

AGREEMENT

Between

BROWARD COUNTY

and

Dania Beach Developers LLC

for

SECURING CONSTRUCTION, MONITORING AND MAINTENANCE  
PURSUANT TO AN ENVIRONMENTAL PROTECTION AND GROWTH  
MANAGEMENT DEPARTMENT LICENSE

by

CASH BOND(S)

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

AND

Dania Beach Developers LLC, a Florida Corporation, and its successors and assigns ("DEVELOPER").

**WITNESSETH**

WHEREAS, COUNTY, by and through its Environmental Protection and Growth Management Department ("Department"), shall or has issued License No. DF08-1097 ("License"), to DEVELOPER; and

WHEREAS, one of the conditions of approval of the License was bonding by DEVELOPER for compliance with certain construction, monitoring and maintenance ("Construction, 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 Construction, 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 Construction, Monitoring and Maintenance requirements set forth in the License.



2. DEVELOPER is responsible for carrying out the actual Construction, Monitoring and Maintenance requirements as set forth in the license.
3. The estimated costs of the improvements are, for Construction, N/A Dollars (\$ N/A ) and, for Monitoring and Maintenance, Forty-Five Thousand, Five Hundred and Forty Dollars (\$45,540.00).
4. The Construction, Monitoring and Maintenance requirements shall be secured by cash, check (cashier's, certified, or registered), or money order issued by CHASE (financial institution), a copy of which is attached hereto as Exhibit "A", in the amount of Forty-Five Thousand, Five Hundred and Forty Dollars (\$45,540.00), 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 Construction, 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 Construction, Monitoring or Maintenance required by the License.
6. Upon completion of the Construction, the DEVELOPER shall notify the Department of such completion and, upon a determination in writing to DEVELOPER by the Department that the Construction required by the License has been completed, the COUNTY shall have ninety (90) days from the date of such determination to remit N/A Dollars (\$ N/A ) 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.
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 Forty-Five Thousand, Five Hundred and Forty Dollars (\$45,540.00) 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 \_\_\_\_\_, 20\_\_, and DEVELOPER, signing by and through its \_\_\_\_\_, duly authorized to execute same.

COUNTY

ATTEST:

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 \_\_\_\_\_, 20\_\_

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

By Michael C. Owens  
Digitally signed by Michael C. Owens  
Date: 2021.03.22 15:29:21 -04'00'  
\_\_\_\_\_  
Michael C. Owens (Date)  
Senior Assistant County Attorney

MAITE AZCOITIA  
Digitally signed by MAITE AZCOITIA  
Date: 2021.03.22 15:43:20 -04'00'  
\_\_\_\_\_  
Maite Azcoitia (Date)  
Deputy County Attorney

AGREEMENT BETWEEN BROWARD COUNTY AND DANIA BEACH DEVELOPERS LLC FOR SECURING CONSTRUCTION, MONITORING, AND MAINTENANCE PURSUANT TO A BROWARD COUNTY CASH BOND(S)

OWNER- DEVELOPER

WITNESS:  
Apolonia Gasparini 29  
[Signature]

By [Signature]  
DANIA BEACH DEVELOPERS  
Alan Ojeda  
For: Dania Beach Developers LLC  
20-2176824.  
(S.S No./ Fed I.D. N.O.)  
15<sup>th</sup> day of May, 20 20

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 15 day of May, 20 20, by Alan Ojeda as the MANAGING MEMBER (title), of DANIA BEACH DEVELOPERS,  a Florida business entity, or  individually (choose one). He/She is  personally known to me or  has produced a driver's license as identification (state)

NOTARY PUBLIC, STATE OF FLORIDA

[Signature]  
(Signature)

LEIDA TORO  
(Name)

My Commission Expires: 05/08/2021

 Leida G. Toro  
Commission # GG102116  
Expires: May 8, 2021  
Bonded thru Aarron Notaryoo

**Exhibit "A"**

PLAT/PROJECT NAME				
PLAT/PROJECT NO.	PLAT BOOK & PAGE NO.	SCHOOL ZONE		
Impact Fee Agreement(s) —	N.A. <input type="checkbox"/>	Road <input type="checkbox"/>	School <input type="checkbox"/>	Park <input type="checkbox"/>
Type of Security —	N.A. <input type="checkbox"/>	Letter of Credit <input type="checkbox"/>	Bond <input type="checkbox"/>	Lien <input type="checkbox"/>

**FEEES**

AMOUNT	ITEM	VALIDATION
45,540. <sup>00</sup>	DF08-1097 Cash Bond	

NEW YORK STATE DEPARTMENT OF TAXATION  
# 10010

**DANIA BEACH DEVELOPERS LLC**  
1200 Brickell Ave Ste 200  
Miami, FL 33131

JP Morgan Chase Bank, N.A.  
1450 Brickell Ave Ste 150  
Miami, FL, 33131

1387

267084131

**VOID AFTER 180 DAYS**

\*\*\*\* FORTY FIVE THOUSAND FIVE HUNDRED FORTY AND 00/100 DOLLARS

TO THE

05/15/2020

\$45,40.00\*\*

ORDER OF

**Broward County Board of Commissioners**

*[Handwritten Signature]*



The fees above are due and payable

**BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS**

**THIS STATEMENT BECOMES A RECEIPT WHEN STAMPED BY A REGISTER**

*[Handwritten Signature]*