

AGREEMENT
Between
BROWARD COUNTY
and
THE OCEANAGE ASSOCIATION, INC.
for
SECURING MONITORING AND MAINTENANCE
PURSUANT TO AN ENVIRONMENTAL PROTECTION AND GROWTH
MANAGEMENT DEPARTMENT LICENSE
by
CASH BOND

This is an agreement, made and entered into by and between: **BROWARD COUNTY ("COUNTY")**, a political subdivision of the state of Florida,

AND

The Oceanage Association, Inc. a Florida Not for Profit Corporation and its successors and assigns ("**DEVELOPER**").

W I T N E S S E T H

WHEREAS, COUNTY, by and through its Environmental Protection and Growth Management Department ("Department"), shall or has issued License No. **DF15-1067** ("License"), to DEVELOPER; and

WHEREAS, one of the conditions of approval of the License was bonding by DEVELOPER for compliance with certain monitoring and maintenance ("Monitoring and Maintenance") of mitigation areas required to be installed or enhanced pursuant to the License; and

WHEREAS, DEVELOPER desires to provide to the COUNTY a Cash Bond, payable to the Broward County Board of County Commissioners, as replacement Surety to secure the Monitoring and Maintenance; NOW, THEREFORE,

In consideration of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, COUNTY and DEVELOPER agree as follows:

1. DEVELOPER shall bond for the actual Monitoring and Maintenance requirements set forth in the License.

2. DEVELOPER is responsible for carrying out the actual Monitoring and Maintenance requirements as set forth in the license.
3. The estimated costs for Monitoring and Maintenance are Eight thousand five hundred twenty-five dollars (\$ 8,525.00).
4. The Monitoring and Maintenance requirements shall be secured by cash, check (cashier's, certified, or registered), or money order issued by _____ (financial institution), a copy of which is attached hereto as Exhibit "A", in the amount of Eight thousand five hundred twenty-five dollars (\$ 8,525.00), payable to the Broward County Board of County Commissioners. The DEVELOPER may, at its option, later provide to the COUNTY a surety bond or letter of credit in like amount acceptable to COUNTY to be substituted for the cash, check, or money order.
5. If the DEVELOPER should fail to carry out the Monitoring or Maintenance required, the COUNTY may, in addition to all other remedies available at law and equity, draw upon the Cash Bond and use the funds for Monitoring or Maintenance required by the License.
7. Upon completion of the Monitoring and Maintenance, the DEVELOPER shall notify the Department of such completion and, upon a determination in writing to DEVELOPER by the Department that the Monitoring and Maintenance required by the License has been completed, the COUNTY shall have ninety (90) days from the date of such determination to remit Eight thousand five hundred twenty-five Dollars (\$ 8,525.00), to the DEVELOPER, provided that the COUNTY has not already effected a remittance to the DEVELOPER because of the earlier substitution of a surety bond or a letter of credit.
8. Remittance to DEVELOPER of any contingency fee required to be paid will be done in accordance with the License.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ____ day of _____, 2023, and DEVELOPER, signing by and through its President _____, duly authorized to execute same.

ATTEST:

COUNTY

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor
____ day of _____, 2023

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

ALEXIS MARRERO-
By KORATICH
Alexis Marrero Koratich (Date)
Assistant County Attorney

Digitally signed by ALEXIS
MARRERO-KORATICH
Date: 2023.02.08 13:56:17
-05'00'

MAITE AZCOITIA
By Maite Azcoitia (Date)
Deputy County Attorney

Digitally signed by MAITE
AZCOITIA
Date: 2023.02.09 09:10:08 -05'00'

AIK
Cash/Bond.doc
01/26/2022

AGREEMENT BETWEEN BROWARD COUNTY AND The Oceanage Association, Inc. FOR SECURING MONITORING AND MAINTENANCE PURSUANT TO A BROWARD COUNTY LICENSE BY CASH BOND(S)

OWNER - DEVELOPER

WITNESS:

[Signature]
[Signature]

By David Z Burka
PRESIDENT
DAVID Burka
591496170
(S.S. No./ Fed. I.D. No.)

30th day of August, 20 21

ACKNOWLEDGMENT - CORPORATION/PARTNERSHIP

STATE OF FLORIDA

COUNTY OF BROWARD

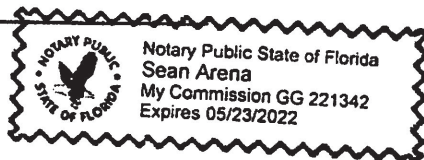
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30th day of August, 2021, by David Burka, as the President (title), of The Oceanage Association, a Florida business entity, or ☐ individually (choose one). He/She is ☒ personally known to me or ☐ has produced a _____ (state) driver's license as identification.

NOTARY PUBLIC, STATE OF FLORIDA

[Signature]
(Signature)

Sean Arena
(Name)

My Commission Expires:



AGREEMENT BETWEEN BROWARD COUNTY AND The Oceanage Association, Inc. FOR SECURING MONITORING AND MAINTENANCE PURSUANT TO A DEPARTMENT LICENSE BY CASH BOND(S)

OWNER - INDIVIDUAL

Signed, sealed and delivered
in our presence as witnesses:

Name of Owner (Individual)

(Signature)

Print Name

(Signature)

Print Name

Print Address

(Signature)

Print Name

ACKNOWLEDGMENT - INDIVIDUAL

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 20____, by _____, as the _____ (title), of _____ ☒ a Florida business entity, or ☐ individually (choose one). He/She is ☐ personally known to me or ☐ has produced a _____ (state) driver's license as identification.

NOTARY PUBLIC, STATE OF FLORIDA

(Signature)

(Name)

My Commission Expires: _____

FEE STATEMENT

APPLICANT INFORMATION

The Oceanage Association Inc.
APPLICANT/DEVELOPER NAME

ADDRESS

CITY & ZIP CODE TELEPHONE

PLAT/PROJECT NAME

PLAT/PROJECT NO. PLAT BOOK & PAGE NO. SCHOOL ZONE

Impact Fee Agreement(s) — N.A. ☐ Road ☐ School ☐ Park ☐

Type of Security — N.A. ☐ Letter of Credit ☐ Bond ☐ Lien ☐

FEES

AMOUNT	ITEM	VALIDATION
8525 ⁰⁰	1030 Cash Bond DF 15-1067	Broward County Board of County Commissioners Building Code Services Div Date: 11/29/2021 1:31 PM Cashier: amathis Batch No: 9803 Trans No: 43 Rpt No: 00554408 Inv No: Payment: \$8,525.00 ===== 1335 Wetland Bonds \$8,525.00 CR 877941 \$8,525.00 =====
	For acct # 0010-2200-WET1	
	To replace current Letter of Credit from Bank of America # 68123540	
8525 ⁰⁰	TOTAL	

The fees above are due and payable to:
BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS

THIS STATEMENT BECOMES A RECEIPT WHEN STAMPED BY A REGISTER

Authorized Signature: *Trida Sundaland*