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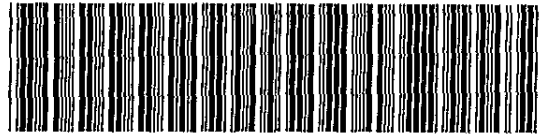
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SECRETARY OF STATE  
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**GRAY | ROBINSON**  
ATTORNEYS AT LAW

SUITE 138  
1800 WEST HIBISCUS BLVD. (32901)  
POST OFFICE BOX 1870  
MELBOURNE, FL 32902-1870  
TEL 321-727-8100  
FAX 321-984-4122  
gray-robinson.com

CLERMONT  
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LAKELAND  
MELBOURNE  
ORLANDO  
TALLAHASSEE  
TAMPA

November 29, 2004

pnohrr@grayharris.com

File No. 97203-1

**VIA FEDERAL EXPRESS**

Secretary of State  
Division of Incorporation  
Certification Section  
409 East Gaines Street  
Tallahassee, FL 32399

RE: The Oceans Condominium Association, Inc.

Dear Sir:

Enclosed please find the original and one (1) copy of Articles of Incorporation for The Oceans Condominium Association, Inc. Also enclosed is our check payable to your order in the amount of \$78.75 for the various fees. Please send a certified copy of the Articles to the above address in the self-addressed Federal Express Envelope provided herein.

Thank you for your assistance in this matter.

Very truly yours,



Philip F. Nohrr

PFN/hms  
Enclosures  
(signed in Philip F. Nohrr's  
absence to avoid delay in mailing)

04 NOV 30 PM 4:45

ARTICLES OF INCORPORATION  
OF  
THE OCEANS CONDOMINIUM ASSOCIATION, INC.

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

For the purpose of forming a corporation not for profit pursuant to the laws of the State of Florida, the undersigned incorporator hereby adopts the following Articles of Incorporation:

ARTICLE 1

NAME

The name of the corporation shall be THE OCEANS CONDOMINIUM ASSOCIATION, INC. For convenience, the corporation shall be referred to in this instrument as the "Association," these Articles of Incorporation as the "Articles," and the By-Laws of the Association as the "By-Laws."

ARTICLE 2

ADDRESS OF PRINCIPAL OFFICE

The address of the principal office of the corporation is at 925 North Courtenay Parkway, Merritt Island, Florida 32952, with the privilege of having its office and branch offices at other places within or without the State of Florida.

ARTICLE 3

PURPOSE

The purpose for which the Association is organized is to provide an entity pursuant to the Florida Condominium Act (the "Act") as it exists on the date hereof for the operation of a condominium located in St. Lucie County, Florida known as THE OCEANS, A CONDOMINIUM.

ARTICLE 4

DEFINITIONS

The terms used in these Articles shall have the same definitions and meaning as those set forth in the Declaration of the Condominium to be recorded in the Public Records of St. Lucie County, Florida, unless herein provided to the contrary, or unless the context otherwise requires.

ARTICLE 5

POWERS

The powers of the Association shall include and be governed by the following:

5.1 General. The Association shall have all of the common-law and statutory powers of a corporation not for profit under the Laws of Florida that are not in conflict with the provisions of these Articles, the Declaration, the By-Laws or the Act.

5.2 Enumeration. The Association shall have all of the powers and duties set forth in the Act and all of the powers and duties reasonably necessary to operate the Condominium pursuant to the Declaration and as more particularly described in the By-Laws and these Articles, as they may be amended from time to time, including, but not limited to, the following:

(a) To make and collect Assessments and other charges against members as Unit Owners, to use the proceeds thereof in the exercise of its powers and duties and to enforce such Assessments in the manner provided in the Act and in the Declaration.

- (b) To buy, own, operate, lease, sell, trade and mortgage both real and personal property.
- (c) To maintain, repair, replace, reconstruct, add to and operate the Common Elements, and other property acquired or leased by the Association, including, without limitation, the Surface Water or Stormwater Management System permitted by the Florida Department of Environmental Protection Southeast Division, including all lakes, retention Areas, culverts and related appurtenances.
- (d) To purchase insurance upon the Condominium Property and insurance for the protection of the Association, its officers, directors and Unit Owners.
- (e) To make and amend reasonable rules and regulations for the maintenance, conservation and use of the Condominium property and for the health, comfort, safety and welfare of the Unit Owners.
- (f) To approve or disapprove the leasing, transfer, ownership and possession of Units as may be provided by the Declaration.
- (g) To enforce by legal means the provisions of the Act, the Declaration, these Articles, the By-Laws, and the rules and regulations for the use of the Condominium Property.
- (h) To contract for the management and maintenance of the Condominium Property and to authorize a management agent (who may be an affiliate of the Developer) to assist the Association in carrying out its powers and duties by performing such functions as the submission of proposals, collection of Assessments, preparation of records, enforcement of rules and maintenance, repair, and replacement of the Common Elements with funds as shall be made available by the Association for such purposes. The Association and its officers shall, however, retain at all times the powers and duties granted by the Condominium Act, including but not limited to the making of Assessments, promulgation of rules and execution of contracts on behalf of the Association.
- (i) To employ personnel to perform the services required for the proper operation of the Condominium.
- (j) To allocate expenses of the Condominium in the manner contemplated by the By-Laws.
- (k) To levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the Surface Water or Stormwater Management System. The assessments shall be used for the maintenance and repair of the Surface Water or Stormwater Management Systems, including but not limited to work within retention areas, drainage structures and drainage easements.
- (l) To operate, maintain, and manage the Surface Water or Stormwater Management System(s) in a manner consistent with the Florida Department of Environmental Southeast Division Permit No. ERP05-0199985-001-SI, a copy of which is attached hereto and made a part hereof as Exhibit A, requirements and applicable District rules, and shall assist in the enforcement of the restrictions and covenants contained therein.

5.3 Condominium Property. All funds and the titles to all properties acquired by the Association and their proceeds shall be held for the benefit and use of the members or the Condominium for which the funds and/or properties are held in accordance with the provisions of the Declaration, these Articles and the By-Laws.

5.4 Distribution of Income: Dissolution. The Association shall make no distribution of income to its members, directors or officers, and upon dissolution, all assets of the Association shall be transferred only to another non-profit corporation or a public agency, except in the event of a termination of the Condominium.

5.5 Surface Water or Stormwater Management System upon Dissolution. In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40E-4.381(1)(i), F.A.C., and be approved by the Florida Department of Environmental Protection Southeast Division prior to such termination, dissolution or liquidation.

5.6 Limitation. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions hereof and of the Declaration, the By-Laws and the Act.

## ARTICLE 6

### MEMBERS

6.1 Membership. The members of the Association shall consist of all of the record title owners of Units in the Condominium from time to time, and their successors and assigns.

6.2 Assignment. The share of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the Unit for which that share is held.

6.3 Voting. On all matters upon which the membership, or any appropriate constituency thereof, shall be entitled to vote, there shall be only one vote for each Unit, which vote shall be exercised or cast in the manner provided by the Declaration and By-Laws. Any person or entity owning more than one Unit shall be entitled to one vote for each Unit owned.

6.4 Meetings. The By-Laws shall provide for an annual meeting of members, and may make provision for regular and special meetings of members other than the annual meeting.

## ARTICLE 7

### TERM OF EXISTENCE

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall have perpetual existence.

## ARTICLE 8

### INCORPORATOR

The name and address of the incorporator of the Association is as follows:

<u>NAME</u>	<u>ADDRESS</u>
PHILIP F. NOHRR	P. O. Box 1870 Melbourne, FL 32902-1870

## ARTICLE 9

### OFFICERS

The affairs of the Association shall be administered by the officers holding the offices designated in the By-Laws. The officers shall be elected by the Board of Directors of the Association at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors. The By-Laws may provide for the removal from office of officers, for filling vacancies and for the duties of the officers. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

President: ROBERT KODSI  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

Secretary: BRENDA ADAMS  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

Treasurer: SARAH KODSI  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

## ARTICLE 10

### DIRECTORS

10.1 Number and Qualification. The property, business and affairs of the Association shall be managed by a board consisting of the number of directors determined in the manner provided by the By-Laws, but which shall consist of not less than three (3) directors. Directors not appointed by the Developer must be members of the Association or residents of units in the Condominium.

10.2 Duties and Powers. All of the duties and powers of the Association existing under the Act, the Declaration, these Articles and the By-Laws shall be exercised exclusively by the Board of Directors, its agents, contractors or employees, subject only to approval by all or appropriate portions of the Unit Owners when such approval is specifically required and except as provided in the Declaration.

10.3 Election; Removal. Directors of the Association shall be elected at their annual meeting of the members in the manner determined by and subject to the qualifications set forth in the By-Laws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the By-Laws.

10.4 Term of Developer's Directors. The Developer of the Condominium shall appoint the members of the first Board of Directors and their replacements who shall hold office for the periods described in the By-Laws.

10.5 First Directors. The names and addresses of the members of the first Board of Directors who shall hold office until their successors are elected and have qualified, as provided in the By-Laws, are as follows:

ROBERT KODSI  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

SARAH KODSI  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

BRENDA ADAMS  
P. O. Box 320637  
Cocoa Beach, Florida 32932-0637

## ARTICLE 11

### INDEMNIFICATION

11.1 Indemnity. The Association shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or contemplated action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he

summary of the changes to be effected thereby, thereafter shall be submitted to a meeting of the membership of the Association. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority of the votes of members entitled to vote thereon.

13.2 Recording. A copy of each amendment shall be filed with the Secretary of State pursuant to the provisions of applicable Florida law, and a copy certified by the Secretary of State shall be recorded in the public records of St. Lucie County, Florida.

ARTICLE 14

INITIAL REGISTERED OFFICE; ADDRESS  
AND NAME OF REGISTERED AGENT

The initial registered office of this corporation shall be at 1800 W. Hibiscus Boulevard, Suite 138, P. O. Box 1870, Melbourne, Florida 32902-1870. The initial registered agent at that address shall be PHILIP F. NOHRR.

IN WITNESS WHEREOF, the incorporator has affixed his signature the day and year set forth below.

Philip F. Nohrr  
PHILIP F. NOHRR

STATE OF FLORIDA        )  
                                  ) ss:  
COUNTY OF BREVARD    )

THE FOREGOING INSTRUMENT was acknowledged before me this 29th day of November, 2004, by Philip F. Nohrr, who is  personally known to me, or  who produced \_\_\_\_\_ as identification.

Helen M. Sansone  
Notary Public Signature

My commission expires: 11-14-06



\_\_\_\_\_  
Print Notary Public Name

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE  
FOR THE SERVICE OF PROCESS WITHIN THIS STATE,  
NAMING AGENT UPON WHOM PROCESS MAY BE SERVED

In compliance with the laws of Florida, the following is submitted:

First -- That desiring to organize under the laws of the State of Florida with its principal office located in the City of Cocoa Beach, County of Brevard, State of Florida, the corporation named in the foregoing Articles has named PHILIP F. NOHRR, whose office address is 1800 W. Hibiscus Boulevard, Suite 138, P. O. Box 1870, Melbourne, Florida 32902-1870, as its statutory Registered Agent.

Having been named the statutory agent of said corporation at the place designated in this certificate, I hereby accept the same and agree to act in this capacity, and agree to comply with the provisions of Florida law relative to keeping the registered office open.

Philip F. Nohrr  
PHILIP F. NOHRR  
Registered Agent

DATED this 29th day of November, 2004

EXHIBIT A

Florida Department of Environmental Protection Southeast Division Permit  
No. ERP05-0199985-001-SI.



Jeb Bush  
Governor

# Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

David B. Struhs  
Secretary

## NOTICE OF PERMIT

In the Matter of an  
Application for Permit by:  
The Oceans Development Corporation, Inc.  
925 North Courtenay Parkway, Suite 28  
Merritt Island, Florida 32953

Attention: Maurice Kodsi, President

Brevard County - ERP  
The Oceans Condominium  
File No. 05-199985-001

Dear Ms. Kodsi:

Enclosed is Permit Number ERP05-0199985-001-SI to construct a surface water management system associated with a construction of two 12-unit condominiums, parking lot and driveway, swimming pool, and associated infrastructure improvements in Satellite Beach, Brevard County, Florida, issued pursuant to Section 373.118, 373.413, 373.416, and 373.426, *Florida Statutes* (F.S.) and Rules 40C-4, 62-312, and 62-343, *Florida Administrative Code* (F.A.C.).

Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing this application.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, *Florida Statutes*, by the filing of a Notice of Appeal pursuant to Rule 9.110, *Florida Rules of Appellate Procedure*, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this notice is filed with the Clerk of the Department.

Mediation under section 120.573 of the *Florida Statutes* is not available for this proceeding.


"More Protection, Less Process"

Printed on recycled paper.

If there are any questions, please contact Scott Wesson of the Submerged Lands and Environmental Resource Program by telephone (407/893-3312), fax (407/893-3075), or Internet (Scott.Wesson@dep.state.fl.us).

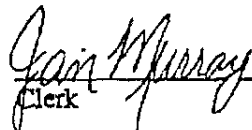
Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
George Cronis  
Program Administrator  
Submerged Lands and Environmental Resources  
Program

Date: September 24, 2002

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 09-25-02  
Clerk Date

GG/swc <sup>EW</sup>

Enclosures: Permit No. ERP05-0199985-001-SI

Copies furnished to: Clayton Bennett, P.E., (email)  
Dean Gallagher, FFWCC BPSM (email)  
Janice Unger, SJWMD (Melbourne) (email)

**CERTIFICATE OF SERVICE**

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 9/25/02 to the listed persons by Jan Murray.



# Department of Environmental Protection

Job Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

David B. Seruhs  
Secretary

## PROJECT INFORMATION:

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007  
County: Brevard  
Latitude: 28° 11' 01" N;  
Longitude: 80° 35' 30" W;  
Sections 35/Township 26 South/Range 37 East  
Project: The Oceans Condominium

## PERMITTEE:

The Oceans Development Corporation, Inc.  
925 North Courtenay Parkway, Suite 28  
Merritt Island, Florida 32953

Attention: Maurice Kodsi, President

Brevard County - ERP  
File No. 05-0199985-001

Dear Mr. Kodsi:

This permit is issued under the provisions of Part IV of Chapter 373, *Florida Statutes* (F.S.) and Chapters 62.4, 62-302, 62-312, 62-330, 62-343, 62-101.040, 40C-4, 40C-40, and 40C-42, *Florida Administrative Code* (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct and Operate: a surface water management system associated with the construction of two 12-unit condominiums, parking lot and driveway, swimming pool, dune crossover, landscaping, utilities, and associated infrastructure improvements. There will be 348 linear feet of exfiltration trench with 15" pipe, 123 linear feet with 42" pipe and 112 linear feet with 72" pipe. The trench will be filled with coarse gravel and will have dimensions which leave 6" of clearance with the bottom of the pipe, 1 foot on either side, and 3" above. The north and south ponds both have bottom elevations of 14 feet NGVD and berm elevations of 15 feet NGVD.

Figures 1-5 will be attached to and become part of this permit.

Location: A1A, across from Jackson Avenue in Indian Harbour Beach, Brevard County, Florida.

Page 1 of 7

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodosi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violations of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (a) Have access to and copy any records that must be kept under conditions of the permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any conditions or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - (a) A description of and cause of noncompliance; and
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodsi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - ( ) Determination of Best Available Control Technology (BACT)
  - ( ) Determination of Prevention of Significant Deterioration (PSD)
  - ( ) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
  - ( ) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
  - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date the sample, measurement, report, or application unless otherwise specified by Department rule.
  - (c) Records of monitoring information shall include:
    1. the date, exact place, and time of sampling or measurements;
    2. the person responsible for performing the sampling or measurements;
    3. the dates analyses were performed;
    4. the person responsible for performing the analyses;
    5. the analytical techniques or methods used;
    6. the results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodsi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

### SPECIFIC CONDITIONS:

#### PERMIT ALTERATIONS

1. All construction, operation, and maintenance shall be as set forth in the plans, specifications and performance criteria contained in the Department's files and approved by this permit. Any alteration or modification to the stormwater system as permitted requires prior approval from the Department.
2. If any other regulatory agency should require revisions or modifications to the permitted project, the Department is to be notified of the revisions so that a determination can be made whether a permit modification is required.
3. Permittee must obtain a permit from the Department prior to beginning construction of subsequent phases or any other work associated with this project not specifically authorized by this permit.

#### SITE INSPECTION BY DEP STAFF

4. Department-authorized staff, upon proper identification, will have permission to enter, inspect, and observe the system to insure conformity with the plans and specifications approved by the permit. The plans are on file in the Central District Office of the Department of Environmental Protection.

#### WATER QUALITY

5. Turbidity must be controlled to prevent violations of water quality pursuant to Rule 62-302.510(5)(r), *Florida Administrative Code*. Turbidity shall not exceed 29 Nephelometric Turbidity Units above natural background conditions. Turbidity barriers shall be correctly installed at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the proposed work. It is understood that "receiving waterbody" shall not be construed to mean the permittee's settling pond, dredge lake, or other parts of the permittee's closed water system. Turbidity barriers shall remain in place at all locations until construction is completed, soils are stabilized, and vegetation has been established.

Upon final completion of the project and upon reasonable assurance that the project is no longer a potential turbidity source, the permittee will be responsible for the removal of the barriers.

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodsi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

**SPECIFIC CONDITIONS:**

**INSPECTION REPORTS**

6. Inspection reports for retention, underdrain, wet detention, swales, and wetland stormwater management systems shall be submitted to the Department two years after completion of construction and every two years thereafter on the enclosed form.

**CONSTRUCTION DETAILS**

7. The permittee shall require the contractor to review and to maintain in good condition at the construction site a copy of this permit complete with all conditions, attachments, exhibits, and permit modifications issued for this permit. The complete permit copy must be available for review upon request by Department representatives.

8. Before any offsite discharge from the stormwater management system occurs, the retention and detention storage must be excavated to rough grade prior to building construction or placement of impervious surface within the area served by those systems.

Adequate measures must be taken to prevent siltation of these treatment systems and control structures during construction or siltation must be removed prior to final grading and stabilization.

9. The permittee must require the contractor to review and to maintain a copy of this permit complete with all conditions, attachments, exhibits, and permit modifications, in good condition at the construction site. The complete permit must be available for review upon request by Department representatives.

**EROSION CONTROL MEASURES**

10. Prior to and during construction, the permittee shall correctly implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (FDEP 1988), which are hereby incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan.

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodsi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

**SPECIFIC CONDITIONS:**

If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specification in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (FDEP 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water courses.

11. The following measures shall be taken to minimize erosion:

- A. Swales and dry ponds: sodding of all side slopes; seeding and mulching of flat-lying bottom areas;
- B. Berms and other disturbed flat-lying areas: seed and mulch

Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven (7) days after the construction activity in that portion of the site has temporarily or permanently ceased.

12. All wetland areas or water bodies which are outside of the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity and dewatering.

**SUBMITTAL OF AS-BUILT PLANS**

13. Within 30 days after completion of construction of the surface water management system, the permittee shall submit the attached form [Form 62-343.900(5) F.A.C.] and two sets of record drawings of the project as actually constructed thereby notifying the Department that the facilities area ready for final inspection and approval. The permittee shall also submit the attached form [Form 62-343.900(5) F.A.C.] "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase". The permit will be converted from a construction permit to an operation permit once the project is determined to be in compliance with the permitted plans and with conditions provided in Rule 40C-42.028, F.A.C.

14. The location of at least one bench mark (and its corresponding elevation) per stormwater pond should be placed in the vicinity of each outfall structure and will be clearly shown on the as-built plans provided to the Department.

Permittee: The Oceans Development Corporation, Inc.  
Attention: Maurice Kodsi, President

Permit Number: ERP05-0199985-001-SI  
Expiration Date: September 24, 2007

**SPECIFIC CONDITIONS:**

**MAINTENANCE ACTIVITIES**

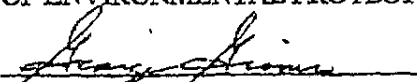
15. The following maintenance activities shall be performed on
- A. All permitted systems:
    - 1. removal of trash and debris;
    - 2. inspection of inlets and outlets;
    - 3. removal of sediments when the storage volume or conveyance capacity of the stormwater management system is below design levels;
    - 4. stabilization and restoration of eroded areas;
  - B. Retention, swale, and underdrain systems:
    - 1. mowing and removal of grass clippings;
    - 2. aeration, tilling, or replacement of topsoil;
    - 3. re-establishment of vegetation on disturbed surfaces;
16. If the system is not functioning as designed and permitted, operational maintenance must be performed immediately to restore the system. If operational maintenance measures are insufficient to enable the system to meet the design and performance standards of this chapter, the permittee must either replace the system or construct an alternative design. A permit modification must be obtained from the Department prior to constructing such an alternate design pursuant to section 40C-4.331, F.A.C.

**FFWCC'S BPSM CONDITIONS**

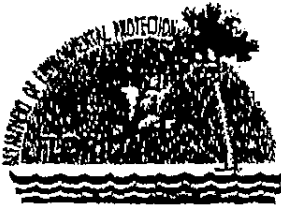
17. Attachment 1 is provided on behalf of the Florida Fish and Wildlife Conservation Commission's (FFWCC) Bureau of Protected Species Management (BPSM) and represents their conditions for compliance.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
George Gionis  
Program Administrator  
Submerged Lands and Environmental Resources  
Program

Date: September 24, 2002



# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

David B. Struhs  
Secretary

## ENVIRONMENTAL RESOURCE PERMIT AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

Permit Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature of Professional Engineer

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Florida Registration Number

\_\_\_\_\_  
Company Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

(Affix Seal)

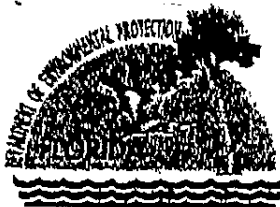
Substantial deviations from the approved plans and specifications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

Florida Department of Environmental Protection  
Submerged Lands and Environmental Resources Program  
3319 Maguire Blvd., Suite 232  
Orlando, FL 32803



# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

David B. Struhs  
Secretary

## ENVIRONMENTAL RESOURCE PERMIT INSPECTION CERTIFICATION

Permit Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Inspection Date(s): \_\_\_\_\_

Inspection Results: (check one)

\_\_\_\_ I hereby certify that I or my designee under my direct supervision has inspected the system at the above referenced project and that the system appears to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable).

\_\_\_\_ The following necessary maintenance was conducted:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ I hereby certify that I or my designee under my direct supervision has inspected the system at the above referenced project and that the system does not appear to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable). I have informed the operation and maintenance entity of the following: (a) that the system does not appear to be functioning properly, (b) that maintenance is required to bring the system into compliance, and (c) if maintenance measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to Department approval.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature of Professional Engineer

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Florida Registration Number

\_\_\_\_\_  
Company Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

(Affix Seal)

Within 30 days of completion of the inspection, submit two copies of this form to:

Florida Department of Environmental Protection  
Submerged Lands and Environmental Resources Program  
3319 Maguire Blvd., Suite 232  
Orlando, FL 32803



# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

David B. Straus  
Secretary

## ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE

Project Name: \_\_\_\_\_ Phase: \_\_\_\_\_

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No. \_\_\_\_\_ has commenced/is expected to commence on \_\_\_\_\_ 200\_\_\_\_\_ and will require a duration of approximately \_\_\_\_\_ months\_ weeks to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual construction commencement date is not known, Department staff should be so notified in writing to satisfy permit conditions.

\_\_\_\_\_  
Permittee or Authorized Agent

\_\_\_\_\_  
Title and Company

\_\_\_\_\_  
Company Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

Please send the completed form to:

Florida Department of Environmental Protection  
Submerged Lands and Environmental Resources Program  
3319 Maguire Blvd., Suite 232  
Orlando, FL 32803

# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



DAVID K. MEEHAN  
St. Petersburg

FLA. "HERKY" HUFFMAN  
Daltona

JOHN D. ROOD  
Jacksonville

QUINTON L. HEDGEPEETH, DDS  
Miami

EDWIN P. ROBERTS, DC  
Panaecola

RODNEY BARRETO  
Miami

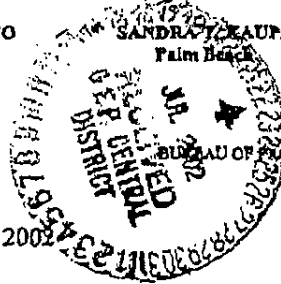
SANDRA Y. KAUPE  
Falm Beach

KENNETH HADDAD, Executive Director  
VICTOR J. HELLER, Assistant Executive Director

Received DEP

JUL 22 2002

Central Dist. ERP



DAVID W. ARNOLD, CHIEF  
BUREAU OF PROTECTED SPECIES MANAGEMENT  
(850) 922-4330  
FAX (850) 922-4334

July 16, 2002

Ms. Gail Mowry  
Florida Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard Suite 232  
Orlando, Florida 32803

RE: Marine Turtle Review  
05199985001, The Oceans, A Condominium  
Satellite Beach, Brevard County

Dear Gail:

The Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management has reviewed the information provided, and offers the following comments.

The lighting plan provided on should minimize disturbance to the sea turtle nesting beach. The fax received on July 16, 2002 addresses our concern with the two (Type B) fixtures located on the west side of the proposed structure. The following conditions are required for the protection of marine turtles:

1. All permanent exterior lighting shall be installed and maintained as depicted on the approved lighting schematic and cut sheets received 6/21/02. No additional exterior lighting is authorized.
2. If any of the lights become visible from the beach or disorient nesting or hatchling sea turtles at any time, they must be modified such that they are no longer visible from the beach.
3. Tinted glass or film with a visible light transmittance value of forty-five (45) percent or less shall be applied to all windows and doors within line of sight of the beach.

Please contact me at (850) 922-4330 if I can be of further assistance.

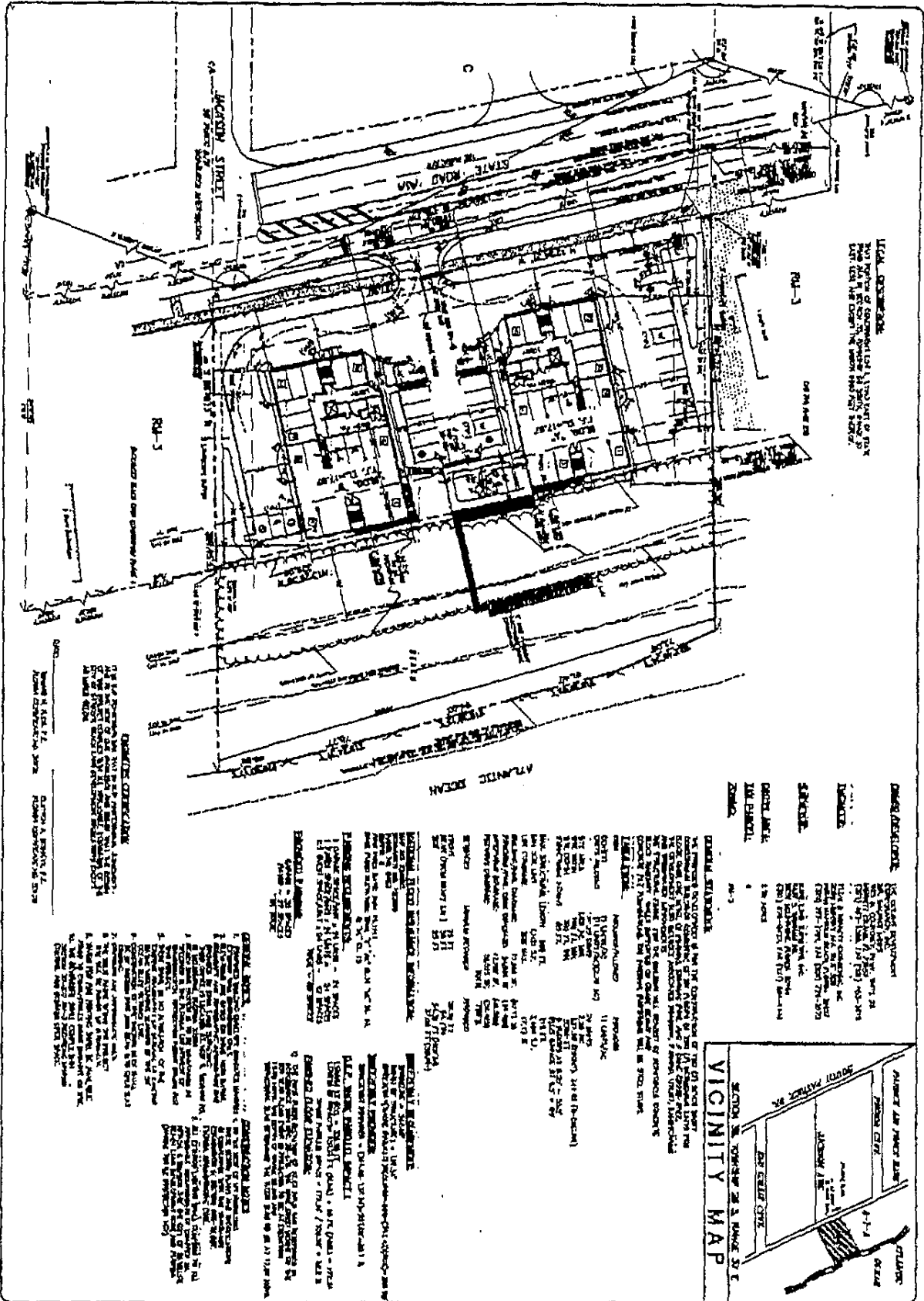
Sincerely,

Dean Gallagher, Acting Lighting Specialist  
Bureau of Protected Species Management

DWG/dwg  
ENV 7-3-4  
05199985b.doc

cc: Clayton A. Bennett, agent  
Dr. Llew Ehrhart, marine turtle permit holder





LEGAL DESCRIPTION:  
 PART OF LOT 10, TRACT 10, TOWNSHIP 28 N, RANGE 22 E, SECTION 28, TOWN OF OCEANS, COUNTY OF ALBANY, STATE OF FLORIDA, AS SHOWN ON THE PLAT OF THE OCEANS CONDOMINIUM, FILED FOR RECORD IN PUBLIC RECORDS OF ALBANY COUNTY, FLORIDA, BOOK 10, PAGE 10.

- GENERAL NOTES:**
1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
  2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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  9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
  10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

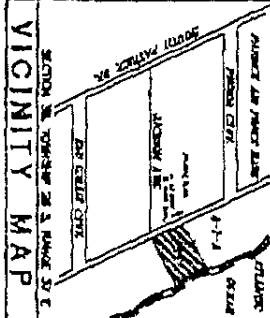


Figure 2

AR-1000000001

**FLEIS & BENNETT ENGINEERING, INC.**

DATE: 10/1/80  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO. 1000000001

**THE OCEANS, A CONDOMINIUM**

SCALE: 1/4" = 1'-0"

DATE: 10/1/80

PROJECT NO. 1000000001

DATE: 10/1/80

PROJECT NO. 1000000001

**EXPLANATION**

1. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

2. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

3. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

4. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

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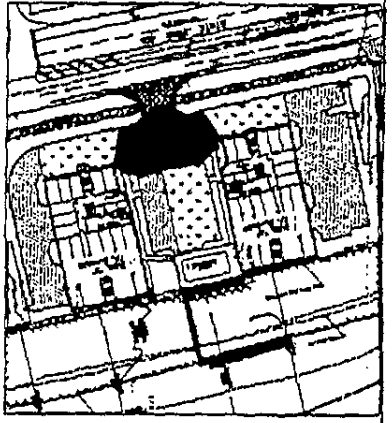
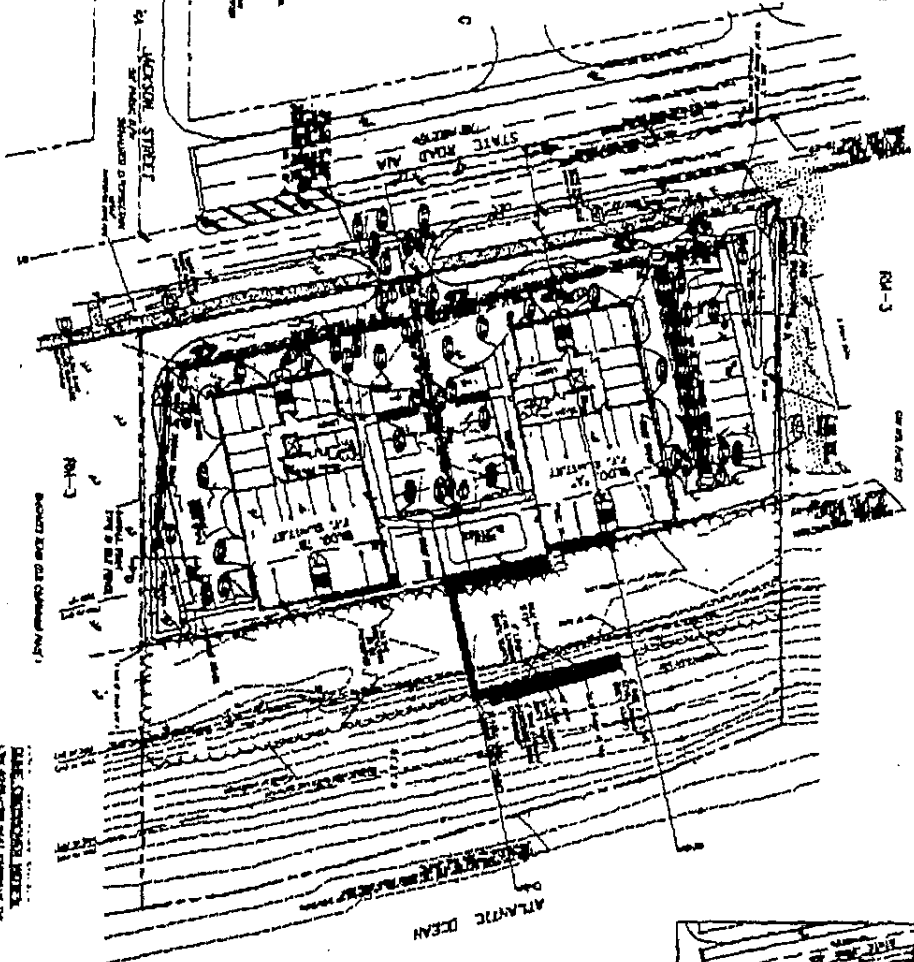
8. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

9. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

10. The building is shown in plan view, with the location of the building indicated by a dashed line. The building is situated on the corner of State Road and Atlantic Ocean.

**STAIR SCHEDULE TABLE**

NO.	TYPE	LOCATION	FINISH
1	STAIR	1ST FLOOR	CONCRETE
2	STAIR	2ND FLOOR	CONCRETE
3	STAIR	3RD FLOOR	CONCRETE
4	STAIR	4TH FLOOR	CONCRETE
5	STAIR	5TH FLOOR	CONCRETE
6	STAIR	6TH FLOOR	CONCRETE
7	STAIR	7TH FLOOR	CONCRETE
8	STAIR	8TH FLOOR	CONCRETE
9	STAIR	9TH FLOOR	CONCRETE
10	STAIR	10TH FLOOR	CONCRETE



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Figure 3

PROJECT NO. **0-2**

DATE: 1/1/71

REVISIONS

NO.	DATE	DESCRIPTION

**FLEIS & BENNETT ENGINEERING, INC.**

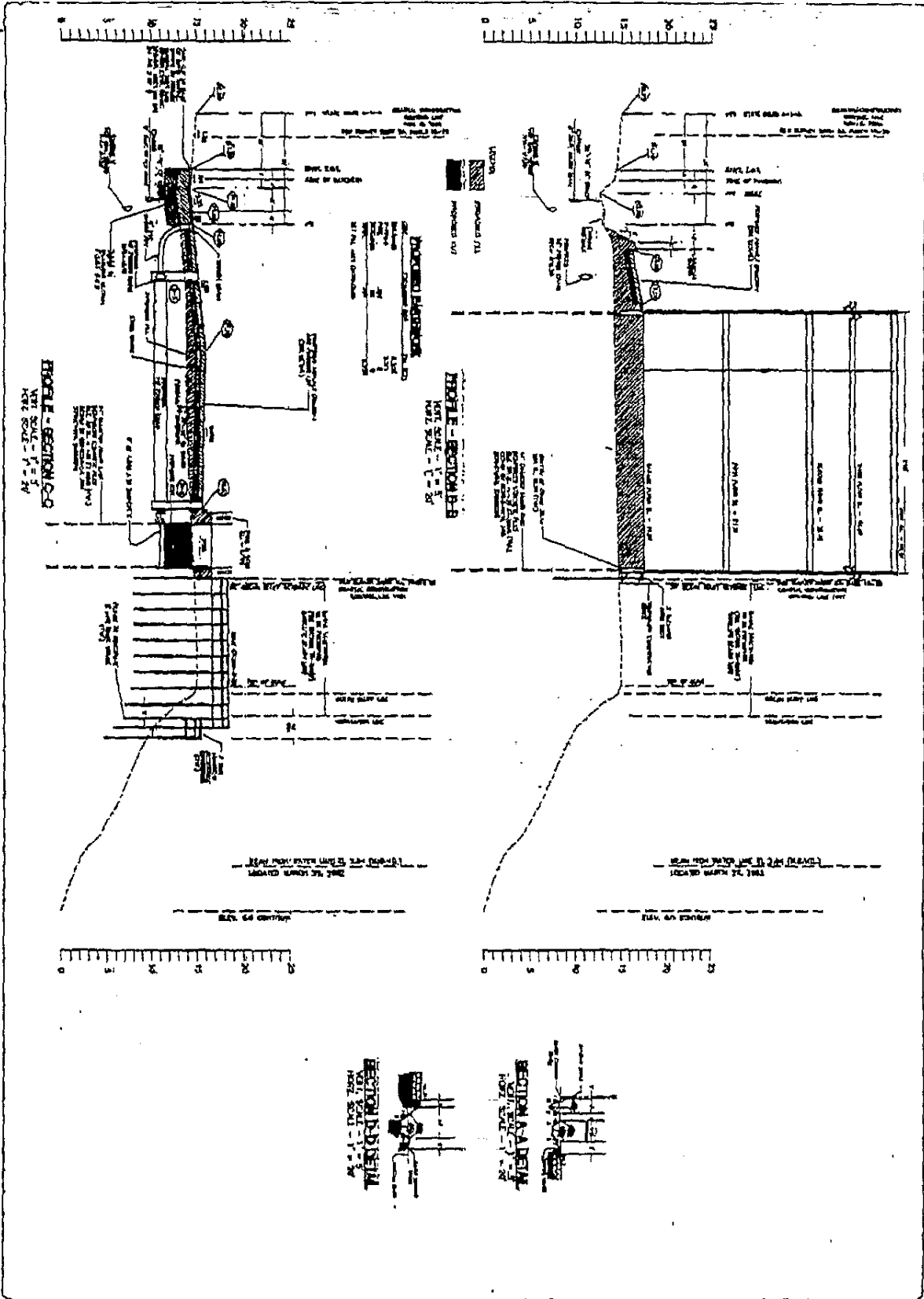
1000 ...

NO.	DATE	REVISION

THE OCEANS, A CONDOMINIUM



05-19000- Figure 4



<p>05-19000- C-4 PART 1 OF 1</p>	<p>DATE: 10/1/88 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: AS SHOWN</p>	<p><b>FLEIS &amp; BENNETT ENGINEERING, INC.</b>            10000 W. 10th Ave., Suite 100          Denver, CO 80231          (303) 751-1111</p>	<table border="1"> <tr><th>NO.</th><th>REVISION</th></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	NO.	REVISION																			<p>PROJECT: THE OCEANS AT DENVER          10000 W. 10th Ave., Suite 100          DENVER, CO 80231          PREPARED BY: FLEIS &amp; BENNETT ENGINEERING, INC.</p>	<p><b>THE OCEANS AT DENVER A CONDOMINIUM</b></p>
NO.	REVISION																								

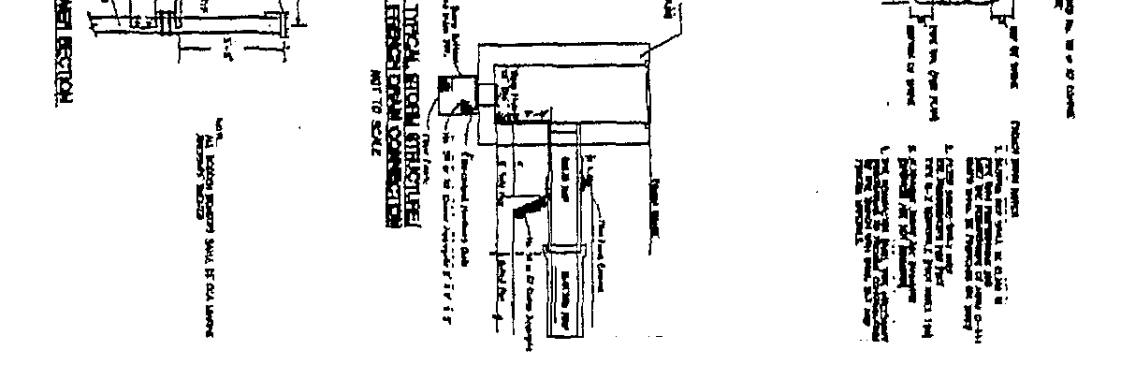
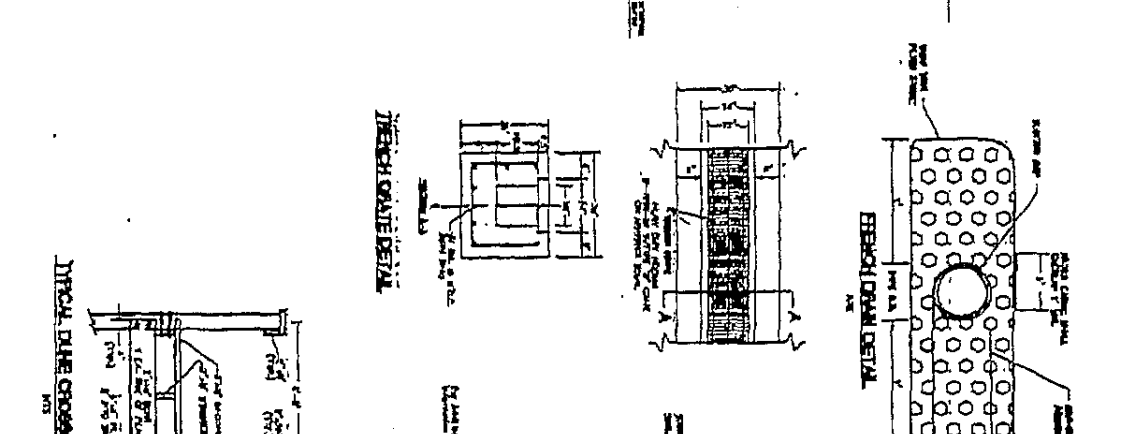
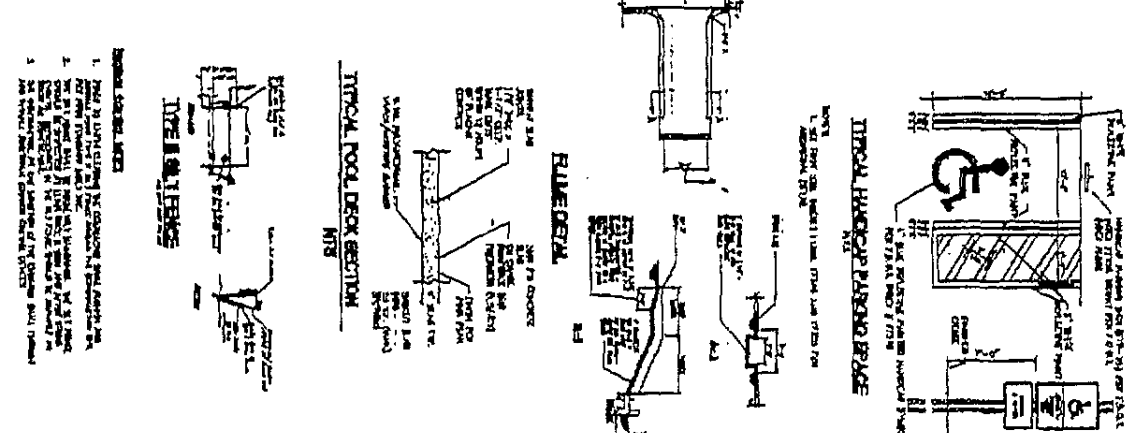
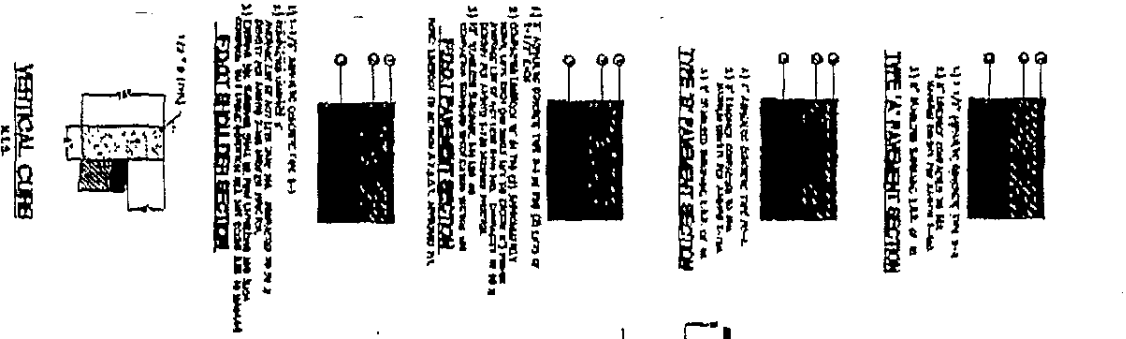


Figure 5

<p><b>FLEIS &amp; BENNETT ENGINEERING, INC.</b></p> <p>1000 ...</p>	<p>DATE: ...</p> <p>BY: ...</p>	<p>THE OCEANS A CONDOMINIUM</p>
---	---------------------------------	---------------------------------

Brenda King

---

From: Singer, Daun [Daun.Singer@dep.state.fl.us]  
Sent: Wednesday, September 25, 2002 9:29 AM  
To: tricon@cfl.r.com  
Cc: Clayton A Bennett (E-mail); Dean Gallagher (E-mail); Janice Unger (E-mail)  
Subject: Notice of Permit /Fla Dept Env Protection Correspondence

Importance: High



Oceans Condo  
-199985-001.pdf

Attached is an Adobe Acrobat version of documents generated by the Central District of the Florida Department of Environmental Protection.

You must have Adobe Acrobat Reader version 4 or higher in order to successfully view and download the pdf file. A FREE viewer (version 5) is available at <http://www.adobe.com/>.

This email is an alternative to a hard copy being sent by mail.

(for USACOE)

COUNTY:

STAFF CONTACT:

PROJECT NAME:

<<Oceans Condo 05-199985-001.pdf>>