

**SHARED COMMON DOCKING AREA
AGREEMENT**

THIS IS AN AGREEMENT by and among Jason Hurd and Jacob Hurd (hereinafter "OWNER A"), whose address is 2222 SE 11th Street, Pompano Beach, Florida 33062, and Craig J Mackey (hereinafter "OWNER B"), whose address is 1140 SE 22nd Avenue, Pompano Beach, Florida 33062, and the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, hereinafter referred to as "CITY."

WHEREAS, OWNER A desires to construct a dock adjacent to his property legally described as follows:

POMPANO SHORES SEC B 29-35 B LOT 28 BLK 1

Folio 4943 06 17 0280

WHEREAS, the said properties owned by OWNERS A and B share a common docking area as defined by Chapter 151 of the Pompano Beach Code of Ordinances; and

WHEREAS, Section 151.03 (I), "Structures in Waterways," of the Pompano Beach Code of Ordinances requires that if two or more lots share a common docking area, the owners shall enter into an agreement with the City which shall state the property owners have reviewed and approved the proposed plans as it relates to the placement of any structure in the common docking area as well as the proposed docking of any boat or watercraft; and

WHEREAS, OWNERS A and B reached an agreement relating to the placement of a dock adjacent to the property owned by OWNER A and desire to memorialize the agreement; and

IN CONSIDERATION of the mutual promises, terms and conditions contained herein, OWNERS A and B and the CITY agree as follows:

1. To avoid controversy regarding the sharing of riparian rights and to comply with the ordinances of the City of Pompano Beach, OWNERS A and B have entered into this agreement as a benefit to each other.

2. OWNER B has reviewed and has approved the proposed plan, a copy of which is attached hereto and made a part hereof as Exhibit "A" for the placement of a dock and other structures in the common docking area adjacent to OWNER A's property and grants unto OWNER A the full right to erect, maintain and keep such structures.

3. The parties have agreed to the docking of any boat in the common docking area and agree that this agreement does not provide any other rights or authority except as specifically provided herein.

4. OWNER A may make repairs to the said dock shown on Exhibit "A" attached, but may not make further alterations or additions without agreement of all parties.

5. This agreement is made on the expressed condition that OWNERS A and B agree that CITY shall be free from all claims for damages for injury to any person, death of any person, or damage to property of any kind from any cause that occurs as a result of this agreement during the terms of this agreement. OWNERS A and B shall indemnify CITY, its agents, officials and employees against all liability, including legal and attorney's fees, resulting from any injury, death or damage described in this paragraph.

6. This agreement may not be terminated without the agreement of all parties.

7. This agreement shall be binding upon and shall inure to the benefit of OWNER A and his successors, and any person or other entity that may at any time hereafter become the owner of any one or more of the properties described above.

8. The provisions contained herein shall be restrictions and covenants running with the land and shall be binding upon the heirs, successors and assigns of the parties.

9. This agreement shall be of no effect until it is properly executed by the OWNERS and CITY and recorded in the Public Records of Broward County, Florida.

IN WITNESS WHEREOF, CITY and OWNERS have executed this agreement on the respective dates under each signature.

"CITY":

CITY OF POMPANO BEACH

By: _____
REX HARDIN, MAYOR

Witnesses:

Signature

Print Name

Witness Address

Witness City, State, Zip

Signature

Print Name

Witness Address

Witness City, State, Zip

Attest:

By: _____
GREGORY P. HARRISON, CITY MANAGER

KERVIN ALFRED, CITY CLERK

(SEAL)

Approved by:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this day of _____, 202__, by **REX HARDIN** as Mayor, **GREGORY P. HARRISON** as City Manager and **KERVIN ALFRED** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

"OWNER A":

Witnesses:

[Signature]
Witness One - Sign Name
Carol De Fex

Witness One - Print Name
3000 SW 26 Terr
Witness Address
Dania Beach, FL 33312
Witness City, State, Zip

[Signature]
Owner A - Signature
JASON HURD
Owner A - Print or Type Name

[Signature]
Witness Two - Sign Name
Valentina Cuzio
Witness Two - Print Name
7805 NW 18 Pl
Witness Address
Margate, FL 33063
Witness City, State, Zip

[Signature]
Owner A - Signature
Jacob Hurd
Owner A - Print or Type Name

STATE OF FLORIDA

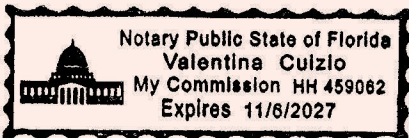
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 22 day of March, 2024 by Jason Hurd and Jacob Hurd. They are personally known to me or have produced _____ (type of identification) as identification.

NOTARY'S SEAL:

[Signature]
NOTARY PUBLIC, STATE OF FLORIDA
Valentina Cuzio
(Name of Acknowledger Typed, Printed or Stamped)

HH 459062
Commission Number



"OWNER B":

Witnesses:

Carol De Fey

Witness One - Sign Name

Carol De Fey

Witness One - Print Name

121 SE 3rd Ave

Witness Address

Dania Bch, FL 33004

Witness City, State, Zip

Valentina Guizio

Witness Two - Sign Name

Valentina Guizio

Witness Two - Print Name

7805 NW 18 Pl

Witness Address

Margate FL 33063

Witness City, State, Zip

Craig J Mackey

Owner B - Signature

Craig J Mackey

Owner B - Print or Type Name

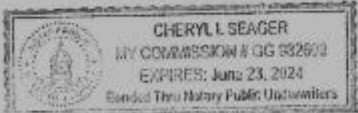
Dated: March 4, 2024

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 4 day of MARCH, 2024 by Craig Mackey FC DL M200-11074-402-0 He/she is personally known to me or has produced (type of identification) as identification.

NOTARY'S SEAL:



Cheryl Seager

NOTARY PUBLIC, STATE OF FLORIDA

Cheryl Seager

(Name of Acknowledger Typed, Printed or Stamped)

66 982609

Commission Number