



May 15, 2013

Tom Ansbro, Esq.
City of Dania Beach Attorney
100 West Dania Beach Blvd.
Dania Beach, FL 33004

Re: Rolly Marine v Broward County

Dear Mr. Ansbro:

As per your request, this letter will serve to provide a brief history of the proposed transaction as well as some detail regarding the transaction and Dania Beach's role.

History of the transaction

Rolly Marine Service Company is a marina located on State Road 84. The marina is directly adjacent to Secret Woods Park, a Broward County designated park that sits within the City of Dania Beach. Rolly Marine's property borders the City of Dania Beach and is located within the boundaries of the City of Ft. Lauderdale. It is our understanding that Rolly Marine became a part of the City of Ft. Lauderdale during an involuntary annexation some years ago.

In 2004, a Broward County surveyor was conducting a survey of Secret Woods Park and determined that Rolly Marine was encroaching upon protected Broward County park land. The encroachment ran from the parking lot of Rolly Marine on the south side of the property to the north side of the property. The encroachment extended approximately 10 feet wide throughout that north to south strip. The alleged encroachment totaled 16,857 square feet. For the remainder of this letter, the land adjacent to Secret Woods Park which Rolly Marine wishes to acquire will be called "the strip."

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Rolly Marine objected to Broward County's position that it was encroaching since Rolly Marine had occupied the strip for over 35 years and several surveys performed by McLaughlin Engineering Company from the late 1990s through 2003 had confirmed that Rolly Marine owned the strip. After some investigation, Rolly Marine learned that McLaughlin Engineering made a surveying error and located the strip as part of Rolly Marine's property when, in fact, the property appeared to exist within Secret Woods Park.

Rolly Marine deems the strip adjacent to Secret Woods Park to be absolutely essential to the operation of Rolly Marine's business. As a result, Rolly Marine has sought a remedy which would allow it to purchase the strip adjacent to Secret Woods Park.

Actions requested of the City of Dania Beach

The actions are fully described within the contract for approval by the Commissioners, but just for clarity, Rolly Marine is requesting that the City of Dania Beach perform the following actions:

1. Agree to accept the strip from Broward County pursuant to the terms of Broward County's Charter Amendment and the terms of the contract between Broward County, City of Dania Beach, and Rolly Marine;
2. Determine the strip to be surplus land upon receipt, as per the City of Dania Beach Charter and the terms of the contract between Broward County, City of Dania Beach, and Rolly Marine;
3. Place the strip up for auction pursuant to the terms of the City of Dania Beach Charter and the terms of the contract between Broward County, City of Dania Beach, and Rolly Marine;;
4. Accept the "highest and best" bid for the strip, pursuant to the City of Dania Beach Charter and the terms of the contract between Broward County, City of Dania Beach, and Rolly Marine;
5. Quit claim the strip to Rolly Marine upon receipt of Rolly Marine's "highest and best" bid for the strip pursuant to the terms of the contract between Broward County, City of Dania Beach, and Rolly Marine.

Approval by Broward County

On May 14, 2013, the Broward County Commission had on its agenda item number 58 entitled "Motion to Approve agreement between Broward County, the City of Dania Beach, and Rolly Marine Service Company for a tri-party exchange of real property and to settle pending litigation." A copy of the agenda description is attached herein.

On May 14, 2013, the Board of County Commissioners unanimously voted to approve the Motion and the Motion was adopted.

The net result of the transaction

Once the transaction is complete, the following will have taken place:

1. Broward County will receive Oak Knoll, which will be designated a County Park subject to the protections of County Charter Amendment 8.13.
2. Rolly Marine Service Company will receive the strip and will become owner of the strip.
3. Rolly Marine Service Company will build a fire wall that separates Secret Woods Park and Rolly Marine, providing essential fire protection to the park and the City of Dania Beach where no present fire protection exists. Along with the firewall will be a fire line which will provide essential fire protection to the City of Dania Beach.

Costs associated with the transaction

All costs in connection with this agreement (including surveying costs, title insurance costs, environmental inspection costs, and conveyance costs) will be paid by Rolly Marine. There will be no financial impact whatsoever on the City of Dania Beach other than deriving the benefit of fire protection paid for by Rolly Marine.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Justin C. Leto". The signature is fluid and cursive, with a large initial "J" and "L".

Justin C. Leto