

From: [Joshua Martin](#)
To: [Town Council & Mayor](#)
Cc: [Kirk Blouin](#); [Jay Boodheshwar](#); [Kathleen Dominguez](#); [Kelly Churney](#); [Kathleen Ruderman](#); [Wayne Bergman](#); [Paul Castro](#); [Joshua Martin](#)
Subject: FW: Fourth Amendment of Declaration of Use Agreement
Date: Tuesday, February 05, 2019 6:01:49 PM
Attachments: [image001.png](#)
[Screen Shot 2017-11-18 at 10.56.20 AM.png](#)
[9847538_1 \(WPBDOCS\) Fourth Amendment of Declaration of Use Agreement 1.2....doc](#)

Mayor and Members of Town Council:

Good evening. I hope this email finds each of you well.

Please see below and attached—your Tuesday evening edition of The Dock at Mar-A-Lago.

If you have any questions, please let me know.

Thank you!

Respectfully,
Josh

Josh Martin, AICP, CNU-A
Director

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From: Reginald Stambaugh <reg@stambaughlaw.com>
Sent: Monday, February 04, 2019 11:05 PM
To: Harvey E. Oyer, III <HOyer@shutts.com>
Cc: Joshua Martin <jmartin@TownOfPalmBeach.com>
Subject: Re: Fourth Amendment of Declaration of Use Agreement

Harvey:

I have consulted with my client regarding the proposed Fourth Amendment to the Declaration of Use Agreement and we have reviewed the draft.

As I advised at our meeting, my client does not support the addition of a dock. I need to be abundantly clear that any conversation about proposed restrictions should not be deemed as an endorsement of a dock addition.

The fact remains that The Town of Palm Beach gave your client an extraordinary benefit in converting a private residence into a commercial use and the *quid pro quo* in that negotiation included the Town prohibiting a dock. I was there and remember this vividly.

Moreover, your client's conversion of a private residence into a commercial enterprise in a residential zone negates your argument that your client is just another resident seeking just another family dock.

On Feb 4, 2019, at 6:14 PM, Harvey E. Oyer, III <HOyer@shutts.com> wrote:

Gentlemen,

Attached for your review and comment is my draft Fourth Amendment of Declaration of Use Agreement that addresses each of the issues that the Town Council asked us to address at the January Town Council meeting together with some additional restrictions that we discussed at our meeting in Josh's office last Tuesday afternoon. Please note that my client has not yet reviewed and approved this document so I must reserve the right to make additional changes.

Given that the Town Council meeting is next Wednesday, I hope that we can wrap this up quickly. Please let me know if I missed anything that we discussed.

Thank you.

Harvey

<image001.jpg>

Harvey E. Oyer, III
Partner

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Respectfully,

REGINALD G. STAMBAUGH, P.A.



By: Reginald G. Stambaugh

As: President

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