

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

COMERICA BANK,
a Texas banking association,

CASE NO.: 11-028447 (03)

vs.

OCEAN 4660, LLC a Florida limited
liability company, OCEANSIDE
LAUDERDALE, INC., a Florida
Corporation, KENNETH A. FRANK,
individually, ANGELA DIPILATO,
individually, TOWN OF
LAUDERDALE-BY-THE-SEA, a
political subdivision of the State of
Florida, WASTE MANAGEMENT
INC. OF FLORIDA d/b/a SOUTHERN
SANITATION SERVICE, a Florida
Corporation, AFFINITY MECHANICAL
INC., a Florida corporation, and BROWARD
COUNTY, a political subdivision of the
State of Florida,

Defendants.

DEFENDANT'S, OCEAN 4660, LLC, ANSWER TO PLAINTIFF'S COMPLAINT

Defendant, OCEAN 4660, LLC a Florida limited liability company ("OCEAN"), by and through its undersigned counsel, hereby files its Answer to Plaintiff's Complaint as follows:

1. As to paragraph 1, OCEAN admits that Plaintiff has filed the instant action for damages in Broward County, Florida, but denies that Plaintiff is entitled to the relief sought as against OCEAN and the real property located at 4660 N. Ocean Drive, Lauderdale by the Sea, FL ("Subject Real Property"), legally described as follows :

Legal Description See Exhibit "A"

2. As to paragraph 2, OCEAN is without knowledge sufficiently answer this paragraph.
3. OCEAN admits paragraph 3.

4. OCEAN is without knowledge to sufficiently answer paragraphs 4, 5, 6, 7, 8, 9, 10, 11 and 12.
5. As to paragraph 13, the documents attached as Exhibit "A" of Plaintiff's Complaint speak for themselves.
6. As to paragraph 14, the documents attached as Exhibit "B" of Plaintiff's Complaint speak for themselves.
7. As to paragraph 15, the documents attached as Composite Exhibit "C" of Plaintiff's Complaint speak for themselves.
8. As to paragraph 16, the documents attached as Exhibit "D" of Plaintiff's Complaint speak for themselves.
9. OCEAN is without knowledge to sufficiently answer paragraphs 17, 18 and 19 and therefore denies same.
10. As to paragraph 20, the documents attached as Exhibit "E" of Plaintiff's Complaint speak for themselves.
11. OCEAN is without knowledge to sufficiently answer paragraph 21 and therefore denies same.
12. As to paragraph 22, the documents attached as Exhibit "F" of Plaintiff's Complaint speak for themselves.
13. OCEAN is without knowledge to sufficiently answer paragraph 23 and therefore denies same
14. As to paragraph 24, the documents attached as Composite Exhibit "G" of Plaintiff's Complaint speak for themselves.
15. OCEAN is without knowledge to sufficiently answer paragraph 25 in its entirety and therefore denies same.
16. As to paragraph 26, the documents attached as Exhibit "H" of Plaintiff's Complaint speak for themselves.
17. OCEAN is without knowledge to sufficiently answer paragraph 27 in its entirety and therefore denies same.

18. OCEAN is without knowledge to sufficiently answer paragraphs 28, 29, 30, 31 and 32 and therefore denies same.

19. OCEAN admits it is currently in possession of the Subject Property and Personal Property contained therein.

20. OCEAN is without knowledge sufficiently to answer paragraph 34 and therefore denies same.

21. OCEAN is without knowledge sufficiently to answer paragraphs 35, 36, 37, 38, 39, 40, 41 and 42 and therefore denies same.

22. OCEAN is without knowledge sufficiently to answer paragraph 43 and therefore denies same.

23. OCEAN is without knowledge sufficiently to answer paragraph 44 and therefore denies same.

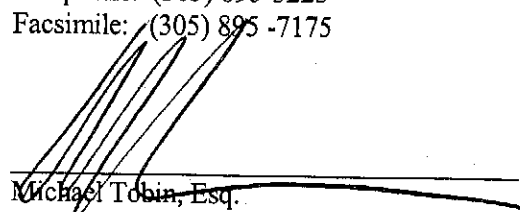
WHEREFORE, having answered Plaintiff's Complaint, Defendant, OCEAN 4660, LLC, prays for the entry of a Judgment in its favor, for the award of his costs, and for any and all further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. Mail this 20th day of January, 2012, to all of the parties identified on the Service List attached hereto.

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Plantation, FL 33324

Affinity Mechanical, Inc.
c/o/ Edward J. Bender, Registered Agent
2805 E. Oakland Park Boulevard, #144
Ft. Lauderdale, FL 33306

EXHIBIT "A"

Legal Description

Land situated in the County of Broward, State of Florida, described as follows:

PARCEL A:

Lots 11, 12, 13, 14, 15, 16, 17, 18 and 19, in Block 10, and Lots 14, 15, 16 and 17, in Block 9, of LAUDERDALE BY THE SEA, according to the Plat thereof, recorded in Plat Book 6, Page 2, of the Public Records of Broward County, Florida; ALSO all of that parcel of land, if any, bounded on the West by the Easterly line of said Lots 14, 15, 16 and 17, of said Block 9, bounded on the East by the Atlantic Ocean, bounded on the North by the North line of Lot 17 of said Block 9, extended Easterly to the Atlantic Ocean and bounded on the South by the South line of Lot 14 of said Block 9, extended Easterly to the Atlantic Ocean, said land fronting the Atlantic Ocean.

Land situated in the County of Broward, State of Florida, described as follows:

PARCEL B:

Lots 20 and 21, in Block 10, of LAUDERDALE BY THE SEA, according to the Plat thereof, recorded in Plat Book 6, Page 2, of the Public Records of Broward County, Florida.

PARCEL C:

Lots 9, 10, 22, 23 and 24, in Block 10, of LAUDERDALE BY THE SEA, according to the Plat thereof, recorded in Plat Book 6, Page 2, of the Public Records of Broward County, Florida.

Tax Identification Nos.: 19318-01-06100 and 19318-01-07000 (Parcel A)
 19318-01-07300 (Parcel B)
 19318-01-06800 and 19318-01-06820 (Parcel C)

Commonly Known As: 4660 N. Ocean Drive, Lauderdale by the Sea, Florida