

Thomas Trask

From: Thomas Trask
Sent: Friday, October 1, 2021 10:58 AM
To: rdaniels@madeirabeachfl.gov
Subject: Use of property at the Municipal Marina

Bob,
I have had the opportunity to review the letter of the former City Attorney, Michael Connolly dated April 20, 2006 along with the sketch on the Gulfcoast Survey, the deeds and lease referenced in the letter. I agree with Mr. Connolly's opinions subject to the acknowledgement that the Sovereignty Submerged Lands Lease on Parcel 3 was renewed on June 26, 2013. That renewal changed some of the terms of the original Lease. For example, the new lease changed the language regarding the use of the property. The old lease provided that the City is "authorized to operate an existing ninety-three (93) slip municipal docking facility exclusively to be used for mooring of non-commercial recreational vessels in conjunction with an upland marina with fuel facilities, with a sewage pump out facility". The new lease provides that the City is "authorized to operate a 85-slip commercial docking facility (64 slips on private submerged lands and 21 slips on sovereign submerged lands) with boat lifts and 2 boat ramps to be used exclusively for mooring of recreational vessels in conjunction with an upland marina and 70-unit dry storage facility, with fueling facilities, with a sewage pump out facility". Please note that Mr. Connolly opined on the possibility of having a restaurant at the marina. I agree with his opinion that a restaurant is allowed on Parcels 1, 5, 6 and 7 but not Parcels 2, 3 or 4. Let me know if you have additional questions. Tom

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