

ATTACHMENT A

Application Package

SACHS SAX CAPLAN

ATTORNEYS AT LAW

SUITE 200
6111 BROKEN SOUND PARKWAY NW
BOCA RATON, FLORIDA 33487

TELEPHONE (561) 994-4499
DIRECT LINE (561) 237-6819
FACSIMILE (561) 994-4985

MICHAEL S. WEINER, ESQ.
MWEINER@SSCLAWFIRM.COM

September 25, 2017

Via: Hand Delivery

Ms. Alexandra Carcamo
Principal Planner
City of Hollywood
Department of Development Services, Planning Division
2600 Hollywood Blvd., Room 315
Hollywood, FL 33022
Email: acarcamo@hollywoodfl.org

Re: Appeal Submission, 2057 Coolidge St.

Dear Alexandra:

Enclosed is the General Application form along with the required documents. Per your instructions, we are submitting the following items in addition to the General Application: a survey; the warranty deed; and a letter documenting the appeal request.

Also enclosed are two checks which total \$2,559.00 made payable to the City of Hollywood to cover the fee for an appeal to be heard by the Planning and Development Board on November 9, 2017.

Very truly yours,

SACHS SAX CAPLAN

/s/ Michael S. Weiner
Michael S. Weiner

PLANNING DIVISION



File No. (internal use only): _____

2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION



Tel: (954) 921-3471
Fax: (954) 921-3347

This application must be completed in full and submitted with all documents to be placed on a Board or Committee's agenda.

The applicant is responsible for obtaining the appropriate checklist for each type of application.

Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

At least one set of the submitted plans for each application must be signed and sealed (i.e. Architect or Engineer).

Documents and forms can be accessed on the City's website at

<http://www.hollywoodfl.org/DocumentCenter/Home/View/21>



APPLICATION TYPE (CHECK ONE):

- ☐ Technical Advisory Committee ☐ Historic Preservation Board
☒ City Commission ☐ Planning and Development Board

Date of Application: 7/6/17 and 9/25/17

Location Address: 2057 Coolidge St. Hollywood, FL 33020

Lot(s): 1; ^{W 28 ft of 2} E 32 ft of 2; 3 Block(s): 12 Subdivision: North Hollywood

Folio Number(s): 5142 03 10 0780

Zoning Classification: IM-1 Land Use Classification: TOD

Existing Property Use: Alzheimer's Center or similar use Sq Ft/Number of Units: 18597 / 48 units

Is the request the result of a violation notice? () Yes (X) No If yes, attach a copy of violation.

Has this property been presented to the City before? If yes, check all that apply and provide File Number(s) and Resolution(s): Resolution No. 09-S-36

- ☐ Economic Roundtable ☐ Technical Advisory Committee ☐ Historic Preservation Board
☐ City Commission ☒ Planning and Development

Explanation of Request: See attached letter

Number of units/rooms: 48 units (89 Beds) Sq Ft: 18,597

Value of Improvement: N/A Estimated Date of Completion: N/A

Will Project be Phased? () Yes (X) No If Phased, Estimated Completion of Each Phase

Name of Current Property Owner: 2057 Coolidge Associates LLC

Address of Property Owner: 7200 W Camino Real # 200 Boca Raton, FL 33433

Telephone: 561-952-2501 Fax: _____ Email Address: Donny@privcapcompanies.com

Name of Consultant/Representative/Tenant (circle one): Michael S. Weiner, Esq.

Address: 6111 Broken Sound Pkwy # 200 Boca Raton, FL 33433 Telephone: 561-994-4499

Fax: 561-994-4495 Email Address: MWeiner@ssclawfirm.com

Date of Purchase: N/A Is there an option to purchase the Property? Yes () No (X)

If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: _____

Address: _____

Email Address: _____

PLANNING DIVISION

File No. (internal use only)

2500 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

The applicant/owner(s) signature certifies that he/she has been made aware of the criteria, regulations and guidelines applicable to the request. This information can be obtained in Room 315 of City Hall or on our website at www.hollywoodfl.org. The owner(s) further certifies that when required by applicable law, including but not limited to the City's Zoning and Land Development Regulations, they will post the site with a sign provided by the Office of Planning and Development Services. The owner(s) will photograph the sign the day of posting and submit photographs to the Office of Planning and Development Services as required by applicable law. Failure to post the sign will result in violation of State and Municipal Notification Requirements and Laws.

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the City's Zoning and Land Development Regulations, Design Guidelines, Design Guidelines for Historic Properties and City's Comprehensive Plan as they apply to this project. (I)(We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(We) understand that the application and attachments become part of the official public records of the City and are not returnable.

Signature of Current Owner: *Daniel Cohen* Date: 7/6/17

PRINT NAME: Daniel Cohen Date: _____

Signature of Consultant/Representative: _____ Date: _____

PRINT NAME: _____ Date: _____

Signature of Tenant: _____ Date: _____

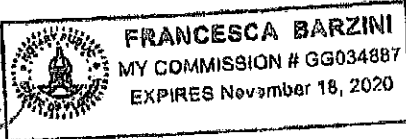
PRINT NAME: _____ Date: _____

Current Owner Power of Attorney

I am the current owner of the described real property and that I am aware of the nature and effect the request for Zoning Relief to my property, which is hereby made by me or I am hereby authorizing Michael Weiner, Esq. to be my legal representative before the City Commission (Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me
this 6 day of July

Francesca Barzini
Notary Public
State of Florida



Daniel Cohen
Signature of Current Owner

Daniel Cohen
Print Name

My Commission Expires: _____ (Check One) ☒ Personally known to me; OR ☐ Produced Identification _____

CITY OF HOLLYWOOD
PLANNING AND ZONING BOARD

RESOLUTION NO. 09-S-36

A RESOLUTION OF THE CITY OF HOLLYWOOD PLANNING AND ZONING BOARD APPROVING A SPECIAL EXCEPTION WITH CONDITIONS TO ALLOW FOR THE ESTABLISHMENT OF A NONCONFORMING USE (ALZHEIMER'S CENTER) WITHIN A LAWFUL NONCONFORMING BUILDING LOCATED AT 2055-57 COOLIDGE STREET, HOLLYWOOD, FLORIDA, PURSUANT TO THE PROVISIONS OF SECTION 3.12 H. OF THE ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, Section 3.12.G.4 of the City's Zoning and Land Development Regulations provides that an application for a Special Exception may be filed to establish a nonconforming use within a lawfully nonconforming building which, because of its unique design or orientation or location, is appropriate for such use; and

WHEREAS, the Starting Place, Inc., as applicant/property owner for the property located at 2055-57 Coolidge Street, has applied for a Special Exception to establish a nonconforming use (Alzheimer's Center) within a lawfully nonconforming building at the subject property in order to renovate and convert the existing building into a 48 unit (89 beds) Community Residential Facility specializing in Alzheimer's and dementia care; and

WHEREAS, the Director of the Office of Planning and Planning staff, following an analysis of the application and its associated documents have determined that the proposed request for a Special Exception does meet the criteria set forth in

Return to: Office of Planning
City of Hollywood
2600 Hollywood Blvd, Rm 315
Hollywood, FL 33020

Section 3.12.H of the Zoning and Land Development Regulations and have therefore recommended that it be approved with the following conditions:

- (1) That a Unity of Title, in a form acceptable to the City Attorney's Office, must be submitted prior to the issuance of any building permits and shall be recorded in the Public Records of Broward County, Florida, prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C); and
- (2) That the Applicant must obtain all applicable permits, agreements, licenses for the proposed improvements (i.e. - interior renovations, re-striping of parking areas, right-of-way improvements, landscaping, fencing, paved areas, etc.) as shown on the attached plans dated 6/8/2009 denoted as Exhibit "A", prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C) and establishing/operating a Alzheimer's Center; and
- (3) That this Special Exception is specifically for the proposed Alzheimer's Center or a similar use as approved by the City of Hollywood and cannot be combined with other lots for expansion/intensification.

; and

WHEREAS, Section 3.12.H of the Zoning and Land Development Regulations states that any approval of G.1 through G.5 shall be based upon the Planning and Zoning Board determining that the following criteria have been met:

1. The approval of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.
2. The approval will not, under any circumstances of the particular case, be detrimental to the health, safety and general welfare of persons working or residing within the vicinity.
3. The approval will not be detrimental or injurious to property and improvements in the vicinity or to the general welfare of the city.
4. The approval will, to the maximum extent possible, bring the use or building and the site upon which it is located into compliance with the city regulations; and

WHEREAS, on July 20, 2009, the Planning and Zoning Board met and held an advertised public hearing to consider the Special Exception request and the Board determined that the criteria set forth in Section 3.12.H of the Zoning and Land Development Regulations have been met and therefore approve the Special Exception with the aforementioned conditions recommended by City staff to allow the establishment of a nonconforming use (Alzheimer's Center) within a lawfully nonconforming building at the subject property as specifically outlined in the Office of Planning staff report and the Applicant's application package;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That following review of the Office of Planning staff report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing, the consideration of the criteria listed herein for approving/denying the requested Special Exception for the property located at 2055-57 Coolidge Street, Hollywood, Florida, and its findings set forth above, the Board hereby approves the Special Exception with the conditions set forth below to establish a nonconforming use (Alzheimer's Center) within a lawful nonconforming building at the subject property which will be renovated and converted into a 48 unit (89 beds) Community Residential Facility specializing in Alzheimer's and dementia care. The Applicant shall comply with the following conditions:

- (1) That a Unity of Title, in a form acceptable to the City Attorney's Office, must be submitted prior to the issuance of any building permits and shall be recorded in the Public Records of Broward County, Florida, prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C); and
- (2) That the Applicant must obtain all applicable permits, agreements, licenses for the proposed improvements (i.e. -- Interior renovations, re-striping of parking areas, right-of-way improvements, landscaping, fencing, paved areas, etc.) as shown on the attached plans dated 6/8/2009 denoted as Exhibit "A", prior to the issuance of a Certificate

of Occupancy (C/O) or Certificate of Completion (C/C) and establishing/operating a Alzheimer's Center; and

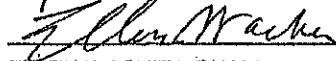
- (3) That this Special Exception is specifically for the proposed Alzheimer's Center or a similar use as approved by the City of Hollywood and cannot be combined with other lots for expansion/intensification.

Section 2: That the approval by the Board granting the Special Exception shall become null and void unless the applicant obtains all appropriate building or other permit(s) or license(s) within 18 months of the Board's approval. Said 18 months shall commence upon passage and adoption of this Resolution.

Section 3: That the Office of Planning is hereby directed to forward a copy of this resolution to the applicant and the owner of the property upon which the request was made and a copy shall be recorded in the Public Records of Broward County, Florida, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations.

PASSED AND ADOPTED THIS 20th DAY OF July, 2009.

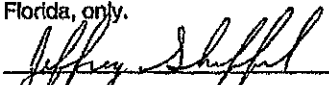
RENDERED this 23rd day of July, 2009.


ELLEN WACHER, CHAIR

ATTEST:


ANDREW ZULLO, SECRETARY

APPROVED AS TO FORM & LEGALITY
for the use reliance of the Planning and
Zoning Board of the City of Hollywood,
Florida, only.


JEFFREY P. SHEFFEL, BOARD COUNSEL

SACHS SAX CAPLAN

ATTORNEYS AT LAW

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September 25, 2017

Via: Hand Delivery

Ms. Alexandra Carcamo
Principal Planner
City of Hollywood
Department of Development Services, Planning Division
2600 Hollywood Blvd., Room 315
Hollywood, FL 33022
Email: acarcamo@hollywoodfl.org

Re: Appeal Submission, 2057 Coolidge St.

Dear Alexandra:

This letter contains the detailed Explanation of the Request for General Application submitted for the property located at 2057 Coolidge Street (the "Property"). The undersigned represents 2057 Coolidge Associates LLC, the Owner of the Property (the "Applicant").

I. Background

We are submitting the General Application as part of our appeal of the decision contained in the June 8, 2017 email from Alan Fallik, Esq., Acting City Attorney for City of Hollywood (the "City") denying the request for a Certificate of Use at the Property. We confirmed via email on June 28, 2017 that the June 8, 2017 email from Alan Fallik, Esq. was a final denial of the request for a Certificate of Use at the Property. Accordingly, we submitted an appeal on July 6, 2017. Since that date, we have had numerous communications with City staff, including the following:

- Meeting with City staff on July 26, 2017 to discuss the appeal
- PACO submission via email on August 28, 2017
- PACO meeting on September 5, 2017

In addition to these dates, we have had numerous communications with City staff via email and telephone to confirm the progress of the appeal through the appropriate channels. Based on instruction from City staff, we are now filing an additional General Application

dated today, September 25, 2017, in order to have the appeal heard by the Planning and Development Board at its November 9, 2017 meeting. We are delivering this letter as part of a submittal meeting scheduled for 2:00 pm on September 25, 2017.

This appeal concerns the Property that was the subject of Resolution No. 09-S-36 in 2009 (the "2009 Resolution"). In the 2009 Resolution, the Planning and Zoning Board approved a Special Exception to allow for a nonconforming use within a lawful nonconforming building. The Resolution stated that the Special Exception "is specifically for the proposed Alzheimer's Center or a similar use."

II. Similar Use

So that there is no misunderstanding, the Applicant has consistently maintained that the proposed Residential Detoxification Center is a "similar use" to the Alzheimer's Center. Proof of the similarity of use was submitted as a part of the initial appeal submitted to the City staff. Submission of this information was, in part, based upon the position taken by Alan Fallik, Esq., wherein in an email dated June 8, 2017, the statement was made that "City staff firmly believes that the proposed use of this property is not similar to the previous one."

At the PACO meeting on September 5, 2017, City staff expressed agreement with Applicant's interpretation, stating that the City agreed that the proposed use is in fact a "similar use" to the Alzheimer's Center approved in the 2009 Resolution. According to the information presented by City staff at the PACO meeting, the only issue relevant to this appeal is whether the approved non-conforming use was "discontinued" or "abandoned," and the issue regarding similarity of use is no longer a point of disagreement. In reliance on these statements by City staff, we focus this appeal on the lack of abandonment. However, we reserve all rights to supplement with additional information to support the position that the proposed use is similar to the previously approved use.

III. Lack of Abandonment

It is our understanding that the City's position is that the nonconforming use was "abandoned." We understand that this interpretation is what resulted in the email from Alan Fallik, Esq. denying the request for a Certificate of Use and the statements by City staff that Applicant should instead seek a new special exception. This appeal concerns this interpretation. It is Applicant's position that the non-conforming use was not abandoned, and therefore the Certificate of Use should continue in full force and effect.

For a nonconforming use to be considered abandoned, there must be proof of intent to abandon. "Abandonment occurs when the landowner 'intentionally and voluntarily foregoes further non-conforming use of the property.'" *Hobbs v. Department of Transp.*, 831 So.2d 745 (Fla. 5th DCA 2002), citing *Lewis v. City of Atlantic Beach*, 467 So.2d 751 (Fla. 1st DCA 1985). For the Property at issue here, no owner exhibited such intent at any point.

Although the City cited water usage numbers and Fire and Police Department statements,

any indication of temporary vacancy is not enough to show abandonment. “Temporary cessation of a nonconforming use or the temporary vacancy of buildings used for the nonconforming use does not operate to effect abandonment of the nonconforming use.” See *Lewis*, supra.

In addition to the lack of intent to abandon, the specific facts concerning this Property show that the parties took timely action to prevent any assertion of abandonment. They filed timely applications with the City of Hollywood for the required Certificate of Use. Specifically, a prior potential purchaser of the property obtained a Certificate of Use on September 22, 2016. After this potential purchaser decided not to go through with the purchase, the Owner applied for a Certificate of Use in the Owner’s name on December 14, 2016. This application was filed within 90 days of the prior grant of the Certificate of Use. Despite repeated attempts by the Owner and real estate broker to follow-up with the City regarding the application for a Certificate of Use in the Owner’s name, including multiple phone calls as well as emails on January 10, 2017, January 11, 2017, January 18, 2017, January 23, 2017, January 24, 2017, January 26, 2017, and January 30, 2017, the City did not respond until February 14, 2017. Throughout this time period, the Owner was actively pursuing an application with the City in order to obtain the required Certificate of Use. Despite receiving a preliminary indication of a possible denial from the City on February 14, 2017, the Owner continued its efforts resulting in the meeting of April 26, 2017 and the follow-up letters on May 3, 2017 and June 28, 2017, as well as additional emails and phone calls.

As the facts above demonstrate, at no time did the Owner stop their efforts to obtain the necessary approval from the City of Hollywood. As was true in the *Hobbs* case cited above, the parties were only prevented from continuing the nonconforming use because they were unable to obtain the necessary additional approvals. As in *Hobbs*, there is no evidence that the parties desired to abandon their right to operate the nonconforming use. Also like in *Hobbs*, there was in fact no abandonment.

Accordingly, based on both the lack of intent to abandon and continuing efforts to obtain the necessary approvals, the Property was not abandoned and the use was not discontinued. The Owner should not need to seek a Special Exception determination to reinstate the use since the Property was not abandoned. In denying the Certificate of Use based on an improper determination of abandonment, the City improperly applied its Code and the relevant Ordinance.

IV. FHA and ADA Considerations

As we have explained in previous letters to the City, the improper denial of the Certificate of Use violated the Federal Fair Housing Act and the Americans with Disabilities Act. The FHA was originally enacted to prohibit discrimination in housing practices on the basis of race, color, religion, or national origin. *Elliott v. Sherwood Manor Mobile Home Park*, 947 F. Supp. 1574, 1576 (M.D. Fla. 1996). In 1988, Congress extended coverage to people with disabilities. See Fair Housing Amendments Act of 1988 (“FHAA”), Pub. L. No. 100-430, 102 Stat. 1620, 1622, 1623 & 1636 (1988), codified at 42 U.S.C. § 3601 et seq. Courts have recognized this expansion as “a clear pronouncement of a national commitment to end the

unnecessary exclusion of persons with handicaps from the American mainstream.” *Hovsons, Inc. v. Twp. of Brick*, 89 F.3d 1096, 1105 (3d Cir. 1996) (quoting *Helen L. v. DiDario*, 46 F.3d at 333 n. 14). The FHA is to be broadly construed to effectuate the goal of eradicating housing discrimination. *Id.* at 1105 (citing *Trafficante v. Met. Life Ins. Co.*, 409 U.S. 205, 209 (1972)). Congress intended the FHA to “apply to state or local land-use ... laws, regulations, practices or decisions which discriminate against individuals with handicaps.” H.R. Rep. No. 100-711, at 25, 1988 U.S.C.C.A.N. at 2185. This law “is intended to prohibit the application of special requirements through land-use regulations . . . that have the effect of limiting the ability of such individuals to live in the residence of their choice in the community.” H.R. Rep. No. 711, 100th Cong. 2d Sess. 18, reprinted in 1988 U.S.C.C.A.N. 2173, 2185.

Similarly, in enacting the Americans with Disabilities Act (“ADA”), Congress found that “[h]istorically, society has tended to isolate and segregate individuals with disabilities, and ... such forms of discrimination ... continue to be a serious and pervasive social problem.” 42 U.S.C. § 12101(a)(2). Congress recognized that “[i]ndividuals with disabilities continually encounter various forms of discrimination, including ... segregation...” 42 U.S.C. § 12101(a)(5). To further the goal of eliminating discrimination against the disabled, Congress stated that “the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals[.]” 42 U.S.C. § 12101(a)(8). In response to its mandate, the United States Department of Justice has stated that “[i]ntegration is fundamental to the purposes of the [ADA].” 28 C.F.R. Part 333 35, App. A. § 35.130. This integration mandate is contained in 28 C.F.R. § 35.130, entitled “[g]eneral prohibitions against discrimination.”

Under the FHA and ADA, persons in recovery from alcohol or other substance abuse are considered disabled and thus entitled to the statutes’ protections. *Jeffrey O. v. City of Boca Raton*, 511 F. Supp. 2d 1339, 1346-7 (S.D. Fla. 2007); *MX Group, Inc. v. City of Covington*, 293 F.3d 326, 336-340 (6th Cir. 2002); *Innovative Health Sys. v. City of White Plains*, 117 F.3d 37, 48-49 (2d Cir. 1997); 42 U.S.C. § 12210(b); and 28 C.F.R. § 35.104(A)(ii) (listing “drug addiction” as a physiological impairment). Congress intended the FHA to protect the rights of handicapped persons to live in a residence of their choice in the community. *Bryant Woods Inn, Inc. v. Howard County, Md.*, 911 F.Supp. 918, 946 (D.Md. 1996) (citation omitted); see also *City of Edmonds v. Washington State Bldg. Code Council*, 18 F.3d 802, 806 (9th Cir. 1994), *aff’d*, 115 S. Ct. 1776 (1995).

By improperly considering the non-conforming use abandoned and/or discontinued, the City is applying its land use regulations in a manner that will exclude people with disabilities and discriminate against them.

V. Standing

As the Owner of the Property, Applicant is a potential claimant under local, federal or state law. Additionally, Applicant has standing because Applicant proposes to provide housing to “qualified individuals” with disabilities, and therefore has standing as a “person alleging discrimination on the basis of disability” under the ADA. 42 U.S.C. § 12133 and 28 C.F.R. § 35.130(b)(6); *A Helping Hand, LLC v. Baltimore County, Md.*, 515 F.3d 356, 364 (4th Cir.

2008). Similarly, since Applicant wishes to provide housing for handicapped persons, Applicant has standing under the FHA. See, e.g., *Judy B. v. Borough of Tioga*, 889 F. Supp. 792, 797 (M.D. Pa. 1995); *North Shore-Chicago Rehab., Inc. v. Village of Skokie*, 827 F. Supp. 497, 507 n.3 (N.D. Ill. 1993); *Horizon House Dev. Servs., Inc. v. Twp. of Upper Southampton*, 804 F. Supp. 683, 692 (E.D. Pa. 1992), *aff'd mem.*, 995 F.2d 217 (3d Cir. 1993).

Pursuant to your procedure at a hearing duly called, we shall establish all of the relevant criteria required under Section 5.8 of the Code. Upon your receipt of these materials, if you believe any additional documentation is required, please contact us. We reserve all rights, including but not limited to the right to submit additional evidence in support of this appeal at or prior to the Planning and Development Board hearing.

Very truly yours,

SACHS SAX CAPLAN

/s/ Michael S. Weiner
Michael S. Weiner

This instrument was prepared by:
Gavin S. Banta, Esquire
Angelo & Banta, P.A.
515 East Las Olas Boulevard, Suite 850
Fort Lauderdale, Florida 33301

Record and return to:
Mark S. Meland, Esquire
Meland, Russin & Budwick, P.A.
200 South Biscayne Boulevard, Suite 3000
Miami, Florida 33131

WARRANTY DEED

This Indenture, made this ^{July}~~31~~ day of ~~August~~^{August}, 2009 between **THE STARTING PLACE, INC., a Florida non-profit organization**, whose post office address is 351 North State Road 7, #200, Plantation, Florida 33317, hereinafter referred to as the Grantor, and **2057 COOLIDGE ASSOCIATES, LLC, a Florida limited liability company**, whose address is 9344 Bay Drive, Surfside, Florida 33154, hereinafter referred to as the Grantee.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee the real property (the "Property") located in Broward County, Florida, and more particularly described on Exhibit "A" attached hereto and made a part hereof.

- SUBJECT TO:
1. All restrictions, easements and other matters appearing on the plat and/or common to the subdivision;
 2. Real estate taxes for the year 2009 and all subsequent years; and
 3. Zoning and/or restrictions and prohibitions imposed by governmental authority.

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

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

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the

lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal as of the day and year first above written.

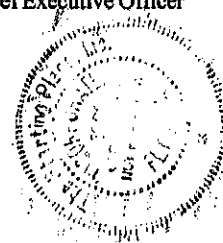
Signed, sealed and delivered in the presence of these witnesses:

**THE STARTING PLACE, INC., a
Florida non-profit organization**

C. S. Bunt
Witness Print Name: C. S. Bunt

By: Nancy L. Merolla
Nancy L. Merolla, Chief Executive Officer

Dawn Ann Fontana
Witness Print Name: Dawn Ann Fontana



STATE OF FLORIDA)
COUNTY OF BROWARD) SS:

The foregoing instrument was sworn to, subscribed and acknowledged before me this 31 day of July, 2009 by Nancy L. Merolla, Chief Executive Officer of The Starting Place, Inc., a Florida non-profit organization, on behalf of the organization. She is personally known to me or presented Florida Driver's License as identification and did not take an oath.



Dawn Ann Fontana
Notary Public, State of Florida at Large
Printed Name: Dawn Ann Fontana
My Commission Expires: _____

EXHIBIT "A"

Lot 1, the West 28 feet of Lot 2, Block 12, NORTH HOLLYWOOD, according to the plat thereof, recorded in Plat Book 4, Page 1, of the Public Records of Broward County, Florida.

The East 32 feet of Lot 2, and all of Lot 3, Block 12, NORTH HOLLYWOOD, according to the plat thereof, recorded in Plat Book 4, Page 1, of the Public Records of Broward County, Florida.

TITLE NOTES:
OFFICIAL RECORDS BOOK 23591, PAGE 0067,
AS PRESENTED TO US, AFFECTS THE PROPERTY
BUT IS NOT PLOTTABLE.

OFFICIAL RECORDS BOOK 1295, PAGE 621
AS PRESENTED TO US, AFFECTS LOT 1 AND
THE WEST 28 FEET OF LOT 2 BUT IS NOT
PLOTTABLE.

OFFICIAL RECORDS BOOK 34145, PAGE 1891,
AS PRESENTED TO US, IS ILLEGIBLE,
SPECIFICALLY THE LEGEND ON PAGE 4 OF
SAID DOCUMENT.

OFFICIAL RECORDS BOOK 40082, PAGE 1783
AS PRESENTED TO US, APPEARS TO AFFECT
THE PROPERTY BASED SOLELY UPON THE
PROPERTY DESCRIPTION ON DOCUMENT PAGE 4.

OFFICIAL RECORDS BOOK 40082, PAGE 1789,
AS PRESENTED TO US, AFFECTS THE PROPERTY
BUT IS NOT PLOTTABLE.

OFFICIAL RECORDS BOOK 46407, PAGE 953, AS
PRESENTED TO US AFFECTS THE PROPERTY BUT
IS NOT PLOTTABLE.

LEGEND:

N&D NAIL AND DISK
C CENTERLINE
R/W RIGHT-OF-WAY
CONC. CONCRETE
LP LIGHT POLE
FH FIRE HYDRANT
CLF CHAIN LINK FENCE
CBS CONCRETE BLOCK & STUCCO
CB CATCH BASIN
MV WATER VALVE
SMH SANITARY SEWER MANHOLE
UP UTILITY POLE
WM WATER METER
MUP WOOD UTILITY POLE
SMH SANITARY MANHOLE



CONCRETE

CHAIN LINK FENCE

WOOD OR PLASTIC FENCE

P.B. PLAT BOOK
PG. PAGE
OW OVERHEAD WIRES
12.75 DENOTES EXISTING ELEVATION

A/C AIR CONDITIONING APPURTENANCE
FFE FINISH FLOOR ELEVATION
POB POINT OF BEGINNING
POC POINT OF CURVATURE
MUP WOOD UTILITY POLE
TSB TRAFFIC SIGNAL BOX
HC HANDICAPPED PARKING SPACE
PS PARKING SPACE
EM ELECTRIC METER
TS TRANSFORMER SLAB
TB TELEPHONE BOX
P. PLANTED PORTION
F. FOUNTAIN
WF WOOD FENCE
C. COLUMN
FH FIRE HYDRANT
CD CLEANOUT
BFPV BACKFLOW PREVENTER VALVE
SV SEWER VALVE

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CERTIFIED TO:
U.S. Small Business Administration

NOTE: AS OF 2-7-2011 THIS PROPERTY LIES
IN QUADRANGLE MAP FORT LAUDERDALE SOUTH
QUAD NUMBER 1702, SE QUADRANT.

LEGAL DESCRIPTION:

LOT 1, THE WEST 28 FEET OF LOT 2, BLOCK
12, "NORTH HOLLYWOOD", ACCORDING TO THE
PLAT THEREOF, AS RECORDED IN PLAT BOOK 4
PAGE 1, OF THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA, SECTION 3, TOWNSHIP 51
SOUTH, RANGE 42 EAST.

AND

THE EAST 32 FEET OF LOT 2, AND ALL OF
LOT 3, BLOCK 12, "NORTH HOLLYWOOD",
ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 4, PAGE 1, OF THE
PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA, SECTION 3, TOWNSHIP 51
SOUTH, RANGE 42 EAST.

NOTES:

SET N&D DENOTES SET NAIL & DISK
STAMPED "LB-1678".

FND. N&D DENOTES FOUND NAIL AND DISK

SET PIPE DENOTES SET 1/2" IRON PIPE
WITH CAP STAMPED "LB-1678".

FOUND PIPE DENOTES FOUND 1/2" IRON PIPE
& CAP, CAP ILLEGIBLE.

FOUND REBAR DENOTES FOUND 1/2" IRON PIPE
& CAP, CAP ILLEGIBLE.

EXAMINATION OF THE ABSTRACT OF TITLE
WILL HAVE TO BE MADE IN ORDER TO
DETERMINE THE RECORDED INSTRUMENTS, IF
ANY, AFFECTING THIS PROPERTY.

INTERNAL ANGLES SHOWN ARE MEASURED
ANGLES. THE NORTH ARROW IS BASED UPON
THE PLAT OF "NORTH HOLLYWOOD" AND IS
REFERENCED TO THE CENTERLINE OF COOLIDGE
STREET, ASSUMED BEARING = DUE EAST.

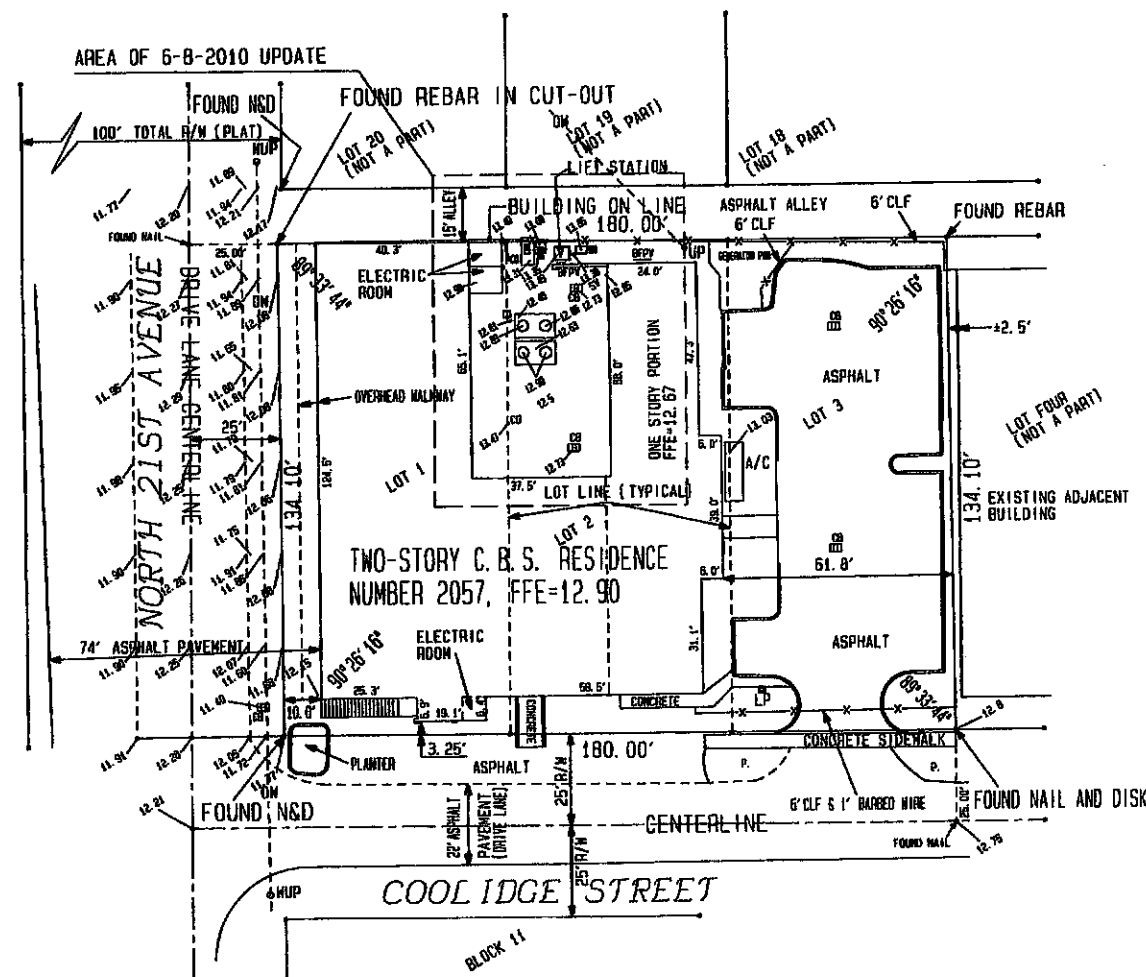
PROPERTY CONTAINS 24,139 SQUARE FEET.
OR 0.554 ACRES, MORE OR LESS.

ELEVATIONS ARE BASED UPON NATIONAL
GEODETIC VERTICAL DATUM AND REFERENCED
TO BROWARD COUNTY BENCHMARK NUMBER 1895,
ELEVATION = 11.075

ACCORDING TO THE NATIONAL FLOOD PROGRAMS
FLOOD RATE MAP NO. 12011C, PANEL NO. 0308
SUFFIX "F", COMMUNITY NUMBER 125113,
THIS PROPERTY LIES IN FLOOD ZONE "X",
AREAS DETERMINED TO BE OUTSIDE THE
500-YEAR FLOOD PLAIN

ALL RECORDING REFERENCES SHOWN HEREON
REFER TO THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA AND CAN BE FOUND ON
CHICAGO TITLE INSURANCE COMPANY'S TITLE
COMMITMENT OFFICE FILE NUMBER 2660-23,
EFFECTIVE DATE JULY 27, 2009 AT 11:00 PM

LEGAL DESCRIPTION SHOWN HEREON IS
WRITTEN SPECIFICALLY AS SUCH AT THE
REQUEST OF THE CLIENT.



Campanile & Associates, Inc Certificate
of Authorization No. = LB-1678.

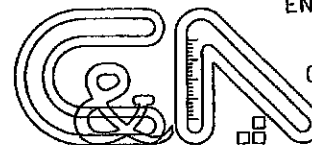
PROJECT# 4679	DATE 3- 7-2009
DRAWN AC	CHECKED
FIELD BOOK; 311	PAGES
DRAWING# 4679	SCALE 1" = 30'

SKETCH OF SURVEY

FOR

Gregg Covin Real Estate

CAMPANILE & ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS



6420 MAHI DRIVE
CORAL GABLES, FLORIDA 33158
(305) 971-1988
(305) 971-1989 (FAX)

4.	1-19-2011	ADD ELEVATIONS 21 AVE., NO UPDATE	AC		
3.	6-8-2010	UPDATE OF COURTYARD AREA ONLY	AC		
2.	8-1-2009	ADD RECORDING REFERENCES/NOTES/NO UPDATE	AC		
1.	6-24-2009	ADD RECORDING REFERENCE/NO UPDATE	AC		
No.	DATE	REVISION DESCRIPTION	BY	CHK.	APV.

CAMPANILE & ASSOCIATES, INC.

Louis R. Campanile

BY: LOUIS R. CAMPANILE, PRESIDENT
PROFESSIONAL SURVEYOR AND MAPPER No. 1224
STATE OF FLORIDA

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A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH,
PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.