

CITY OF FORT LAUDERDALE
 UNSAFE STRUCTURES BOARD
 THURSDAY, FEBRUARY 19, 2009 AT 3:00 P.M.
 CITY COMMISSION MEETING ROOM
 CITY HALL

Board Member	Attendance	Cumulative Attendance 10/08 through 9/09	
		Present	Absent
John Scherer, Chair	P	2	2
John Phillips, Vice Chair	P	3	1
John Barranco	P	3	1
Pat Hale	P	4	0
Hector Heguaburo	A	2	2
Joe Holland	P	4	0
Thornie Jarrett	P	4	0
Michael Weymouth [alternate]	P	1	0

City Staff

Yvette Ketor, Board Secretary
 Lori Grossfeld, Clerk III
 Ginger Wald, Assistant City Attorney
 Gerry Smilen, City Building Inspector
 Burt Ford, City Building Inspector
 Brian McKelligett, Administrative Assistant II
 Dee Paris, Administrative Aide
 Skip Margerum, Community Inspections Supervisor
 Wayne Strawn, City Building Inspector
 Lin Bradley, Code Enforcement Supervisor
 J. Opperee, ProtoType Inc. Recording Clerk

Witnesses and Respondents

CE07040050: Tim Stark, Owner
 CE05121325: Robert McIntyre, Owner; Ralph Riehl, Witness
 CE08081966, CE08081974, CE08081993, CE08090732: Alan Margolis, Owner
 CE07021325: Jordana Jarjura, Attorney; Allan Kozich, Engineer

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Disposition:	30-day extension, owner to return with written, detailed proposals from his general contractor and his architect and his engineer of their plan for rehabilitation. Board approved 6-0.	
2. CE07021325	Jungle Queen Inc.	<u>23</u>
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Address:	1712 NW 4 Street	
Disposition:	30 days to demolish or the City will demolish. Board approved 6-0.	

The regular meeting of the Unsafe Structures Board convened at 3:04 p.m. at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

Approval of meeting minutes

Motion made by Mr. Jarrett, seconded by Ms. Hale, to approve the minutes of the Board's January 2009 meeting. Board unanimously approved.

All individuals giving testimony before the Board were sworn in.

1. Case: CE07040050

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Stark Equity Group LLC

1340 NW 19 Avenue

MS. PARIS: Our first case will be on page seven, it's a new business case. It's case CE07040050. The Inspector is Wayne Strawn, the address is 1340 Northwest 19th Avenue, the owner is Stark Equity Group LLC. We have service by posting on the property 1/21/09 advertised in the Daily Business Review 1/30/09 and 2/6/09. Service by certified mail as noted in the agenda.

MR. STARK: How you all doing today?

CHAIR SCHERER: Good.

MR. STARK: Okay, do I just need to tell you the status of what's going on?

CHAIR SCHERER: This is a new business case, isn't it?

MR. MCKELLIGETT: New business case.

CHAIR SCHERER: Don't we have to read the -

MS. PARIS: Just hang on one second, I'm discussing it with the inspector.

CHAIR SCHERER: Hang on one second.

MS. PARIS: Wayne Strawn will be presenting the case.

CHAIR SCHERER: Okay.

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector. I just got in the habit of doing it one way for 12 years, 14 years and - the violations, do we have an exhibition copy, a City exhibit for the violations? Thank you.

Wayne Strawn, about 1340 Northwest 19th Avenue.

CHAIR SCHERER: Just so everybody new is here, if anybody doesn't know, this is on page seven. We used to read these into the minutes and we don't do it anymore. So, if you want to see what it's about, you have to read them yourself.

INSPECTOR STRAWN: You received the copy of the City's exhibit. The violations on the property are in that document, which you've been given - the Notice of Violation - and the corrective action, which the City considers would be demolition. The violations are also noted on the agenda

starting at page seven. I have some photographs of the violations.

[Inspector Strawn displayed photos of the property on the Elmo]

This is the, do this, there we go, this is the front view of the building as it stands now. It doesn't look bad because it's been completely rehabbed. Unfortunately, the rehabilitation was not done with using any permits. I also have photographs, which - this is the building as it stands now - I would draw your attention to the jog in the front wall, the south wall where the entranceway is. And I have the original plans when it doesn't look like that.

In the original plans, this is an addition. That's, yes, this is the original floor plan. This was, comes from permit number 042462 issued in July of 1954. And it was a very small home as you can see, little square home with a concrete stoop in the front by the front door here.

Let's see if you can, is that squared up so you can see it? There we go.

The, to progress a little further, since we're showing plans, there's another permit that was issued in 1965, and it show the foot print alteration. It added an addition on the back of the building. Half of this addition, according to this plan, was a Florida room and the other half was a porch. The porch was built with 4x4 columns on a beam that supported

the roof.

And the last addition was a fill-in. If you see the foot print there where the building was sort of squared up, that was the living room addition. As it stands right now, I'm going to show you photographs of an illegal addition that was added without a permit in this corner of the building.

This is a recent picture. It doesn't show us very much except that there's new windows installed and a new door installed. This is the addition that I referred to. This picture was taken in last October, when it was just lathed. Since we didn't get a permit, we have no knowledge of whether there's a footing under these walls or how the walls are constructed.

CHAIR SCHERER: What does it look like now, Wayne?

INSPECTOR STRAWN: This is finished stucco now. Yes, it's been finish stuccoed. This is your original service, which was on the building. There never has been a service upgrade, no record of a service upgrade and that does look like the original service that was there.

CHAIR SCHERER: So when you saw it back then, you issued a red tag or Notice of Violation?

INSPECTOR STRAWN: Beg your pardon?

CHAIR SCHERER: Did, was a Notice of Violation issued when you saw it?

INSPECTOR STRAWN: There was a stop work order that was

placed on it a long time ago.

CHAIR SCHERER: Okay.

INSPECTOR STRAWN: Unfortunately, I think the building changed hands a couple times in the process because I've been watching this building for three or four years. And I have documentation that the City did its due diligence and there was, in the changing of any hands as far as the change of ownership, all of the information with regard to the violations was available if due diligence was done when the owner went to buy it or the prospective owner went to buy it; the title company should have caught all this.

New windows, this is the living room. This is the addition and what used to be a porch is now enclosed, and new windows have been put in. I'll get it. That's another view of the same thing.

This shows while the inside was being gutted, the walls were removed and a great deal of work was done. You see the piles of debris that were deposited in the rear yard because the entire building was gutted.

This is a picture taken back in April of '07. When I was able, because the building was open and abandoned, I was able to gain access into the building and noted that there was termite damage and wood rot. Whether or not this was repaired properly, we have no idea.

This is the, let's see, oh yes, this front door, where

the original door was, this is an entranceway that was created. I think you can see the old tie beam across here. So they expanded this, what used to be a tie beam which bore on the walls is now actually a beam that spans an area across the front of the building.

And new doors were installed. Yes, you can see where it was cut in. There we go. And windows installed. We had some bad boarding conditions and so forth. There is a re-roof permit, a re-roof permit was issued to a contractor to re-roof the building, a roofing contractor. Unfortunately, no structural repairs were done by that - at least he didn't get a permit to do structural repairs - the roofing contractor. It may have been beyond the scope of this license also.

And this was a water heater that while I was inside I took a picture of, that was installed. There's a distribution panel, an electrical panel that is above the water heater, as you can see. I don't know if it's at that location now. And new fixtures were being put in at some point in time. That picture, this photograph was from April of '07, the same time when I gained access inside the building.

There's the entranceway with the old door as it was back in '07. Various pictures of work without permits and the bad condition of the framing and decking.

I think we've about seen everything. Is there anything else in those photographs that - Oh yes, there's the addition

that gives us the exact angle of where it was added in the corner of the building. I have photographs before that addition, where there's a window immediately where that window's now being covered by that addition.

CHAIR SCHERER: Okay, and what's the City's recommendation?

INSPECTOR STRAWN: Well, of course, the City, if no one is willing to resolve the, all the issues that have been raised because of the extensive remodel without a permit, the option is to demolish the building because someone has to be willing to make right what's been done wrong.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Could that be by engineering certification after the fact, you know, digging underneath to see if there's a footer or foundation?

INSPECTOR STRAWN: It's difficult. Maybe, if there is no foundation they may have to demolish portions of the building. They may have to rebuild certain walls like the exterior walls that were, where the porch is enclosed. If they were built 15 years ago, 20 years ago, 25 years ago, it was probably done with two by fours, in which case, that won't meet the code now so they'll have to be redone.

There was, was there, also a case history? I had various conversations when the title companies would call me and over and over again I referred them to come to us and get permits

and to, I would be glad to meet with any prospective buyer and go over the condition of the building. But the next thing I found it was being rehabbed without any -

MR. PHILLIPS: Title companies actually called you, and they knew about it?

INSPECTOR STRAWN: They, I have documentation of the people I spoke to.

MR. PHILLIPS: I'd like to see that title - I'm sure there's a couple of exceptions on Schedule D with the title insurance.

MS. HALE: Wayne, how long has this been vacant?

INSPECTOR STRAWN: Beg your pardon?

MS. HALE: How long has this building been vacant?

INSPECTOR STRAWN: It's been vacant about four years.

MS. HALE: Neighbors complain?

INSPECTOR STRAWN: It was boarded up by the City at one point.

MS. HALE: Through a neighborhood complaint?

CHAIR SCHERER: Let's hear from the respondent.

INSPECTOR STRAWN: I didn't research all about, all the, all the - The entries that I wanted to testify to the Board: Faxed case history to Bruno, with his phone number, cautioned about termite damage, assessment needs to be done by prospective buyer.

June of '08: Property secure today, no access to

interior. Call realtor, who has For Sale sign in yard. He says that buyer is closing this month. Explained that interior remodel without permits covered up a lot of termite damage. Buyers should have received report from an engineer before planning on rehab. He says the buyer is aware of the condition.

The next time I saw that it was being totally rehabbed and expanded in size without any permits.

CHAIR SCHERER: Okay.

MR. STARK: How you guys doing?

CHAIR SCHERER: You need, state your name and -

MR. STARK: My name's Timothy Benjamin Stark. And I'm actually the owner of Stark Equity Group.

CHAIR SCHERER: You're the owner of -

MR. STARK: Of the company that -

CHAIR SCHERER: Stark Equity?

MR. STARK: I acquired the property, I actually, I acquired the property in July of 2007. So a lot of these violations and things occurred before I took ownership. Unfortunately, when I did acquire the property I was out of town. I never received a - the realtor called me the day of closing - and actually I did a mail away closing, I was up in Virginia - and he said there's a couple of open permits. That was his last saying.

And I said, well is this something that can be resolved?

He said there was a termite, it needs to be tented or treated for termites. And I used to own a pest service business, so that's no problem. I can get the wood out, replace the wood.

And he said the roof is completely damaged; there's a hole the roof. So I called the roofer, I was on my trip, I had the roof completely redone. He actually repaired most of the structural, actually all the structural damage on the roof, the wood.

And unfortunately, from then I had so many homes I've been buying and selling, I hired a company that actually was a friend of the roofer's who actually lived in the neighborhood locally. This person said he was licensed, he says he's going to pull the permits.

Make a long story very short, over about four or five-month period, they were progressing. I come to the job, I was under the impression that it was permitted. I mean, I know, if we go the inspectors I'm definitely, I've already hired an engineer. I've already hired an architect. I'm planning on actually getting all the permits.

But unfortunately, the company that I hired claimed that they were licensed and they were pulling permits and they were not at all. And then, and now to make matters worse, the reason why the construction's dried up for 9, 8 months is because I had the company I hired additionally or originally actually ended up stealing about six to seven, well actually

about \$6,000 in materials. They put it, they exchanged it at Home Depot, took gift cards, totally took off of the job.

And then I found out later, I, the mail was not being sent to, I was not receiving the notices. I never received a notice from the City that there was violations. I did receive a notice about weeds and I did receive a notice about the house not being numbered.

But I assure you I, during the phase of the construction which I thought, like I said, they were permitting, they totally gutted, like I said, the entire house got any, there's absolutely no mold. The ducts, everything, the high beams, everything was completely replaced. I mean obviously, I want to work with the City. Obviously I'm going to, I'll knock down the drywall and prove that obviously construction was done right. If it's not, I have a contractor now that I know is licensed and I know that will follow through with pulling the permits.

Another interesting fact is that I know that the footing was done correctly, because, obviously we'll find out if it was done correctly once the inspectors pass it off, but there was a cement truck out there and I saw how the footings were laid.

There was a small addition of maybe less than 80 square feet because the plumbing was so basically turned around in the house.

There was, it was basically a massive mistake. I bought the house - \$60,000 - thinking that there was just a couple open permits with the termites. And I was never informed that this was deemed an unsafe structure. It was not in my title report. I'm going to, actually, I've consulted a lawyer about a month ago, extremely upset that I bought this foreclosed in July of last year and that nobody informed me it was, they were going to [inaudible] or knock this whole -

CHAIR SCHERER: You bought it in July of '08, or '07?

MR. STARK: July of '07. So a lot of these reports were actually done April, way before, or in 2006 and 5, before I even had ownership.

Unfortunately, the ball stops here because I hired a company I found out was not licensed. Obviously, I took a massive loss on the home -

CHAIR SCHERER: So, did you, have you hired the architect and the engineer yet?

MR. STARK: Yes, I have hired, actually they've made an appointment I believe with the City. I believe, has he called you, anyone called? Louis?

INSPECTOR STRAWN: Yes, I did speak to somebody.

MR. STARK: Mike is, actually, we've already hired a architect. Mike's the contractor, I know he's licensed.

CHAIR SCHERER: No, the architect and the engineer, who -

MR. STARK: Yes, architect, engineer, it's, they all work

together in the same company, and they're already, they're, Mike already spoke to him.

We're definitely, like I said, what we need is, we need an extension of a month. I'm confident no matter how much money it costs me unfortunately, I've taken a massive loss basically not doing my due diligence on the title report, which is really, some of the stuff did not come out of the title report from the City - that's another issue.

CHAIR SCHERER: So, you're going to, you're going to hire an architect and an engineer, and your intent is to fix it.

MR. STARK: Definitely. Another issue is we can't get electricity, the City -

CHAIR SCHERER: And your intent is to fix the house.

MR. STARK: Oh, absolutely. I mean, I have over, I spent over 35,000, which, about, almost 6 to 7 was stolen from me from a local company -

CHAIR SCHERER: Even if you have to tear down the additions, you're still going to fix the house.

MR. STARK: If I had to tear down the additions, I'm really hoping it doesn't come to that because I saw the footings. Definitely needs to be verified with a camera and definitely the architect. Whatever we need to do to make it structurally sound we'll definitely do it. But there's only so much, I mean, I don't believe that's the route we have to take.

I mean, if you look at the house now, he's thinking [inaudible] it's definitely nicest house in the neighborhood. I mean, it's completely remodeled and the things, most of the things, you're right, there's a few electrical things that could be upgraded, but 90% of it was done to code. And we actually need to get now inspectors in there to pass the permits.

CHAIR SCHERER: And what -

MR. STARK: But I can't get, that's another thing I'm asking the City, about I think a year ago, way before I bought the property, they shut, they will not allow electricity into the house at all. And so I need electricity, if I'm -

CHAIR SCHERER: Maybe that's because the water heater's right there next to the meter panel. That panel is like right above the water heater.

MR. STARK: Well, we don't want to break too many laws - We [inaudible] right?

CHAIR SCHERER: So, you need 30 days.

MR. STARK: I need 30, and I also need the City, I needed you guys to request that FPL can connect electricity so we can be able to actually -

CHAIR SCHERER: That's not something that we can do.

MR. STARK: Oh, it's not?

CHAIR SCHERER: No.

MS. HALE: Uh-uh.

MR. STARK: Yes, but, unfortunately I -

CHAIR SCHERER: So you need, you need 30 days to do what?

MR. JARRETT: You need a licensed electrician to do that.

MR. STARK: Well, 30 days basically to have an architect meet with the City and basically go over exactly the game plan we're going to do to make things right. Like, unfortunately, I made a major mistake hiring a company that I found out later was not licensed and I took a major financial loss -

MR. HOLLAND: John?

CHAIR SCHERER: Go ahead.

MR. HOLLAND: I'd suggest, you were on the right track when you talked about a two-step process involving an assessment of what's there. I think in the process of having the architects and engineers assess the condition of the property and what's needed, you're going to get in some go or no go decisions to make, and I think in 30 days, it sounds like that's something you could put together and ought to, I would suggest you present it to us in a written format.

MR. STARK: Yes. It's pretty messy.

MR. HOLLAND: And to the City officials. There's not a whole lot of time for the City to sit down with you and help you through the process; the architects and the engineers can do that. If they have questions of the City then that may be appropriate.

MR. STARK: Absolutely. I just would like to state that

if I had any idea that even 20% of these violations that occurred in the past. Like I said, I did, I pulled a roofing, completely replaced the wood, a lot of the ducts and the roof. If I had any idea even 20% or 10% of these violations existed, I would have never have bought that house because it's costing me like close to 50, it's costing me almost as much as I bought the house for. So, I mean, obviously it's my fault and I have to take responsibility, because when you buy a home - I'm the owner.

CHAIR SCHERER: What's the name of the architect that you hired?

MR. STARK: What's the? Graham Engineering Group.

CHAIR SCHERER: You have a contract with them yet?

MR. STARK: I, I've actually paid the retainer, \$500. They're going to, they've, they're scheduling an appointment to have an initial consultation, I pay them \$500, and the contractor works with them.

We're definitely, we do business, unfortunately, I made a bad call, they showed me their license, they showed me that they were going to pull - I actually paid, ironically, for the permits for almost all these things and it never got done and these guys took off. Unfortunately, I have a fraud case I filed over a month and a half ago for the exchange of materials at Home Depot. And I have actually served them paper in small claims court. So they do, actually they're

going to have a judgment against them within two weeks, but unfortunately that doesn't help me. I want to make things right I'm going to get this up to code. It's going to take a little time, but I want to -

MR. PHILLIPS: Mr. Stark, did you try to sell this last June?

MR. STARK: I took property, I took ownership of it in July of 2007.

MR. PHILLIPS: But in June of '08 -

MR. STARK: 2000 of -

MR. PHILLIPS: - did you try to sell it in June '08?

MR. STARK: 2000 and - June of '08? No, that was actually the company that sold it, let's see here, we're in '09, I bought it in July.

MR. PHILLIPS: Mr. Strawn, you mentioned that you got a call from a title company in June of '08?

MR. STARK: That was, I was the victim, I was the person, I was the stupid person who bought the property in [inaudible]

MS. HALE: In '08 or '07?

MR. PHILLIPS: '07.

MR. STARK: '08. No, yes, '08.

MR. PHILLIPS: Oh, oh.

MR. STARK: I just bought the property recently, '08.

MR. PHILLIPS: You bought it, I thought you said -

MS. HALE: You bought it in '08.

MR. STARK: I bought it in '08. So all these violations were occurring before, and I did not get a copy, the realtor said there's a couple violations that can be corrected with a termite treatment and some roofing that needs to be permitted. And everything else will be no problem, you can get some permits and that was it. So I totally got duped.

MR. PHILLIPS: Could I make a motion that we grant a 30-day extension of time, with the proviso that he needs to have architect, engineer, contractor with the proposal to show his bona fides.

MR. HOLLAND: Signed and sealed?

CHAIR SCHERER: Okay.

MR. PHILLIPS: He's not going to get it signed and sealed.

CHAIR SCHERER: So, okay. You want to repeat the motion one more time?

MR. PHILLIPS: I'd like to make a motion that we grant a 30-day extension of time for Mr. Stark, and at the 30, next hearing, that he has to come in with written, detailed proposals from his general contractor and his architect and his engineer of their plan for rehabilitation of this to comply with the building codes.

CHAIR SCHERER: Okay. I have a motion; is there a second?

MR. JARRETT: Second.

MR. HOLLAND: I was leaning more towards signatures from the design professionals speaking directly on that document. Not necessarily it being their report as opposed to maybe the contractor's. What do you think about that?

MR. PHILLIPS: They're not going to have reports in 30 days. If Mr. Stark is showing good faith, that he's trying to do this, he may want to get quotes from different people. But if he comes in and no one's living in there and there's no electric and Mr. Strawn indicates that there's no pool, so there's no real danger, life safety, then, I mean, if it, I was even going to suggest he needs probably 90 days so he doesn't have to keep on coming back, but -

MR. STARK: I wouldn't even, actually, I was going to ask for 60 days, but I was told by my partner that the inspector said normally, you guys only grant 30 days. It is a very complicated situation. You have to see this house -

MR. PHILLIPS: We're putting the burden on, we're putting the burden upon, the point is to put the burden on you -

MR. STARK: Of course. And I'll take responsibility.

MR. PHILLIPS: - to get these three people to say we're, this is the plan to renovate this.

CHAIR SCHERER: Okay, so we have a motion and a second, is there any more discussion on the motion, or questions about it? Okay, so the, any, no further questions? All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All opposed? Motion passes. You have 30 days, 'til the March 19th -

MR. STARK: Thank you. The electricity, how do get that, who do I contact?

MR. JARRETT: You need to -

MS. HALE: Go talk to -

MR. JARRETT: - get a licensed electrical contractor to pull a permit on the job and then he can handle that for you.

MR. STARK: They actually told me -

MR. JARRETT: And that's the only way you're going to get it done.

MR. STARK: [inaudible] the City actually put an order in they cannot turn the electricity on.

MR. JARRETT: The City will order to turn it off, but not to turn it back on.

MS. HALE: No, Wayne will know, talk to Wayne.

MR. STARK: Okay. That would help to get this done.

MS. HALE: Yes, he's behind you.

CHAIR SCHERER: Okay, thank you.

MR. STARK: Okay, thank you for your time.

2. Case: CE07021325

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Jungle Queen Inc.

2470 SW 21 Street

MS. PARIS: Our next case will be on page two. This is an old business case, case CE07021325, the inspector is Wayne Strawn, the address is 2470 Southwest 21st Street, the owner is Jungle Queen Inc.

We have service by posting on the property 2/4/09 advertised in Daily Business Review 1/30/09 and 2/6/09.

This case was first heard at the 6/21/07 USB hearing. At that hearing the Board granted a 90-day extension to the 9/20/07 USB hearing with staff's continued weekly monitoring. At the 9/20/07 USB hearing the Board granted a 90-day extension to 12/20/07.

At the 12/20/07 USB hearing, case continued 1/17/08 USB hearing; we did not have a quorum. The 1/17/08 USB hearing, the Board granted and 90-day extension to the 4/17/08 USB hearing. At the 4/17/08 USB hearing the Board granted a 90-day extension to 7/17 hearing. 7/17 hearing the Board granted a 90-day extension to the 10/16 hearing. Board members John Scherer and John Barranco abstained from voting. At the 10/16 hearing USB granted a 60-day extension to the 12/18 hearing. The 12/18 hearing was canceled, rescheduled for January 15. At the 1/15 hearing the case was deferred to 2/19 due to lack of a quorum. The rest is certified mail and the violations

are as noted in the agenda. And I believe we have two Board members abstaining from this vote?

CHAIR SCHERER: Yes.

MS. PARIS: For the record, their names are -

CHAIR SCHERER: John Scherer.

MR. BARRANCO: John Barranco.

MS. PARIS: So we need a Chair and -

CHAIR SCHERER: Who's the Vice Chair?

MS. HALE: Well, right there.

CHAIR SCHERER: Vice Chair, yes.

MS. PARIS: - Mr. Phillips will take over for this and we do have a quorum.

[Mr. Barranco and Chair Scherer recused themselves from this case and in their absence Mr. Weymouth joined the Board on the dais.]

MR. PHILLIPS: It's the Jungle Wheel cake, Jungle Queen?

MS. JARJURA: Jungle Queen.

MR. PHILLIPS: The one that Pat and I heard for five years in the Code Enforcement Board?

MS. HALE: Yes.

MS. JARJURA: On that note -

MR. PHILLIPS: You're following us. You're following us.

MS. JARJURA: Good afternoon, Jordana Jarjura here on behalf of the respondent, the Jungle Queen. As some of you know, I've taken over for Hope while she's on maternity leave

and looking back at all the minutes that staff just went over, I notice she pulled the pregnancy card a lot so I'm going to pull the Hope is on maternity leave card [inaudible].

MR. PHILLIPS: Can you do me a favor, can you slow down a little bit for the record?

MS. JARJURA: Sure. Of course.

MR. PHILLIPS: Because we need to take this down and you're -

MS. JARJURA: Sure. The Jungle Queen is a landmark institution here in Fort Lauderdale; it's been here for over 65 years, 44 years under the current ownership. Because it's a legal nonconforming use, we can't simply demolish the building and start over. So, as Hope stated at the December hearing we had our approvals from the Department of Hotels and Restaurants and then we were before the Health Department. That's where we've been for a very, very long time.

In the past month since the January hearing where we were kicked out for quorum, or we were, gotten a continuance for quorum, we submitted five different times to the Health Department and each time they kicked it back out, they give us the comments because a new person at the Health Department had been reviewing it.

As of 5 p.m. yesterday they said they would sign off on the plans if we applied for a permit to abandon the grease trap, which we applied for the permits today, got the permits,

resubmitted the plans to the Health Department about two hours ago, they actually extended their 1:30 deadline and we just got word that the Health Department has signed off on the plans.

MS. HALE: Wow.

MR. PHILLIPS: Is that the Division of Hotel Restaurants or the Health Department?

MS. JARJURA: The Health Department. We already were signed off -

MR. PHILLIPS: Broward County?

MS. JARJURA: - yes, the Division of Hotels and Restaurants already signed off on it. So now that we have the Health Department's sign off, we have to go before the EDP and impact fees, which we were told would take one or two days. So we expect to be back before the City next week, the Building Department. So again we're asking for this Board's indulgence and another continuance.

MR. PHILLIPS: To do what?

MS. JARJURA: Another continuance. Extension.

MR. PHILLIPS: How long?

MS. JARJURA: I, maybe Wayne can speak to how long the Building Department's going to need to review the plans we expect to submit to the City on Monday.

MR. PHILLIPS: What is your name again?

MS. JARJURA: Jordana: J-O-R-D-A-N-A.

MR. PHILLIPS: And who do you work for?

MS. JARJURA: Ruden McCloskey.

MR. PHILLIPS: Okay. Are you an attorney?

MS. JARJURA: Yes.

MR. PHILLIPS: Okay.

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector, the Building Official is still requiring periodic reports from an engineer, because the facility is in operation. It is open to the public, and we are satisfied that we are receiving these reports regularly. It is totally under the supervision of an engineer. As far as how long it's going to take to get the plans through, I can probably promise that it will be faster than the Health Department.

MR. JARRETT: I wouldn't say anything you can't back up Wayne.

INSPECTOR STRAWN: So I think the Board, rather than, the efforts that have been done so far have been really ongoing and due diligent without stop and tenacity has been displayed so I wouldn't oppose a 90-day extension.

MR. PHILLIPS: Okay. Any comments from the - do we have to hear from the engineer if the City approves, approves of it?

MR. JARRETT: I think we ought to hear from the engineer since he came down.

MR. KOZICH: I'm not following it either. Anyways,

actually, the, all the fire things have been taken care of except for the fire alarm system.

MS. PARIS: Excuse me sir; state your name for the record.

MR. KOZICH: My name is Allan Kozich, I'm an engineer, architectural engineer in Florida, Fort Lauderdale. Everything has been taken care of, as far as the electrical. The situation with the plumbing that's been taken care of from the, we were in front of the Code Enforcement, excuse me, Unsafe Structures Board before, and so that has all been taken care of.

The structural portions of the building are under weekly examinations by a structural engineer, Joe Chaiban, and he's taking care of that with reports back to the City.

All of fire has been taken care of, we have, except for the fire alarm system, and we didn't want to put the fire alarm systems, because with what we're going to be doing and proposing on the building right now, we would have to take it back out in order to do what we want to do with the building. And that's basically almost build over the entire structure right is, as it is right now, and keeping in the basically same footprint, and the same style of architecture and things like that.

As far as the grease hood, all that's been taken care of it's has a ansul system in there, dry chemical, excuse me, wet

chemical, and so that's all been taken care of. The only thing that is basically on the Unsafe Structures we've basically taken care of all those items and in the new building we would be putting in the fire sprinkler system and things like that. So that would be a -

MR. PHILLIPS: What's the significance of the grease trap?

MR. KOZICH: Well, the problem with the grease trap is right, we're going to expand out a portion of the kitchen and right where, the grease trap was put very close because the code only requires 5-foot separation between the grease trap and a structure, and we're going to be building over it. And so we have to take it out.

They wouldn't, they wanted the grease trap removed, but then we would be out of business. And so they gave us the permit for the demolition of the grease trap, which we'll be doing at a late date, say they signed off the plan now, so that was the hold up. It was one thing after another. They would just come up, these little things.

MR. PHILLIPS: How's the grease going to be collected now?

MR. KOZICH: How is it collected? It goes by gravity.

MR. PHILLIPS: With the new, with the new -

MR. KOZICH: No, eventually we're going to have to take it out and we'll have to build a new grease trap somewhere

else. But they wanted to take it out now before we even, you know -

MR. PHILLIPS: Oh, okay.

MR. KOZICH: That was the problem.

MR. PHILLIPS: They're not saying you don't need a grease trap; they're just saying this one, you don't have to take, okay.

MR. KOZICH: Yes, right. We'll take it out, but not right this minute.

MR. PHILLIPS: Any comments from the Board?

MR. JARRETT: I'm ready to make a motion.

MR. PHILLIPS: Please do sir.

MR. JARRETT: These people have shown due diligence throughout the course of this and of course the Jungle Queen is a historical institution in the City. And I know that Allan the engineer has done a great job on this so I'm going to make a motion to give them the 90-days extension, which should take care of it. Maybe we won't see you back in here again.

MR. KOZICH: I hope not.

MS. HALE: I'll second that.

MR. JARRETT: And 90 days would be to May 21st correct?

MS. HALE: Yes.

MR. PHILLIPS: We have a motion and a second. Any further discussion? Okay, all those in favor of the motion

signify by saying aye.

BOARD MEMBERS: Aye.

MR. PHILLIPS: Any opposed? Motion passes.

MS. JARJURA: Thank you.

MR. KOZICH: Thank you very much.

[Mr. Weymouth left the dais and Mr. Barranco and Chair Scherer returned.]

3. Case: CE05121325

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Crazy Gregg's Marina LLC

301 Seabreeze Blvd

MS. PARIS: Our next case will be on page one. It's an old business case. Case CE05121325, the inspector is Gerry Smilen. The address is 301 Seabreeze Boulevard, the owner is Crazy Gregg's Marina LLC.

We have service by posting on the property 12/4/08 and advertised in the Daily Business Review 1/30/09 and 2/6/09.

This case was first heard at the 6/19 USB hearing. At that time the USB granted a 30-day extension to the 7/17/08 USB hearing with the stipulation the respondent return with a letter from his restaurant stating the facilities would be made available to the person working in the booth, the respondent must also forward the letter to the Building Inspector for approval.

At the 7/17/08 USB hearing the Board granted a 60-day

extension to 9/18/08 with the stipulation the property must be secured. At the 9/18/08 USB hearing the Board granted a 60-day extension to 11/20/08. At the 11/20/08 USB hearing the Board granted a 90-day extension to the 2/19/09 USB hearing. Violations and certified mail as noted in the agenda.

MR. MCINTYRE: Hello, my name's Robert McIntyre, managing owner of crazy Gregg's Marina. Didn't think I'd see you guys again, but unfortunately I'm here.

CHAIR SCHERER: I know, what's going on?

MR. MCINTYRE: The last thing, the last time I was here in December, at that point we had changed, with guidance from the City, from going and replacing the building, which I'd already purchased, to renovating the existing building. We had plans drawn up turned in to the City, it didn't pass Zoning, so I had to meet with Zoning and go through a couple of things.

Zoning has now passed it off, so it's making it to the other departments. I've got some notes from Structural and a note from Plumbing. All things, I believe I can take care of with an engineer and architect, so I don't think I should have a problem going forward. Zoning was the toughest for me and we've got that signed off on.

MR. PHILLIPS: Are you in D - I'm sorry.

CHAIR SCHERER: So it's still, it's still in the process of getting a permit?

MR. MCINTYRE: Yes.

MR. PHILLIPS: Are you in DRC, or actually the permitting?

CHAIR SCHERER: You're in building permit.

MR. MCINTYRE: We're in building permit.

CHAIR SCHERER: Yes.

MR. PHILLIPS: Oh, okay.

CHAIR SCHERER: They're through that, so, Zoning is the first stop, usually the toughest.

MR. MCINTYRE: Zoning's, I'm done Zoning.

CHAIR SCHERER: That's good.

MR. MCINTYRE: So I've got, there were a couple of notes from Structural and a couple of notes from Plumbing. I can address those with engineers and departments, so, just need a little bit more time.

CHAIR SCHERER: Okay, any questions?

MR. BARRANCO: What kind of time do you need?

MR. MCINTYRE: Well it's, I've got, I think about 15 notes from Building and so maybe 60 days. I'd like to have it done by 60 days and have them working on it, have it finished.

MR. PHILLIPS: How about 90?

MR. MCINTYRE: I like that even better.

MS. HALE: What does the City say?

INSPECTOR SMILEN: Gerry Smilen, Building Inspector, City of Fort Lauderdale. Good afternoon Board. We're, the City

applauds Mr. McIntyre on his efforts here. It looked at one point like it was going to be mission impossible, but he's able to get through the biggest stumbling block, which was Zoning. He has been very diligent in trying to get this thing done and the City would definitely support an extension. We believe that everything from here on in is all downhill and smooth sailing.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Mr. Chair, like to make a motion. Move we grant a 90-day extension of time to the respondent.

CHAIR SCHERER: Which would be the May -

MR. PHILLIPS: May-

CHAIR SCHERER: Sixteenth.

MR. PHILLIPS: Sixteenth [inaudible].

CHAIR SCHERER: Yes, the May the - May the -

MS. HALE: No, 21, 21.

CHAIR SCHERER: May the 21st. Okay, there's a motion, is there a second?

MS. HALE: I'll second.

CHAIR SCHERER: Okay, all those - any discussion on the motion? No? All those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All opposed? Motion passes. See you in 90 days, or not.

MS. PARIS: Just a reminder that in each of your

packages, when you recuse yourselves from a vote, there is a form that you need to fill out. So we'll need those today.

4. Case: CE08081966

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Great States Development LLC

825 NE 17 Terrace

MS. PARIS: Our next case is actually a group of four cases that begin on page four. These are old business cases. We'll start with the first one on page 4. Case CE08081966. The Inspector is Burt Ford, the address is 825 Northeast 17th Terrace. The owner is Great States Development LLC, care of Margolis Enterprises.

This case was scheduled for the 12/18/08 USB hearing; the USB hearing was canceled due to lack of a quorum. This case was rescheduled for the 1/15/09 USB hearing. At the 1/15/09 USB hearing the Board granted a 30-day extension to the 2/19/09 USB hearing.

We have service by posting on the property 2/3/09, advertised in Daily Business Review 1/30/09 and 2/6/09. Violations and other certified mail as noted in the agenda.

CHAIR SCHERER: Okay.

MR. MARGOLIS: Good afternoon, my name is Alan Margolis, I'm a managing member of Great States Development. I was here in January, and told you that we are in the process of getting bids and so forth to have the property demolished. At this

time, we have signed contracts, which I believe we've sent to you but I have copies, with Dade Wrecking to do the demolition, ARS Environmental to do all the environmental reports that are associated with the demolition. The actual report was completed today and I have a copy for you. The sewer caps have been taken care of. We're in the process, just waiting to get all the checklist complete, so they can submit for their demolition permit.

CHAIR SCHERER: So all four -

MR. MARGOLIS: If you'd like, here, you can have, it's the signed contract for the demolition and the environmental. And that's, I have three letters, from FPL and Teco already so-

CHAIR SCHERER: This is all four buildings?

MR. MARGOLIS: Yes. Well, it's four buildings it's -

CHAIR SCHERER: They're all -

MR. MARGOLIS: Yes, four properties.

CHAIR SCHERER: Okay.

MR. MARGOLIS: Its seven buildings.

CHAIR SCHERER: They're all being demoed by -

MR. MARGOLIS: Everything's going.

MR. JARRETT: So you're saying then it's just a matter of them getting the paperwork in to the City for the [inaudible]

MR. MARGOLIS: Correct.

MR. JARRETT: You have settled on your contractor and

everything?

MR. MARGOLIS: They're already working on it. They, we've already completed the environmental report, and they've done part of the, they've done, the sewer caps have been capped off, the sewers have been capped off. It's in the process.

CHAIR SCHERER: Okay, any other questions? Any motions?

MS. HALE: The City? No wait, the City hasn't said anything.

INSPECTOR FORD: Burt Ford, Building Inspector, City of Fort Lauderdale. I'll leave it at the pleasure of the Board. They are diligently working to get the buildings demoed, and I see no reason for continuance.

CHAIR SCHERER: Okay.

MR. JARRETT: I like to make a motion.

CHAIR SCHERER: Sure.

MR. JARRETT: The gentleman was here last month, he's done exactly what we asked him to do, it seems as though. So I suggest that, I make a motion that the Board gave him an extension of 30 days, as requested, to the March 19 meeting.

MR. PHILLIPS: Second.

CHAIR SCHERER: Okay, motion and a second. Any discussion? None. All those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All those opposed? Motion passes, see

you in 30 days.

MS. PARIS: I'll just read the case numbers and the address, because we'll need three more.

MS. HALE: Yes.

CHAIR SCHERER: Okay.

Case: CE08081974

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Great States Development LLC

835 NE 17 Terrace

MS. PARIS: Case, on page five, case CE08081974, 835 Northeast 17th Terrace. Great States Development LLC, care of Margolis Enterprises, Inspector Burt Ford. Violations and history, the certified mail, as noted in the agenda.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Do we need Mr. Margolis before he leaves, or -

CHAIR SCHERER: Do we need -

MS. PARIS: It's, they're all four the same -

CHAIR SCHERER: Do we need a vote on each one?

MS. PARIS: Yes, yes.

MR. HOLLAND: A motion, or a vote?

CHAIR SCHERER: Each one.

MS. PARIS: We need to read each one into the record, but it's the same exact thing.

CHAIR SCHERER: Okay.

MS. PARIS: So we just need a motion for 30 day -

MR. PHILLIPS: I'd like to move, Mr. Chairperson, that, in Case number CE08081974, 835 Northeast 17th Terrace, CE08080993 [sic], 833 Northeast 17th Terrace, and Case number CE08090732, 821 Northeast 17th Terrace, that we grant a 90-day -

MR. JARRETT: Thirty.

MR. PHILLIPS: - a 30-day extension as we did in the case of CE08081966 for 825 Northeast 17th Terrace.

CHAIR SCHERER: Okay.

MS. HALE: Second, I'll second that.

CHAIR SCHERER: Is that, okay, there's a motion and a second, it sounds good to me, if we can do that.

MR. JARRETT: Yes.

MS. PARIS: And next month I'll do, next month I'll do that next month.

CHAIR SCHERER: Okay, all those in favor of the motion, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Those opposed? Motion carries.

Case: CE08081993

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Great States Development LLC

833 NE 17 Terrace

Case: CE08090732

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Great States Development LLC

821 NE 17 Terrace

5. Case: CE08030642

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Souse's Sons Inc

845 SW 12 Street

MS. PARIS: Okay, we'll skip to page nine. Our next case is a new business case. Case CE08030642. The Inspector is Jorg Hruschka, presenting, Burt Ford. The address is 845 Southwest 12th Street, the owner is Souse's Sons Inc.

We have service by posting on the property 1/22/09, advertising in Daily Business Review 1/30/09 and 2/6/09. Certified mail as noted in the agenda.

INSPECTOR FORD: Burt Ford, Building Inspector for the City of Fort Lauderdale, presenting case CE08030642 for Inspector Jorg Hruschka. Jorg first inspected, well, first inspected the property back in February of '08 and noticed work being done. And then he started a case, they were putting in a foundation as shown on the picture. And as of 3/12/08 sent out notices. Yes, thanks. Sent out notices.

[Inspector Ford displayed photos of the property on the Elmo]

I'd like to enter into the evidence the Notice of Violation as Exhibit 1, which details all of the Florida

Building Code violations as well as the remedial action required.

Reading through Jorg's case history, he was never really able to get ahold of the owner but did speak to the GC back in March of '08, spoke to him about it then. They had a, or a permit for a single-family home, started the foundation, formed the footers and -

MR. PHILLIPS: Is it a townhouse?

MS. HALE: No.

MR. PHILLIPS: Or a single-family home?

INSPECTOR FORD: Single-family.

MR. BARRANCO: Says townhouse.

MR. PHILLIPS: Townhouse.

MS. HALE: Says townhouse here.

INSPECTOR FORD: Oh, does it say townhouse?

MR. BARRANCO: Two-unit.

INSPECTOR FORD: Okay. Two-unit. And they let the forms set for quite a while, and that's what he noticed when he first went by, was what more or less looked like an abandoned form board job. And after speaking with the contractor, they ended up going and getting an inspection on it, getting it poured, even though the form boards were in pretty rough shape at that time. Poured it, and then it sat since then, which is back in, again, I think they got the inspection on, in 9/25/07 to go ahead and pour it, and it sat there since.

As it stands now the permit has expired. It's an abandoned jobsite and the City is asking that the Board find for the City and grant an order to demolish the property in the absence of a demo permit or a building permit by the owner in the next 28 days.

CHAIR SCHERER: Okay.

INSPECTOR FORD: There's a couple more pictures, and you can see where the rebar is pretty rusted as of now. Form boards are still in place, they've never stripped anything. There really is no fencing, nothing else -

MR. PHILLIPS: It looks like a two-unit -

INSPECTOR FORD: It's completely open to the public.

MR. PHILLIPS: Is that a two-unit townhouses with that common wall in the middle?

MS. HALE: Yes.

MR. PHILLIPS: Okay, yes. The reason I ask that -

INSPECTOR FORD: I'm sure the footing in the middle is a firewall.

MR. PHILLIPS: - maybe the attorney could see, if it was a single-family house but it said two-unit townhouse, I was going to suggest send out the notice again -

INSPECTOR FORD: No.

MR. PHILLIPS: - because the slightest defect, they may have ground later on. But if it's a two-unit townhouse then I think the notice is sufficient.

MS. WALD: Ginger Wald, Assistant City Attorney. The title search was done by our office, as you know. Signed off on this after the title search was completed as to the owner Souse's and Sons Inc. and all interested parties, which only came up as Don Gonzalez PA; there was nothing else listed whatsoever in the public, in the search.

CHAIR SCHERER: Okay.

MR. PHILLIPS: I'm just saying if the permit is for a two-unit townhouse, not a single-family home.

INSPECTOR FORD: I just misspoke. It is a two-unit town home and we'll go with that.

MR. PHILLIPS: Okay. Gotcha.

CHAIR SCHERER: So it, there's no respondent?

MS. HALE: No.

CHAIR SCHERER: Is there a motion?

MR. PHILLIPS: I'd like to move that we find that the -
where's the little -

MS. HALE: [inaudible] back.

MR. PHILLIPS: Uh, thank you. Move we find the violations exist as alleged and that we order the property owner to demolish the structure within 30 days, that we order the City to demolish the structures should the property owner fail to timely demolish. Such demolition to be accomplished by a licensed demolition contractor pursuant to a City issued a demolition permit.

CHAIR SCHERER: Okay, is there a motion; is there a second?

MS. HALE: Second.

CHAIR SCHERER: Okay, all those in, questions or comments? No questions? All those in favor signify by saying -

MR. PHILLIPS: I just had one question.

CHAIR SCHERER: - almost aye.

MR. PHILLIPS: I don't know, for something that's like this, well, the - looks like Souse's Sons still own it.

MS. HALE: So, where are they?

MR. PHILLIPS: No, I understand. But I'm wondering, if there was like a foreclosure situation, could that permit, since it's only a foundation, be transferred and perhaps some public funds to build housing.

MR. HOLLAND: Not when it expires.

MS. WALD: There's no mortgage on the property according to the title search.

MR. PHILLIPS: Alright.

CHAIR SCHERER: Okay. All those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Those opposed, no. Motion passes.

6. Case: CE08032267

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The Bank of New York Mellon

1712 NW 4 Street

MS. PARIS: Our next new business case on page nine at the bottom, Case CE08032267. The inspector is Wayne Strawn, the address is 1712 Northwest 4th Street, the owner is the Bank of New York Mellon.

We have service by posting on the property 1/21/09 advertised in the Daily Business Review 1/30/09 and 2/6/09 and the other certified mail as noted in the agenda.

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector, with regard to 1712 Northwest 4th Street. We have the City exhibit which details the same violations that you find on your agenda on page nine. I submit that to the Board. And I'd like to submit as evidence some photographs that I have of the property.

[Inspector Strawn displayed photos of the property on the Elmo]

There's a front view of the building as it stands now. The new re-roof is a bootleg job; the last legal roof that was put on the building was in 1989. The awnings are loose and falling apart. I don't know if you can see, but behind that the window has been removed. The last occupants or owners removed many of the windows, and there's just some Blandex, some board nailed on the inside, which is not really securing

the building.

There we have the same situation with the loose, loose metal awnings and windows that have been removed, air conditioning [inaudible].

This is shot through the front of the building where the porch was enclosed. There you see the original clapboard on the wood framed house, where, that it hasn't been covered up by stucco as the rest of the building has.

There we go. This window is broken on the west exposure. This is a shot looking from, into a crawl space, the scuttleway underneath. In 1992 a permit was issued and they stuccoed over a great deal of the old clapboard, in fact the whole building. And so, this often covers a lot of bad wood.

I have other photographs which show rotten sills. There's your windows that have been removed and plywood covered on the inside of them. There is a shot, I have a close-up also, of the, where the sills are bad and the original wood frame construction is on its way out.

MS. HALE: Wayne, did I miss this, is this a foreclosure, because it's owned by the bank?

INSPECTOR STRAWN: Yes, yes.

MS. HALE: Okay.

INSPECTOR STRAWN: It's been occupied for quite some time now.

MS. HALE: It's been occupied?

INSPECTOR STRAWN: It's been - unoccupied, I mean, unoccupied.

MS. HALE: Oh, I'm sorry.

INSPECTOR STRAWN: This is some of the electrical work. It's been re-piped several times, we don't have the permits for it. As you can see, no electrical inspector would buy into these piping methods that we have there.

I think one of the, I wanted to catch too is some of the conduit that's run underneath the house in that photograph.

CHAIR SCHERER: Wayne, nothing - is there a respondent here, that's going to respond?

INSPECTOR STRAWN: No, there's no respondent.

CHAIR SCHERER: Does anybody else want to see any more pictures?

MR. PHILLIPS: Nope.

MS. HALE: No.

INSPECTOR STRAWN: This, there's a rotten sill, my God, you have to see this rotten sill.

CHAIR SCHERER: I think Wayne wants to show us the nice pictures that they took.

MR. PHILLIPS: Can I make a motion Mr. Chair?

CHAIR SCHERER: Sure.

MR. PHILLIPS: I move we find that the violations exist as alleged and that we order the property owner to demolish the structure within 30 days and we order the City to demolish

the structure should the property owner fail to timely demolish. Such demolition is to be accomplished by a licensed demolition contractor pursuant to a City issued demolition permit.

CHAIR SCHERER: Motion is -

MS. HALE: Second.

CHAIR SCHERER: - and a second. Any discussion?
Alright, all those in favor signify by saying aye.

BOARD MEMBERS: Aye.


CHAIR SCHERER: All those opposed? No. Wayne, I know you wanted to show us some more pictures, but unfortunately there's nobody here to respond. We still appreciate all those great pictures you take though, even though we didn't get to see them all.

MS. PARIS: If you'll skip to page - if you'll skip to page eleven at the bottom, Case CE08071127 is withdrawn. If you skip to page twelve at the top, Case CE08092184 is withdrawn, and the bottom of page twelve, Case CE08121388 is withdrawn. And that concludes our agenda.

[Meeting concluded at **4:01** p.m.]

On Page

BOARD CLERK



JOHN SCHERER, CHAIRPERSON

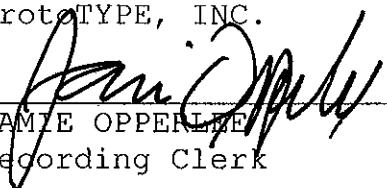
Minutes prepared by: J. Opperlee, Prototype Services

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held February 19, 2009, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this 25 day of February, 2009.

ProTOTYPE, INC.



JAMIE OPPERLEE
Recording Clerk

SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this 25 day of February, 2009.



D.J. GROSSFELD
MY COMMISSION # DD 667809
EXPIRES: April 26, 2011
Bonded Thru Budget Notary Services



NOTARY PUBLIC
State of Florida at Large

Notarial Seal: