

## **SHARED COMMON DOCKING AREA AGREEMENT**

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**THIS IS AN AGREEMENT** by and among Wolfgang M. Klante (hereinafter "OWNER A"), whose address is 900 NE 27<sup>th</sup> Ave., Pompano Beach, Florida 33062, and Keith Busch (hereinafter "OWNER B"), whose address is 890 NE 27<sup>th</sup> Ave., 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: Harbor Village SEC F 43-15 B Lot 33 Blk 33 (Parcel ID # 4843 31 21 0760)

**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 (F), "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":

Witnesses:

CITY OF POMPANO BEACH

\_\_\_\_\_

By: \_\_\_\_\_  
REX HARDIN, MAYOR

\_\_\_\_\_

By: \_\_\_\_\_  
GREGORY P. HARRISON, CITY MANAGER

Attest:

ASCELETA HAMMOND, 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 \_\_\_\_\_, 2020, by **REX HARDIN** as Mayor, **GREGORY P. HARRISON** as City Manager and **ASCELETA HAMMOND** 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:

W. Klante  
Witness One - Sign Name

KLANTE CATHERINE  
Witness One - Print Name

Evelyn Grostecut  
Witness Two - Sign Name

Evelyn Grostecut  
Witness Two - Print Name

W. Klante  
Owner A - Signature

Wolfgang M. Klante  
Owner A - Print or Type Name

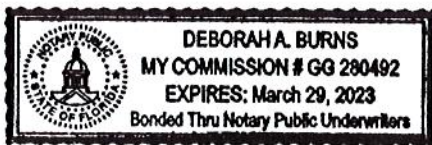
Dated: 2nd June 2020

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 2nd day of June, 2020 by Wolfgang M. Klante. He/she is personally known to me ~~or has produced~~ (type of identification) as identification.

NOTARY'S SEAL:



Deborah A. Burns  
NOTARY PUBLIC, STATE OF FLORIDA

Deborah Burns  
(Name of Acknowledger Typed, Printed or Stamped)

GG 280492  
Commission Number

"OWNER B":

Witnesses:

Michelle Cleland-Thier

Witness One - Sign Name

Michelle Cleland-Thier

Witness One - Print Name

Keith Busch

Owner B - Signature

Keith Busch

Owner B - Print or Type Name

Richard Blake

Witness Two - Sign Name

Richard Blake

Witness Two - Print Name

Dated: 5-29-20

STATE OF ~~FLORIDA~~ ILLINOIS

COUNTY OF ~~BROWARD~~ JACKSON

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 29<sup>th</sup> day of May, 2020 by Keith Busch. He/she is personally known to me or has produced driver's license (type of identification) as identification.

NOTARY'S SEAL:

Carol Lynn Hollmann  
NOTARY PUBLIC, STATE OF ~~FLORIDA~~ ILLINOIS

CAROL LYNN HOLLMANN  
(Name of Acknowledger Typed, Printed or Stamped)

84449  
Commission Number

Eng/eng/Book-shared common docking

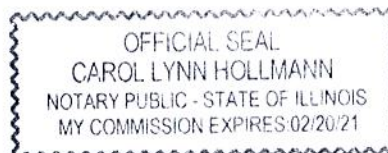


EXHIBIT "A"

KLANITE - 900 NE 27 AVE  
LIFT Location

