

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 2018-CA-002317

WALTER E. SAHM and
PATRICIA SAHM

Plaintiffs,

v.

BERNSTEIN FAMILY REALTY, LLC,
BRIAN O'CONNELL, AS SUCCESSOR
PERSONAL REPRESENTATIVE OF
THE ESTATE OF SIMON L. BERNSTEIN;
ALEXANDRA BERNSTEIN, ERIC BERNSTEIN,
MICHAEL BERNSTEIN, MOLLY SIMON,
PAMELA B. SIMON, JILL IANTONI,
MAX FRIEDSTEIN, LISA FRIEDSTEIN,
INDIVIDUALLY AND TRUSTEES OF
THE SIMON L. BERNSTEIN REVOCABLE
TRUST AGREEMENT DATED MAY 20, 2008,
AS AMENDED AND RESTATED;
ELIOT BERNSTEIN, AND CANDICE
BERNSTEIN, INDIVIDUALLY AND AS
NATURAL GUARDIANS OF MINOR
CHILDREN JO., JA. AND D. BERNSTEIN;
AND ALL UNKNOWN TENANTS.

Defendants.

/

**PLAINTIFF'S MEMORANDUM IN OPPOSITION TO THE DECLARATION AND
DESIGNATION OF HOMESTEAD AFTER LEVY
FLORIDA STATUTES SEC. 222.02**

Plaintiff, CHARLES REVARD, as Guardian of the person and property of PATRICIA SAHM, by and through undersigned counsel, hereby files the within Memorandum in Opposition to the Declaration and Designation of Homestead after Levy Florida Statutes Sec. 222.02 filed by Eliot Bernstein and Candice Bernstein on April 13, 2025 (the "Bernstein Declaration") and says:

1. Pursuant to the Bernstein Declaration, homestead protection is sought for the property

located at 2753 NW 34th Street, Boca Raton, Florida 33434, which is a .21-acre lot with a single-family home (the “Subject Property”).

2. Section 222 of the Florida Statutes concerns “the method of setting apart homestead and exemptions”.
3. Eliot and Candice Bernstein specifically make the Bernstein Declaration under Fla. Stat. § 222.02, which states,

222.02 Designation of homestead after levy.—Whenever a levy is made upon the lands, tenements, mobile home, or modular home of such person whose homestead has not been set apart and selected, such person, or the person’s agent or attorney, may in writing notify the officer making such levy, by notice under oath made before any officer of this state duly authorized to administer oaths, at any time before the day appointed for the sale thereof, of what such person regards as his or her homestead, with a description thereof; and the remainder only shall be subject to sale under such levy.

4. While Fla. Stat. § 222.02 does not use the word “owner”, Florida Courts have held that “Chapter 222 of the Florida Statutes further clarifies the constitutional homestead protection by explaining the process by which an owner or lessee of real property can declare his or her homestead rights and prevent an execution of judgment (i.e., a levy sale) against the property.” (*emphasis added*) *Sepulveda v. Westport Recovery Corp.*, 145 So. 3d 162, 166 (Fla. 3d DCA 2014) Section 222.02 allows a property owner to serve a notice of homestead exemption on the levying officer after property has been levied upon so long as the notice is served before the date of the levy sale. (*emphasis added*) *Id.*

5. The Bernstein Declaration seeks to invoke “Homestead Protection against Forced Sale under the Florida Constitution, Art. X, § 4(a)(1).” Dec. at ¶ 3.
6. However, the Florida Constitution also contains specific criteria that must be met in order for a property to be exempt from forced sale. Specifically, Article X, Section 4(a)(1) provides:

SECTION 4. Homestead; exemptions.—

(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property **owned by a natural person**:

(1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of **one-half acre of contiguous land**, upon which the exemption **shall be limited to the residence of the owner or the owner's family**.

(emphasis added)

7. The Warranty Deed attached to the Bernstein Declaration evidences that on June 18, 2008, Walter E. Sahm and Patricia Sahm sold the Subject Property to Bernstein Family Realty, LLC, (“BFR”) who has been the owner of the Subject Property from that time.
8. The language is clear that a homestead located within a municipality, “shall be limited to the residence of the owner or the owner’s family.” The use of the word “shall” leaves no argument as to whether ownership is an unavoidable requirement for a homestead exemption to apply.
9. Florida Courts have found that the plain language of Article X, Section 4(a) of the Florida Constitution requires that the owner of the property be a natural person to claim the homestead exemption. The use of the term “natural persons” excludes corporations, partnerships, limited partnerships, limited liability companies and professional associations from claiming homestead exemptions in property, resided in by their managers, members, officers and shareholders, but titled in the name of the business entity. Therefore, it is error for a trial court to determine that a corporation can hold a homestead exemption on real

property. *DeJesus v. A.M.J.R.K. Corp.*, 255 So. 3d 879, 881 (Fla. 2d DCA 2018).

10. Here, there is no question that the owner of the Subject Property is a Florida limited liability company, BFR, and has continued to be since issuance of the Warranty Deed in 2008.

Accordingly, it is unable to assert any homestead exemption on the Subject Property.

11. The Bernstein Declaration asserts, “that under the Florida Constitution and law actual ‘family’ occupancy and the intention to continue occupying the home have been held to be the key qualifications for homestead status and the protections deriving from that status under the Florida Constitution. (Dec. ¶ 16) However, Eliot and Candice Bernstein are unable to make any claims as to occupying the Subject Property as the “owner’s family” as BFR is not a natural person and therefore cannot have a “family”.

12. The Bernstein Declaration goes on to posture “that under Florida Constitution and law it does not designate how title to the property is to be held and it does not limit the estate that must be owned, i.e., fee simple, life estate, or some lesser interest. Moreover, it does not define the nature of the dwelling that may constitute a “residence” for Homestead Protection.” (Dec. ¶ 15) This is misguided as the Court in *DeJesus* clarified that while an interest in property need not be fee simple to obtain an exemption, the person claiming homestead protection must have some ownership interest in the property. *Id.* Here, Eliot and Candice Bernstein clearly have no such interest and are therefore precluded from homestead protection.

13. The Bernstein Declaration claims that Eliot and Candice are the “beneficial owners of the real property, home and dwelling” (Dec. ¶ 6) and that the “official title of the home, dwelling, and real property was specifically done as Asset Protection”. However, the Court should note that the Electronic Articles of Organization of BFR, filed on June 2, 2008, shortly before the Warranty Deed was executed, listed only one managing

member/manager – Simon Bernstein. (**Exhibit A**)

14. In 2009, BFR filed its Annual Report on April 20, 2009 and listed its Principal Place of Business and Mailing Address as 950 Peninsula Corporate Circle, Suite 3010, Boca Raton, Florida 33487, not the Subject Property (**Exhibit B**)
15. On September 29, 2010, BFR failed its LLC Reinstatement after failing to timely to file its Annual Report. Again, only Simon Bernstein was listed at the Peninsula Address. (**Exhibit C**) BFR timely filed its Annual Reports in 2011 and 2012 listing the same information. (**Composite Exhibit D**)
16. In 2013, BFR filed its Annual Report and changed its Principal Place of Business to the Subject Property, and listed its sole Manager as Oppenheimer Trust Company, with a mailing address in Florham, Park, New Jersey. (**Exhibit E**)
17. Oppenheimer remained the Manager of BFR with the Subject Property as the Principal Place of Business and Mailing Address in Delaware from 2014 through 2016. (**Composite Exhibit F**)
18. On July 11, 2016, Oppenheimer resigned as Manager of BFR “per Court Order dated 6/7/16.” (**Exhibit G**)
19. BFR remained an inactive entity for seven (7) years, through March 16, 2023. This period of inactivity continued through Plaintiff’s filing of its Notice of Lis Pendens on March 3, 2020. (**Exhibit H**)
20. It is important to note the filing of Plaintiff’s Complaint and Notice of Lis Pendens on March 3, 2020. Thereafter, all were placed on notice of the foreclosure. At that time, neither Candice nor Eliot Bernstein were owners or in any way involved as managers of BFR.
21. When BFR filed its LLC Reinstatement on March 16, 2023 it listed BFR’s Principal Place of Business and Mailing Address as the Subject Property. The 2023 Reinstalment listed

Joshua Bernstein as Manager, and Daniel Bernstein, Jacob Bernstein, Eliot Bernstein, Candice Bernstein and non-relative Kevin Hall as Assistant Managers, proving that BFR was not a “family” entity (**Exhibit I**).

22. BFR was again inactive in 2024 until March 19, 2025, when it again filed its LLC Reinstatement listing the same addresses and managers as 2023 (**Exhibit J**).

23. Further, despite claiming that Eliot and Candice have “contributed to the upkeep and maintenance” of the Subject Property (Dec. ¶ 13), review of the Palm Beach County Tax Collector Records shows that for tax years 2018 through 2024 neither Eliot nor Candice Bernstein have paid a single year of property taxes. (**Exhibit K**) Payment of property taxes is a fundamental responsibility of anyone claiming to have an “ownership interest” in a property and their willful decision not to do so show their willful disregard of such responsibilities.

24. In summary, the uncontested public records show that prior to the Lis Pendens neither Eliot nor Candice Bernstein had any interest in BFR and the Subject Property has never been owned by them. Based on Florida law, Eliot and Candice Bernstein have established no right to homestead in the Subject Property owned by the Florida limited liability company, BFR. As such, the Subject Property is not exempt from foreclosure sale, which was consummated on April 14, 2025.

WHEREFORE, Plaintiff CHARLES REVARD, as Guardian of the Property of PATRICIA SAHM, prays this Court enter an Order declaring that Eliot and Candice Bernstein are not entitled to homestead protection under Florida Constitution, Art. X, § 4(a)(1).

SWEETAPPLE, BROEKER & MILLER, P.L.

Attorneys for Plaintiff

4800 N. Federal Hwy., Suite D306

Boca Raton, Florida 33431

Tel.: (561) 392-1230

E-Mail: Pleadings@Sweetapplelaw.com

By: /s/ Cynthia J. Miller
CYNTHIA J. MILLER, ESQ.
Florida Bar No. 1007692
ROBERT A. SWEETAPPLE, ESQ.
Florida Bar No. 0296988

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the E-Filing Portal to all parties listed on the Service List on the portal via email on this 14th day of August, 2025.

By: /s/ Cynthia J. Miller
CYNTHIA J. MILLER, ESQ.
Florida Bar No. 1007692

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L08000054043
FILED 8:00 AM
June 02, 2008
Sec. Of State
gharvey

Article I

The name of the Limited Liability Company is:

BERNSTEIN FAMILY REALTY LLC

Article II

The street address of the principal office of the Limited Liability Company is:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL. 33487

The mailing address of the Limited Liability Company is:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL. 33487

Article III

The purpose for which this Limited Liability Company is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:

DONALD R TESCHER
2101 CORPORATE BLVD.
SUITE 107
BOCA RATON, FL. 33431

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DONALD R. TESCHER

EXHIBIT A

Article V

The name and address of managing members/managers are:

Title: MGR
SIMON BERNSTEIN
950 PENINSULA CORPORATE CIRCLE STE 3010
BOCA RATON, FL. 33431 US

L08000054043
FILED 8:00 AM
June 02, 2008
Sec. Of State
gharvey

Signature of member or an authorized representative of a member

Signature: ROBERT L. SPALLINA

2009 LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC

FILED
Apr 20, 2009
Secretary of State

Current Principal Place of Business:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Principal Place of Business:

Current Mailing Address:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Mailing Address:

FEI Number: FEI Number Applied For () FEI Number Not Applicable (X) Certificate of Status Desired ()

Name and Address of Current Registered Agent:

TESCHER, DONALD R
2101 CORPORATE BLVD.
SUITE 107
BOCA RATON, FL 33431 US

Name and Address of New Registered Agent:

T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: DONALD R. TESCHER

04/20/2009

Electronic Signature of Registered Agent

Date

MANAGING MEMBERS/MANAGERS:

Title: MGR Delete
Name: BERNSTEIN, SIMON
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010
City-St-Zip: BOCA RATON, FL 33431 US

ADDITIONS/CHANGES:

Title: Change Addition
Name:
Address:
City-St-Zip:

EXHIBIT B

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: SIMON BERNSTEIN MGR 04/20/2009
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

2010 LIMITED LIABILITY COMPANY REINSTATEMENT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC

FILED
Sep 29, 2010
Secretary of State

Current Principal Place of Business:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Principal Place of Business:

Current Mailing Address:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Mailing Address:

FEI Number: **FEI Number Applied For ()** **FEI Number Not Applicable (X)** **Certificate of Status Desired ()**

Name and Address of Current Registered Agent:

T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: DIANA BANKS

Electronic Signature of Registered Agent

Date

MANAGING MEMBERS/MANAGERS:

Title: MGR
Name: BERNSTEIN, SIMON
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010
City-St-Zip: BOCA RATON, FL 33431 US

EXHIBIT C

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: DIANA BANKS

MRS

09/29/2010

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

2011 LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC

FILED
Apr 14, 2011
Secretary of State

Current Principal Place of Business:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Principal Place of Business:

Current Mailing Address:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Mailing Address:

FEI Number: **FEI Number Applied For ()** **FEI Number Not Applicable (X)** **Certificate of Status Desired ()**

Name and Address of Current Registered Agent:

T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

MANAGING MEMBERS/MANAGERS:

Title: MGR
Name: BERNSTEIN, SIMON
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010
City-St-Zip: BOCA RATON, FL 33431 US

EXHIBIT D

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: SIMON BERNSTEIN

MR

04/14/2011

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

2012 LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC

FILED
Jan 05, 2012
Secretary of State

Current Principal Place of Business:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Principal Place of Business:

Current Mailing Address:

950 PENINSULA CORPORATE CIRCLE
SUITE 3010
BOCA RATON, FL 33487

New Mailing Address:

FEI Number: **FEI Number Applied For ()** **FEI Number Not Applicable (X)** **Certificate of Status Desired ()**

Name and Address of Current Registered Agent:

T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

MANAGING MEMBERS/MANAGERS:

Title: MGR
Name: BERNSTEIN, SIMON
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010
City-St-Zip: BOCA RATON, FL 33431 US

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: SIMON BERNSTEIN

MR

01/05/2012

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

2013 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**FILED**

Apr 12, 2013

Secretary of State

CC1945368356

Current Mailing Address:OPPENHEIMER TRUST COMPANY
18 COLUMBIA TURNPIKE, 3RD FLOOR
FLORHAM PARK, NJ 07932 US**FEI Number:** 26-2735064**Certificate of Status Desired:** Yes**Name and Address of Current Registered Agent:**T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR
Name	OPPENHEIMER TRUST COMPANY
Address	OPPENHEIMER TRUST COMPANY 18 COLUMBIA TURNPIKE, 3RD FLOOR

City-State-Zip: FLORHAM PARK NJ 07932

EXHIBIT E*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** OPPENHEIMER TRUST COMPANY BY: JANET
CRAIG

SENIOR VICE PRESIDENT 04/12/2013

Electronic Signature of Signing Authorized Person(s) Detail

Date

2014 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**Current Mailing Address:**OPPENHEIMER TRUST COMPANY OF DE
405 SILVERSIDE ROAD SUITE 250
WILMINGTON, DE 19809 US**FEI Number:** 26-2735064**Certificate of Status Desired:** Yes**Name and Address of Current Registered Agent:**T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR
Name	OPPENHEIMER TRUST COMPANY
Address	OPPENHEIMER TRUST COMPANY OF DE 405 SILVERSIDE ROAD SUITE 250
City-State-Zip:	WILMINGTON DE 19809

EXHIBIT F

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: OTCDE BY: JANET CRAIG**SENIOR VICE PRESIDENT** 03/19/2014

Electronic Signature of Signing Authorized Person(s) Detail

Date

2015 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**FILED**

Apr 27, 2015

Secretary of State

CC8946674025

Current Mailing Address:OPPENHEIMER TRUST COMPANY OF DE
405 SILVERSIDER ROAD SUITE 250
WILMINGTON, DE 19809 US**FEI Number:** 26-2735064**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR
Name	OPPENHEIMER TRUST COMPANY
Address	OPPENHEIMER TRUST COMPANY OF DE 405 SILVERSIDER ROAD SUITE 250
City-State-Zip:	WILMINGTON DE 19809

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** JANET CRAIG

SENIOR VICE PRESIDENT 04/27/2015

Electronic Signature of Signing Authorized Person(s) Detail

Date

2016 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**Current Mailing Address:**OPPENHEIMER TRUST COMPANY OF DE
405 SILVERSIDER ROAD SUITE 250
WILMINGTON, DE 19809 US**FEI Number:** 26-2735064**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**T & S REGISTERED AGENTS, LLC
4855 TECHNOLOGY WAY, SUITE 720
BOCA RATON, FL 33431 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:**

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR
Name	OPPENHEIMER TRUST COMPANY
Address	OPPENHEIMER TRUST COMPANY OF DE 405 SILVERSIDER ROAD SUITE 250
City-State-Zip:	WILMINGTON DE 19809

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** JANET CRAIG

SENIOR VICE PRESIDENT 03/28/2016

Electronic Signature of Signing Authorized Person(s) Detail

Date

LOF000054043

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP WAIT MAIL

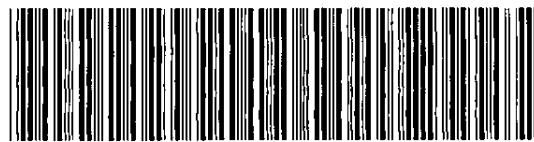
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



900287663029

07/11/16--01029--001 *\$5.00

2016 JUL 11 P 429
SOUTHERN FLORIDA
TALLAHASSEE, FLORIDA

FILED

EXHIBIT G

JUN 12 2016
J. BRUCE

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Bernstein Family Realty, LLC
(Name of Limited Liability Company)

The enclosed member, resignation or dissociation and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to:

Attn: Janet Craig, SVP
(Contact Person)

Oppenheimer Trust Company of Delaware
(Firm/Company)

405 Silverside Road, Suite 250
(Address)

Wilmington, DE 19809
(City/State and Zip Code)

For further information concerning this matter, please call:

Janet Craig, SVP at (302) 792-3522
(Name of Contact Person) (Area Code & Daytime Telephone Number)

Enclosed please find a check made payable to the Florida Department of State for
 \$25 Filing Fee \$55 Filing Fee & Certified Copy

2011
11 P 4:29
TALLAHASSEE
FLORIDA
LAW LIBRARY
TALLAHASSEE, FLORIDA
32399-0632

STREET/COURIER ADDRESS:
Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

MAILING ADDRESS:
Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314



FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

**DISSOCIATION OR RESIGNATION OF MEMBER, MANAGER FROM
FLORIDA OR FOREIGN LIMITED LIABILITY COMPANY**

(Pursuant to 605.0216, Florida Statutes)

1. The name of the limited liability company as it appears on the records of the Florida Department of State is: Bernskin Family Realty LLC.

2. The Florida document/registration number assigned to this limited liability company is:

108000554043

3. The date this member/manager withdrew/resigned or will withdraw/resign is: per Court Order dated

4. 1. Oppenheimer Trust Co of DE, hereby withdraw/resign as a

6/7/16

(Print Name of Person Resigning)

Manager
(Print Title)

of this limited liability company and affirm the limited liability company has been notified of my resignation in writing.

By: Janet Craig, SVP
Signature of Dissociating Member or Resigning Manager

Janet Craig
Oppenheimer Trust Co. of Delaware

Filing Fee: \$25.00 (Required)
Certified Copy: \$30.00 (Optional)

2016 JUL 11 P 4:29
FLORIDA
DEPARTMENT OF
STATE
DIVISION OF
CORPORATIONS

FILED

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2018-CA-002317-XXXX-MB

WALTER E. SAHM and
PATRICIA SAHM

Plaintiffs,

v.

BERNSTEIN FAMILY REALTY, LLC,
BRIAN O'CONNELL, AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE
OF SIMON L. BERNSTEIN;
ALEXANDER BERNSTEIN,
ERIC BERNSTEIN,
MICHAEL BERNSTEIN,
MOLLY SIMON,
PAMELA B. SIMON,
JILL IANTONI,
MAX FRIEDSTEIN,
LISA FRIEDSTEIN, INDIVIDUALLY AND TRUSTEES OF THE SIMON L. BERNSTEIN
REVOCABLE TRUST AGREEMENT DATED MAY 20, 2008, AS AMENDED AND
RESTATEMENT;
ELIOT BERNSTEIN, AND CANDICE BERNSTEIN, INDIVIDUALLY AND AS NATURAL
GUARDIANS OF JO., JA. AND D. BERNSTEIN; AND
ALL UNKNOWN TENANTS.

Defendants

/

NOTICE OF LIS PENDENS

TO DEFENDANTS, BERNSTEIN FAMILY REALTY, LLC, BRIAN O'CONNELL, AS
SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF SIMON L.
BERNSTEIN; ALEXANDER BERNSTEIN, ERIC BERNSTEIN, MICHAEL
BERNSTEIN, MOLLY SIMON, PAMELA B. SIMON, JILL IANTONI, MAX
FRIEDSTEIN, LISA FRIEDSTEIN, INDIVIDUALLY AND TRUSTEES OF THE SIMON
L. BERNSTEIN REVOCABLE TRUST AGREEMENT DATED MAY 20, 2008, AS
AMENDED AND RESTATED; ELIOT BERNSTEIN, AND CANDICE BERNSTEIN,

LAW OFFICES OF SWEETAPPLE, BROEKER & VARKAS, P.L.
4800 N. FEDERAL HIGHWAY, SUITE D306, BOCA RATON, FLORIDA 33431

EXHIBIT H

**INDIVIDUALLY AND AS NATURAL GUARDIANS OF JO., JA. AND D. BERNSTEIN,
ALL UNKNOWN TENANTS, AND ALL OTHERS WHOM IT MAY CONCERN:**

YOU ARE NOTIFIED OF THE FOLLOWING:

(a) The Plaintiff has instituted this action against you seeking to foreclose a mortgage with respect to the property described below and other counts contained in the Complaint.

(b) The Plaintiffs in this action are WALTER E. SAHM and PATRICIA SAHM.

(c) The case number of the action is as shown in the caption.

(d) The real and personal property that is the subject matter of this action is in Palm Beach County, Florida, and is described as follows:

Real Property:

Lot 68, Block G, Boca Madera Unit 2, according to the plat thereof as recorded in Plat Book 32, Page 59, Public Records of Palm Beach County, Florida.

Dated this 3rd day of March, 2020.

Respectfully submitted,

SWEETAPPLE, BROEKER & VARKAS, P.L.
4800 N. Federal Highway, Suite D306
Boca Raton, Florida 33431
Telephone: (561) 392-1230
E-Mail:pleadings@sweetapplelaw.com

By: /S/ Robert A. Sweetapple
ROBERT A. SWEETAPPLE
Florida Bar No.:296988

2023 FLORIDA LIMITED LIABILITY COMPANY REINSTATEMENT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**Current Mailing Address:**C/O ELIOT BERNSTEIN
2753 NW 34TH ST
BOCA RATON, FL 33434 US**FEI Number:** 26-2735064**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**ZENBUSINESS, INC
336 E. COLLEGE AVE.
STE. 301
TALLAHASSEE, FL 32301 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:** KHADIJEH HEMMATI

03/16/2023

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	AMGR	Title	MANAGER
Name	BERNSTEIN, DANIEL E	Name	BERNSTEIN, JOSHUA E
Address	2753 NW 34TH ST	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434
Title	AMGR	Title	AMGR
Name	BERNSTEIN, JACOB N	Name	BERNSTEIN, ELIOT I
Address	2753 NW 34TH STREET	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434
Title	AMGR	Title	AMGR
Name	BERNSTEIN, CANDICE M	Name	HALL, KEVIN R
Address	2753 NW 34TH STREET	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434

EXHIBIT I*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** ELIOT I BERNSTEIN

MANAGER

03/16/2023

Electronic Signature of Signing Authorized Person(s) Detail

Date

2025 FLORIDA LIMITED LIABILITY COMPANY REINSTATEMENT

DOCUMENT# L08000054043

Entity Name: BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET
BOCA RATON, FL 33434**FILED**
Mar 19, 2025
Secretary of State
3186991376CR**Current Mailing Address:**C/O ELIOT BERNSTEIN
2753 NW 34TH ST
BOCA RATON, FL 33434 US**FEI Number: 26-2735064****Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**ZENBUSINESS, INC
336 E. COLLEGE AVE.
STE. 301
TALLAHASSEE, FL 32301 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:** KHADIJEH HEMMATI

03/19/2025

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	AMGR	Title	MANAGER
Name	BERNSTEIN, DANIEL E	Name	BERNSTEIN, JOSHUA E
Address	2753 NW 34TH ST	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434
Title	AMGR	Title	AMGR
Name	BERNSTEIN, JACOB N	Name	BERNSTEIN, ELIOT I
Address	2753 NW 34TH STREET	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434
Title	AMGR	Title	AMGR
Name	BERNSTEIN, CANDICE M	Name	HALL, KEVIN R
Address	2753 NW 34TH STREET	Address	2753 NW 34TH STREET
City-State-Zip:	BOCA RATON FL 33434	City-State-Zip:	BOCA RATON FL 33434

EXHIBIT J*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.***SIGNATURE:** ELIOT I BERNSTEIN

MANAGER

03/19/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



Home Property Tax Business Tax Tangible Tax Tourist Development Tax Checkout

\$0.00
CHECK OUT

[Return](#) [New Search](#) [Print Page](#) [View Assessment Data](#)

Account Information

Property Control Number:
06-42-47-10-02-007-0680

Property Type:
Real Property

Status: Active

Legal Description:
BOCA MADERA UNIT 2 LT 68 BLK G

Mailing Address:
950 PENINSULA CORPORATE CIR STE
3010
Boca Raton, FL 33487-1387

Property Address:
2753 NW 34TH ST
BOCA RATON, FL 33434

Second Owner:

Owner of Record:
BERNSTEIN FAMILY REALTY LLC

Last updated: 8/13/2025 01:27:05 AM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.

Delinquent Property Tax cannot be paid online.

Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

Add Tax Bills to the cart then select cart icon () above to checkout.

Total Payable: **\$0.00** Total Due: **\$23,783.26**

2024 | Bill Type: Tax Certificate | Bill No: (05/31/2025) 2025:10179 | Roll: |
Past Due \$12,155.03

NOT PAYABLE

?

[View Info](#)

[Tax Sale Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
3/31/25	<input checked="" type="checkbox"/> \$12,155.03	\$0.00	<input checked="" type="checkbox"/> \$12,155.03 ► 8/13/25 \$12,155.03	● Past Due	
	Net Tax: \$11,570.27		8/31/25 \$12,155.03		
	Interest: \$578.51		9/30/25 \$12,155.03		
	Penalty: \$0.00		10/31/25 \$12,155.03		
	Fees: \$6.25				
	Discount: \$0.00				

2023 | Bill Type: Tax Certificate | Bill No: (05/31/2024) 2024:9763 | Roll: |

Past Due \$11,628.23

NOT PAYABLE

?

[View Info](#)

[Tax Sale Info](#)

EXHIBIT K

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
4/1/24	\$11,628.23 Net Tax: \$10,906.26 Interest: \$715.72 Penalty: \$0.00 Fees: \$6.25 Discount: \$0.00	\$0.00	\$11,628.23 8/13/25 \$11,628.23 8/31/25 \$11,628.23 9/30/25 \$11,675.95 10/31/25 \$11,723.66	● Past Due	

Recently Paid Bills

⌚ Payment Info - Select to Expand Payment History for PIN

Select the "Tax Year" link to [View Tax Assessment Values](#) for the entire tax year.

 Export data

Tax Year	Bill Number	Last Paid	Paid By	Receipt Number	Amount Paid
2024	101299382	5/31/25	TAX LIEN FUND LP	B25.571375	\$11,570.27
2023	(05/31/2023) 2023:8288	3/31/25	JOHN M CAPPELLER JR PA	U25.293270	\$10,421.56
2023	101954605	5/31/24	C & E TAX LIEN FUND I	B24.567938	\$10,906.26
2022	101300680	3/31/25	JOHN M CAPPELLER JR PA	U25.293270	\$6.25
2022	(05/31/2022) 2022:8210	4/1/24	JOHN M. CAPPELLER JR. PA.	U24.286672	\$9,287.33
2022	101300680	5/31/23	PINE VALLEY FL 2022, LLC AND SECURED PARTY	B23.606721	\$9,925.30
2021	101300373	4/1/24	JOHN M. CAPPELLER JR. PA.	U24.286672	\$6.25
2021	101300373	5/31/22	FL HOLDING LLC	B22.549264	\$8,845.08
2020	(05/31/2020) 2020:10234	3/31/21	DANIEL BERNSTEIN	U21.284079	\$8,122.29
2020	101300674	3/31/21	DANIEL BERNSTEIN	U21.284079	\$7,428.47
2019	101301492	3/31/21	DANIEL BERNSTEIN	U21.284079	\$6.25
2019	(05/31/2019) 2019:10087	3/30/21	JOHN M CAPPELLER DBA CAPPELLER LAW	U21.281489	\$7,712.96
2019	101301492	5/31/20	JUNO TAX, LLC	B20.484057	\$7,735.51
2018	101302341	3/30/21	JOHN M CAPPELLER DBA CAPPELLER LAW	U21.281489	\$6.25
2018	(05/31/2018) 2018:10749	4/2/20	CAPPELLER LAW	U20.351478	\$7,810.22
2018	101302341	5/31/19	RAM TAX LIEN FUND LP	B19.517113	\$7,345.68