAUDERDALE-BY-THE-SEA  
RECEIVED  
MAY 08 2012  
DEVELOPMENT  
SERVICES

*Page 1*

Please provide a copy of these requirements with all Applications for Relief.

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

- A. The nature and gravity of the violation(s);
- B. Any actions you have taken to correct the violation(s);
- C. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
- D. Any actual costs you expended to cure the violation(s), if supported by documentation;
- E. Any other prior or current violations you committed on the subject property or upon any other property you own within the Town; and
- F. Equitable considerations.

WHY RELIEF SHOULD BE GRANTED (This section must be completed and, at a minimum, should address the above factors):

Home was only used as rental  
once by previous owner after notice given  
Home was not rented out again, Home was  
vacant since around April 2011, attached is  
closed FPL Account in May 2011, previous owners  
had heart attack and did not respond to  
hearings, previous owner lost home to  
short sale

(Attach additional pages if needed, along with any supporting documentation)

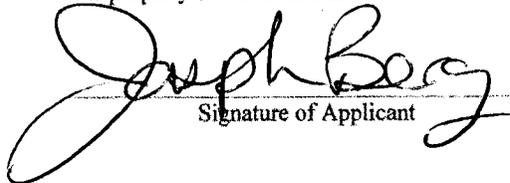
IF APPLICABLE:

Name Of Attorney/Representative: JAMES HOWE

Address: 1808 W TERRAMAR DRIVE LBS FC 33062

Phone Number: 954-663-8121

I CERTIFY THAT I am the current owner of the subject property or an Attorney for said owner, or that I am the legal representative for the property or otherwise authorized to act on behalf of the property owner in this matter.

  
Signature of Applicant

5/8/12  
Date

LAUDERDALE-DIXIE-SEA  
RECEIVED  
MAY 08 2012  
DEVELOPMENT  
SERVICES

## PROCEDURES FOR RELIEF FROM CODE LIENS OR FINES

The Town Manager is authorized by the Town Commission to negotiate and settle liens or fines established by the Special Magistrate. Reductions in fines or liens that exceed the lesser of (a) 50% of the amount owed or (b) \$15,000 must be approved by the Town Commission. Liens arising from unsafe structures or nuisance abatement are not eligible for relief, because of the Town's actual costs in dealing with such violations.

1. **Application** – A signed Application for Relief may be filed with the Town Manager or designee. In order for the Town to process an Application for Relief, all of the violations on the property must be in compliance, and the Application must include all of the following:
  - a. Name and address of applicant. If represented by an attorney/representative, the name and address of the attorney/representative must also be given; and the attorney/representative must either file a Notice of Appearance, or must sign the application.
  - b. Address or brief legal description, or both, of the property on which the violation(s) occurred.
  - c. Sufficient information (which should include nature of violation(s), date or approximate date on which violation(s) occurred, date or approximate date on which finding of violation(s) was made or on which penalty was imposed, and file number) for the Town to identify the file. A copy of the order should be attached.
  - d. A brief explanation of the relief sought, along with any supporting documentation and evidence.
  - e. The application fee.
2. **Initial consideration** – No Application shall be accepted or processed unless all Code violations on the subject property have first been brought into compliance. The Town will not grant relief to any applicant whose property is subject of any pending foreclosure proceedings filed by the Town Attorney's Office without the expressed written consent of the Town Attorney's Office. The Town Manager or designee shall provide a copy of the Application to the appropriate Town Department(s) for review, which may file a written response. The Town Manager or designee shall provide the applicant with a copy of any written response.
3. **Hearing** – If the Application is within the authority of the Town Manager, then it may be decided by the Town Manager on the written filings without a hearing.

If the Application requires Town Commission approval, it will be set for the next available regular Town Commission meeting date after all requirements have been met and after the Application is reviewed and processed, and placed on the agenda. The Town Manager or designee shall notify the applicant by U.S. First Class Mail, not less than seven (7) days prior to the scheduled hearing. No such hearing shall proceed if the property is not currently in compliance as of the date of the hearing, or the applicant or representative is not present at the hearing.

4. **Determination** – The Town Manager (or the Town Commission if the amount of the Application is beyond the Town Manager’s authority) shall enter an Order denying or granting the requested relief in a form approved by the Town Attorney, or such relief as the Town Manager or Town Commission may deem proper, and may direct such action as may be appropriate to effectuate the ordered relief. The Town Manager or Town Commission shall consider all relevant factors to determine what relief, if any, is appropriate including, but not limited to the following factors:
- a. The nature and gravity of the violation(s);
  - b. Any actions taken by the applicant to correct the violation(s);
  - c. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
  - d. Any actual costs expended by the applicant to cure the violation(s), if supported by documentation;
  - e. Any other prior violations committed by the applicant on the subject property or upon any other property owned by the applicant within the Town; and
  - f. Equitable considerations.

A copy of the Order approving or denying the Application shall be furnished to the applicant, and may be served by U.S. First Class Mail. Applicants who accept relief under this procedure shall sign a waiver of any right to challenge the Town’s entitlement to the remaining outstanding fines or liens, or the Town’s handling of the application for relief.

5. **Payment** –Any relief granted shall be contingent upon payment of any outstanding amounts within a specified time period. Failure to provide valid payment to the Town within the specified time period shall cause the original penalty(s) to reinstate, unless otherwise extended.
6. **Denial with Prejudice** – If relief is denied because the property is not currently in compliance, such denial shall be without prejudice to refile the Application. If relief is denied based upon the merits of the claim, such denial shall be with prejudice to rehear the matter.
7. **Appeal** – Relief under this section is strictly discretionary by the Town, and the Town’s disposition of an Application might not be subject to appeal.
8. **Inability to Comply** – The Town Commission may grant relief conditioned upon compliance within a specified time period for any property that is not in, or cannot be placed in, compliance due to exceptional circumstances.





Town of  
**LAUDERDALE-BY-THE-SEA**  
CODE COMPLIANCE SPECIAL MAGISTRATE

4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308-3610  
Telephone: (954) 776-3611 \* Fax: (954) 776-3431

TOWN OF LAUDERDALE-BY-THE-SEA

Case No. 10-KW-00059

Petitioner,

v.

GANNON, WILLIAM,

Respondent.

**THIS IS NOT AN OFFICIAL COPY**  
SPECIAL MAGISTRATE ORDER IMPOSING FINE AND CERTIFICATION OF LIEN  
TO: William Gannon, 25 Ocean Avenue, Ocean Grove, NJ 07756-1305  
VIOLATION: 30-327 Code of Ordinances of the Town of Lauderdale-By-The-Sea, Florida (Property being rented without a Vacation Rental Permit).

LOCATION OF VIOLATION: 1821 W. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33308

On October 19, 2011, an administrative hearing in the above-referenced case was held before the Special Magistrate. Set below are the findings of fact, conclusions of law and order imposing and certifying fine.

**FINDINGS OF FACT**

The record indicates that the Respondent(s) owns certain real property located at 1821 W. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33308 (the "subject property"), more particularly described as follows:

LEGAL DESCRIPTION: TERRA MAR ISLAND ESTATES 29-12 B LOT 21 BLK 1 TOGETHER WITH TERRA MAR ISLAND ESTATES FIRST AND 31-10 B X 10 OF BLK 10 BEING A POR OF THAT OF LAND DESIGNATED AS LOT 22 BLK 1 T M I E, recorded in Book 39235, Page 1580, according to the Public Records of Broward County, Florida

TAX FOLIO NUMBER (PROPERTY I.D.): 4943 06 20 0210

This case stems from a Notice of Violation issued on September 9, 2010 for failing to obtain a Vacation Rental Permit. This case was previously before the Special Magistrate on April 8, 2011.

On April 8, 2011, the Special Magistrate found the Respondent guilty of violating Section 30-327 Code of Ordinances of the Town of Lauderdale-By-The-Sea (the "Code"), ordered the Respondent to bring the property into compliance by May 20, 2011, provided the Respondent with notice that a per day fine in the amount of \$100.00 would be imposed by May 21, 2011, if the violation was not corrected by the date specified in the Final Order.

(X)

**Respondent: William Gannon 1821 W. Terra Mar Drive – Case # 10-KW-00059**

On October 19, 2011 Code Compliance Officer, Kim Williams, testified under oath that the Respondent did not perform the corrective action ordered on April 8, 2011 and that the violation still exists. A representative of the Respondent was not present at the hearing.

**CONCLUSIONS OF LAW**

Accordingly, based on the testimony and evidence referenced above, the Town has met the burden of proving by substantial competent evidence that there was a violation of Section 30-327 Code of Ordinances of the Town of Lauderdale-By-The-Sea, that a violation did exist on the subject property and that the Respondent was not in compliance at or prior to the subject hearing.

It is hereby ordered as follows:

The Respondent must correct the violation on the subject property or be assessed a daily fine of 100.00 until compliance is gained.

It having been brought to the Special Magistrate's attention that the Respondent did not comply with the above-referenced Order, in consideration of the gravity of the violation, any actions taken by the Respondent to correct the violation, and any previous violations committed by the Respondent as evidence by the record in this case, if the violation is not corrected by May 20, 2011, a fine is hereby imposed and certified in the amount of \$100.00 per day, beginning on May 21, 2011 until compliance or judgment is entered by a court of competent jurisdiction. As of the October 21, 2011 hearing, the daily fine which began on May 21, 2011, has accrued to a total amount of Fifteen Thousand Two Hundred Dollars (\$15,200.00) and the \$100.00 fine will continue to accrue on a daily basis until the corrective action is completed.

**It is your responsibility to contact Code Compliance Officer Williams when you are in compliance.**

Pursuant to Section 162.09, Florida Statutes, this Order imposing fine and administrative fee may be recorded in the Public Records of Broward County and, once recorded, shall constitute a lien against the property upon which the violation exists and upon and real or personal property owned by the Respondent. Upon petition to the circuit court, such Order may be enforced in the same manner as a court judgment by the sheriffs of the state, including levy against personal property, but it shall not be deemed to be a court judgment except for enforcement purposes.

Under Section 162.11, Florida Statutes, this Order may be appealed to the Circuit Court of Broward County, Florida within 30 days of the date of this Order

Dated this 19th day of October, 2011.

**CERTIFICATION**

I certify this to be a true and correct copy of the record in my office.

WITNESSED by my hand and official seal of the Town of Lauderdale-By-The-Sea, Florida

30 day of November, 2011

Jane White Clerk Town clerk

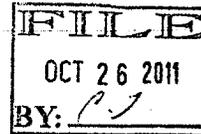
ATTEST:

Colleen Tyrrell

Colleen Tyrrell, Secretary for the Special Magistrate

SPECIAL MAGISTRATE  
TOWN OF LAUDERDALE-BY-THE-SEA

By: Gordon B. Linn  
Gordon B. Linn



TOWN OF LAUDERDALE BY THE SEA  
MUNICIPAL CORPORATION OF FLORIDA  
CODE COMPLIANCE SPECIAL MAGISTRATE

CASE NUMBER: 11-KW-00059

TOWN OF LAUDERDALE BY THE SEA,  
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

WILLIAM P GANNON III  
25 OCEAN AVENUE  
OCEAN GROVE, NJ 07756-1305

RESPONDENT

FINAL ORDER

HEARING DATE: April 20, 2011

VIOLATION(S): No vacation rental permit for rental of property. Obtain vacation rental permit and inspection.

CODE SECTION: 30-327

An Administrative hearing was held before the Special Magistrate on April 20, 2011. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:  
1821 W. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number ( Property I.D. ): 9306-20-0210

At the hearing held on this matter on April 20, 2011 the Petitioner Town presented testimony by Code Compliance Officer Kim Williams concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Williams said that the property still was not in compliance. Officer Williams said that she spoke to Mr. Gannon and was advised that he was still waiting for the Resort Dwelling License from the State and verified that he had applied for and was also waiting for the Sales Tax Certificate from the State. Officer Williams presented a document that was printed off of a website advertising the property as a vacation rental that was entered into evidence as Town's Exhibit 'A'. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

WILLIAM P GANNON III  
CASE NUMBER: 11-KW-00059

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 30-327.

IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN THIRTY (30) DAYS FROM THE HEARING DATE TO BRING THE PROPERTY INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION BY MAY 20, 2011, A PENALTY OF ONE HUNDRED (\$100.00) DOLLARS PER DAY WOULD BE ASSESSED UNTIL COMPLIANCE IS GAINED. THE SPECIAL MAGISTRATE WAIVED THE ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 20<sup>TH</sup> day of April, 2011, Lauderdale By The Sea, Florida.

*Gordon B. Linn*  
Gordon B. Linn, Special Magistrate

ATTEST:

*Colleen Tyrrell*  
Colleen Tyrrell, Secretary for the Special Magistrate

Cc to: N/A

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSED by my hand and official seal of the Town of Lauderdale-By-The-Sea, Florida

30 day of November 20 11  
*Julie White CMC* Town clerk

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive  
Lauderdale-By-The-Sea, FL 33308

FILE  
APR 22 2011  
BY: *C.L.*

Prepared by and return to:  
Donna Hearne-Gousse, Esq.  
President  
Law Offices of Donna Hearne-Gousse, P.A.  
32 S J Street  
Lake Worth, FL 33460  
954-929-7933  
File Number: 11-0295  
Will Call No.:

Parcel Identification No. 4943 06 20 0210

[Space Above This Line For Recording Data]

### Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 26th day of March, 2012 between William P. Gannon, III, a single man whose post office address is 25 Ocean Avenue, Ocean Grove, NJ 07756 of the County of Monmouth, State of New Jersey, grantor\*, and Joseph Berg, a single man whose post office address is 2130 Hollywood Blvd, Hollywood, FL 33019 of the County of Broward, State of Florida, grantee\*.

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

Lot 21 and the South 10 feet of Lot 22, Block 1, TERRA MAR ISLAND ESTATES, according to the Plat thereof, recorded in Plat Book 29, Page 12, of the Public Records of Broward County, Florida.

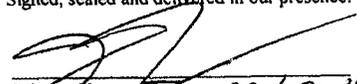
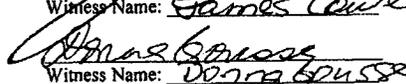
The above described property is also described as: Lot 21, Block 1, TERRA MAR ISLAND ESTATES, according to the Plat thereof, as recorded in Plat Book 29, Page 12, of the Public Records of Broward County, Florida; together with the south 10 feet of Block 10, TERRA MAR ISLAND FIRST ADDITION, according to the Plat thereof, as recorded in Plat Book 31, Page 10, of the Public Records of Broward County, Florida (the South 10 feet of Block 10, also being the South 10 feet of that parcel shown as Lot 22, Block 1, TERRA MAR ISLAND ESTATES on said Plat Book 29, Page 12).

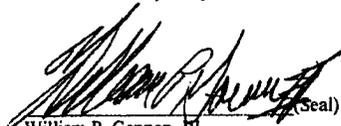
and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:

  
Witness Name: James Lowe  
  
Witness Name: Donna Gousse

  
William P. Gannon, III (Seal)

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me this 16th day of March, 2012 by William P. Gannon, III, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]



  
Notary Public  
Printed Name: Donna Gousse  
My Commission Expires: 12/7/12

(1) 10

This instrument Prepared by:  
Rosemary Blank  
1322 Madison Street  
Hollywood, FL 33019

Folio: 4943 06 20 0210

This Quit Claim Deed, Executed this  
12 day of March 2012. By

Grantor:

Joseph Berg, A Single Man  
2130 Hollywood Blvd  
Hollywood, Florida 33020

Grantee:

R. A. B of South Florida, Inc., a FL Corp.,  
2130 Hollywood Blvd  
Hollywood, Florida 33020

THIS IS NOT AN  
OFFICIAL COPY

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said party for and in consideration of the sum of \$10.00 in hand paid by the grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit claim unto said grantee forever, all the right title, title, interest, claim and demand which the said grantor has in and to the following described lot, piece or parcel of land situate, lying and being in the County of Broward State of Florida,

Lot 21 and the South 10 feet of Lot 22, Block 1, TERRA MAR ISLAND ESTATES, according to the Plat thereof, recorded in Plat Book 29, Page 12, of the Public Records of Broward County, Florida.

The above described property is also described as: Lot 21, Block 1, TERRA MAR ISLAND ESTATES, according to the Plat thereof, as recorded in Plat Book 29, Page 12, of the Public Records of Broward County, Florida; together with the south 10 feet of Block 10, TERRA MAR ISLAND FIRST ADDITION, according to the Plat thereof, as recorded in Plat Book 31, Page 10, of the Public Records of Broward County, Florida (the South 10 feet of Block 10, also being the South 10 feet of that parcel shown as Lot 22, Block 1, TERRA MAR ISLAND ESTATES on said Plat Book 29, Page 12).

A/K/A: 1821 W Terra Mar Drive, Lauderdale By The Sea Florida 33062

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 said grantor, either in law or equity, to the only proper use, benefit and behalf of said grantee forever.

11

In Witness Whereof, The said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Rosey Blank  
Witness

Joseph Berg  
By  
Witness Lois Loughman

County of Broward  
State of Florida

I hereby certify that on this day, before me, an officer duly authorized in the state and in the county aforesaid to take acknowledgments Joseph Berg, who appeared in and produced a Drivers license as I.D and took an oath, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same. Witness my hand and official seal in the county and state last aforesaid this 17 day of March 2012

Rosemary Blank  
Notary Public

 ROSEMARY BLANK  
MY COMMISSION # EE055674  
EXPIRES January 17, 2015  
(407) 398-0153  
FloridaNotaryService.com

To: Tuchette Torres  
Lauderdale by the Sea Florida Code Compliance  
4501 Ocean Drive  
Lauderdale by the sea Florida 33308  
954-776-6311

From, GANNON, WILLIAM P III  
25 OCEAN AVE OCEAN GROVE NJ 07756-1305

RE: Case Number 10-KW-00069

RE: 1821 W TERRA MAR DRIVE, LAUDERDALE BY THE SEA

Mrs. Tuchette

I hereby give permission to James Lowe and or Howard Steklof to work on my behalf to resolve outstanding code violation in reference to Vacation Rental violation. I would appreciate your assistance with this matter

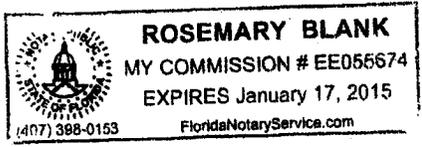
Thank You

~~Billie Gannon~~  


03-05-2012

Notary of Republic RBell  
Commission Expires 11/17/15

Witness Jamude  
Witness RBell



Original  
Authorization



AUTO \*\*CO 6217  
142970

WILLIAM P GANNON III  
1808 W TERRA MAR DR  
POMPANO BEACH FL 33062-6822

Re: Account # 9197365175  
1821 W TERRA MAR DR  
POMPANO BEACH, FL 33062

Dear Customer,

Thank you for your recent inquiry regarding your length of service with FPL. Your concerns are important to us.

Our records indicate that you had electric service with us at 1821 W TERRA MAR DR from March 4, 2005 to May 29, 2011.

It has been a pleasure to serve you. We welcome any future concerns you may have and look forward to meeting your future energy needs.

Should you have any questions regarding this matter, please do not hesitate to contact us at 954-797-5000.

Sincerely,

FPL Customer Care Center

*FPL  
ELECTRIC  
Disconnected  
May 2011*



14



Site Address	1821 W TERRA MAR DRIVE , LAUDERDALE BY THE SEA	iD #	4943 06 20 0210
Property Owner	R A B OF SOUTH FLORIDA INC	Millage	0211
Mailing Address	2130 HOLLYWOOD BLVD HOLLYWOOD FL 33019	Use	01

Abbreviated Legal Description	TERRA MAR ISLAND ESTATES 29-12 B LOT 21 BLK 1 TOGETHER WITH TERRA MAR ISLAND ESTATES FIRST ADD 31-10 B S 10 OF BLK 10 BEING A POR OF THAT TR OF LAND DESIGNATED AS LOT 22 BLK 1 T M I E
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The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

Property Assessment Values					
Click here to see 2011 Exemptions and Taxable Values to be reflected on Nov. 1, 2011 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2012	\$373,560	\$337,730	\$711,290	\$711,290	
2011	\$373,560	\$337,730	\$711,290	\$711,290	\$14,270.95
2010	\$373,560	\$302,940	\$676,500	\$676,500	\$13,844.07

**IMPORTANT:** The 2012 values currently shown are "roll over" values from 2011. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2012, to see the actual proposed 2012 assessments and portability values.

2012 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$711,290	\$711,290	\$711,290	\$711,290
Portability	0	0	0	0
Assessed/SOH	\$711,290	\$711,290	\$711,290	\$711,290
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$711,290	\$711,290	\$711,290	\$711,290

Sales History				
Date	Type	Price	Book	Page
3/17/2012	QCD-T	\$100	48644	531
3/16/2012	WD-Q	\$667,000	48617	1481
3/3/2005	WD	\$1,475,000	39235	1580
8/31/1999	QC*	\$100	29826	626
6/21/1996	WD*	\$500,000	25048	542

Land Calculations		
Price	Factor	Type
\$55.00	6,792	SF
Adj. Bldg. S.F. (See Sketch)		2974
Beds/Baths		3/2

\* Denotes Multi-Parcel Sale (See Deed)

Special Assessments					
Fire	Garbage	Light	Drainage	Improvement	Safe
02			LB		
R			LB		
1			1		

15

ATT: Tuchette Torres

Subject: RE: 1821 W Terra mar

Case # 10-KW-00059

Mrs. Torres in regards to your request to the reason of the change of name on subject property, property was titled into the name of Joe Berg after the purchase we put property into a company name of R A B OF SOUTH FLORIDA INC that is owned by Joe Berg. The purpose of this is that it will protect our liability considering the home has a pool and on the water we need to be covered in case anyone was to be injured on property.

Thank You

Joe Berg

05/10/2012

**2012 FOR PROFIT CORPORATION ANNUAL REPORT**

**FILED  
Mar 09, 2012  
Secretary of State**

DOCUMENT# P95000010111

Entity Name: R.A.B. OF S. FL., INC.

**Current Principal Place of Business:**

2130 HOLLYWOOD BLVD  
HOLLYWOOD, FL 33020

**New Principal Place of Business:**

**Current Mailing Address:**

2130 HOLLYWOOD BLVD  
HOLLYWOOD, FL 33020

**New Mailing Address:**

FEI Number: 65-0557170

FEI Number Applied For ( )

FEI Number Not Applicable ( )

Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

BERG, JOSEPH  
2130 HOLLYWOOD BLVD  
HOLLYWOOD, FL 33020 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: \_\_\_\_\_

Electronic Signature of Registered Agent

\_\_\_\_\_ Date

**OFFICERS AND DIRECTORS:**

Title: D  
Name: BERG, JOSEPH  
Address: 2130 HOLLYWOOD BLVD  
City-St-Zip: HOLLYWOOD, FL 33020

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JOSEPH BERG

PRES

03/09/2012

\_\_\_\_\_ Electronic Signature of Signing Officer or Director

\_\_\_\_\_ Date

17