FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

912 VICTORIA HOMEOWNER'S ASSOCIATON, INC.

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTICTIONS FOR 912 VICTORIA HOMEOWNER'$ ASSOCIATION, INC., a Florida not for profit corporation, is made this day of April, 2022, by 912 VICTORIA, LLC, a Florida Limited liability company, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Broward County, Florida, which Is more particularly described on Exhibit "A" attached hereto and made a part hereof.

WHEREAS, on May 21, 2021 Declarant recorded a Declaration of Covenants, Conditions and Restrictions for 912 Victoria Homeowner's Association, Inc., which instrument was recorded under Clerk's Instrument No. 117289402 of the Public Records of Broward County, Florida; and

WHEREAS, in order to meet certain governmental requirements in connection with obtaining permits for the surface water drainage system it has become necessary to amend the above referenced Declaration to more particu.larly provide for the Association's rights and responsibility to provide for the operation repair, replacement, maintenance, and right of access to and for the Surface Water Drainage System.

NOW, THEREFORE, Declarant hereby declares that all of the Property and each of the 10 town home units and other improvements upon the. Property shall be subject to the following 'covenants, conditions, restrictions und easements, which are for the purpose of protecting the value and desirability of, and which shall run with the Property and be binding on all parties having any right, title or interest In a townhome units constructed thereon, their heirs, successors and assigns, shall in Inure to the benefit of each owner thereof.

The Articles set forth below are amended as follows:

ARTICLE I

DEFINITIONS

The following definition is hereby added as Article 1.14 Surface Water Drainage System

1.14 "Surface Water Drainage System shall mean and refer to the Surface Water Drainage System, well, pipes, swales and related components and facilities for the 912 VICTORIA development as graphically depicted on Exhibit "B" attached hereto and made a part hereof and further set forth on that certain Surface Water Management Permit No. *** attached hereto as Exhibit "C". For purposes of this Agreement the System shall be deemed to be owned by the Association, notwithstanding that certain components of the system may be located on the unit owners real property.

*** SWM2019-073-2

ARTICLE III

MAINTENANCE

The following section is added to Article III:

3.1 (h) Operate, repair, maintain, replace and altering, and the right to enter into any contract with a third party to operate, repair, maintain, replace or alter, any part of the Surface Water Drainage System including, but not limited to, the well, pipes, swales and related components and facilities that make up the "Surface Water Drainage System.

ARTICLE V

EASEMENTS

This Article is amended to add the Section below:

5.8 **Easement to provide for access, repairs, replacement, and maintenance of Water Drainage System.** A nonexclusive access easement in favor of the Association is hereby declared, granted and established over and across those portions of Each Unit which may contain pipes, wells, swales and related facilities in connection with the Surface Water Drainage System that service the Development. As such the Association, shall have an easement in common with all other portions thereof to use, repair, replace, maintain, and alter all well, pipes, swales and similar or related components and facilities located on any of the Units and other portions of the Property. Said easement shall include the right of access upon reasonable notice to enter onto each Unit to repair, replace, maintain, and alter the Surface Water Drainage System, including, but not limited to the pipes and the well, and similar or related components and facilities. It is hereby declared, granted and established, a permanent and perpetual nonexclusive easement to access the pipes, systems, wells, swales and related facilities or components in connection with the Surface Water Drainage System that service the Development as shown on Exhibit "B". No unit owner shall alter, remove or modify any component of the Surface Water Management System, and said prohibition shall run with the land and extend to all successors and assigns of said owner.

ARTICLE XII - GENERAL PROVISIONS

12.1 Duration - This Article is amended to read as follows and include the language in bold below:

The covenants and restrictions of this Declaration shall run with and bind the Property and shall inure to the benefit of and be enforceable by the Declarant, the Association, or any Owner of a Unit subject to this Declaration, and their respective heirs, successors and assigns for a term of fifty (50) years from the date this Declaration is recorded, after which time said covenants and restrictions shall be automatically extended for successive periods often (10) years each unless an instrument signed by the then Owners of three-fourths (3/4ths) of the Units has been recorded, agreeing to revoke said covenants and restrictions. Provided, however that no such agreement to revoke shall be effective unless made and recorded three (3) years in advance of the effective date of such revocation, and unless written notice of the proposed agreement is sent to every Owner at least ninety (90) days in advance of any action taken. Provided, further however, that such revocation shall not be effective as to Easements for Utilities as set forth in Section 5.4 above and for Pedestrian Easements as set forth in Section 5.5 above which are required by Section 47-18.33 of the Unified Land Development Regulations of the City of Fort Lauderdale unless such instrument is accompanied by a written certification in recordable form executed by the Zoning Administrator of the City of Fort Lauderdale certifying that such easements are no longer required by the applicable zoning regulations of the City of Fort Lauderdale. **Furthermore, should the Association dissolve, the operational documents must provide that the Surface Water Drainage System be transferred and maintained by one of the following entities:**

A. Local governmental unit, including counties and municipalities, Municipal Service Taxing Units, or special taxing units;

B. Active Water Control District created pursuant to Chapter 298, F.S. drainage district created by special act, special districts defined in Chapter 189.F.S., Community Development Districts created pursuant to Chapter 190, F.S., Special Assessment Districts created pursuant to Chapter 170.F.S. or water management districts created pursuant to Chapter 373, F.S.;

C. State or Federal Agencies;

D. Duly constituted communication, water, sewer, stormwater, electrical or other public utilities;

E. Construction Permitees, subject to restrictions below, or

F. Non-Profit Corporations, including homeowners' associations, property owners' associations, condominium or master associations, subject to the restrictions below.

These entities must have the powers required in Section 12.3AH Vol. 1 of the Environmental Resource Permit Applicant Handbook.

12.3 Amendment. This Article is amended to read as follows and include the language in bold below:

This Declaration of Covenants, Conditions and Restrictions may be amended, modified or altered, by instruments in writing recorded in the Public Records of Broward County, Florida, approved by two-thirds (2/3rds) of the members after the first meeting of the members. No amendment may change the ratio of

assessments against Unit Owners without the prior written approval of all first mortgagees. Any such amendment shall be certified by the President and Secretary of the Association and recorded in the Public Records of Broward County, Florida. The provisions in this Declaration which are for the benefit of Institutional Mortgagees may not be amended without the consent of said Institutional Mortgagees.

Notwithstanding the foregoing, with respect to the easements required by City of Fort Lauderdale Unified Land Development Regulations Sect. 47-18.33, referenced in Article V, Section 5.4 above, this Declaration may not be amended, modified or repealed without the express written consent of the City of Fort Lauderdale Zoning Administrator, which such express written consent shall be in recordable form and which such consent shall only be given when the proposed amendment, modification or repeal is in accordance with the terms of the City of Fort Lauderdale's Unified Land Development Regulations.

Notwithstanding the foregoing, any amendment to the Declaration of Covenants, Conditions and Restrictions which would affect the Surface Water Drainage System, conservation areas or water management portions of the development will be submitted to the appropriate governmental agency for a determination of whether the proposed Amendment necessitates a modification of the Environmental Resource Permit. If a modification is necessary, the agency (Florida Department of Environmental Protection/Broward County) will so advise the permitee. The amendment affecting the Surface Water Drainage System may not be finalized until any necessary permit modification is approved by the agency or the Association is notified that a modification is not necessary.

The following Section is added to Article XII

12.5 - Agency Enforcement for Failure of Association to Operate and Maintain Surface Water Drainage System.

The Association and each of its members acknowledge and agree that the Agency (Florida Department of Environmental Protection or Broward County) has the right to take enforcement actions, including a civil action for an injunction and penalties against the Association to compel it to correct any outstanding problems with the Surface Water Drainage System or in mitigation or conservation areas under the responsibility or control of the association.

(SIGNATRE ON FOLLOWING PAGE)

DATED this 25 day of April, 2022.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed as of the day and year first above written.

Witnesses:

912 VICTORIA, LLC, a Florida limited liability company

BY: _____
DORON BROMAN, Manager

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 25 day of April , 2022, by means of ☒ physical presence or ☐ online notarization, by DORON BROMAN, as Manager of 912 VICTORIA, LLC, a Florida limited liability company, on behalf of the company on behalf of the company. He is personally known to me or has produced _____ as identification.

[Notary Seal]:

Notary Public, State of FL at Large Print Name: JOSELYN RUIZ
My Commission Expires: 4/29/2022.

Notary Public State of Florida
Joselyn Ruiz
My Commission GG 212174
Expires 04/29/2022

Mortgagee (Lender) Joinder and Consent

For Ten Dollars ($10.00) and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Centennial Bank, an Arkansas banking corporation, the owner and holder of a mortgage dated November 19, 2020, given by 912 Victoria, LLC, a Florida limited liability company ("Declarant/Borrower") to Centennial Bank, an Arkansas banking corporation ("Mortgagee/Lender"), encumbering the real property described on Exhibit "A" recorded as Instrument Number 116876901, together with that certain Assignment of Rents and Leases recorded as Instrument Number 116876902 and that certain UCC-1 Financing Statement recorded as Instrument Number 116876903, all of the Public Records of Broward County, Florida (said mortgage, assignment of rents and leases, and UCC-1 Financing Statements, as modified, are hereinafter referred to as the "Mortgage"), hereby joins in, consents to the foregoing First Amendment to the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Declaration").

IN WITNESS WHEREOF, this Mortgagee/Lender Joinder and Consent, is made this 28 day of April, 2022

Centennial Bank, an Arkansas banking corporation

By: _____

Print Name: Yuleisy Montalvo

Title: SVP

STATE OF FLORIDA

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 28 day of April, 2022, by means of ☒ physical presence or ☐ online notarization, by Yuleisy Montalvo, as SVP of Centennial Bank, an Arkansas banking corporation, on behalf of the company on behalf of the company. She is personally known to me or has produced N/A as identification.

_____

Notary Public

My Commission Expires: _____

(Seal)

MANRIQUE J. ALONSO
Notary Public-State of Florida
Commission # GG 919350
My Commission Expires
October 03, 2023

Association Affidavit

Application No.(s)	L 2-22=061
Permit No.	BLD - RNC - 19120006 and BLD- RNC - 19120007
Project Name	912 Victoria

I, Doron Broman, on behalf of 912 Victoria Homeowners Association, Inc.
in President capacity, hereby attest to the following pertaining to the above project:

I am submitting this affidavit to provide reasonable assurances that the requirements set forth in Section 12.3 of the Environmental Resources Permit Applicant's Handbook Volume 1 (AH Vol.1) are included in the attached Association documents.

12.3.3(a), AH Vol. I
In this affidavit, I attest that the attached Association documents comply with Section 617, Florida Statutes (Corporations Not for Profit); Section 718, Florida Statutes (Condominiums); Section 719, Florida Statutes (Cooperatives); or Section 720, Florida Statutes (Homeowners Associations), as applicable.

12.3.3(b), AH Vol. I
I attest the Association Governing Documents include the following powers on the page numbers indicated:

			Page No.
1.	own and convey property;	Article XI	11
2.	operate and perform maintenance of the permitted project on common property as exempted or permitted by the Agency;	Article III, 3.1(h)	2 of 1st Amend
3.	establish rules and regulations governing membership or take any other actions necessary;	Art. 9.14	10
4.	assess members and enforce the collection of assessments for the cost of owning and maintaining the property, including the stormwater management (SWM) system;	Art. VII	6
5.	sue and be sued;	Article III(a) & Art. 12.2	12
6.	contract for services to provide for operation and maintenance services;	Article 3.1	2 of 1st Amend.
7.	require all owners of real property or units to be members of the corporation or association; and	Art. 6.1	6
8.	demonstrate that the land on which the system is located is owned or otherwise controlled by the corporation or association to the extent necessary to operate and maintain the system or convey operation and maintenance to another entity.	Article V 5.8	2 of 1st Amend.

12.3.3(c), AH Vol. I

I further attest that the following covenants and restrictions are contained in the Declaration of Restrictive Covenants, Deed Restrictions, Declaration of Condominium, Articles of Incorporation or other recorded document setting forth the Association's rules and regulations (documents) on the page numbers indicated:

		Page No.
1.	The Association is responsible for the operation and maintenance of the system described in the permit.	Article 3.1(h) — 2 of 1st Amend.
2.	The system is owned by the Association or described in the documents as common property.	Art. 1.14 — 2 of 1st Amend.
3.	There is a method of assessing and collecting fees for operation and maintenance of the system.	Art. VII — 6
4.	Any amendment proposed to these documents which would affect the system, conservation areas or water management portions of the common areas will be submitted to the Agency for a determination of whether the amendment necessitates a modification of the environmental resource permit. If a modification is necessary, the Agency will so advise the permittee. The amendment affecting the system may not be finalized until any necessary permit modification is approved by the Agency or the Association is advised that a modification is not necessary.	Article 12.3 — 3 of 1st Amend.
5.	The governing provisions shall remain in effect for a minimum of twenty (20) years and shall be automatically renewed thereafter.	Article XII 12.1 — 11
6.	The Association exists in perpetuity. However, should the Association dissolve, the operational documents provide that the system shall be transferred to and maintained by one of the following entities:	Article 12.2 — 3 of 1st Amend.
	a. Local government units, including counties and municipalities, Municipal Service Taxing Units, or special taxing units;	
	b. Active water control districts created pursuant to Chapter 298, F.S., drainage districts created by special act, special districts defined in Chapter 189, F.S., Community Development Districts created pursuant to Chapter 190, F.S., Special Assessment Districts created pursuant to Chapter 170, F.S., or water management districts created pursuant to Chapter 373, F.S.,	
	c. State or federal agencies;	
	d. Duly constituted communication, water, sewer, stormwater, electrical, or other public utilities;	
	e. Construction permittees, subject to the restrictions below; or	
	f. Non-profit corporations, including homeowners' associations, property owners' associations, condominium owners' or master associations, subject to the restrictions below.	
	These entities must have the powers required in section 12.3, AH Vol. 1.*	
7.	If wetland mitigation or monitoring is required, and the operational entity will be responsible to carry out this obligation, the rules and regulations of the association state that it shall be the association's responsibility to complete the task successfully, including meeting all (permit) conditions associated with wetland mitigation, maintenance and monitoring.**	N/A
8.	The Agency has the right to take enforcement action, including a civil action for an injunction and penalties against the Association to compel it to correct any outstanding problems with the system facilities or in mitigation or conservation areas under the responsibility or control of the Association.	Art. 12.5 — 4 of 1st Amend.

* These requirements of the AH Vol. 1 are also set forth in this Affidavit.

** You may put N/A if this section is not applicable.

12.3.3(d), AH Vol. I

If the project is a phased project or has independent associations, I further attest that the following powers and duties are contained in the documents:

Page No.

The Association has the ability to accept responsibility for operation and maintenance of the system.

1. For future phases of the project, if the operation and maintenance entity is proposed for a project that will be constructed in phases, and subsequent phases will utilize the same system as the initial phase or phases; or N/A

2. The Association and/or sub-associations/sub-entities, either separately or collectively, have the responsibility and authority to operate and perform maintenance of the system for the entire project area, if the development scheme contemplates independent operation and maintenance entities for different phases, and the system is integrated throughout the project. That authority must include cross easements for surface water management and the ability to enter and maintain the various portions of the system, should any sub-entity fail to maintain a portion of the system within the project area. N/A

Further Affiant sayeth naught.

Signature Doron Broman, President of
912 Victoria Homeowners Association

State of Florida)
County of Broward) ss

I HEREBY CERTIFY that on the 25th day of April, 20 22, before me, an officer authorized in the State aforesaid and in the County aforesaid to take acknowledgements by Doron Broman., who is personally known to me or has produced _____ as identification and who did (did not) take an oath.

Notary Public State of Florida
Joselyn Ruiz
My Commission GG 212174
Expires 04/29/2022

Notary Public, State of Florida

Exhibit "A"
Legal Description of Property

Lots 19 and 20 and the East 41 feet of Lot 21, Block 9, RESUBDIVISION OF BLOCKS 9, 10, 11 & 12 OF HOLMBERG & MCKEES SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 3, Page 115, Public Records of Miami-Dade County, Florida, said lands situate, lying and being in Broward County, Florida.

Exhibit "C"

Resilient Environment Department
ENVIRONMENTAL PERMITTING DIVISION
Water and Environmental Licensing Section
1 North University Drive, Mailbox 201, Plantation, Florida 33324
Phone * 954-519-1483 Fax * 954-519-1412

May 16, 2022

912 Victoria LLC
Attention: Doron Broman, Manager
3330 NE 190th Street
Aventura, FL 33160

RE: 912 Victoria Park TH
City of Fort Lauderdale, S/T/R (02-50-42)

This is to notify you of the Resilient Environment Department's (RED) action concerning your application received 03/02/2022. The application has been reviewed for compliance with the following requirements:

Broward County Surface Water Management Review - GRANTED

RED has reviewed the project for compliance with the Surface Water Management requirements of Chapter 27, Article V Sec. 27-191 through 27-202 of the Broward County Code.

Based on the information submitted, Surface Water Management License No. SWM2019-073-2 was issued on 05/16/2022. The above named licensee is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents and specifications, as submitted by licensee, and made a part hereof.

Please be advised that no Certificate of Occupancy can be issued on this project until released, in writing, by all RED divisions as required. Such release will be pending approval of any engineering certifications required by specific condition No. 15.

The above referenced approvals will remain in effect subject to the following:

1. the attached Broward County General Conditions;
2. the attached Broward County Specific Conditions;
3. the attached 6 exhibits.

Johana Narvaez, M.S., Environmental Program Manager
Surface Water Management Program

Enclosed are the following:

- ☑ executed staff report; and
- ☑ set(s) of stamped and approved plans

Broward County Board of County Commissioners
Environmental Permitting Division

Surface Water Management Licensing Program

"What to Expect When We Are Inspecting Surface Water Management Systems"

A guideline for **engineers**, **contractors**, and **licensees** of surface water management systems when applying for the release of Certificate(s) of Occupancy.

The intent of this document is to establish some guidelines to achieve compliance with the Code while maximizing customer service needs to licensees and their agents and the local building departments by facilitating the Certificate(s) of Occupancy (CO) release procedure for building projects. It is also the intent of this document to encourage licensees and their agents and the local building departments to not put our inspection staff on the "critical path". ***We recognize that the local building departments must adhere to the requirements of the Florida Building Code and the requirements of Article I of the Broward County Natural Resource Protection Code.***

The Environmental Permitting Division (EPD) - Surface Water Management Licensing program has the responsibility of reviewing designs, licensing, and inspecting surface water management systems within portions of Broward County under the provisions of the Broward County Natural Resource Protection Code, Chapter 27, Section 27-191 through Section 27-201. This includes enforcement for the purpose of protecting our natural resources. This document contains specific information about the EPD's surface water management inspection procedures, review of record/as-built drawings, and time required to complete the procedure successfully. Please be advised this document may be included with the approved license and may be modified on an as-needed basis.

The following certification package must be submitted at least two (2) weeks prior to the anticipated date of occupancy; exceptions may be made on a case by case basis.

Note: Items 1, 2 & 3 may apply to plans stamped as General Licenses (GL##-###) if approved license is conditioned to provide construction certification.

1. Final Record/As-built Drawings (hard copy and electronic) of the site, lake/canal slopes, control structure(s) or overflow structure(s) (where applicable), and Finished Floor Elevation(s); etc.

2. Signed and sealed letter from a Florida-Registered Professional Engineer certifying all components of the surface water management system were constructed in substantial conformance with the approved plans; and

3. When requesting a partial certification include a $100 partial certification fee (fees are subject to change). The certifying engineer must indicate that a substantial amount of the water management system has been constructed to serve the partial phase to satisfy the water quality and water quantity requirements of the Code and exactly which lots/buildings are requested for release.

Staff will perform an inspection on a first-come first-served basis of the above items. A successful submittal of the required items will prevent unwanted delays in the inspection and CO release processes.

What we look for During the Record/As-Built Drawing Review and During the Inspection

1. The engineer's letter must contain the appropriate certification language. The suggested wording is located in the Code and in the specific conditions of the license. The letter must be signed and sealed. It is imperative that the engineer of record describe any minor modifications to the system that were made during the construction of the project. However, substantial modifications must have received prior approval by the Surface Water Licensing Program.

2. The as-built/record drawing must document the Finished Floor Elevation(s) showing substantial conformance with approved plans.

3. In addition to rim, manhole, and pipe invert elevations, the plans should contain a sufficient amount of survey information to show that the site grades and perimeter grades were constructed in substantial conformance with the approved plans.

4. If part of the approved system, lake and canal slope as-built plans should contain a substantial number of cross sections (a minimum of 1 section per 50 linear feet is preferred) to show compliance with the Department's slope criteria. The staff reserves the right to require additional slope cross sections as necessary as well as slope regrading. Surface area calculations at the control elevation should be submitted for lakes.

5. Control structure or overflow structure information must show all (as-built) dimensions and elevations.

6. All catch basin and manhole structures must have appropriate mudwork to prevent seepage that could lead to structure/asphalt failures and subsequent turbidity violations.

7. All catch basins, manholes, and pipes must be relatively free of sediment and debris and must be accessible to staff. Arrangements should be made with staff for inspecting basins that are covered with fabric materials for sediment control purposes. Fabric must be removed by the licensee or other appropriate personnel prior to the inspection.

8. Lake, canal, swale, dry detention/retention area slopes must be stabilized through appropriate measures, i.e, no evidence of erosion or sedimentation should be encountered during the inspection. Arrangements should be made with staff with regards to timeliness of sodding or seeding slopes and bottoms of dry detention/retention areas.

9. All baffle mechanisms must be made water tight at all contact surfaces of basin walls by a durable gasket device.

Successful compliance with the above items will insure a timely release of the Certificate(s) of Occupancy from division staff.

Upon completion of the field inspection, arrangements with inspection staff will be made to correct all observed field deficiencies. With your cooperation, the Operation Letter will be released upon correction of all field deficiencies.

Environmental Permitting Division
Surface Water Management Licensing Program
1 North University Drive, Mailbox 201• Plantation, Florida 33324
Phone 954-519-1483 FAX 954-519-1412

Broward County General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the licensee and are enforceable by the Resilient Environment Department (RED) pursuant to Chapter 27 of the Broward County Code of Ordinances. The RED will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.

2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension, and/or enforcement action by the RED.

3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with this chapter, the licensee shall notify the RED within eight (8) hours or as stated in the specific section of this chapter. Within three (3) working days of the event, the licensee shall submit a written report to the RED that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.

4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.

5. This license must be available for inspection on licensee's premises during the entire life of the license.

6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the RED, may be used by the RED as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statutes.

7. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, and shall comply with all provisions of the most current version of this chapter, as amended.

8. Any new owner or operator of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for and is granted a transfer of license. The transferee shall be liable for any violation of Chapter 27 of the Broward County Code of Ordinances that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.

9. The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity or facility at times by RED personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.

10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.

11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of RED, and any forbearance on behalf of RED to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of RED's rights hereunder.

Broward County Specific Conditions

1. The licensee shall allow authorized personnel of the Resilient Environment Department (RED), municipality or local water control district to conduct such inspections at reasonable hours, as are necessary to determine compliance with the requirements of the license and the approved plans and specifications.

2. The responsible entity shall agree to maintain the operating efficiency of the water management works. Except in cases where the responsible entity is a governmental agency, the agreement shall further require that if the water management works is not adequately maintained, the County may undertake the required work and bill all associated costs to the responsible entity. If the payment for such obligations is not satisfied within 30 days, said obligation shall become a lien against the property associated with the water management works. Where ownership of the water management works is separate from property ownership, the RED shall require these agreements to be recorded.

3. The licensee shall execute the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The licensee shall institute necessary measures during the construction period, including fill compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters. Any erosion, shoaling or deleterious discharges due to permitted actions will be corrected promptly at no expense to the County.

4. The licensee shall comply with all applicable local land use and subdivision regulations and other local requirements. In addition, the licensee shall obtain all necessary Federal, State, local and special district authorizations prior to the start of any construction alteration of works authorized by this license.

5. Off-site discharges during construction and development shall be made only through the facilities authorized by this license. Water discharged from the project shall be through structures having a mechanism for regulating upstream water stages. Stages may be subject to operating schedules satisfactory to the appropriate regulatory agency.

6. The licensee shall hold and save the County harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any facility authorized by the license.

7. The license does not convey property rights nor any rights or privileges other than those specified therein.

8. No construction authorized by the license shall commence until a responsible entity acceptable to the RED has been established and has agreed to operate and maintain the efficiency of the system. The entity must be provided with sufficient ownership so that it has control over all water management facilities authorized therein. Upon receipt of written evidence of the satisfaction of this condition, the RED will issue authorization to commence the construction.

9. No beautification, or erection of any structure that will prohibit or limit access of maintenance equipment or vehicles in the right-of-way or easements will be allowed.

10. Any license which grants any entity the permission to place a structure on property which is owned by Broward County or upon which Broward County has an easement shall be construed to create a revocable license for that structure to remain on the property. Broward County may require removal of such a structure at no cost to the County.

11. The area under license will be maintained in a safe and operating condition at all times. Equipment will be promptly removed from the right-of-way or easement and the right-of-way or easement will be restored to its original or better condition within a reasonable time on termination of the authorized use.

12. The RED will be notified, as required in the license or as indicated on the approved plans, to coordinate and schedule inspections.

13. The operation or construction will be in accordance with the approved details and plans submitted with the application. Any modification must be submitted to the RED in writing and receive prior approval.

14. Monitoring may be required for sites with high pollutant generating potential, such as industrial sites, Class I and II solid waste disposal sites, and projects discharging to areas identified in the Broward County Water Resource Management Code, Article V, Section 27-200 (b) (1) o. Such monitoring will be under the cognizance of the RED.

15. Upon completion of the construction of a surface water management system or phase thereof licensed by the RED, it is a requirement of the issuance of the license, and hence transfer of operation and maintenance responsibility, that a Florida Registered Professional Engineer certify that the surface water management system was indeed constructed as licensed. Certified record drawings shall accompany the certification. Suggested wording for this is as follows:

I HEREBY CERTIFY TO THE CONSTRUCTION COMPLETION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCES PROJECT AND THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE BROWARD COUNTY RED, AND HEREBY AFFIX MY SEAL THIS _____ DAY OF _____, 20____.

_____

(SEAL)

16. Water management areas shall be legally reserved to the operation entity and for that purpose by dedication on the plat, deed restrictions, easements, etc., so that subsequent owners or others may not remove such areas from their intended use. Management areas, including maintenance easements, shall be connected to a public road or other location from which operation and maintenance access is legally and physically available.

17. The licensee shall notify the RED in writing within twenty-four (24) hours of the start, finish, suspension, and/or abandonment of any construction or alteration of works authorized by this license.

18. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

19. The operation license shall be valid for a specific period of time not to exceed five (5) years from the date the license is transferred to the operation phase. The operation license shall be renewed in accordance with the Broward County Water Resource Management Code, Article V, Section 27 - 198 (d) (2).

20. The RED reserves the right to require additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

21. This permit does not constitute the approval required by the Broward County Hazardous Material Code, Article XII, Section 27-353(i), to conduct dewatering operations at or within one-quarter mile radius of a contaminated site. Please contact the Environmental Assessment and Remediation Section at (954) 519-1478 for further information.

22. The licensee shall keep a log of the operation and maintenance schedule for all components of the surface water management system.

23. The surface water management system must be inspected by the RED to verify compliance with Specific Condition No. 15 of the license. In accordance with the Broward County Natural Resource Protection Code, Article I, Sec. 27-66 (f), the County agency or municipal agency charged with issuing a certificate of occupancy (CO) shall not issue a CO until notified of the Broward County RED approval. Partial certifications will be handled in accordance with Specific Condition No. 18.

24. The licensee is advised that he/she is required to submit a Storm Water Notice of Intent (NOI) application at least 48 hours prior to the commencement of construction to the Florida Department of Environmental Protection, NPDES Stormwater Notices Center, MS #3585 at 2600 Blair Stone Road - Tallahassee, Florida 32399-2400.

25. The Licensee shall submit a copy of the Department of Environmental Protection permit authorizing the construction and operation for the proposed Class V drainage well(s). In the event the proposed drainage well(s) is unpermittable or does not meet the intent of the original design in the field, the Licensee shall submit to the Broward County RED an application with appropriate fee to modify the surface water management license and propose an alternate design to the system.

26. A copy of the condominium, homeowners, or property owners association documents shall be submitted for review prior to the Broward County RED - Surface Water Management Licensing Program releasing certificates of occupancy to the local building department. The documents shall contain language that complies with the Broward County Water Resource Management Code, Article V, Sections 27-199 (c) (1) b. 3. a) 1) through 5).

27. All special conditions, exhibits and other materials previously stipulated by license number SWM2019-073-0 remain in effect unless otherwise revised and shall apply to this modification.

28. This license expires on 05/16/2027.

LOCATION MAP



EXHIBIT - 1

STAFF REPORT

Project Name: 912 Victoria Park TH

License Number: SWM2019-073-2

Application Number: L2022-061

Application Type: BC Surface Water Management License Modification

Location: Broward County **Section-Township-Range:** 02-50-42

Permittee's Name: 912 Victoria LLC

Project Area: 0.43 acres **Drainage Area:** 0.43 acres

Project Land Use: Residential

Drainage Basin: Coastal

Receiving Body: Drainage Well

Purpose:

The construction and operation of a surface water management system to serve the redevelopment of a 0.43 acre residential development.

Project Evaluation:

Project Site Description:
The site is presently developed containing 0.03 acres of paved area and 0.09 acres of building area and a surface water management system that does not provide water quality treatment of storm runoff. The site is located at the SW corner of the intersection of NE 10th Avenue and NE 4th Street in the City of Fort Lauderdale.

Proposed Project Design:
The proposed construction will include 0.18 acres of building area, 0.10 acres of paved area and the proposed drainage system. A system of swales, inlets and culverts will direct the storm runoff to 97 LF of exfiltration trench (5.00' W X 4.73' H) for water quality treatment and storm runoff attenuation. The discharge will be directed into one (1) Class V group 6 drainage well with an inverted baffle at elevation 4.73' NAVD. The final well report must show an overall achieved minimum capacity of 282 gpm/ft-head.

The applicant's consultant has demonstrated through plans and calculations that no adverse water quality or water quantity impacts will occur as a result of the proposed project

Control Elevation = 2.00 ft, NAVD WSWT Control Elevation = 2.00 ft, NAVD
Method of Determination = BC Avg. Wet Season Water Table Map

Project Background:

A modification was required because the surface water system was not constructed per approved plans. Upon completion and final certification, this modification will supersede License No. SWM2019-073-0.All terms, conditions, and exhibits previously stipulated by Broward County License SWM2019-073-0 will apply to this license unless specifically modified.

Discharge Rate:

Frequency	Rainfall	Basin Name	Allowable Disch.	Method of Determination	Peak Disch.	Peak Stage
25YR-3DAY	15 in.	912 NE 4th Street Mod	0 cfs	Pre-vs-Post	0 cfs	6.86' NAVD

Finished Floors:

The finished floor elevations have been designed to be above the computed 100-yr, 3-day zero discharge stage and the Broward County 100-yr, 3-day flood map elevation.

Frequency	Rainfall	Basin Name	Peak Stage	Prop. Min. Fin. Floors	BC 100-yr Map Elev.
100YR-3DAY	18 inches	912 NE 4th Street Modificatior	7.05' NAVD	7.48' NAVD	5.5' NAVD

Water Quality Design:

Water quality treatment will be provided in the exfiltration trench system for 2.5 inches times the percent impervious over the entire site.

Basin Name	Treatment Type	Treatment Method	Volume Required	Volume Provided
912 NE 4th Street Modificati	Treatment	Exfiltration Trench	0.04 ac-ft	0.04 ac-ft
			Total:	0.04 ac-ft

EXHIBIT - 2B

Special Concerns:

Operating Entity: 912 Victoria LLC
Attention: Doron Broman, Manager
3330 NE 190th Street
Aventura, FL 33160

Waste Water System/Supplier: G.T. Lohmeyer

SWM2019-073-2, STAFF REVIEW:

Surface Water Management Program:

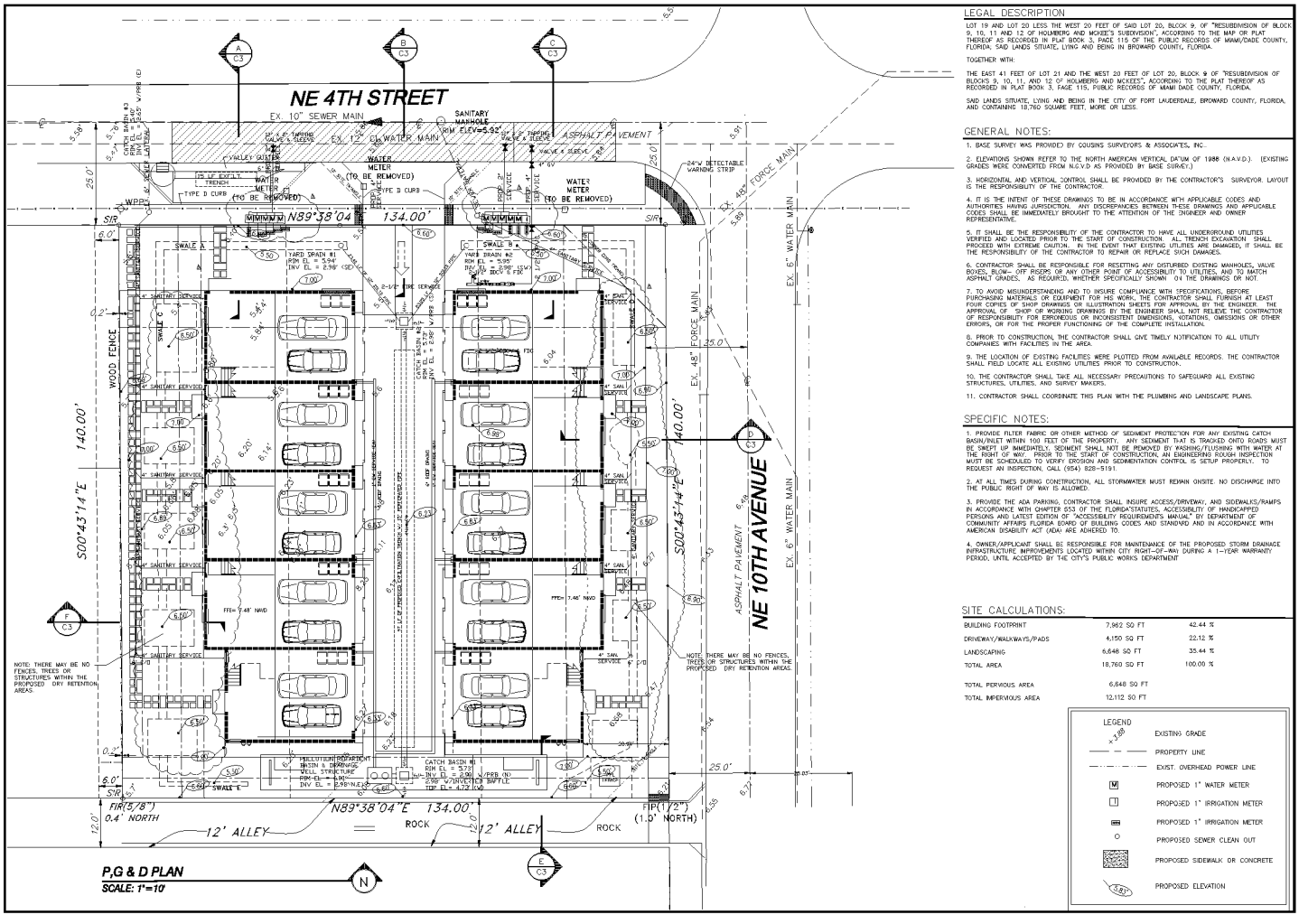
MILTON E. REINOSO

Digitally signed by MILTON E. REINOSO
Date: 2022.05.16 08:17:51 -04'00'

Milton E. Reinoso Ospina, Licensed Engineer

Johana Narvaez, M.S., Environmental Program Manager

Exhibit "B"



LEGAL DESCRIPTION

LOT 19 AND LOT 20 LESS THE WEST 20 FEET OF SAID LOT 20, BLOCK 9, OF "RESUBDIVISION OF BLOCK 9, 10, 11 AND 12 OF HOLMBERG AND MCKEE'S SUBDIVISION", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 115 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

THE EAST 41 FEET OF LOT 21 AND THE WEST 20 FEET OF LOT 20, BLOCK 9 OF "RESUBDIVISION OF BLOCKS 9, 10, 11, AND 12 OF HOLMBERG AND MCKEES", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 115, PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 18,760 SQUARE FEET, MORE OR LESS.

GENERAL NOTES:

1. BASE SURVEY WAS PROVIDED BY COUSINS SURVEYORS & ASSOCIATES, INC..
2. ELEVATIONS SHOWN REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.). (EXISTING GRADES WERE CONVERTED FROM N.G.V.D AS PROVIDED BY BASE SURVEY.)
3. HORIZONTAL AND VERTICAL CONTROL SHALL BE PROVIDED BY THE CONTRACTOR'S SURVEYOR. LAYOUT IS THE RESPONSIBILITY OF THE CONTRACTOR.
4. IT IS THE INTENT OF THESE DRAWINGS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER AND OWNER REPRESENTATIVE.
5. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND UTILITIES VERIFIED AND LOCATED PRIOR TO THE START OF CONSTRUCTION. ALL TRENCH EXCAVATION SHALL PROCEED WITH EXTREME CAUTION. IN THE EVENT THAT EXISTING UTILITIES ARE DAMAGED, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR OR REPLACE SUCH DAMAGES.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR RESETTING ANY DISTURBED EXISTING MANHOLES, VALVE BOXES, BLOW-- OFF RISERS OR ANY OTHER POINT OF ACCESSIBILITY TO UTILITIES, AND TO MATCH ASPHALT GRADES, AS REQUIRED, WHETHER SPECIFICALLY SHOWN ON THE DRAWINGS OR NOT.
7. TO AVOID MISUNDERSTANDING AND TO INSURE COMPLIANCE WITH SPECIFICATIONS, BEFORE PURCHASING MATERIALS OR EQUIPMENT FOR HIS WORK, THE CONTRACTOR SHALL FURNISH AT LEAST FOUR COPIES OF SHOP DRAWINGS OR ILLUSTRATION SHEETS FOR APPROVAL BY THE ENGINEER. THE APPROVAL OF SHOP OR WORKING DRAWINGS BY THE ENGINEER SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR ERRONEOUS OR INCONSISTENT DIMENSIONS, NOTATIONS, OMISSIONS OR OTHER ERRORS, OR FOR THE PROPER FUNCTIONING OF THE COMPLETE INSTALLATION.
8. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL GIVE TIMELY NOTIFICATION TO ALL UTILITY COMPANIES WITH FACILITIES IN THE AREA.
9. THE LOCATION OF EXISTING FACILITIES WERE PLOTTED FROM AVAILABLE RECORDS. THE CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
10. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO SAFEGUARD ALL EXISTING STRUCTURES, UTILITIES, AND SURVEY MARKERS.
11. CONTRACTOR SHALL COORDINATE THIS PLAN WITH THE PLUMBING AND LANDSCAPE PLANS.

SPECIFIC NOTES:

1. PROVIDE FILTER FABRIC OR OTHER METHOD OF SEDIMENT PROTECTION FOR ANY EXISTING CATCH BASIN/INLET WITHIN 100 FEET OF THE PROPERTY. ANY SEDIMENT THAT IS TRACKED ONTO ROADS MUST BE SWEPT UP IMMEDIATELY. SEDIMENT SHALL NOT BE REMOVED BY WASHING/FLUSHING WITH WATER AT THE RIGHT OF WAY. PRIOR TO THE START OF CONSTRUCTION, AN ENGINEERING ROUGH INSPECTION MUST BE SCHEDULED TO VERIFY EROSION AND SEDIMENTATION CONTROL IS SETUP PROPERLY. TO REQUEST AN INSPECTION, CALL (954) 828-5191.
2. AT ALL TIMES DURING CONSTRUCTION, ALL STORMWATER MUST REMAIN ONSITE. NO DISCHARGE INTO THE PUBLIC RIGHT OF WAY IS ALLOWED.
3. PROVIDE THE ADA PARKING, CONTRACTOR SHALL INSURE ACCESS/DRIVEWAY, AND SIDEWALKS/RAMPS IN ACCORDANCE WITH CHAPTER 553 OF THE FLORIDA STATUTES, ACCESSIBILITY OF HANDICAPPED PERSONS AND LATEST EDITION OF "ACCESSIBILITY REQUIREMENTS MANUAL" BY DEPARTMENT OF COMMUNITY AFFAIRS FLORIDA BOARD OF BUILDING CODES AND STANDARD AND IN ACCORDANCE WITH AMERICAN DISABILITY ACT (ADA) ARE ADHERED TO.
4. OWNER/APPLICANT SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE PROPOSED STORM DRAINAGE INFRASTRUCTURE IMPROVEMENTS LOCATED WITHIN CITY RIGHT-OF-WAY DURING A 1-YEAR WARRANTY PERIOD, UNTIL ACCEPTED BY THE CITY'S PUBLIC WORKS DEPARTMENT

SITE CALCULATIONS:

BUILDING FOOTPRINT	7,962 SQ FT	42.44 %
DRIVEWAY/WALKWAYS/PADS	4,150 SQ FT	22.12 %
LANDSCAPING	6,648 SQ FT	35.44 %
TOTAL AREA	18,760 SQ FT	100.00 %
TOTAL PERVIOUS AREA	6,648 SQ FT	
TOTAL IMPERVIOUS AREA	12,112 SQ FT	

LEGEND

- EXISTING GRADE
- PROPERTY LINE
- EXIST. OVERHEAD POWER LINE
- PROPOSED 1" WATER METER
- PROPOSED 1" IRRIGATION METER
- PROPOSED 1" IRRIGATION METER
- PROPOSED SEWER CLEAN OUT
- PROPOSED SIDEWALK OR CONCRETE
- PROPOSED ELEVATION

GATOR ENGINEERING GROUP, INC.
AUGUSTUS R. ISLER, P.E.
11190 TIBBLE STREET
COOPER CITY, FL 33330
TEL: (954) 828-5191 FAX: (954) 484-4804
CERTIFICATE OF AUTHORIZATION NUMBER 30530

SEAL
GLENN L. BOBB—JACKSON, P.E.
FLA. P.E. NO.: 38550

912 VICTORIA LLC
TEN UNIT MULTI-FAMILY PROJECT
912 NE 4TH STREET
FORT LAUDERDALE, FLORIDA 33301

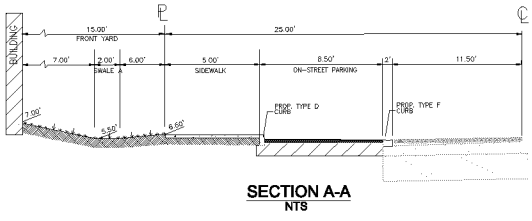
REVISIONS
DATE
DESCRIPTION

GEA PROJECT NO.: 17079
DATE: 09-26-2017
SCALE: AS SHOWN
DESIGNED BY: R.B.J.
DRAWN BY: J.L.
CHECKED BY: R.B.J.
APPROVED BY: R.B.J.

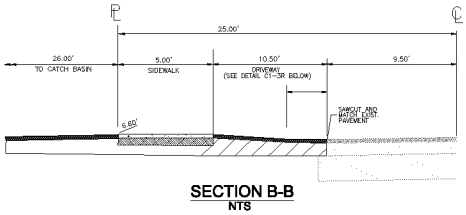
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P,G & D PLAN
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EXHIBIT - 3

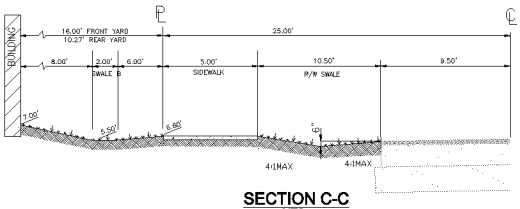
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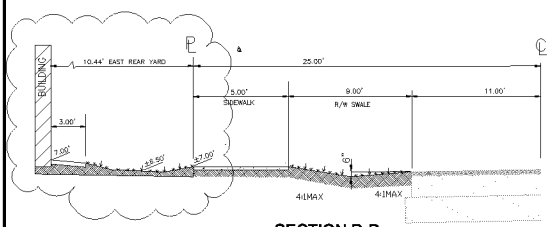
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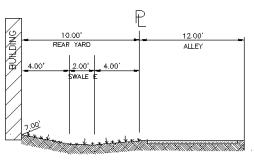
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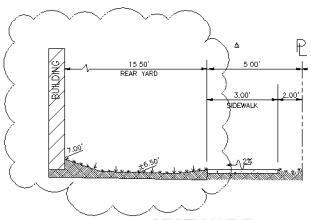
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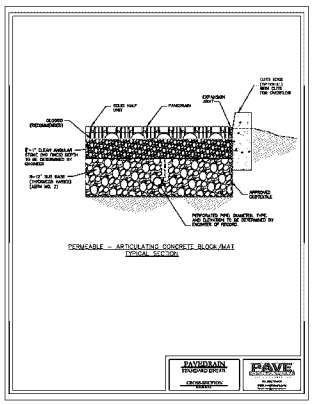
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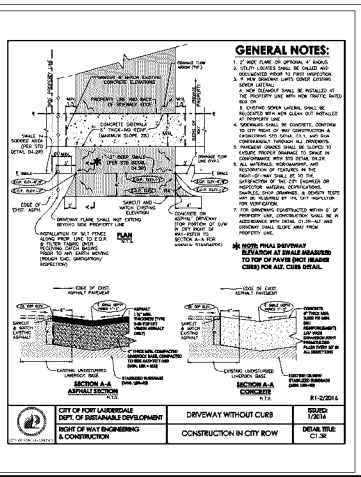


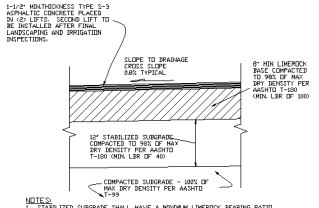
SECTION E-E
NTS



SECTION F-F
NTS







NOTES:
1. STABILIZED SUBGRADE SHALL HAVE A MINIMUM LIMEROCK BEARING RATIO (LBR) OF 40 AND IS REQUIRED FOR ALL NEW PAVEMENT CONSTRUCTION. ALL STABILIZED SUBGRADE SHALL BE STRONG LIMED FOR GRADE AND PASS ALL REQUIRED DENSITY TESTING PRIOR TO PLACEMENT OF LIMEROCK BASE.
2. LIMEROCK BASE FOR PARKING LOTS SHALL BE A MINIMUM OF 70% CARBONATES OF CALCIUM AND MAGNESIUM.
3. PRIME COAT SHALL BE APPLIED TO ALL FINISHED LIMEROCK BASE SURFACES AFTER BOARDING AND DENSITY INSPECTIONS. APPLICATION RATES AND MATERIALS SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS.
4. TACK COAT SHALL BE PLACED BETWEEN SURFACE LIFTS. APPLICATION RATES AND MATERIALS SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS.
5. THE FINAL PAVEMENT LIFT SHOULD NOT BE PLACED UNTIL ALL PROJECT LANDSCAPING IS IN PLACE AND THE IRRIGATION SYSTEM IS FINALED.

ASPHALTIC CONRETE PAVEMENT DETAIL
NOT TO SCALE

GATOR ENGINEERING ASSOCIATES, INC.
COCONUT CREEK, FL 33063
TEL. (954) 414-0808 FAX. (954) 414-0804
CERTIFICATE OF AUTHORIZATION NUMBER 30205

SEAL
DATE: PETRA BIRD-JACKSON, P.E.
FLORIDA REGISTRATION NO. 0000

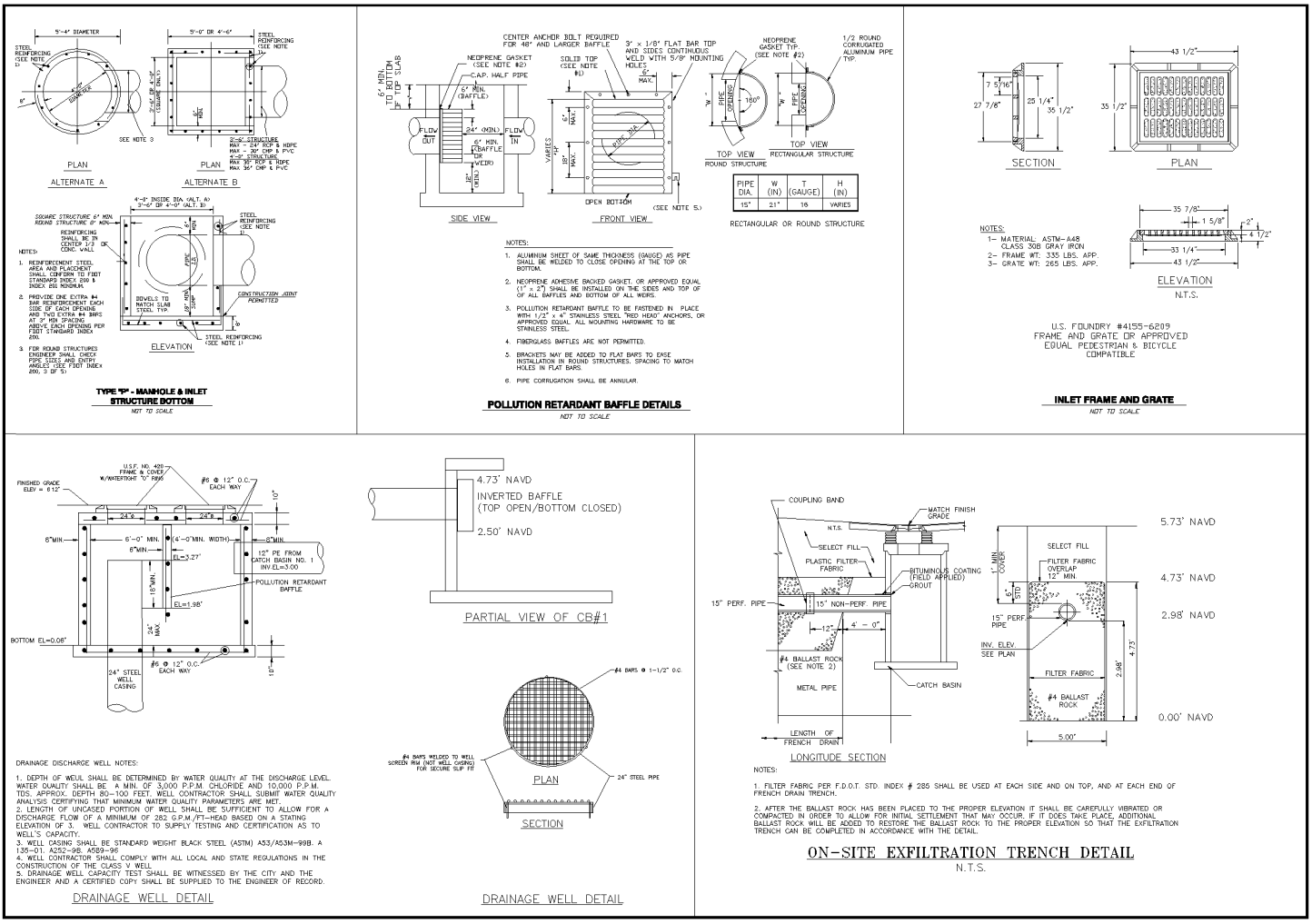
912 VICTORIA LLC
TEN UNIT MULTI-FAMILY PROJECT
912 NE 4TH STREET
FORT LAUDERDALE, FLORIDA 33301

REVISIONS

GEA PROJECT NO.: 17070
DATE: 05-26-2017
SCALE: AS SHOWN
DESIGNED BY: R.B.J.
DRAWN BY: L.B.
CHECKED BY: R.B.J.
APPROVED BY: R.B.J.

SHEET TITLE
SECTION & DETAILS
C3 OF 7

Exhibit "B"



GATOR ENGINEERING ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER 30203

912 VICTORIA LLC
TEN UNIT MULTI-FAMILY PROJECT
912 NE 4TH STREET
FORT LAUDERDALE, FLORIDA 33301

CIVIL DETAILS

C4 OF 7

EXHIBIT - 5

STAFF REPORT DISTRIBUTION LIST

ADDRESSES

Owner:

912 Victoria LLC
Attention: Doron Broman, Manager
3330 NE 190th Street
Aventura, FL 33160

Applicant:

912 Victoria LLC
Attention: Doron Broman, Manager
3330 NE 190th Street
Aventura, FL 33160

Engineering Consultant:

Gator Engineering Associates, Inc.
Attention: Regina Bobo-Jackson, P.E.
11390 Temple Street
Cooper City, FL 33330-3213

Other:

City of Fort Lauderdale Building Official