



## LETTER OF INTENT FINAL SUBMIT

**DATE:** November 28, 2022

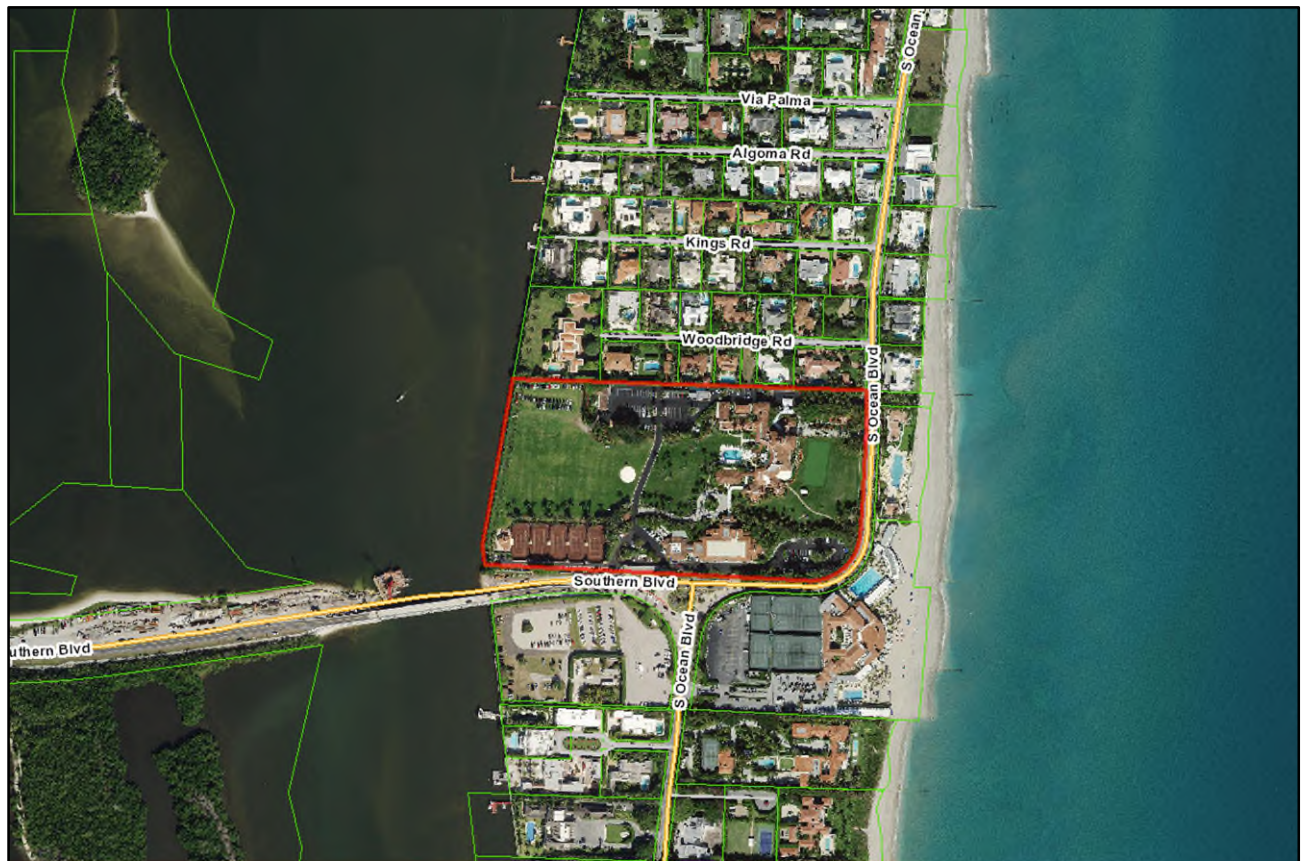
**TO:** Town of Palm Beach, Planning, Zoning & Building Dept.

**RE:** COA-21-012 / ZON-21-021\_1100 S. Ocean Blvd. Mar-a-Lago

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### REQUEST

On behalf of Mar-a-Lago Club, Inc. ("**Applicant**"), Shutts & Bowen LLP ("**Agent**") submits this combo project for a Certificate of Appropriateness ("**COA**"), Special Exception ("**SE**"), and Site Plan Review ("**SPR**") for the Mar-a-Lago Club ("**Club**") located at 1100 S. Ocean Boulevard ("**Site**").



**FIGURE 1 – Location map**



Location:	1100 S. Ocean Blvd. ( <i>Figure 1</i> )
Property Control Number(s)	50434335000020390
Zoning District:	R-AA Large Estate Residential
Acreage:	16.372 acres

## **REQUEST**

SE with SPR, and COA for the following:

- Construction of a 232 square foot (sq. ft.) guardhouse (“**Guardhouse**”) at the entrance to the Club off of S. Ocean Boulevard specifically for the use by the Secret Service.
- As shown in the plans/renderings included with the application, the Guardhouse is architecturally consistent with the existing historic architecture of the other structures on the Site.
- New planting beds and landscaping materials are proposed adjacent to the Guardhouse.

## **BACKGROUND**

- As part of the security plan for the Club, all guests are name checked, identification is verified, and all visitors consent to a search of their persons, vehicles, and belongings. The most often used access point for the Club for the members and guests is the main gate on S. Ocean Blvd. The Secret Service personnel utilizes this location to perform the access control and screening function.

## **SUPPLEMENTAL APPLICATION REQUIREMENTS**

- As required, attached are the responses to the review standards/guidelines for the SE with SPR, and COA requests:
  - **Exhibit A:** Special Exception in accordance with Section 134-229.
  - **Exhibit B:** Site Plan Review in accordance with Section 134-329.
  - **Exhibit C:** Sec. 54-122 Issuance of a Certificate of Appropriateness.
- A detailed history in chronological order of all zoning-related requests processed on or after January 1, 1970 specific to the Site attached as **Exhibit D**.
- A Property Info sheet with the Location Map is attached as **Exhibit E**.
- The Legal Description is attached as **Exhibit F**.

## **PARKING STATEMENT**

There are no changes proposed to the on-site parking.



## **EXHIBIT A**

### **Sec. 134-229. Requirements for granting a Special Exception.**

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

**RESPONSE:** *The Club use is permitted by Special Exception which has been in existence since 1993, and the use is not proposed to change. The request is to add a 232 sq. ft. Guardhouse, specifically for the Secret Service use to improve the functionality and efficiency of the onsite security for the protection of the President. As part of the security plan for the Club, all guests are name checked, identification is verified, and all visitors consent to a search of their persons, vehicles, and belongings. The most often used access point for the Club for the members and guests is the main gate on S. Ocean Blvd. The Secret Service personnel will utilize the Guardhouse proposed at this location to perform the access control and screening function.*

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

**RESPONSE:** *The request for the Guardhouse will have no adverse effect on the public health, safety, welfare or morals. As noted above, the intent is to improve the functionality and efficiency of the onsite security for the protection of the President. It should be noted that the Guardhouse is internal to the Site, and not visible from the street right-of-way or the adjacent properties.*

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

**RESPONSE:** *The proposed Guardhouse will not cause substantial injury to the value of other properties in the neighborhood where it is to be located. In fact, the proposed Guardhouse is located internal to the Site and over 144 ft. away from the nearest adjacent property.*

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

**RESPONSE:** *The proposed Guardhouse is and continues to be compatible with the adjoining development and the intended purpose of the district in which it is located.*

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

**RESPONSE:** *The proposed Guardhouse will have no impact on yard and de minimis impact on other open space, and complies with any special requirements set out in Article VI for the particular use involved. The required open space is 50% (357,246 sq. ft.) and the Site currently provides 60.42% (431,700 sq. ft.) of open space. With the addition, the Site remains in compliance by providing 60.36% (431,320 sq. ft.) of open space.*

(6) The use will comply with all elements of the comprehensive plan.

**RESPONSE:** *The proposed Guardhouse will be in compliance with all the elements of the comprehensive plan.*



- (7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

**RESPONSE:** *The proposed Guardhouse has been designed and situated in such a manner to have no impact on adjoining properties and will not result in substantial economic, noise, glare, or odor impacts on adjoining properties or properties generally in the district. As noted above, it is actually located internal to the Site with no visibility from the street right-of-way or from the adjacent properties. New landscaping adjacent to the Guardhouse along with the existing landscaping throughout the Site provides screening and buffers the Guardhouse from the adjacent properties.*

- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

**RESPONSE:** *No changes are proposed to the ingress and egress to the Site. As such, there are no impacts on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.*

- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

**RESPONSE:** *The proposed Guardhouse does not include any changes to signage or exterior lighting.*

- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

**RESPONSE:** *The current request does not affect the location, availability or compatibility of utility services.*

- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

**RESPONSE:** *The current request does not affect the refuse and service areas.*

- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in



the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

**RESPONSE:** *The Club use is permitted by Special Exception, has been in existence since 1993 and does not affect or alter the existing Town-serving status. The Special Exception use is not proposed to change and neither is the intensity of the use.*

- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

**RESPONSE:** *All existing landscape will remain. There will be new planting beds with shrubs and groundcover added around the proposed Guardhouse.*

- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

**RESPONSE:** *Neither the existing use nor the proposed Guardhouse will place an additional burden on Town Police or Fire Rescue Services.*



## **EXHIBIT B**

### **Sec. 134-329. Review by town council for Special Review.**

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

**RESPONSE:** *Applicant is the fee simple owner and in control and possession of the entire parcel which is subject of this application. The Applicant is responsible for the care and upkeep of the entire site. No maintenance responsibility will become the obligation of the Town.*

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

**RESPONSE:** *There are no new land uses, programming or intensities of use proposed for the Site. With the exception of the proposed Guardhouse and the associated landscaping, no other physical changes are proposed. As noted above, the Guardhouse is also located internal to the Site, and not visible from the street right-of-way or the adjacent properties.*

- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

**RESPONSE:** *There are no changes proposed to the ingress and egress to the Site. Automobile and pedestrian safety will be maintained to comply with all applicable standards. Separation of automotive traffic, traffic control and flow, service for utilities and refuse collection and access in case of fire or emergency will not be affected.*

- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

**RESPONSE:** *There are no changes proposed to the off-street parking.*

- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.



**RESPONSE:** *There are no changes proposed to any perimeter screening or buffers. All existing landscape will remain. There will be new planting beds with shrubs and groundcover added around the proposed Guardhouse.*

- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

**RESPONSE:** *There are no changes proposed that will affect the manner of drainage on the Site onto adjacent and nearby properties or on the Town's overall drainage capacities. The Guardhouse is only 232 sq. ft., internal to the Site, and the drainage associated with the Guardhouse can be considered de minimis compared to the overall Site which is over 16 acres.*

- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

**RESPONSE:** *There are no changes proposed that will impact hook-in locations, availability or capacity of utilities. The Guardhouse will connect to existing on-site utilities.*

- (8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

**RESPONSE:** *There are no changes proposed that impact recreation facilities. As it relates to open space, the Addition is only 232 sq. ft., internal to the Site, and can be considered de minimis compared to the overall Site which is over 16 acres. The required open space is 50% (357,246 sq. ft.) and the Site currently provides 60.42% (431,700 sq. ft.) of open space. With the Addition, the Site remains in compliance by providing 60.36% (431,320 sq. ft.) of open space.*

- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

**RESPONSE:** *The only request subject to this application is the addition of the Guardhouse for the use by the Secret Service. There are no other standards that may be imposed by the Code for the Guardhouse use.*

- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.

**RESPONSE:** *The Guardhouse is not considered a commercial structure. Although not considered a commercial structure, it is proposed to be 13 ft. in height which is in compliance with the Code requirements and retains a low profile scale and architecture when compared to the existing structures on the Site.*

- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.



***RESPONSE:*** *The massing of the Guardhouse compliments the existing buildings on the Site in composition. It also utilizes similar architectural design elements used throughout the Site. The materials used, texture in the façade, colors, patterns and trim used in the façade; and the design of the roof will be consistent with the design of the existing structures on the Site. Additionally, the proposed Guardhouse is located internal to the Site, and not visible from the street right-of-way or the adjacent properties.*



## **EXHIBIT C**

### **Sec. 54-122. New construction.**

- (a) The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related:
- (1) The height, the gross volume, and the proportion between width and height of the facade;
  - (2) The proportions and relationships between doors and windows;
  - (3) The rhythm of solids to voids created by openings in the facade;
  - (4) The materials used in the facade;
  - (5) The texture inherent in the facade;
  - (6) The colors, pattern and trim used in the facade; and
  - (7) The design of the roof.

**RESPONSE:** *The massing of the Guardhouse compliments the existing structures on the Site. The materials used, texture in the façade, colors, patterns and trim used in the façade; and the design of the roof is proposed to be consistent with the design of the existing buildings on the Site.*

- (b) Existing rhythm created by existing building masses and space between them should be preserved.

**RESPONSE:** *The architectural design of the Guardhouse is consistent and complimentary with the existing building masses and rhythm.*

- (c) The landscape plan should be sensitive to the individual building and its occupants and needs and should be visually compatible with the buildings and environment with which it is visually related.

**RESPONSE:** *There are no changes proposed to any perimeter screening or buffers. All existing landscape will remain. There will be new planting beds with shrubs and groundcover added around the proposed Guardhouse.*

- (d) A new street facade should blend directionally with other buildings with which it is visually related; which is to say, when adjacent buildings have a dominant horizontal or vertical expression, that expression should be carried over in the new facade.

**RESPONSE:** *The Guardhouse visually related to the existing buildings on the Site. It is designed to be consistent and preserve the style with the surrounding buildings architecture.*

- (e) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

**RESPONSE:** *The Guardhouse utilizes the same details, finishes, colors and materials as the other structures on the Site; clay tile roofing, wood outlookers, stucco walls, Dominican Coquina cast stone cladding, and aluminum windows and doors, are utilized throughout consistent with the other structures on the Site.*



**EXHIBIT D**  
**SITE HISTORY**

Please provide a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements.

1. Request for Subdivision approval by Standford Florida Fund, Inc. (Cerf Ross) November 1, 1984. Request approved and Agreement with Town entered into March 12, 1985.
2. Application for Certificate of Appropriateness Number 15-91 in connection with subdivision.
3. Zoning Variance 38-91 dated May 31, 1991.
4. Application for PUD, December 20, 1991, approved by Resolution 27-92 on May 12, 1992.
5. Special Exception 11-93, filed March 12, 1993, to establish a private club. Approved. June 1, 1993.
6. Declaration of Use Agreement dated August 10, 1993 recorded in Official Record Book 7933, Page 22 of the Public Records of Palm Beach County, Florida.
7. Variance 8-94 filed March 8, 1994, approved with conditions construction of service gates and wing walls providing access from Southern Boulevard.
8. Certificate of Appropriateness 5-94, filed April 4, 1994, approval of restoration of statutes at main gate and approval of new service gates off Southern Boulevard.
9. Certificate of Appropriateness 19-94, filed July 20, 1994, approval of railings, stair rails and guardrails.
10. Certificate of Appropriateness 34-94, filed August 17, 1994, approval to replace existing pea gravel at porte cochere with interlocking pavers.
11. Certificate of Appropriateness 67-94, filed December 21, 1994, approval of Alternate "A" lighting of Southern Boulevard gate with respect to location of fixtures only.
12. January 18, 1995, approval of light style "A" for cart path and walkway to beach with proviso that shields be used to direct lighting only onto paths; approval of light style "B" for northern boundary wall; approval of light style "C" for north parking area, with a 3' hedge planted around parking area to focus light on parking area only.
13. February 15, 1995 voted to retain existing northern gate design; approval of light style "D" for northern drive off South Ocean Boulevard, on statutes at main entrance, in courtyard parking area, on



lake wall and at the Southern Boulevard entrance, with proviso that one of the fixtures in each double light be removed (with suggestions regarding wattage of style "D" fixtures).

14. Certificate of Appropriateness 12-95, filed December 15, 1995, approval to install coquina stone or faux coquina paver blocks in natural color at main entrance (replaces paving approved August 1994).

15. Certificate of Appropriateness 23-95, filed July 21, 1995, approvals for exterior alterations to garage, former staff area and courtyard landscaping.

16. Certificate of Appropriateness 32-95, filed August 16, 1995, approved Moorish star design for courtyard fountain; approval of location of plunge pool in southwest corner of courtyard with proviso that if railing and gate are required for pool, matter must return to LPC for review; also noted deletion of previously approved windows at east and west ends of garage at 2nd floor and deletion of previously approved whirlpools (2) on north side of garage/spa deck.

17. Certificate of Appropriateness 33-95, filed September 20, 1995, approval of temporary tent at pool for 2 month period and denial of tent in front yard/driveway area.

18. October 18, 1995, approval of 3 tile samples to be used at fountain and whirlpool; approval of Moorish style tent with spears to be placed at southwest corner of pool.

19. Special Exception 24-95, filed November 14, 1995, approved request to add a 5 tennis court facility with cabana, approved request to remove existing tennis court.

20. February 13, 1996, approved request to construct parking lot for additional valet parking spaces.

21. Certificate of Appropriateness 56-95, January 1, 1996, approved to establish 5 tennis courts and related tennis cabana with patio, one entry trellis and 4 open awning shelters; approval of landscape plan for tennis court project.

22. Certificate of Appropriateness 19-96, filed March 20, 1996, approval of landscaping and details relating to the establishment of approved parking area at north end; approval to resurface small courtyard at west end of former staff area.

23. Certificate of Appropriateness 24-96, filed May 17, 1996, approval to raze damaged north slat house with proviso that buffering landscape be added on west side and that additional parking be reserved for Town Council with clarification that of Town Council does not approve additional parking use, land will have to be fully landscaped with review by LPC.

24. Special Exception 19-96, filed November 20, 1996, approved three (3) changes to Declaration of Use Agreement with stipulations.



25. Certificate of Appropriateness 44-96, filed December 18, 1996, approval of construction of free-standing roof over existing L-shaped utility pad; also noted withdrawal of portion of request for lighting of landscape islands of northern parking area.
26. Certificate of Appropriateness 51-96, filed December 18, 1996, approval of landscaping plans for utility areas in north parking area; also noted withdrawal portion of request for construction of 42" wall surrounding pool equipment.
27. Certificate of Appropriateness 1-97, filed January 15, 1997, approval of facade changes to accessory structure known as Watchman's house as well as interior changes.
28. Special Exception 20-97, filed June 10, 1997, approval with conditions request to construct tennis court light system in 5 existing courts.
29. May 12, 1993, granted request for 1 year extension.
30. Certificate of Appropriateness 17-97, filed September 17, 1997, approval of restoration of 3 buildings known as "Jim's Cottages"; also, approval of revised landscape plan for areas on either side of main gate.
31. Certificate of Appropriateness 46-98, filed October 21, 1998, approval to relocate existing pump house to serve as an entry feature and guardhouse for Southern Boulevard gate, to include restoration of building.
- 32., October 20, 1999, one year extension of COA 46-98.
33. July 19, 2000, extension of COA 46-98 until October 20, 2001, under current approval COA 22-00.
34. Special Exception 9-99, filed April 20, 1999, approved with conditions cabanas, pool, deck area, snack bar, changing rooms, including condition to modify existing Declaration of Use Agreement; approved request to exclude from Club property a parcel fronting on Woodbridge conditioned upon its being joined by Unity of Title with the property to its immediate east; denied removal or modification of existing limitation to 500 club memberships; approved removal of 313 daily on-site trips, approved removal of present dining room limitation of 75 seats and imposed limit of 150 seats for dining throughout Club, except for special events.
35. July 13, 1999, accepted request to withdraw portion of application to construct a partial underground parking structure east of the proposed Pavilion and accepted request to withdraw portions of application requesting approval for proposed Pavilion and increased special event capacity to 740 persons.
36. Certificate of Appropriateness 16-99, filed July 21, 1999, approval of re-paving/changes of main driveways, circle and motor court.
37. Special Exception 24-99, filed October 13, 1999, approved with conditions events that do not exceed 600 guest while temporary tent is used with possibility cap may be raised to 700 when Pavilion



Ballroom is completed; approved December 31, 1999 event over 600 guest capacity but not to exceed 940; approval to maintain temporary tent for 7 months and each subsequent season for 6 months until Pavilion Ballroom is open at which time tent shall be removed; approved with conditions request to construct a 17,124 square feet Pavilion Ballroom.

38. November 11, 1999, Amendment of Declaration of Use 'Agreement dated November 30, 1999, recorded in Official Records Book 11492, Page 1762 of the Public Records of Palm Beach County, Florida.

39. Certificate of Appropriateness 32-99, filed February 16, 2000, approval of redevelopment of beach area, according to approved Special Exception, to include two 2-story cabanas, pool, pool deck, spa pool, fountains, stairs and ramp to lower beach.

40. Variance 1-00, filed January 11, 2000, approved with conditions request to construct a wall on north property line that is 10' high in front yard setback in lieu of 6' maximum, and 7' to 10' high in side yard and rear yard in lieu of 7' maximum allowed.

41. Certificate of Appropriateness 22-00, filed October 20, 2000, approved extension of original approval of COA 46-98.

42. Certificate of Appropriateness 11-01, filed June 20, 2001, approval to change driveway material to asphalt on north service drive and parking area and to coquina in main entry drive, as well as circular area at guest house and Porte cochere area.

43. Special Exception 3-02 regarding construction date of pavilion.

44. Second Amendment of the Declaration of Use Agreement dated September 30, 2002, recorded in Official Records Book 14327, Page 23 of the Public Records of Palm Beach County, Florida.

45. Special Exception No. 11-2004 with Site Plan Review for a kitchen to serve the Ballroom, increasing the size of the entry loggia, relocating the chiller and other matters approved April 13, 2004.

46. Special Exception 22-2004 with Site Plan Review approving driveway at ballroom.

47. Third Amendment of Declaration of Use Agree & tent dated December 13, 2004, recorded in Official Records Book 17886, Page 1415 of the Public. Records of Palm Beach County, Florida.

48. Certificate of Appropriateness 005-2017, filed January 11, 2017, approval to add a 50 foot (1,964 sq. ft.) helicopter pad including all associated site work.

49. Certificate of Appropriateness 048-2018, filed September 21, 2018, approval to add an accessory dock. The application was withdrawn on February 20, 2019.

50. Certificate of Appropriateness 009-2020 and Special Exception with Site Plan Review 20-00248 to modify a private club use by allowing the construction of a boat dock that would extend 29 feet



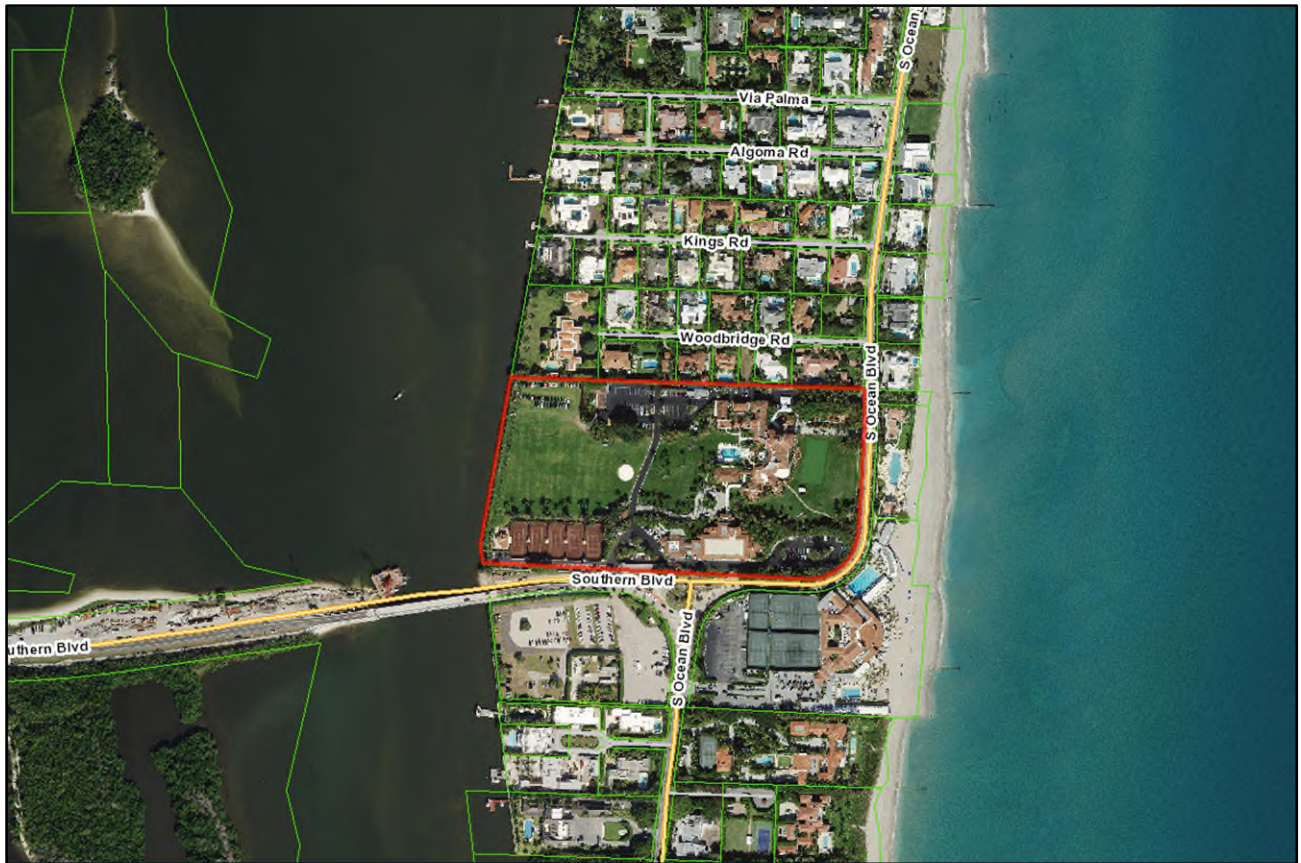
from the existing seawall. The proposed dock would be located on the southwest corner of the property and is intended for private family use restricted to only the Trump family. The application was withdrawn on May 13, 2020.

51. Certificate of Appropriateness COA-21-012 and Special Exception request with Site Plan Review ZON-21-021 for modifications including new landscaping and a restroom addition to the existing private club approved on December 15, 2021.



## **EXHIBIT E**

### **P R O P E R T Y   I N F O R M A T I O N**



**FIGURE 1 – Location map**

Location:	1100 S. Ocean Blvd. ( <i>Figure 1</i> )
Property Control Number(s)	50434335000020390
Zoning District:	R-AA Large Estate Residential
Acreage:	16.372 acres



## **EXHIBIT F**

### **LEGAL DESCRIPTION**

BEING ALL THAT PART OF THE NORTH 610.00 FEET OF THE SOUTH 1170.00 FEET OF GOVERNMENT LOT 2 OF SECTION 35, TOWNSHIP 43 SOUTH, RANGE 43 EAST, IN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, LYING WEST OF OCEAN BOULEVARD (STATE ROAD A1A) RIGHT OF WAY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT A POINT OF THE WEST FACE OF AN EXISTING SEAWALL ON EAST SHORE OF LAKE WORTH, WHICH POINT IS 560.00 FEET NORTH OF, MEASURED AT RIGHT ANGLES, TO THE SOUTH LINE OF GOVERNMENT LOT 2 OF SAID SECTION 35; THENCE NORTH 6°09'22" WEST ALONG THE WEST FACE OF SAID SEAWALL FOR A DISTANCE OF 77.32 FEET; THENCE NORTH 10°23'23" EAST ALONG THE WEST FACE OF SAID SEAWALL FOR A DISTANCE OF 539.50 FEET TO A POINT IN THE SOUTH LINE OF BINGHAM-COPP TRACT, A SUBDIVISION RECORDED IN PLAT BOOK 18, PAGE 6, PALM BEACH COUNTY PUBLIC RECORDS; THENCE RUN SOUTH 88°12'07" EAST ALONG THE SOUTH LINE OF SAID BINGHAM-COPP TRACT FOR A DISTANCE OF 1134.10 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF OCEAN BOULEVARD (STATE ROAD A1A); THENCE RUN SOUTH 0°09'07" EAST FOR A DISTANCE OF 82.59 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHERLY ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1412.69 FEET AND A CENTRAL ANGLE OF 3°03'00" FOR A DISTANCE OF 75.20 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 2°53'53" WEST FOR A DISTANCE OF 176.28 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2968.36 FEET AND A CENTRAL ANGLE OF 2°27'30" FOR A DISTANCE OF 127.36 FEET TO A POINT OF COMPOUND CURVATURE; THENCE CONTINUE SOUTHWESTERLY ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 158.68 FEET AND A CENTRAL ANGLE OF 86°26' 30" FOR A DISTANCE OF 239.40 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 88°12'07" WEST ALONG THE NORTH LINE OF SOUTHERN BOULEVARD (STATE ROAD 80) FOR A DISTANCE OF 1040.43 FEET TO THE POINT OF BEGINNING, CONTAINING 16.3760 ACRES, OR LESS;

AND

TOGETHER WITH AN EASEMENT FOR THE USE OF THE TUNNEL UNDER SOUTH OCEAN BOULEVARD (STATE ROAD A1A) AS DESCRIBED IN THAT CERTAIN QUIT CLAIM EASEMENT DEED RECORDED IN OFFICIAL RECORD BOOK 2327, PAGE 1970 OF THE PALM BEACH COUNTY PUBLIC RECORDS;

AND

BEING THE SOUTH 358.00 FEET OF THE NORTH 403.00 FEET OF THE SOUTH 1170.00 FEET OF GOVERNMENT LOT 2, SECTION 35, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING EAST OF OCEAN BOULEVARD (STATE ROAD A1A) AS NOW LAID OUT AND IN USE; TOGETHER WITH ALL RIPARIAN AND LITTORAL RIGHTS, IF ANY, THEREUNTO APPERTAINING.