

JOINT APPLICATION  
FOR  
A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,  
STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,  
REVOCABLE LICENSE AGREEMENT  
AND REQUEST FOR  
WATER QUALITY CERTIFICATION  
AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.
2. For State Permit - State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
3. For Revocable License - State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) - Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No. \_\_\_\_\_ 2. Date \_\_\_\_\_ 3. For Official Use Only \_\_\_\_\_

4. Name and address of applicant.

**Mr. Chuck Hartman**  
**Skidaway Institute of Oceanography**  
**10 Ocean Science Circle**  
**Savannah, Georgia 31411**

**(912) 598-2442**

5. Location where the proposed activity exists or will occur. Lat. 31.989867 Long. -81.022856

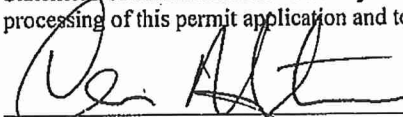
<b>Chatham</b>	<b>6<sup>th</sup></b>	<b>N/A</b>
County	Military District	In City or Town
<b>Savannah</b>	<b>N/A</b>	<b>N/A</b>
Near City or Town	Subdivision	Lot No.
<b>N/A</b>	<b>N/A</b>	<b>Georgia</b>
Lot Size	Approximate Elevation of Lot	State
<b>Skidaway River</b>	<b>Wassaw Sound</b>	
Name of Waterway	Name of Nearest Creek, River, Sound, Bay or Hammock	

6. Name, address, and title of applicant's authorized agent for permit application coordination.

Sligh Environmental Consultants, Inc.  
Attn: Tristan Turner  
31 Park of Commerce Way, Suite 200B  
Savannah, GA 31405

phone (912) 232-0451  
fax (912) 232-0453

Statement of Authorization: I hereby designate and authorize the above named person to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of this application.

  
\_\_\_\_\_  
Signature of Applicant

8/22/23  
\_\_\_\_\_  
Date

7. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any to be erected on fills, piles, of float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance. If more space is needed, use remarks section on page 4 or add a supplemental sheet. (See Part III of the Guide for additional information required for certain activities.)

To remove 12 existing timber pile dolphins, install six new pipe pile dolphins, and maintenance and repair of the existing structures at the SKIO main dock. See attached Project Description for details. No fill, dredging, or bank stabilization is required.

8. Proposed use: Private \_\_\_\_\_ Public \_\_\_\_\_ Commercial X \_\_\_\_\_ Other \_\_\_\_\_

9. Names and addresses of adjoining property owners whose property also adjoins the waterway.

The Spindrift Trust U/A Dated October 27  
C/O Benjamin and Jenny Farmer, Co- Truste  
109 Modena Island Drive  
Savannah, GA 31411

10. Date activity is proposed to commence. Upon receipt of authorization to proceed

Date activity is expected to be completed. Within five years of authorization

11. Is any portion of the activity for which authorization is sought now complete \_\_\_Y\_\_\_ X \_\_\_N\_\_\_

A. If answer is "Yes", give reasons in the remarks in the remarks section.

Indicate the existing work on the drawings.

B. If the fill or work is existing, indicate date of commencement and completion.

C. If not completed, indicate percentage completed.

12. List of approvals or certifications required by other Federal, State or local agencies for any structures, construction discharges, deposits or other activities described in this application. Please show zoning approval or status of zoning for this project.

<u>Issuing Agency</u>	<u>Type Approval</u>	<u>Identification No.</u>	<u>Date/Application</u>	<u>Date/Approval</u>
GADNR-CRD	CMPPA Permit	N/A	8/16/23	N/A
USACE	Letter of Permission	N/A	8/16/23	N/A

13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? \_\_\_Yes\_\_\_ X NO (If "yes", explain).

Note: Items 14 and 15 are to be completed if you want to bulkhead, dredge or fill.

14. Description of operation: (If feasible, this information should be shown on the drawing).

A. Purpose of excavation or fill N/A - no fill, bank stabilization, or dredging is required.

1. Access channel	length _____	depth _____	width _____
2. Boat basin	length _____	depth _____	width _____
3. Fill area	length _____	depth _____	width _____
4. Other	length _____	depth _____	width _____

(Note: If channel, give reasons for need of dimensions listed above.)

B. 1.If bulkhead, give dimensions \_\_\_\_\_

2.Type of bulkhead construction (material \_\_\_\_\_

Backfill required: Yes \_\_\_\_\_ No X Cubic yards \_\_\_\_\_

Where obtained \_\_\_\_\_

C. Excavated material

1.Cubic yards N/A \_\_\_\_\_

2.Type of material N/A \_\_\_\_\_

15.Type of construction equipment to be used Waterborne barge and crane, upland crane, vibratory hammer

A. Does the area to be excavated include any wetland? Yes \_\_\_\_\_ No X

B. Does the disposal area contain any wetland? Yes \_\_\_\_\_ No X

C. Location of disposal area N/A \_\_\_\_\_

D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: N/A \_\_\_\_\_

E. Will dredged material be entrapped or encased? N/A \_\_\_\_\_

F. Will wetlands be crossed in transporting equipment to project site? No \_\_\_\_\_

G. Present rate of shoreline erosion (if known) N/A \_\_\_\_\_

16. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.

A. Please submit the following:

1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property.
2. A plan of the existing or proposed project and your adjacent property for which permits are being requested.
3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown.
4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation.
5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes.

B. Please provide the following statements:

1. A statement that all activities will be performed in a manner to minimize turbidity in the stream.
2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream.
3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate

water uses.

17. Application is hereby made for a permit or permits to authorize the activities described herein, Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

  
\_\_\_\_\_  
Signature of Applicant

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

#### PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

#### SUPPORTING REMARKS:



STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): Skidaway Institute of Oceanography - Mr. Chuck Hartman  
MAILING ADDRESS: 10 Ocean Science Circle Savannah GA 31411  
(Street) (City) (State) (Zip)  
PROJECT ADDRESS/LOCATION: Same as above  
COUNTY: Chatham WATERWAY: Skidaway River  
LOT, BLOCK & SUBDIVISION NAME FROM DEED: \_\_\_\_\_

Georgia Department of Natural Resources  
Coastal Resources Division  
One Conservation Way  
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit, or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has executed a revocable license in accordance with this request.

Sincerely,

By:   
Signature of Applicant

Date: 8/22/23

\_\_\_\_\_  
Title, if applicable

By: \_\_\_\_\_  
Signature of Applicant

Date: \_\_\_\_\_

\_\_\_\_\_  
Title, if applicable

Attachments

**CESAS Form 19 Support Documentation  
Skidaway Institute of Oceanography  
Main Dock Upgrades  
Chatham County, Georgia**

The following information is submitted as support documentation in association with the attached application requesting authorization to impact waters of the U.S. pursuant to Section 10 of the Rivers and Harbors Act of 1899 and the Coastal Marshlands Protection Act of 1970 pursuant to the Official Code of Georgia Annotated, Part 12-5-286 (OCGA).

**1.0 Project Description**

The Skidaway Institute of Oceanography (applicant) is proposing mooring improvements and general repairs to the existing dock located at the Skidaway Institute of Oceanography (SKIO) in Chatham County, Georgia. The project area is located at latitude 31.989867 longitude -81.022856 northwest of McWhorter Drive on the Skidaway River.

**1.1 Existing Structures in Jurisdiction**

SKIO is a training and research institution of the University of Georgia that conducts all manner of scientific research in the field of oceanography. The institute campus is fully developed with offices, research buildings, and various other facilities needed to carry out the SKIO mission. The existing dock consists of an approximately 12' x 145' (1,740 sq. ft.) walkway leading to a 36' x 36' (1,296 sq. ft.) pierhead. An approximately 10' x 20' platform on the southeastern corner of the pier head supports three ramps. One ramp extends north to a 10' x 20' floating dock. The ramp extending to the east connects to an approximate 10' x 160' (1,600 sq. ft.) concrete floating dock. The ramp that extends south connects to a 10' x 32' (320 sq. ft.) concrete floating dock. A pendant controlled overhead monorail boat hoist extends from upland 135 feet into the waterway to provide launching and retrieval of research and law enforcement vessels at all tides. The dock contains fresh water and electrical systems. In all, the existing dock structure totals approximately 5,356 square feet. The existing structure extends approximately 135 feet into the waterway from mean low water (MLW).

**1.2 Proposed Site Development Plans**

The proposed project will remove 12 existing timber pile dolphins totaling 40 square feet. The proposed project will install six new 24" pipe pile dolphins with each pile being 70 feet long. The total impact for the pipe pile dolphins is 20 square feet. General repairs will be made to the concrete pierhead and concrete floating dock. Maintenance and repair will be conducted on the existing floating dock by replacing all missing or damaged through rods, walers, or fascia rub boards. Four stainless steel pile guide frames for the 14" piling with HDPE rollers and stainless-steel shafts will be installed, and all rollers on the existing pile guides will be replaced. A gray fender will be attached on the end of dock for mooring across the end of the floating dock. Spalling on the concrete floating dock and pier deck will be patched using an epoxy grout. Electrical upgrades will be completed on the existing floating dock and pier. Attachment hardware will be replaced on all existing cleats (24 total) and 4 cleats will be replaced using 18" galvanized cleats at the north end of the dock. Two aluminum safety ladders will be installed at each end of the floating dock. All work will occur within open water by waterborne crane and barge or from the existing dock. The proposed structures will extend no further channelward than the existing fenderline of the concrete pierhead.

**2.0 Upland Component:**

It is the applicant's opinion that the project does not contain an upland component. The project consists of improvements to the existing mooring system and maintenance and repair of the existing dock. All proposed structures are water dependent and are necessary for vessel docking.

STATE OF NEW YORK  
COUNTY OF NEW YORK

THIS INDENTURE, made this 14th day of April in the year of our Lord, One thousand, nine hundred and thirty-four (1934) between Ralph H. Isham, of Princeton, Mercer County, State of New Jersey, and Margaret Isham, of New York City, New York County, State of New York, as parties of the first part, and Dorothy H. Roebling, of Princeton, Mercer County, State of New Jersey, as party of the second part,

Witnesseth.

That the said parties of the first part for and in consideration of the sum of Ten dollars (\$10.00), and other good and valuable considerations, to them in hand paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents, do grant, bargain, sell and convey unto the said party of the second part, and to her heirs and assigns,

All that certain tract of land situate, lying and being in the County of Chatham, State of Georgia, on the Island of Skidaway, and known as the Modena Plantation; said tract of land containing eight hundred (800) acres, more or less, and forming the northernmost part of said Skidaway Island, and lies between the Skidaway and Wilmington River, as shown and delineated and designated as Modena Plantation of the Estate of Rufus E. Lester upon the map of said Chatham County of 1906, by T. M. Chapman, C.E., V. G. Schrock, Contractor, G. Reuben Butler, C.E., G.C. and W. F. Brown, County Engineer, adopted by the Commissioners of said County on April 11th, 1907; the said tract of land being bounded westwardly by an adjoining tract of land designated upon said map as the Henderson Tract, and was formerly separated from the said Henderson Tract by a dam, also by a body of water running into said Skidaway River, and shown by a line on said map; northwardly by said Skidaway River, eastwardly by said Wilmington River; and southwardly by a tract of land designated upon said map as Priest Tract; the tract of land hereby conveyed being the same that was conveyed by Laura E. Lester to J. W. F. Hester by deed dated December 10th, 1917, and recorded in the records of the Clerk's office of the Superior Court of Chatham County, Georgia, in book of deeds 13 K's, folio 111.

Together with all and singular the buildings, improvements, rights, ways, waters, marshes, easements and appurtenances to the same belonging or in anywise appertaining and all of the estate, right, title, interest and possession, claim and demand of the said parties of the first part, in law or in equity or otherwise of, in or to the same.

To have and to hold the above described lot, tract or parcel of land and premises unto the said party of the second part, her heirs and assigns, in fee simple forever, subject, however, to the right reserved hereby by the party of the first part, Ralph H. Isham for himself, his heirs, executors, administrators and assigns, to demand and receive a conveyance from the party of the second part, her heirs, executors, administrators and assigns, of a tract of three acres of high land abutting on clear waterfront without marsh land, together with the right of access thereto, all as provided in, and pursuant to the terms and conditions of the contract of sale between said party of the first part and the party of the second part, bearing date the 14th day of February, 1934, pursuant to which this indenture is executed and delivered; and which terms and conditions of said contract shall survive the delivery hereof.

And the said party of the first part, Ralph H. Isham, covenants, agrees and hereby expressly represents that he had good title to said property, and full power and authority to sell the same, and that there are no judgments, mortgages, incumbrances or liens of any kind or description against him or said property whereby the title to the same can in any wise be charged, charged, impaired or defeated.

And lastly, the said party of the first part, Ralph H. Isham, his heirs, executors and administrators, the said above described tract of land and premises unto the said



party of the second part, her heirs, executors, administrators, and assigns, against himself the said party of the first part, Ralph M. Isham, his heirs, executors and administrators, and against all and every person or persons whomsoever, shall and will warrant and forever defend by these presents.

In witness whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

By Ralph M. Isham

Signed, sealed and delivered

in presence of:

Alfred C. Walker, Jr.

Ralph M. Isham

April 12, 1934

Ralph C. Hoag

Notary Public, Queens Co. No. 3499, Reg No. \_\_\_\_\_

Cert. filed in N.Y. Co. No. 1097 Reg No. 5-H \_\_\_\_\_

Commission expires March 30, 1935. (Notarial Seal.)

By Margaret Isham, Signed, sealed and

delivered in presence of:

Alfred C. Walker, Jr.

Margaret Isham

Joe. S. Lennahan, April 14, 1934

Notary Public, N.Y. Co. #87 Reg 5 348

Commission expires March 30, 1935

Notarial Seal.

STATE OF NEW YORK

COUNTY OF NEW YORK

SS.

No. 24606 Series E.

I, Albert Marinelli, Clerk of the County of New York, and also Clerk of the Supreme Court in and for said County, do hereby certify, that said Court is a court of record, having by law a seal; that Ralph C. Hoag whose name is subscribed to the annexed certificate or proof of acknowledgment of the annexed instrument was at the time of taking the same a Notary Public acting in and for said county, duly commissioned and sworn, and qualified to act as such; that he has filed in the Clerk's office of the County of New York - certified copy of his appointment and qualification as Notary Public for the County of Queens with his autograph signature; that as such Notary Public, he was duly authorized by the laws of the State of New York to protest notes; to take and certify depositions; to administer oaths and affirmations; to take affidavits and certify the acknowledgment and proof of deeds and other written instruments for lands, tenements and hereditaments, to be read in evidence or recorded in this State, and further, that I am well acquainted with the handwriting of such Notary Public and verily believe that his signature to such proof of acknowledgment is genuine.

In Testimony whereof, I have hereunto set my hand and affixed the seal of said Court at the City of New York, in the County of New York, this 19 day of April 1934.

Albert Marinelli, Clerk

SEAL OF COURT.

STATE OF NEW YORK

COUNTY OF NEW YORK

SS.

No. 55845 Series D.

I, Albert Marinelli, Clerk of the County of New York, and also Clerk of the Supreme Court for the said County, the same being a Court of record, having a seal, do hereby certify, that Joe. S. Lennahan whose name is subscribed to the deposition or certificate of the proof of acknowledgment of the annexed instrument, and thereon written, was, at the time of taking such deposition, or proof and acknowledgment, a Notary Public, in and for such county, duly commissioned and sworn, and authorized by the laws of said State, to take depositions and to administer oaths to be used in any court of said State and for general purposes; and also to



acknowledgments and proofs of deeds, of conveyances for land, tenements or hereditaments in said State of New York. And further, that I am well acquainted with the said State of New York, and verily believe that the signature to said deposition or certificate of proof or acknowledgment is genuine.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Court and County, the 19 day of Apr. 1934

Robert Marshall

24256

தேயல் ௧: ௧, ௨, ௩, ௪,

Received for record May 3, 1934

Recorded MAY 7, 1934.

18.59 Documentary stamps added.

မိမိတို့အဖို့

State of Georgia  
Georgia County

This indenture made this 21 day of December in the year of our Lord One thousand nine hundred and thirty-two (A. D. 1932) between James D. Gleason, of said State and County, hereinafter called "Borrower", and Guaranty Savings & Loan Society, hereinafter styled

That said borrower, for and on the cooperation of the sum of Ten Dollars (\$10.00) to him to borrow said lender, receipt thereof is hereby acknowledged, and in order to better secure said loan in the payment of that certain promissory note given by said borrower to said lender dated December 24, 1934, for the principal sum of four hundred & eleven dollars and no cents (\$411.00) and in order to secure any other and all other indebtedness and liability of said borrower to said lender;

*Share of Loan Company*

for and on our behalf  
Receipt enclosed is  
nt of that subscription  
1930 for the principal  
in order to secure my  
d loan.  
banking, sell and co-

*V.O. President*

*William W. Seelye Secretary*

... of the Georgia, known  
... subdivision  
... 1917 and  
... Beginning at a  
... of the Town Jail  
... and eighty-five (85)  
... forwardly along said r  
... to the point of termin.

subject has been that that cert. in deed to secure debt from James B. Glasgow, 1931, was recorded in the records of Chatham County, Georgia, Book 27 v'a, folio 100.

to have and hold said bargained land and premises, together with the

lender in said title.

It is hereby expressly represented and covenanted that said above described property is free and clear of all taxes, assessments, liens and encumbrances of whatsoever kind, whether created by law or contract; and said borrower will ever warrant and defend the same unto and against the lender and his heirs, assigns and persons whomsoever.

Witness my hand and seal of office at Washington, D.C., this 10th day of May, A.D. 1968.

\_\_\_\_\_  
Special Agent in Charge

Enclosed  
1 - Original  
1 - Copy

a and on the day of December in the year of our Lord One  
 (1935) between James B. Gleason, of said State and  
 County Savings & Loan Company, hereinafter styled  
 to and in consideration of the sum of Ten Dollars  
 Receipt whereof is hereby acknowledged, and in order  
 of that certain promissory note given by said  
 1935, for the principal sum of Ten Dollars and Eleven  
 in order to secure any other and all other indebted-  
 and to sell and convey unto said lender, the follow-  
 ing, to wit: a parcel of land situated within and being in  
 County, Georgia, known and designated as the middle por-  
 tion of the subdivision of land purchased by M. V. Shumaker  
 in the year 1917 and recorded in County Records Book  
 beginning at a point on the southern boundary of  
 west of the Town Jail lot, running westwardly Fifty-five  
 and eighty-five (185) feet, more or less, to the Center  
 wardly along said right of way for a distance of  
 to the point of beginning.  
 that certain deed to secure debt from James B. Gleason  
 a records of Chatham County, Georgia, Book 27 p. 1, col. 1  
 said parcelled land and premises, together with the  
 thereunto belonging or appertaining, unto the said  
 and represented and covenanted that said above de-  
 scribed, assignments, liens and encumbrances of whatsoever  
 and said borrower will ever warrant and defend the