



✕ Close Record Card



Property Identification

Site Address: OCEAN DR
 Sec/Town/Range: 18/35S/41E
 Parcel ID: **2413-501-0158-000-4**
 Jurisdiction: Saint Lucie County
 Land Use Code: 0000 - Vac Residential
 Account #: **150188**
 Map ID: [25/18N](#)
 Zoning: Hutch Isla



Legal Description

SURFSIDE HARBOR BLK 10 LOT 14 (OR 1656-2398)

Total Areas

Finished/Under Air (SF): 0
 Gross Sketched Area (SF): 0
 Land Size (acres): 0.21
 Land Size (SF): 9,148

Map



State of Florida, Maxar, Microsoft Powered by Esri

Building Wind Speed

Occupancy Category	I	II	III & IV
Speed	140	160	170

[Sources/links:](#)

Ownership

Anthony S Acerra



APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: SURFSIDE HARBOUR HUTCHINSON ISLAND, FORT PIERCE

2. Legal description of real property for which annexation is being requested:
SURFSIDE HARBOUR BLK 10 - LOT 14

Property Tax ID: 2413-501-0158-000-4

3. Size of described property: 9,148 sq. ft. - .21 ACRES

4. Project description: ANNEXATION INTO CITY OF FORT PIERCE

5. Current St. Lucie County Future Land Use Designation: RESIDENTIAL R-1

6. Current St. Lucie County Zoning: HUTCHINSON ISLAND

7. Is this a Historic property? NO

8. Appraised value: \$ 23,837.00

9. Name of Owner(s): Anthony S. Acerra
 Signature of Owner(s): Anthony S. Acerra
 Mailing Address: 302 SW KANE AVE.
 City PORT SAINT LUCIE State FL Zip 34953
 Phone 732-822-1859 Fax _____

10. Name of Representative: _____
Signature of representative: _____
Mailing Address: _____
City) _____ State _____ Zip _____
Phone _____ Fax _____
E-mail: _____

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772)467-3729

OFFICE USE:		
DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____
Ordinance No: _____	Date Approved: _____	

Prepared By and Return To:
Gail Logan, AVP
Fidelity National Title Insurance Company of New York
118 North Second Street
Fort Pierce, FL 34950

* Doc ASSUMP: \$ 0.00
* Doc Tax : \$ 273.00
* Int Tax : \$ 0.00

File No. 03-020-702020

Property Appraiser's Parcel I.D.(folio) Number(s)
2518-221-0010-000/8

SS#: _____

RETURN TO:
Fidelity National Title
Courthouse Box 121

WARRANTY DEED

THIS WARRANTY DEED dated February 3, 2002, by Marion Paul Broome, a married man, hereinafter called the grantor, to Anthony S. Acerra, a single man whose post office address is 24 Delaware Avenue, W. Long Branch, NJ 07764, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in St. Lucie County, Florida, viz:

Lot 14, Block 10, Surfside Harbor Subdivision, according to the plat thereof, as recorded in Plat Book 10, Page 68 of the Public Records of St. Lucie County, Florida.

Together with an easement for ingress and egress across that property as described in O.R. Book 1597, Page 1382, Public Records of St. Lucie County, Florida.

Subject to easements, restrictions, reservations, and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

The above described property is vacant land and not the homestead of the grantor.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2156315 OR BOOK 1656 PAGE 2398
Recorded:02/11/03 08:50



OR BOOK 1656 PAGE 2399

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Roxanne Huldeen
(Witness Signature)

Roxanne Huldeen
(Print Name of Witness)

Marion Paul Broome
(Witness Signature)

Gail Logan
(Witness Signature)

GAIL LOGAN
(Print Name of Witness)

STATE of FLORIDA

COUNTY of ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared MARION PAUL BROOME to me known to be the person(s) described in or who has/have produced D.K. as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 3 day of FEBRAURY, 2003.



Gail Logan
Notary Signature
GAIL LOGAN
Printed Notary Name

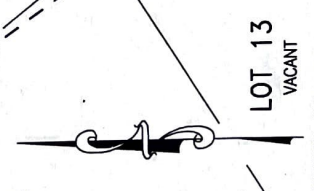
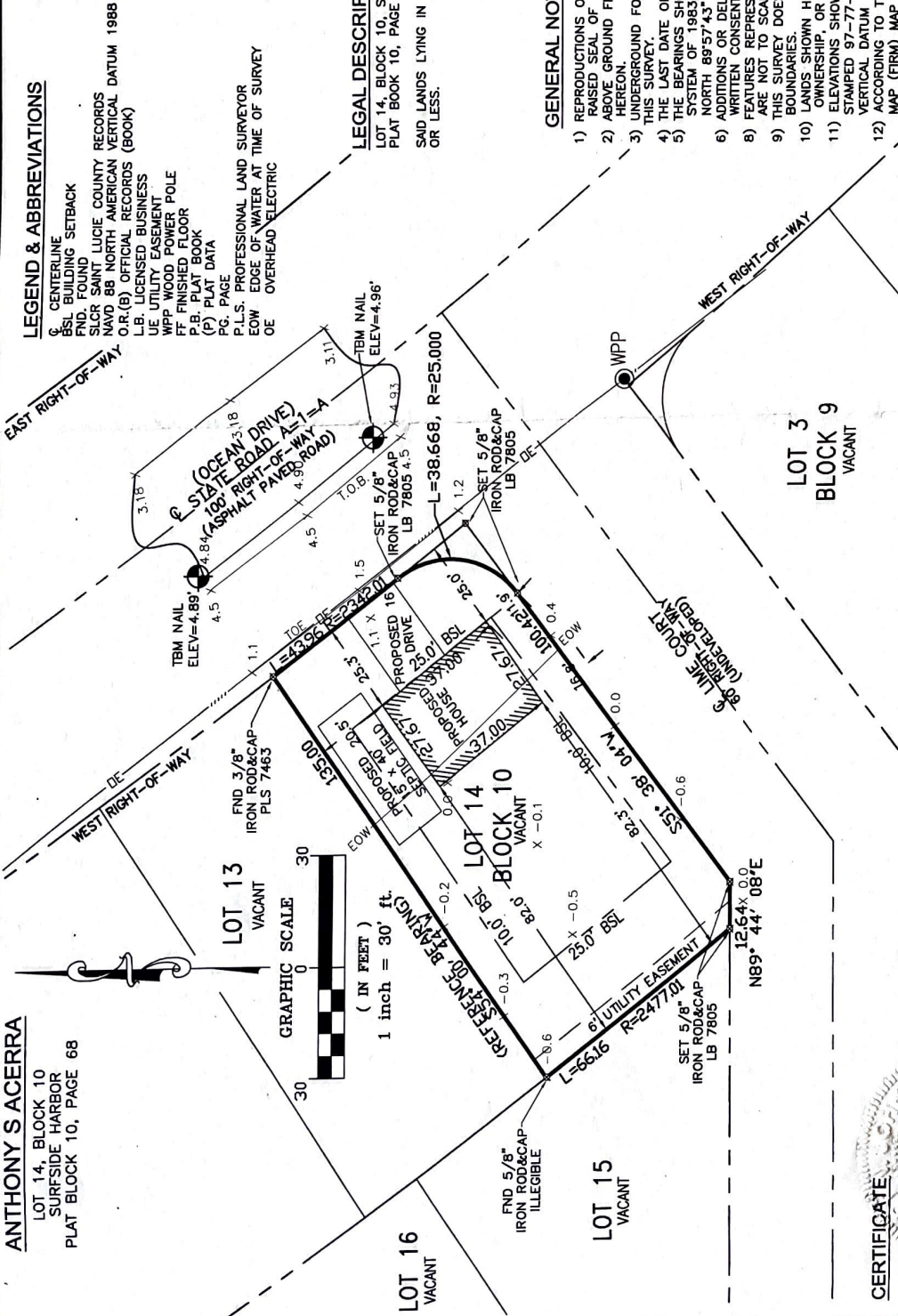
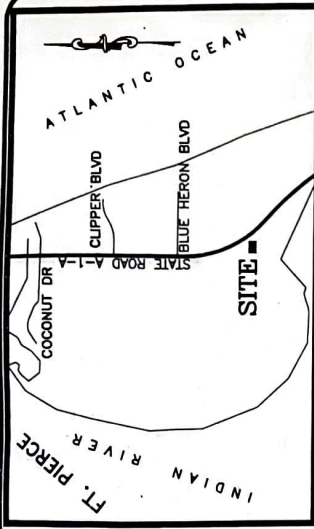
My commission expires: _____

ANTHONY S ACERRA

LOT 14, BLOCK 10
SURFSIDE HARBOR
PLAT BLOCK 10, PAGE 68

LEGEND & ABBREVIATIONS

- CL CENTERLINE
- BSL BUILDING SETBACK
- FND. FOUND
- SLCR SAINT LUCIE COUNTY RECORDS
- NAVD 88 NORTH AMERICAN VERTICAL DATUM 1988
- O.R.(B) OFFICIAL RECORDS (BOOK)
- L.B. LICENSED BUSINESS
- UE UTILITY EASEMENT
- WPP WOOD POWER POLE
- FF FINISHED FLOOR
- P.B. PLAT BOOK
- (P) PLAT DATA
- PG. PAGE
- P.L.S. PROFESSIONAL LAND SURVEYOR
- EOW. EDGE OF WATER AT TIME OF SURVEY
- OE OVERHEAD ELECTRIC



LEGAL DESCRIPTION:

LOT 14, BLOCK 10, SURFSIDE HARBOR, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 68, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

SAID LANDS LYING IN SAINT LUCIE COUNTY, FLORIDA CONTAINING 9439 SQUARE FEET, MORE OR LESS.

GENERAL NOTES

- 1) REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) ABOVE GROUND FIXED IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED AND SHOWN HEREON.
- 3) UNDERGROUND FOUNDATIONS AND IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY.
- 4) THE LAST DATE OF FIELD WORK WAS OCTOBER 23, 2014.
- 5) THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM OF 1983, EAST ZONE, AS ESTABLISHED BY EGFS, HAVING A BEARING OF NORTH 89°57'43" EAST.
- 6) ADDITIONS OR DELETIONS TO SURVEY MAPS OR PARTS IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 7) FEATURES REPRESENTED BY SYMBOL(S) ARE LOCATED AT THE CENTER OF SYMBOL AND ARE NOT TO SCALE, UNLESS OTHERWISE NOTED.
- 8) THIS SURVEY DOES NOT IDENTIFY THE LIMITS OR EXTENT OF POTENTIAL JURISDICTIONAL BOUNDARIES.
- 9) LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 10) ELEVATIONS SHOWN HEREON ARE BASED ON A FOUND NGS CONCRETE MONUMENT STAMPED 97-77-A-21, WITH A PUBLISHED ELEVATION OF 2.48', NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD '88).
- 11) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 120287, COMMUNITY PANEL NO.12111C0191J, REVISED DATE FEBRUARY 16, 2012, THIS PROPERTY LIES IN ZONE "AE" WITH A BASE FLOOD ELEVATION OF 5'. THIS INFORMATION SHOULD BE CONFIRMED WITH ST. LUCIE COUNTY PRIOR TO CONSTRUCTION.

CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION AS SURVEYED UNDER MY DIRECTION ON OCTOBER 23, 2014. I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

BY: *Robert N. Johnson*
 ROBERT N. JOHNSON
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION NO. 6540 (FOR THE FIRM)

10/30/14
 DATE OF SIGNATURE

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 CIVILSURVY DESIGN GROUP, INC.

File & Drawing No.
 ACERRA.dwg

Scale: 1" = 30'
 Date: 10/23/14
 Sheet: 1 of 1
 Drawn By: RNU
 L.B. No. 7805

CELL PHONE (954) 649-9328

CIVILSURVY
 A Tradition of Innovative Engineering
 2400 MIDCO PLAZA, SUITE 34950
 FORT PIERCE, FLORIDA 34950

BOUNDARY SURVEY for:
ANTHONY S ACERRA
 OCEAN DRIVE
 ST. LUCIE COUNTY, FL.

Justification Statement

All my life I enjoyed creating and building. In 1979 I became a union carpenter and worked in the extreme heat and cold for 38 years. I first visited Florida in 1975 with a couple of friends and returned many times afterwards. In 1989 I visited friends and Stuart. Their parents just built a house on the river in Sewall's Point. The sunsets were amazing and the warmth thawed my frostbitten fingers and toes. I knew I had to return here someday. My dream was to build a home with a sunset view.

I bought a fixer-upper house in my hometown and worked on it for 35 years. I also sacrificed to save money by working side jobs, nights and weekends. In 2003, 12 years before my retirement in 2015 because of spinal injuries. I bought my first Lot #14 on Hutchinson Island at Bear Point Sanctuary in the Surfside Harbor subdivision. I envisioned my dream three-story home with 360° sunrise to sunset views. I was curious why no one had built in the area after finding out that those lots were plotted out in 1950. So, I did my due diligence and visited the county building department on 2300 Virginia Ave in 2003 a couple of weeks later. The gentleman in the office there took me into the conference room and I showed him what I had just purchased. weeks later. He told me, "You are grandfathered into the lot size and setbacks for your house and septic tank". I felt relieved, so I bought my second lot #10.

Soon after I did a lot of legwork and asked many questions. I hired a wetlands consultant and started my mitigation process for Lot 14 with Lauri Heistermann at the Bear point Mitigation Bank. I paid for one reservation credit to mitigate the mangoes which amounted to 1/10th of an acre, or 4,500 square ft. I then hired my wetlands consultant to begin my DEP application much time and money later. I also have my DEP approval. Which, by the way, included a septic tank because the county did not provide sewer or water service. The City of Fort Pierce had a waterline installed only. Powerlines were there, and my dream was coming true. Little did I know my nightmare was just about to begin. Not just for me, before the whole subdivision dozens of lots were sold off during 2003 to 2004 and no one discovered any restrictions either.

Then a stroke of luck. After buying YMCA Easter house tickets since 1989, yes 31 years, I got a call from the YMCA in 2020. " You won the house". A year later our house was sold in a good market and my wife and I moved into the house in Port St. Lucie. I was ready to build. But, not so fast. First, the county said they would not allow a septic tank. I needed a sewer line. One day I was speaking to a builder/ developer from West Palm Beach who had bought a lot just up from me about my sewer petition. He said he was told the county had created. Something called an NCLOR, which rendered our lots, non-conforming, not billable, I basically worthless. Deep depression. I had been in the process of trying to get a sewer line from the county 1.5 miles to the south of our subdivision at a cost of \$1.5 million in 2021. This first MSBU consisted of 75 lots from Blue Heron Boulevard to the end of our subdivision just north of the Bear Point Sanctuary parking lot. I questioned Barbara Getler and Cathy Altizer about the targeted area because it included the lots not just fronting A1A, but also the lots behind us. I mentioned that I was always told that the back lots were never going to be able to be built on. Barbara said, "This is what they gave us".

I had no choice, but to continue on with the MSBU, even though I told Barbara and Cathy, that I was afraid for my life. Can you imagine me getting them to pay for my sewer line knowing that they could not use it? They know where I live, and everyone in Florida has a gun. I had checked in with the petition count for the MSBU from time to time. Two years later, I was seven petitions short.

The next time I called Barbara, she told me my MSBU would not be allowed because our properties were not valuable enough. I said they were not valuable because we do not have a sewer line. I called Ray Morankus from the county sewer department to ask him if our subdivision could self-pay. He said the cost to install the sewer line went from \$1.5 million to \$4.5 million during that two year time period. This MSBU was doomed to fail from the beginning. Even if I did get the last seven properties, my MSBU would have been rejected by the county attorney anyway. I know this now only because of what happened next.

One day, I went to talk to Otis the owner of the Pie Hole pizza restaurant in our subdivision. The waitress said he was out of town. I mentioned about the sewer line and she told me he got approval from FPUA to bring it from Blue Heron Boulevard to the north south to his restaurant and properties. I was confused. When I inquired about that, I was told that would not be possible because that line was installed with federal money and it could not be extended south of Blue Heron Boulevard. Apparently, I was given wrong information again.

In March 2022, I decided to hire a lawyer to see what my options were. He told me that I needed to annex into the City of Fort Pierce because they did not change their ordinance and our lots would be considered conforming and buildable. I got in contact with Venus Gilmore, who is very helpful. My lawyer set up a meeting with him at City Hall. At that meeting, Venus confirmed that I could annex, my lots would be conforming, and that I could have a septic tank.

Great, I didn't have to bother with another MSBU for sewer line. Weeks later, I walked into the annexation meeting, and Ryan Altizer said, "You're going to be quick and easy so we are going to do yours first". I was annexing my Lot 14 to the lot across A1A to whom I paid \$2100 for his survey to get him to annex because he was contiguous with the lot next to him thus making me contiguous with his lot across A1A. This is basically what lot number #9 did which my second lot to be annexed #10 is contiguous to. He annexed his lot in 2007 according to ordinance K-438 which was created by the City of Fort Pierce in 2006. But it wasn't that easy. As soon as the mention of a septic tank, I believe it was Alicia, said septic tanks were not allowed. At this point, the highs and lows are destroying my soul. Kevin Freeman said my annexation was on hold until we had a sewer line, not canceled.

So I contacted Bo Hutchinson and Lugey Dawson at the FPUA. He said yes the sewer line was federally funded. I asked him then how was Pie Whole Pizza was able to bring the sewer line down about 800' to his restaurant. He told me he paid for it himself. Private money. I contacted Barbara to start another MSBU to service the second half of our subdivision with FPUA. Bo said we first had to get approval from Florida Fish And Wildlife. We called and emailed Patricia Kelly. She explained to us over the phone and through emails that she would only give permission for the 26 lots fronting A1A, and it had to be paid for by our private money. There was no formal application or document. The new 26 lot approval map was drawn up and Patricia indicated the area with a red arrow.

The new area map is part of my application and has been uploaded to the portal.

Of the 26 parcels, I have more than 75% of the required MSBU applications signed. Only 51% is required for approval. So here we are today because our MSBU was denied by the county because 10 of the 26 lots that are in the county are nonconforming. The county attorney said an owner of a nonconforming lot cannot be forced to pay for a MSBU if they are not able to build. We need to annex the 10 county lots first into the City of Fort Pierce to be conforming. Then, at that time, the sewer line can be installed. 16 of the 26 lots south of Pie Hole Pizza are already city lots in our MSBU. The lots from Blue Heron Boulevard south to Pie Hole Pizza are all city lots which make up the northern half of our subdivision. That makes about 90% city lots and 10% county lots total in our Surfside Harbor subdivision. This annexation process will conform the whole subdivision to city lots. Note, the FPUA owns the water line already and because of this if anyone were ever to build they would have to sign an annexation agreement for the City of Fort Pierce before any building would be able to commence. Thank you for considering our annexation applications.



Surfside Harbor-Hutchinson Island

Parcel I.D. #: 2413-501-0158-000-4

Wetland Delineation

Field Report

St. Lucie County, FL

Surfside Harbor:
Block 10, Lot 14,
St. Lucie County

P.I.N. #: 2413-501-0158-000-4

Table of Contents:

Location Map: Delorme Topo USA

Field Report: To Include Detailed Findings & Conclusion

**Aerial Map: St. Lucie County Property Appraiser
Aerial of Site**

**Site Map: LABINS Aerial of Site
With Wetland Delineation Lines Superimposed**

Site Photos: On Site Digital Photographs

Mark Youmans
Environmental Consultant
909 SW Idol Avenue
Port St. Lucie, FL 34986
Phone/Fax # (772) 340-0749

Client: Mr. Anthony Acerra

Location: PIN: 2413-501-0158-000-4, Surfside Harbor,
Block 10, Lot 14 (OR 1656-2398),
Hutchinson Island, Highway A1A, St. Lucie County, FL

On October 11, 2006, a wetland survey was performed at the above referenced property, utilizing the wetland delineation standards set forth in 62-340 F.A.C. The findings are outlined below:

- Property Size:** 0.21 Acres
- Approximate Percentage of Wetlands:** 98%
- Approximate Percentage of Uplands:** 02%

Comments: The site consists of a dense, tidally inundated mangrove swamp with a thin fringe of uplands along the east end of the lot (due to the spoil deposition for the road construction of Highway A1A). This wetland area on the lot cannot be avoided for house construction on the site. If the wetland is to be impacted, a permit from the DEP and the ACOE will most likely be needed prior to building. Substantial mitigation will also be required for construction projects in mangrove swamps. The approximate cost of mangrove swamp mitigation credits for ACOE and DEP dual credit is close to \$10,000 per .10 acre of impact. To situate a standard single family house on this site, mitigation credit cost alone will be near \$20,000. Additional costs will be required for deep de-mucking, importing substantial amounts of fill to replace the muck, environmental consulting and engineering fees. It is important to note that state and federal agencies are usually very restrictive about the size and location of projects on sites like these in spite of the amount of mitigation proposed. A wetland line has been marked on-site using orange and white striped ribbon.

An on-site assessment of the property revealed that the lot contains two distinct habitat types that reflect the ecologic and hydrologic conditions for this area. These two habitats are described below and are indicated on the enclosed site map.

PLANT COVERAGE OF THE WETLAND HABITAT AREA

Upland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Facultative Plants:

(Upper Canopy & Sub-canopy): BRAZILIAN PEPPER, AUSTRALIAN PINE

(Ground Cover): NONE

Percentage of total habitat coverage = 5%

Facultative Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Obligate Wetland Plants:

(Upper Canopy & Sub-canopy): RED MANGROVE, BLACK MANGROVE,
WHITE MANGROVE

(Ground Cover): NONE

Percentage of total habitat coverage = 95%

TYPICAL SOIL PROFILE IN THE WETLAND HABITAT AREA

(Using the 10YR page of the Munsell Soil Chart)

Soil Type: ARENT SOIL (INUNDATED ALONG WETLAND LINE)

Hydric/Depressional: YES

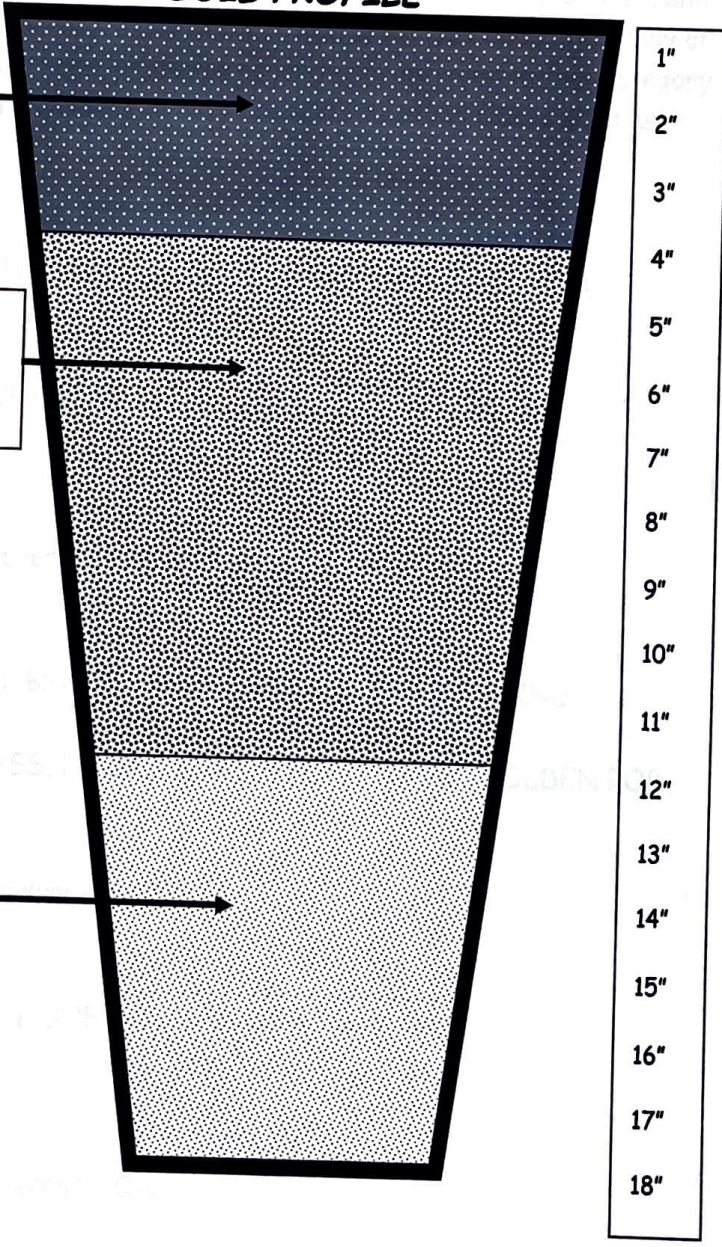
HORIZON

SOIL PROFILE

O: 2/1 FINE SAND WITH 40% ORGANIC CONTENT

A1: 3/1 FINE SAND MATRIX WITH 25% ORGANIC CONTENT

A2: 3/1 FINE SAND MATRIX WITH 10% ORGANIC CONTENT



Hydrologic indicators present in this habitat area: Tidally Influenced Water Levels, Water Stains, Aquatic Plants, Aquatic Fauna, Adventitious Roots, Muck, Hydrogen Sulfide In The Upper 6" Of Soil & Defined Ecotone

HABITAT #2 - UPLAND- EXOTIC PLANT COMMUNITY
F.L.U.C.C.S. CODE # 422

Biological Description of Upland Habitat:

This community is defined by disturbed upland areas that are dominated by non-native trees that were planted or have escaped and invaded native plant communities. These exotics include melaleuca, Australian pine, Brazilian pepper, and eucalyptus. These disturbed areas usually occur within urbanized areas that may or may not have been vegetated. Some examples of land uses included in this category are lawns, golf courses, road shoulders, grassy areas surrounding places such as airports, park facilities, etc.

PLANT COVERAGE OF THE UPLAND HABITAT AREA

Upland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Facultative Plants:

(Upper Canopy & Sub-canopy): BRAZILIAN PEPPER, AUSTRALIAN PINE

(Ground Cover): CARPET GRASS, FINGER GRASS, FLAT-TOPPED GOLDEN ROD, WEDILIA

Percentage of total habitat coverage = 100%

Facultative Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Obligate Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

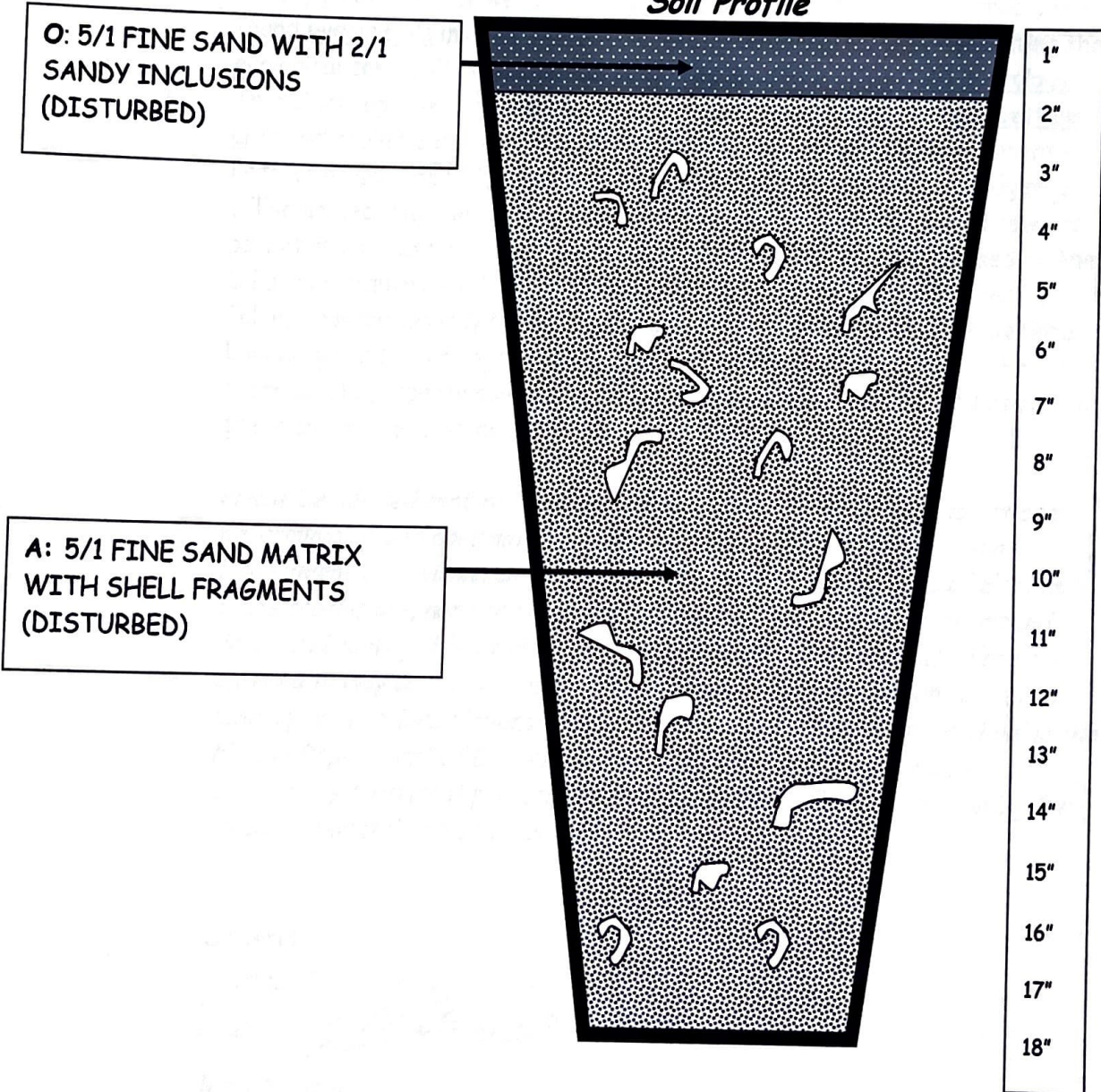
Percentage of total habitat coverage = 0%

TYPICAL SOIL PROFILE IN THE UPLAND HABITAT AREA

(Using the 10YR page of the Munsell Soil Chart)

Soil Type: ARENT (Disturbed- soil deposited during adjacent road construction)
Hydric/Depressional: N/A

Soil Profile



Hydrologic indicators present in this habitat area: None

Conclusion:

After careful review of aerial photographs, St. Lucie County soil maps, on-site soil samples, hydrologic conditions and botanical observations, it is my professional opinion, based on reasonable scientific judgment that Habitat #1 of this lot lies within the State of Florida's wetland regulatory jurisdiction. This opinion is based on the fact that the site characteristics of Habitat #1 satisfy all of the four wetland tests (A, B, C & D). In this habitat area I have found hydric soils in all of the sample locations, obligate plants dominating the ecological community and there is convincing evidence of wetland hydrology. Therefore, approximately 98% of this lot lies within a jurisdictional wetland area and could be claimed by both the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers. Any proposed dredging or filling projects within wetland areas should require an environmental resource permit from these agencies. Fines of \$10,000 per day may be imposed by the D.E.P. for unauthorized activities in wetland areas; additional fines and/or felony prosecution may be imposed by the federal government. The wetland boundary has been flagged with orange and white stripped ribbons. The approximate property corners along the roadside have been flagged using pink, green and orange fluorescent tape.

Please be advised that this assessment is an informal wetland jurisdictional determination and does not in any way bind the consultant, the Florida Department of Environmental Protection or the U.S. Army Corps of Engineers to its conclusions, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal wetland jurisdictional determination are not entitled to rely upon it for purposes of compliance with provisions of law. A binding wetland jurisdictional determination can be obtained by petitioning the Florida Department of Environmental Protection for a jurisdictional declaratory statement pursuant to Rule 62-340.300, FAC, or by applying for an environmental resource permit.

Sincerely,

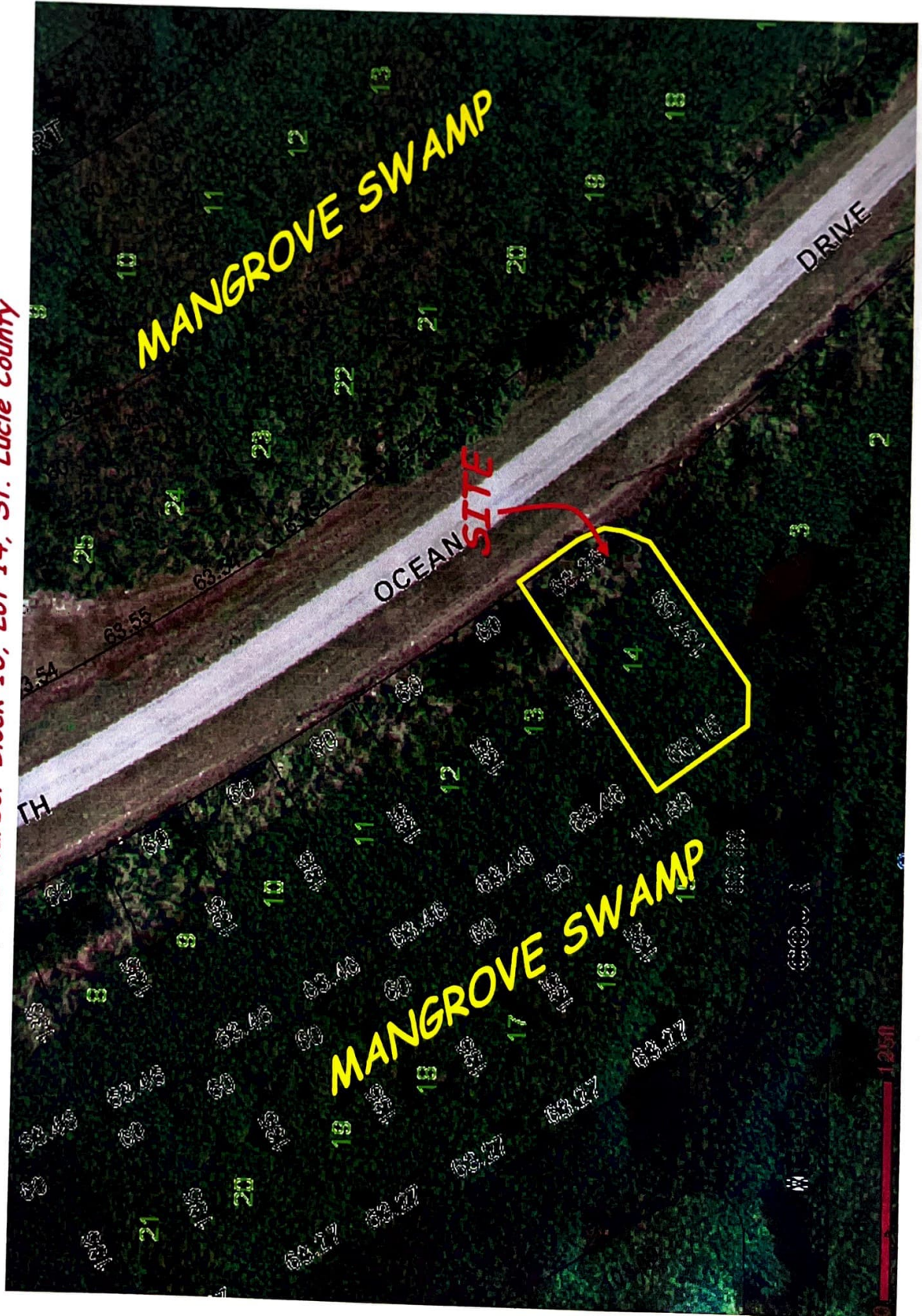


Mark Youmans
Environmental Consultant



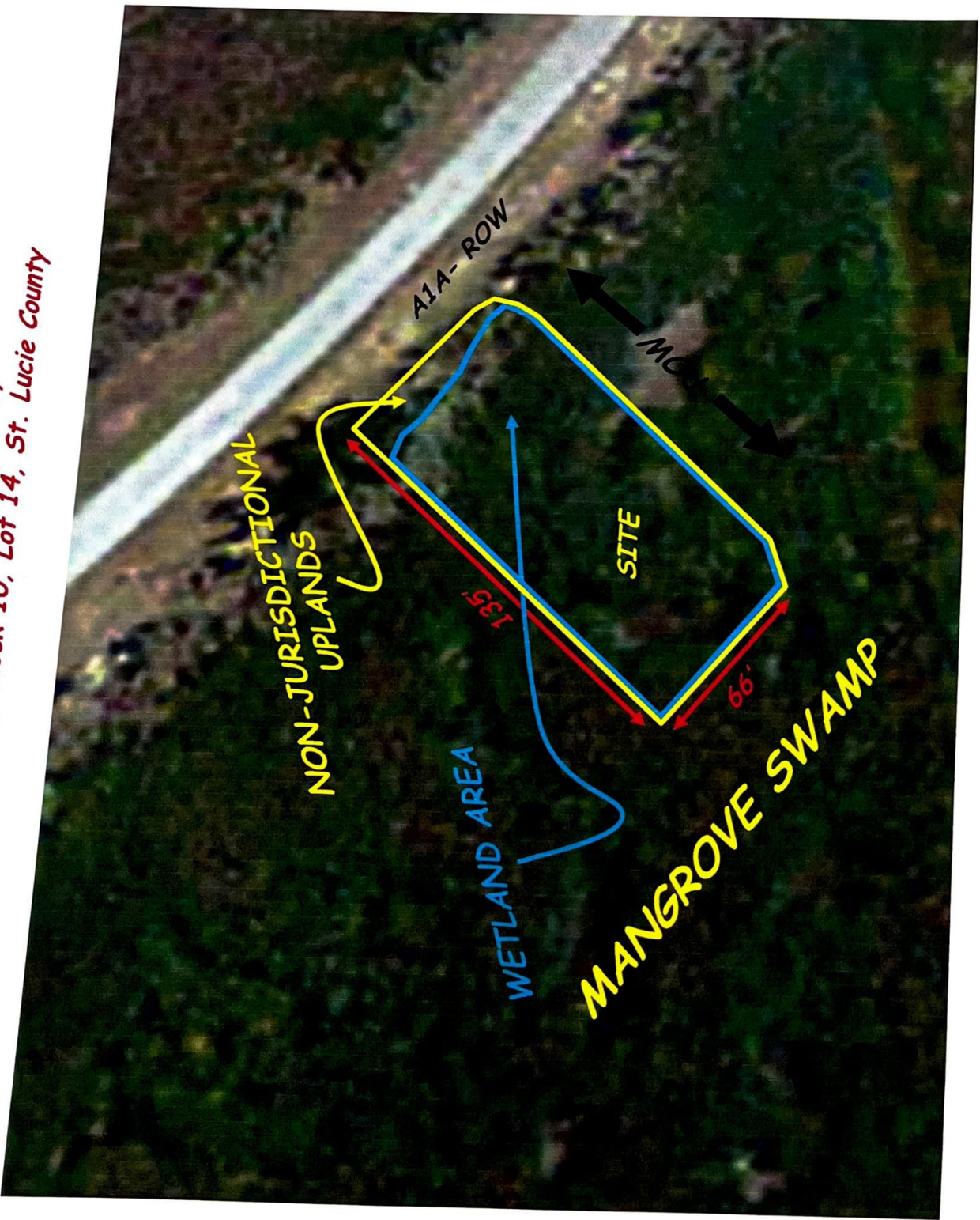
AERIAL MAP

PIN: 2413-501-0158-000-4,
Surfside Harbor Block 10, Lot 14, St. Lucie County





0158-000-4,
Harbor Block 10, Lot 14, St. Lucie County



NON-JURISDICTIONAL
UPLANDS

A1A - ROW

SITE

WETLAND AREA

MANGROVE SWAMP

135'

66'

MO

SITE PHOTO'S

***PIN: 2413-501-0158-000-4,
Surfside Harbor Block 10, Lot 14, St. Lucie County***

October 11, 2006



**WETLAND
BOUNDARY
LOOKING
WEST**



**UPLAND FRINGE
LOOKING NORTH
ALONG THE ROAD
R.O.W.**



Expires July 17, 2026

C14-07-672

**SIXTH AMENDMENT TO JULY 18, 2014 MITIGATION BANK
CREDIT RESERVATION AGREEMENT**

THIS SIXTH AMENDMENT made and entered into this 3 day of June, 2024 by and between **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, ("County"), whose address is 2300 Virginia Avenue, Fort Pierce, Florida 34982, and **ANTHONY ACERRA**, ("Developer"), whose address is 302 SW Kane Ave., Pt. St. Lucie, FL 34953.

WITNESSETH

WHEREAS, the County owns and operates the Bear Point Mitigation Bank, ("Bank"); and,

WHEREAS, the Developer is the owner of certain property lying in the Bank's Mitigation Service Area, ("Site"); and,

WHEREAS, on July 18, 2014, the parties entered into a Mitigation Bank Credit Reservation Agreement ("Agreement") which reserved 0.1 State mitigation credits in the Bank ("Credits") for the Developer in order to seek the necessary permits for the proposed development of the Site ("Project"); and,

WHEREAS, the Agreement provided for a one (1) year term; and,

WHEREAS, on June 19, 2015, the parties entered into a First Amendment to the Agreement which extended the term through and including July 17, 2016; and,

WHEREAS, on May 14, 2016, the parties entered into a Second Amendment to the Agreement which extended the term through and including July 17, 2018; and,

WHEREAS, on May 25, 2018, the parties entered into a Third Amendment to the Agreement which extended the term through and including July 17, 2020; and,

WHEREAS, on May 22, 2020, the parties entered into a Fourth Amendment to the Agreement which extended the term through and including July 17, 2022; and,

WHEREAS, on August 1, 2022, the parties entered into a Fifth Amendment to the Agreement which extended the term through and including July 17, 2024; and,

WHEREAS, the Developer has requested an additional extension of the term in order to allow additional time to obtain the necessary permits for the Project.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

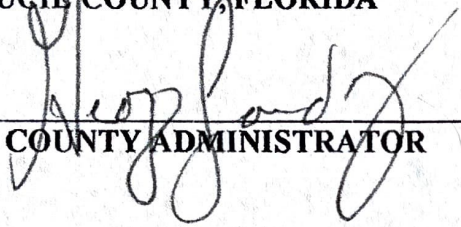
1. Paragraph 1 of the Agreement is hereby amended to read as follows:

• The County agrees to reserve 0.1 State Credits for the Project as set forth in this Agreement. The term of this reservation shall begin on July 18, 2014 and shall continue through and including July 17, 2026, subject to extension upon the prior written agreement of the parties.

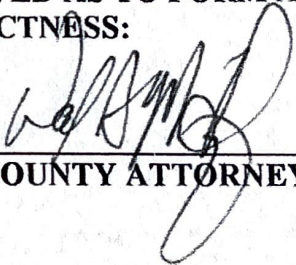
2. Except as otherwise amended herein, the remaining terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Fifth Amendment to be executed on the day first above written.

BOARD OF COUNTY COMMISSIONER
ST. LUCIE COUNTY, FLORIDA

BY: 
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND
CORRECTNESS:


COUNTY ATTORNEY

ANTHONY ACERRA

BY: Tony Acerra

DATE: 5/30/2024



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SOUTHEAST DISTRICT BRANCH OFFICE
 337 N US HIGHWAY 1, SUITE 307
 FT. PIERCE, FL 34950-4255
 (772) 467-5500

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

July 1, 2014

Anthony Acerra
 24 Delaware Avenue
 West Long Branch, NJ 07764
 Sent via e-mail: tonyacerra@comcast.net

24' x 66' to REMAIN WET LANDS
 (137.9 to 9.)
 Lot = $66 \times 135 = 111$ DEEP
 (REAR) $- 24' = 111$

Dear Mr. Acerra:

Enclosed is Environmental Resource Permit No. 56-0324541-002, issued pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.).

Appeal rights for you as the permittee and for any affected third party are described in the text of the permit along with conditions which must be met when permitted activities are undertaken. Please review this document carefully to ensure compliance with both the general and specific conditions contained herein. As the permittee, you are responsible for compliance with these conditions. **Please ensure all construction personnel associated with your activity review and understand the attached drawings and conditions.** Failure to comply with this permit may result in liability for damages and restoration, and the imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

In addition, please ensure the construction commencement notice and all other reporting conditions are forwarded to the appropriate office as indicated in the specific conditions.

If you have any questions about this document, please contact me at (772) 467-5560 or by email at cynthia.lott@dep.state.fl.us.

Sincerely,

Cynthia E. Lott

Cynthia Lott
 Environmental Specialist III
 Submerged Lands & Environmental
 Resources Program

From: **Tony Acerra** tonyacerra@comcast.net
Subject: **Re: [EXTERNAL] Re: Please Respond / Sewer line extension
Surfside Harbor**
Date: **Nov 10, 2025 at 10:44:49 AM**
To: **Patricia Kelly** patricia_kelly@fws.gov

Good morning Patricia,

I am in the process of annexing into the City of Fort Pierce. They are asking for an official letter from you stating your approval of our sewer line install on A1A on Hutchinson Island in Fort Pierce at Bear Point Sanctuary. I sent them your below response of "Yes", but they want an official letter from your department. Could you please send that letter?

Thanks, Tony

Sent from my iPad

On Jan 19, 2025, at 2:45 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Yes. Thanks for your patience.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Thursday, January 16, 2025 3:20 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Cc: Bo Hutchinson <bhutchinson@fpuu.com>
Subject: Re: [EXTERNAL] Re: Please Respond / Sewer line extension Surfside Harbor

Patty,

Ok, understood. With that being said, can we get started?

Can you give us a firm

YES or No.

Thanks, Tony

Sent from my iPhone

On Jan 16, 2025, at 3:00 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Mr. Acerra and Mr. Hutchinson,

That is correct, there can be no federal dollars used to support development into areas designated as a System Unit under the Coastal Barrier Resources Act (CBRA) unless that action meets an exception. The purposes of the CBRA are to 1) keep human life out of harms way but not supporting development in high risk areas, 2) minimize wasteful expenditure of federal funds [construction in high risk areas are likely to be repeatedly damaged and require funds to repair; 3) minimize damage to fish, wildlife, and natural resources. Expanding development via construction of water, sewer, electrical lines does not meet any exception even if the facility that supplies the utilities are located out of a CBRA System Unit, as is the case here.

No funds can be used to finance nor upgrade nor repair utilities that FPUA intends to provide to the private citizens within Hutchinson Island that occur within the CBRA Unit. We recommend that separate records are kept if FPUA ever receives federal funds to upgrade the facility that occurs outside of the CBRA Unit but that will support the residents inside of the Unit. IF FPUA receives funds to upgrade/repair/maintain the main FPUA facility that is to service Hutchinson Island, they will need to pro-rate all funds. For example, lets assume that Hutchinson Island accounts for 10% of FPUA's business. If FPUA has a \$100,000 damage to their facility and FEMA might assist in repairs, FPUA will need to pay for \$10,000 of damages out of pocket. That \$10,000 cannot be considered as part of a percentage match that is often required as

part of a Federal loan or grant for the remainder of the repair calculation.

It can get complicated but its doable. Thanks for the coordination.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Thursday, January 16, 2025 1:30 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Cc: Bo Hutchinson <bhutchinson@fpu.com>; Tony Acerra <tonyacerra@comcast.net>
Subject: [EXTERNAL] Re: Please Respond / Sewer line extension Surfside Harbor

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon Patty,

As per our conversation on Friday 1-10-24, you informed me that it would be ok for Bo Hutchinson at FPUA to began the process of having the sewer line installed on A1A at the Surfside Harbor subdivision in Fort Pierce. I have a petition in place and it will be funded privately. There will be no Federal money

used for this project.

Please give an official response to this email to Bo Hutchinson so he will know we can get started on our sewer line installation process.

Thank you, Tony Acerra

Sent from my iPad

On Oct 16, 2024, at 12:19PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Mr Acerra, apologies. Its on my list but there are other pressing documents ahead of it but it will get completed. Thanks for your patience.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, October 16, 2024 8:19 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

Good morning Patricia,

I'm sure this might be a busy time for you and I hope you fared well with the

Hurricane.

I noticed it's been about six weeks since our last email. I was wondering if you were able to send out the letter for the sewer line at Surfside Harbor.

Thanks, Tony Acerra

Sent from my iPad

On Aug 29, 2024, at 5:13 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Hi Tony.. Sorry, I was pulled onto another project but its completed so this letter is near the top of my list. Hoping by next week it will be approved to send out.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, August 28, 2024 8:33 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

Good Morning Patty,

I spoke to several property owners. They are very excited about finally getting sewer service to our properties at Surfside Harbor. Hope we are still on track. If there is any other information you need please call me. 732-822-1859

Thank you, Tony

Sent from my iPad

On Jul 31, 2024, at 12:56 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

This helps a lot. Thanks.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, July 31, 2024 11:35 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

<IMG_0194.png>

Sent from my iPad
Hi Patty,

This is the are of our MSBU. It consists of 26 lots fronting A1A only on both sides of the road represented by the red line and arrow heading south of the pizza restaurant. Our subdivision is called Surfside Harbor. For reference, the pizza restaurant is just north of the red horizontal line on the right/east side of A1A. Note, the nearest crossroad is just north of us labeled Blue Heron Blvd as shown on the map.

Thank you for your help,
Tony Acerra

On Jul 23, 2024, at 12:37 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Thanks!

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Tuesday, July 23, 2024 11:32 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Sewer line extension Surfside Harbor

Patricia,

Bo's email is....bhutchinson@fpua.com.

Please copy me in.

Thank you Tony

Sent from my iPad

On Jul 23, 2024, at 12:08 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Hi Mr. Acerra-- I did receive the attached letter from Atlanta and tried to reach out via phone on April 9th but did not receive a return call from FPUA. I can write them a response to their request. Would you be able to find an "email address" for Bo Hutchinson, Director of Water/Wastewater Systems?

Thanks.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>

Sent: Tuesday, July 23, 2024 7:03 AM

To: Kelly, Patricia <patricia_kelly@fws.gov>

Subject: Re: [EXTERNAL] Sewer line extension Surfside Harbor

<IMG_0194.png>

Good Morning Patty,

Thank you for helping me with this matter. Above is a copy of the letter from FPUA that was sent to US Fish and Wildlife Service in Atlanta, GA. Included is a copy of the map provided to me from the MSBU that shows the area we are requesting to be serviced by the sewer line. It consists of 26 lots fronting A1A only in Fort Pierce south of Blue Heron Blvd at the Surfside Harbor subdivision. I have more than enough petitions for the MSBU, and at this point all the FPUA needs is approval to extend the line down another roughly 1,200 feet south of the red line. North of the red line has already been extended south of Blue Heron Blvd about 800 feet to the pizza restaurant. I already have obtained DEP approval and paid my mitigation fees to the Bear Point Mitigation Bank on one of my lots. All we need is a sewer line to have a buildable and conforming lot and will greatly help the environment. I have owned my two lots for 21 years and people have been paying property taxes in that section for 75 years. A lack of sewer is causing a great financial hardship for many people in that area. Most of those lots are Fort Pierce city lots, and are serviced by their water line.

Thank you,

Tony Acerra 732-822-1859

Sent from my iPad

On Jul 22, 2024, at 11:48 AM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Perhaps. Send me the letter/info and we can figure out where you need to be.
Sorry for the delay in response.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Sunday, July 21, 2024 6:16 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: [EXTERNAL] Sewer line extension Surfside Harbor

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Good Morning,

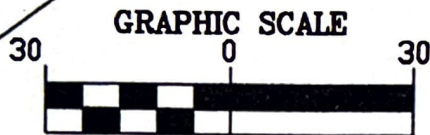
A letter was sent to the US Fish and Wildlife Service in Atlanta, GA five months ago and no response. Bo said perhaps we need to contact a local division. Can you help me with that?

Thank you, Tony

Sent from my iPad

ANTHONY S ACERRA

LOT 14, BLOCK 10
SURFSIDE HARBOR
PLAT BLOCK 10, PAGE 68



(IN FEET)
1 inch = 30' ft.

LOT 16
VACANT

LOT 13
VACANT

FND 5/8" IRON ROD & CAP
ILLEGIBLE

LOT 15
VACANT

SET 5/8" IRON ROD & CAP
LB 7805

FND 3/8" IRON ROD & CAP
PLS 7463

TBM NAIL
ELEV=4.89'

STATE ROAD
100' RIGHT-OF-WAY
(ASPHALT PAVED ROAD)

(REFERENCE BEARING)
S54°00'44"W

LOT 14
BLOCK 10

G LIME COURT
60' RIGHT-OF-WAY
(UNDEVELOPED)

LOT
BLOCK
VACANT

CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION AS SURVEYED UNDER MY DIRECTION ON OCTOBER 23, 2014. I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.
CVLSURV DESIGN GROUP, INC.

Robert N. Johnson
BY: ROBERT N. JOHNSON
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6540 (FOR THE FIRM)

11/5/2014
DATE OF SIGNATURE

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