

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners

PH: Z20-084

October 19, 2023

Item No. 1A

Recommendation Summary	
Commission District	2
Applicant	West Group Developers, LLC
Summary of Requests	The applicant seeks approval of a district boundary change on the subject property from RU-1, Single-family District, to RU-3M, Minimum Apartment House District.
Location	1927 NW 105 Street, Miami-Dade County, Florida.
Property Size	4.837-gross acres
Existing Zoning	RU-1, Single- family District,
Existing Land Use	Vacant
2030-2040 CDMP Land Use Designation	Low Density Residential w/ One Density Increase (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant.

BOARD OF COUNTY COMMISSIONERS' JURISDICTION:

The Board has jurisdiction over this application pursuant to Section 33-314(A)(5) which states "Applications which would normally be heard by a Community Zoning Appeals Board, but which have been postponed due to lack of quorum of the applicable Community Zoning Appeals Board on at least two consecutive occasions. Such jurisdiction by the County Commission shall be at the option of the applicant, and under these circumstances the cost of providing notice of an application before the County Commission shall be borne by the County."

PROCEDURAL HISTORY

The hearing on this application commenced before Community Zoning Appeals Board (CZAB) 8 at its April 17, 2023 meeting. The applicant concluded its presentation, but CZAB 8 ran out of time before opening the public hearing. The applicant requested a deferral to meet with neighbors. Subsequently, the application was scheduled for the May 17, 2023 and June 21, 2023 CZAB 8 meetings, but could not be heard because of a lack of quorum. The applicant then requested to be heard by the BCC pursuant to Section 33-314(A)(5). This application was deferred from both July 19, 2023 and September 20, 2023 meeting of the BCC in order for the applicant to meet with the neighbors. The public hearing was held on this item.

REQUEST:

DISTRICT BOUNDARY CHANGE from RU-1, Single-Family Residential District to RU-3M, Minimum Apartment House District.

PROJECT HISTORY AND PROJECT DESCRIPTION:

In the January 2020 Comprehensive Development Master Plan (CDMP) Amendment Cycle, the subject property was re-designated from ‘Low Density Residential to ‘Low Density Residential w/ One Density Increase (DI-1)’, on the CDMP Land Use Plan (LUP) map, through a CDMP Land Use Amendment (Application No.3), pursuant to Ordinance No. 21-17. The aforementioned CDMP amendment was subject to the Board’s acceptance of a proffered Declaration of Restrictions (the 2021 covenant), recorded in Official Records Book 32723, Pages 822, which requires that a minimum of 20% of the total residential units be set aside for sale or rent as Workforce Housing Units and the project be developed in accordance with the Urban Design Manual.

The applicant now seeks to rezone the 4.837-gross acres subject parcel presently zoned AU, Agricultural District to RU-3M, Minimum Apartment House District. Staff notes that there were no plans submitted for the subject application. The submitted plans depict the vacant parcel to be developed with a proposed 76-unit multi-family residential development consisting of two (2) apartment buildings with a height of two (2) stories and 16 two (2) story townhome units. The plans also include a club house, playground and four (4) plazas all connected via an urban walking path around the perimeter of the property. A zoning covenant is being proffered by the applicant that, among other things, would restrict any future development on the subject property to be in compliance with the conditions laid out in the aforementioned CDMP covenant as well as setting aside 20% of the units for workforce housing.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; vacant	Low Density Residential w/ One Density Increase
North	GU; Canal	Waterway
South	RU-1; vacant/ Daycare facility	Low Density Residential (2.5 to 6 dua)
East	GU; Canal	Low Density Residential (2.5 to 6 dua)
West	RU-1; vacant	Waterway

NEIGHBORHOOD COMPATIBILITY:

The site is comprised of three parcels totaling 4.837 gross acres. The site is located on the north side of NW 105 Street approximately 414 feet East of NW 21 Avenue (where NW 105 Street merges into NW 19 Avenue) and is bounded on the north and northeast by the Red Road Canal (NW 57 Avenue Canal), in unincorporated Miami-Dade County. The surrounding area is characterized by single family homes on large parcels directly to the northwest and an existing daycare facility located to the southwest. The remaining properties to the north and south of the subject site consist of vacant.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the subject property in order to provide additional residential uses, which may bring more traffic into the area. Based on memoranda from the departments reviewing this application, staff opines that approval of same will not create any significant traffic or environmental impacts on the surrounding area. Staff notes that the Platting and Traffic Review Section of the Department of Regulation and Economic Resources (RER) indicates in their memorandum that the application meets traffic concurrency criteria, does not exceed the acceptable Level of Service (LOS) on the neighboring roadways and will generate approximately 53 PM peak hour vehicle trips. However, the application request will add to the population in the area, impact water and sewer services, and may bring additional noise into the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated **Low Density Residential- w/ One Density Increase [DI-1]** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map and was the subject of a CDMP amendment, which the Board of County Commissioners (BCC) adopted in January 2020, pursuant to Ordinance No. 21-17. The Low Density Residential *category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses and a mixture of housing types, provided that the maximum gross density is not exceeded.* Furthermore, the re-designation permits the subject property to be allowed to develop one category higher, at the Low-Medium Density Residential category which allows residential development at 6 to 13 units per gross acre. The applicant seeks a district boundary change from RU-1 to RU-3M. Staff notes that the RU-3M zoning district allows development at a maximum of 12.9 units per net acre, which is similar to the maximum density allowed under the aforementioned CDMP Low Density Residential w/ One Density Increase threshold on the LUP map. Notwithstanding, the CDMP Land Use Amendment (Application No.03), which re-designated the subject property from Low Density Residential to Low Density Residential w/ One Density Increase (maximum of 13 dwelling units per gross acre), was subject to the Board's acceptance of a proffered Declaration of Restrictions (the 2021 covenant), required that the future development application be consistent with the County's Urban Design Manual and that 20% of the residential units be set aside for workforce housing. Staff notes that the applicant has voluntarily proffered a declaration of restrictions in support of the current zoning application, that provides for 20% of the total residential units set aside for sale or rent as Workforce Housing Units. In this instance, 20% of the total units is a minimum of 16 units to be set aside for workforce housing.

Approval of this application would allow the applicant to develop the site with a maximum of 78 units on the property which is consistent with the **Low Density Residential- w/ One Density Increase [DI-1]** designation of the property and a 25% density increase pursuant to the workforce housing ordinance. Therefore, subject to the Board's acceptance of the proffered zoning covenant, staff opines that the approval of the rezoning of the subject property to RU-3M, would maintain the density restrictions placed on the development of the site based on the CDMP amendment and the CDMP covenant, would be **consistent** with the density threshold of CDMP LUP map designation and the CDMP Land Use Element interpretative text for the **Low Density Residential- with One Density increase [DI-1]** use on the LUP map and workforce housing bonus.

ZONING ANALYSIS:

The applicant seeks approval of a request for a district boundary change from RU-1, Single-Family Residential District, to RU-3M, Minimum Apartment House District on the subject parcel. For the reasons stated above and below, staff opines that when the request to rezone the 4.83-gross acre parcel to RU-3M is analyzed under Section 33-311, District Boundary Change, the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County and would be **compatible** with the surroundings when considering the necessity and reasonableness in relation to the present and future development of the area concerned. Section 33-311 of the Code states that the purpose of the Code is to provide a comprehensive plan and design to among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. Staff supports the district boundary change and opines that based on the Comprehensive Development Master Plan land use designation of Low Density Residential w/ One Density Increase, and for the reasons explained in the Comprehensive Development Master Plan Analysis section, the request for a zone change on the subject property to RU-3M is **consistent** with the CDMP designation of the parcel on the CDMP Land Use Plan map and the CDMP covenant, and **compatible** with the natural transition of residential zoning trend of development in the surrounding area.

The submitted plans depict a layout showing the proposed residential development consisting of two (2) apartment buildings with a height of two (2) stories and 16 two (2) story townhome units. The plans also include a club house, playground and four (4) plazas all connected via an urban walking path around the perimeter of the property. Staff notes that the proposed development has incorporated urban design principles in its design as it relates to the building façade and landscaping. Furthermore, staff notes that based on the memoranda submitted by other departments reviewing the application, approval of the request would not have an unfavorable effect on the economy of Miami-Dade County, would not tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or provoke a nuisance, and would not be incompatible with the area concerned. Staff opines that approval of the request for rezoning will not have a significant impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in memoranda from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER). Their memorandum indicates that the application will meet the traffic concurrency criteria for an Initial Development Order. Their memorandum dated February 1, 2023 indicates that the application will generate 53 PM peak hour vehicle trips, which does not exceed the acceptable Level of Service (LOS) on the surrounding roadways. Further, the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources in their memorandum dated June 9, 2023, indicate that the application meets all applicable LOS standards for an initial development order for potable water service, wastewater disposal, and flood protection. In addition, the other departments reviewing the application, including the Miami-Dade Fire Rescue Department and the Water and Sewer Department, do not object to the application. Based on the aforementioned department memoranda, staff opines that the request for rezoning will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. As such, staff opines that approval of the request to rezone the subject parcel to RU-3M, subject to the proffered covenant, would be **compatible** with the character of the surrounding neighborhood, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, staff**

recommends approval of the application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.

ACCESS, CIRCULATION AND PARKING: N/A

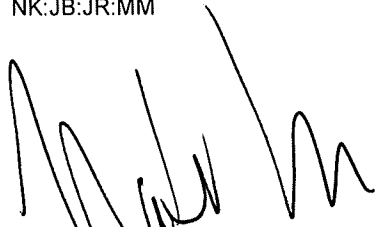
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval, subject to the Board's acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL: None.

NK:JB:JR:MM

A handwritten signature in black ink, appearing to read 'Nathan Kogon', written over a horizontal line.

Nathan Kogon, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

West Group Development, LLC
PH: Z20-084

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	<i>No objection*</i>
Platting and Traffic Review Section (RER)	<i>No objection*</i>
Fire Rescue Department	<i>No objection</i>
Water and Sewer Department (WASD)	<i>No objection</i>
Building and Neighborhood Compliance (BNC)	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Low-Density Residential (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Objective LU-4 (Pg. I-9)	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i>
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ZONING RECOMMENDATION ADDENDUM

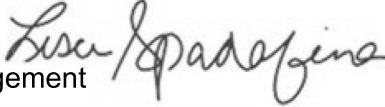
West Group Development, LLC
PH: Z20-084

	<p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highway.</i></p>
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Memorandum

Date: June 9, 2023

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Lisa M. Spadafina, RER Assistant Director 
Division of Environmental Resources Management

Subject: Z2020000084-3rd Review
West Group Developers, LLC
1927 NW 105th Street, Miami, FL 33147
DBC from RU-1 to RU-3M for proposed multi-family development
(4.837 Acres)
34-52-41

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above-referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to Section 24-43.1 of the Code.

Potable Water Service and Wastewater Disposal

Pursuant to the Code and based on the site plan submitted in support of the requested district boundary change, the proposed 60 apartments and 16 townhomes are within feasible distance to connect to public water and public sanitary sewer. Therefore, the proposed development shall connect to public water and sanitary sewers in accordance with Code requirements. Please note, that this development will need to obtain water and sanitary sewer extension permits prior to DERM approval of future development orders. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Permitting Section of RER.

Civil drawing for the required sewer main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Water and Wastewater Division of DERM prior to the approval of final development orders.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Please note that some of the collection/transmission facilities, which include sanitary sewer gravity sewer mains, sanitary sewer force mains, and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Conditions of Approval: That the owner submit a covenant in accordance with the requirements of section 24-43.4(2)(b)(iii) of the Code.

Stormwater Management

A DERM Surface Water Management General Permit shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the DERM Water Control Section (305-372-6681) for further information regarding permitting procedures and requirements.

Stormwater should be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year/1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources. A landscape plan entitled "Modena Development", prepared by Jaime Plana, R.A., and dated as received by Miami-Dade County on October 18, 2022, was submitted in support of the subject application and indicates the removal/relocation of non-specimen tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. DERM has no objection to this application provided that

the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Andrea Dopico at Andrea.Dopico@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property. There are no outstanding DERM liens or fines for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Ninfa Rincon at (305)372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: February 1, 2023

To: Nathan Kogon, Assistant Director
Department of Regulatory and Economic Resources

From: Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2020000084
Name: West Group Developers, LLC
Location: 1927 NW 105 Street
Section 34 Township 52 South Range 41 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objections**.

This land **complies** with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 5 thru 8, Block 4, Plat Book 40, Page 75. A Unity of Title approved by the Platting and Traffic Review Section is required.

This application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. It will generate approximately **53 PM** peak hour vehicle trips.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Notes: PM =Post Meridien

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

Standard Conditions:


- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review. The set of plans shall be signed and sealed by an engineer in compliance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as well as County Standards. Additional improvements may be required once the detailed set of plans are submitted to this Section.
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: July 11, 2022

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD) 

Subject: Zoning Application Comments - West Group Developers, LLC
Application No. Z2020000084 (Revision No. 1) - (Previous Pre-App. No. Z21P-389)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process. *The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.*

Application Name: West Group Developers, LLC

Location: The proposed project is located on approximately 4.15 Acres at 1927 NW 105th Street with Folios No. 30-2134-013-0270, 30-2134-013-0271 and 30-2134-013-0280, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a District Boundary Zone Change from RU-1 (Single-Family Residential District 2.5-6 DU/AC) to RU-3M (Minimum Apartment House 12.9 DU/AC) to build 60 Apartments (Low Density) and 16 Townhomes.

The estimated total water demand for the proposed project will be 10,740 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah-Preston Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 6-inch water main abutting the subject site along NW 105th Street. However, as per WASD's Rules and Regulations, low density apartment development must be connected to a minimum 8-inch water main, and a water main extension will be required. There is an existing 8-inch water main north of the intersection of NW 103rd Street and NW 19th Avenue (approximately 136 feet north of said intersection), to where the developer may connect and extend a new 8-inch water main, heading northerly along NW 19th Avenue, thence northwesterly along NW 105th Street to the southwest corner of the subject property, interconnecting to an existing 6-inch water main at that location, to provide water service to the proposed development. Any public water main extension within the property shall be minimum 8-inch in diameter. If two or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with (2) points of connections. *Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests a WASD Developer Agreement. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required

consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A and 18-B of the Miami-Dade County Code and consistent with Policies WS-5E and WS-5F of the CDMP, respectively. Also, please note that Section 8A-381 (c) of the Miami-Dade County Code estates that, effective January 1, 2009; all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit.

For more information about our Water Conservation Program, please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to <http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the North District Wastewater Treatment Plant (NDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch sanitary sewer force main (ES 8908-1) located at the intersection of NW 19th Avenue and NW 104th Street, to where the developer may connect and extend a new 8-inch sewer force main northerly along NW 19th Avenue and then northwesterly along NW 105th Street, to a point as required to provide sewer service to the subject site. A private sewage pump station will be required. *Final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.*

If unity of Title does not apply, then any gravity sewer within the property shall be public and 8-inch minimum diameter.

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Suyapa Carbajal at (786) 552-8124 or suyapa.carbajal@miamidade.gov.

Memorandum



Date: October 19, 2022

To: Nathan M. Kogon, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

Subject: Z2022000084

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 10/19/2022.

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

West Group Developers, LLC

1927 NW 105 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2020000084

DATE

HEARING NUMBER

FOLIO: 30-2134-013-0270, 30-2134-013-0271, and 30-2134-013-0280

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

October 20, 2022

NEIGHBORHOOD REGULATIONS:

Folio No.s: 30-2134-013-0270/30-2134-013-0271/30-2134-013-0280

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Folio No.s: 30-2134-013-0271/30-2134-013-0280

There are no open/closed cases in BSS.

Folio 30-2134-013-0270

Building Support Case A2022001733X, opened on February 11, 2022, for Expired Permit Number 2021044360. A Notice of Violation was issued on February 11, 2022, and Civil Violation Notice P039623 issued on July 1, 2022, due to non-compliance. Violation was corrected on 08/16/2022; Settlement payment received on 08/16/2022. Case is pending review for closing.

VIOLATOR:

West Group Developers, LLC

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

RECEIVED
MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: JUN 4 2020
BY: GONGOL



CONSTRUKOMUSA – PLANA INTERNATIONAL

RECEIVED
MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: JUN 4 2020
BY: GONGOL



CONSTRUKOMUSA – PLANA INTERNATIONAL

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PROCESS NO: Z20-084
DATE: JUN 4 2020
BY: GONGOL



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CONSTRUKOMUSA – PLANA INTERNATIONAL



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MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: JUN 4 2020
BY: GONGOL



CONSTRUKOMUSA – PLANA INTERNATIONAL

RECEIVED
 MIAMI-DE COUNTY
 DATE: 11/14/2022
 BY: GONZAL



PLANA INTERNACIONAL
 JAIME PLANA
 ARCHITECT
 1000 BRICKS WAY
 MIAMI, FLORIDA 33136
 PHONE: (305) 441-1111
 FAX: (305) 441-1112

CONSTRUKOMUSA
 3400 CONVENT AVENUE
 WESTLAND, FLORIDA 33082
 PHONE: (305) 441-1111
 FAX: (305) 441-1112

PROJECT NAME AND ADDRESS:
 MODENA DEVELOPMENT
 1927 NW 105th STREET
 MIAMI, FLORIDA 33178

CLIENT NAME AND ADDRESS:
 WEST GROUP DEVELOPERS, LLC
 7275 N.W. 87th AVENUE, MIAMI, FLORIDA 33178
 FOLIOS # 30-2134-013-0270 / 30-2134-013-0271 / 30-2134-013-0280

DATE: 02/02/2020

DATE: 02/02/2020

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DATE: 02/02/2020
 SHEET TITLE
 RENDERINGS

A-17

JAIME PLANA
 ARCHITECT

RECEIVED
 MIAMI-DE COUNTY
 PLANNING DEPARTMENT
 DATE: 01/14/2022
 BY: GONZALEZ



PLANA INTERNACIONAL
JAIIME PLANA
 ARCHITECT
 10000 SW 15TH AVENUE
 MIAMI, FLORIDA 33156
 PHONE: (305) 673-1111
 FAX: (305) 673-1112

CONSTRUKOMUSA
 3400 CONVENT AVENUE
 WEST PALM BEACH, FLORIDA 33411
 PHONE: (561) 833-3333
 FAX: (561) 833-3334

Project Name and Address:
MODENA DEVELOPMENT
 1927 NW 105th STREET
 MIAMI, FLORIDA 33178

Client Name and Address:
WEST GROUP DEVELOPERS, LLC
 7775 N.W. 87th AVENUE, MIAMI, FLORIDA 33178
 FOLIOS # 30-2134-013-0270 / 30-2134-013-0271 / 30-2134-013-0280

NO.	DATE	DESCRIPTION
1	02/02/2020	ISSUED FOR PERMIT
2	02/02/2020	ISSUED FOR PERMIT
3	02/02/2020	ISSUED FOR PERMIT
4	02/02/2020	ISSUED FOR PERMIT
5	02/02/2020	ISSUED FOR PERMIT
6	02/02/2020	ISSUED FOR PERMIT
7	02/02/2020	ISSUED FOR PERMIT
8	02/02/2020	ISSUED FOR PERMIT
9	02/02/2020	ISSUED FOR PERMIT
10	02/02/2020	ISSUED FOR PERMIT

DATE: 02/02/2020
 SHEET TITLE: RENDERINGS
 A-21

Architect:
JAIIME PLANA
 ARCHITECT

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: JUN 4 2020
BIRMGOL

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: WEST GROUP DEVELOPERS, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ALEJANDRO AMBRUGNA - 7275 NW 87th AVENUE, MIAMI, FLORIDA 33178</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME:

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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<u> </u>	<u> </u>
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RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: JUN 4 2020
BY: GONGOL

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: WEST GROUP DEVELOPERS, LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>ALEJANDRO AMBRUGNA - 7275 NW 87th AVENUE, MIAMI, FLORIDA 33178</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____ ALEJANDRO AMBRUGNA
(Applicant) (Applicant name)

Sworn to and subscribed before me this 22th day of April, 2020. Affiant is personally known to me or has produced FL Driver License as identification.

[Signature]
(Notary Public)

My commission expires Dec 20th, 2022

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

RECEIVED
 CFN 2005R1035809
 OR Bk 23832 Pg 4272
 RECORDED 10/03/2005 13:40:25
 DEED DOC TAX 3,306.00
 SURTAX 2,475.00
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA
 LAST PAGE

MIAMI-DADE COUNTY
 PROCESS NO: Z20-084
 DATE: JUN 4 2020
 BY: GONGOL

THIS INSTRUMENT PREPARED BY AND RETURN TO:
Tricia-Ann Blair, Esq
 Tricia-Ann Blair, P.A.
 18350 NW 2nd Ave
 Miami, Fl., 33169
 Property Appraisers Parcel Identification (Folio) Numbers: 3021340130280

_____ Space Above This Line For Recording Data _____

THIS WARRANTY DEED, made the 17 day of June, 2005 by 4 Star Entertainment, Inc., A Florida Corporation, herein called the grantor, to West Group Developers, LLC, whose post office address is 1900 NW 105 Street, Miami, Florida 33147, 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 TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in BROWARD County, State of Florida, viz.:

MIAMI-DADE

Lots 7 and 8, Block 4, River Gulfair, according to the map or plat thereof as recorded in Plat Book 40, Page(s) 75, Public Records of Miami-Dade County, Florida, less and excepting Little River Canal R/W .

Also known as: Less that portion of Lots 7 and 8 commencing at the Northeast corner of said Lot 8, bear Southwesterly along the East line of said Lot 8; a distance of 18.9 feet, more or less, to the Point of Beginning; thence North 53 degrees 28' 49", a distance of 157.65 feet to a point of curvature of a curve to the left; having a central angle of 38 degrees 02' 16" and a radius of 476.7 feet; thence, Northwesterly along the arc of said curve to a point of intersection with the West line of said Lot 7 and the end of the specifically described line, all of the Public Records of Miami-Dade County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2005 and thereafter.

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

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

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, and hereby 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, 2004

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:

[Signature]
 Witness #1 Signature

YVENE DAVIS
 Witness #1 Printed Name

[Signature]
 Witness #2 Signature

Nora-lee Rodriguez
 Witness #2 Printed Name

Theodore Lucas
 4 Star Entertainment, Inc
 919 4TH STREET
 MIAMI BEACH FL 33139
 Theodore Lucas

**STATE OF FLORIDA
 COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me this 17 day of June, 2005 by Theodore Lucas of 4 Star Entertainment Inc., who is personally known to me or has produced FD as identification.

SEAL

[Signature]
 Notary Public

Tricia-Ann Blair
 Printed Notary Name

My Commission Expires:



Tricia-Ann Blair
 Commission #DD314386
 Expires: Apr 28, 2008
 Bonded Thru
 Atlantic Bonding Co., Inc.

RECEIVED
 CFN 20050857394
 OR Bk 23680 Pg 1896
 RECORDED 08/15/2005
 DEED DOC TAX 2,400.00
 SURTAX 1,800.00
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA
 LAST PAGE

Prepared by and Return to: Elizabeth A. Merceret, Esq.
 1800 W 49th Street, Suite 332
 Hialeah, Florida 33012

MIAMI-DADE COUNTY
 PROCESS NO: Z20-084
 DATE: JUN 4 2020
 BY: GONGOL

WARRANTY DEED

THIS INDENTURE, made this 28 day of June, 2005

BETWEEN Fermin Rojas and Ana Rojas, his wife, whose post office address is: 9272 Harding Avenue, Surfside, Florida 33154, County of Miami Dade, State of Florida, grantors, and, **West Group Developers, LLC, a Florida Limited Liability Company**, whose post office address is: 1948 Tyler Street, Suite 207, Hollywood, Florida 33020, County of Broward, State of Florida, grantee,

WITNESSETH, that said grantor, for and in consideration of the sum of TEN (\$10.00) and other good and valuable considerations to said grantor in have paid by said grantee, the receipt thereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to wit:
 Folio # 30 2134 013 0270

Parcel 1

Lot 5, Block 4, of River Gulfair, according to the Plat thereof as recorded in Plat Book 40, at page 75 of the Public Records of Miami Dade County, Florida, less Little River canal right of way.

Parcel 2

Lot 6, Block 4, of River Gulfair, according to the Plat thereof as recorded in Plat Book 40, at page 75 of the Public Records of Miami Dade County, Florida, less Little River canal right of way.

Subject to conditions and restrictions of record, except that this shall not be construed to re-impose same; subject to taxes for the year 2005 and subsequent years and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. (Grantor and grantee are used for singular or plural, as context requires.)

IN WITNESS WHEREOF, Grantors have hereunto set grantors' hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Elizabeth Merceret (Seal)
 NAME: Elizabeth A. Merceret Fermin Rojas
Luis Olivo (Seal)
 NAME: Luis Olivo Ana Rojas

STATE OF FLORIDA
 COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Fermin Rojas and Ana Rojas, his wife, to me known to be the person(s) described in and who executed the foregoing instrument or who provided the following identification: personally and acknowledged before me that they executed the same, which was sworn/not sworn.

WITNESSE my hand and official seal in the County and State last aforesaid this 28 day of June, 2005.

Elizabeth Merceret
 Notary Name:
 My Commission Expires:

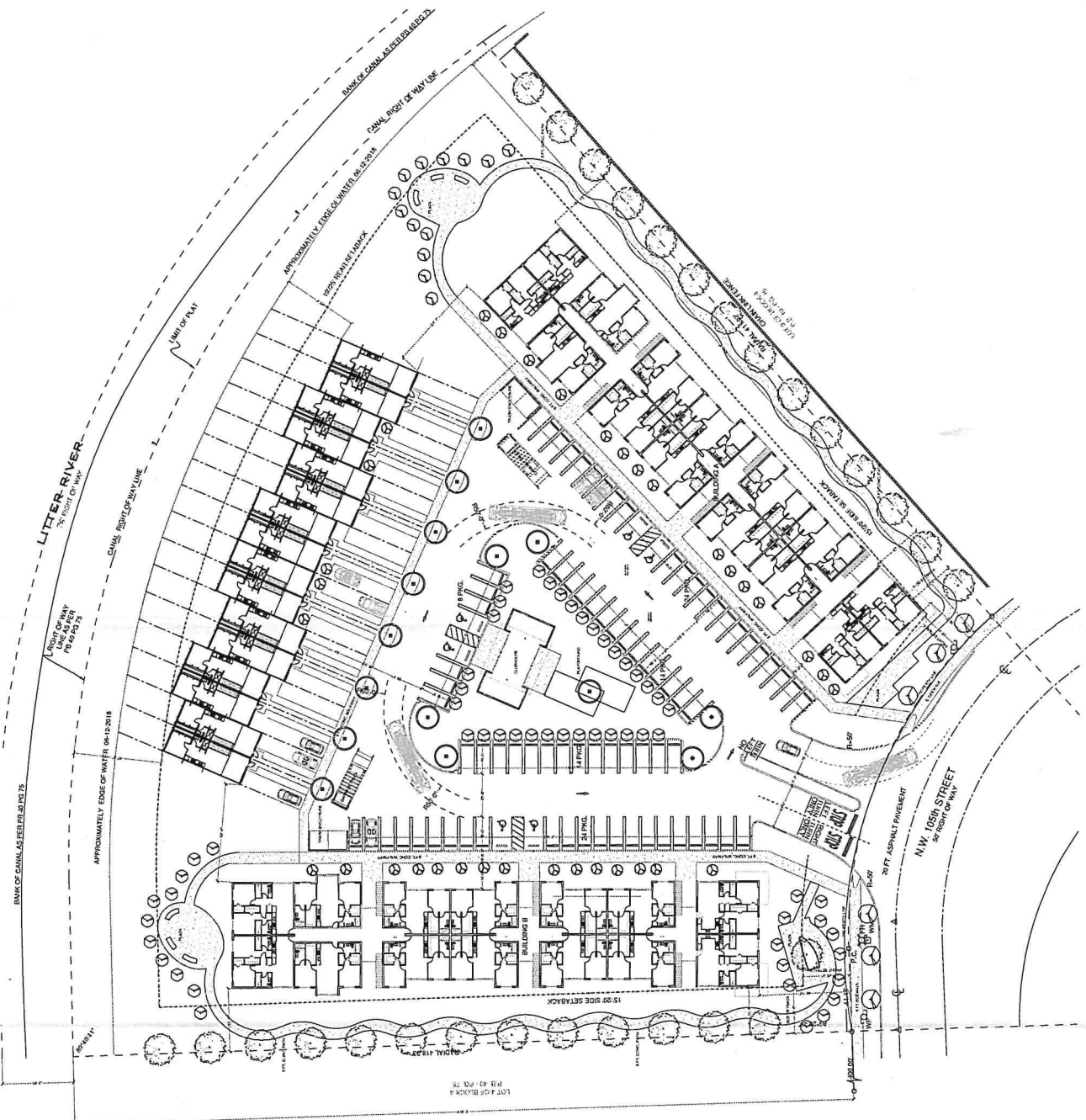


Warrantydeed2005/rojustowestgroup

32

33

<p>PLANA INTERNATIONAL JAME PLANA ARCHITECT</p> <p>1850 BAY DRIVE SUITE 100 BOCA RATON, FLORIDA 33433 TEL: 561.993.4444 WWW.PLANAINTERNATIONAL.COM</p>	<p>CONSTRUMUS</p> <p>3600 UNIVERSITY AVENUE SUITE 100 MIAMI, FLORIDA 33136 TEL: 305.442.4444 WWW.CONSTRUMUS.COM</p>	<p>Client Name and Address: WEST GROUP DEVELOPERS, LLC 7275 NW 87th AVENUE, MIAMI, FLORIDA 33178 FLORES # 20-2134-01-02719 / 20-2134-01-02711 / 20-2134-01-02718</p>	<p>Project Name and Address: MOODNA DEVELOPMENT 1527 NW 105th STREET PROPOSED SITE PLAN FOR</p>
<p>DATE: 02/02/2020 SCALE: AS SHOWN PROJECT: MOODNA DEVELOPMENT DATE: 02/02/2020</p>		<p>DATE: 02/02/2020 SHEET TITLE: SITE PLAN SCALE: AS SHOWN</p>	



NO.	REVISION	DATE	BY	CHKD.	APP.
1	ISSUED FOR PERMIT	02/02/2020	JPL	JPL	JPL
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99	REVISED PER COMMENTS	02/02/2020	JPL	JPL	JPL
100	REVISED PER COMMENTS	02/02/2020	JPL	JPL	JPL

RECEIVED
 PLANA INTERNATIONAL
 ARCHITECTS
 1850 BAY DRIVE SUITE 100
 BOCA RATON, FLORIDA 33433
 DATE: 02/11/2022
 BY: GONZALEZ



35

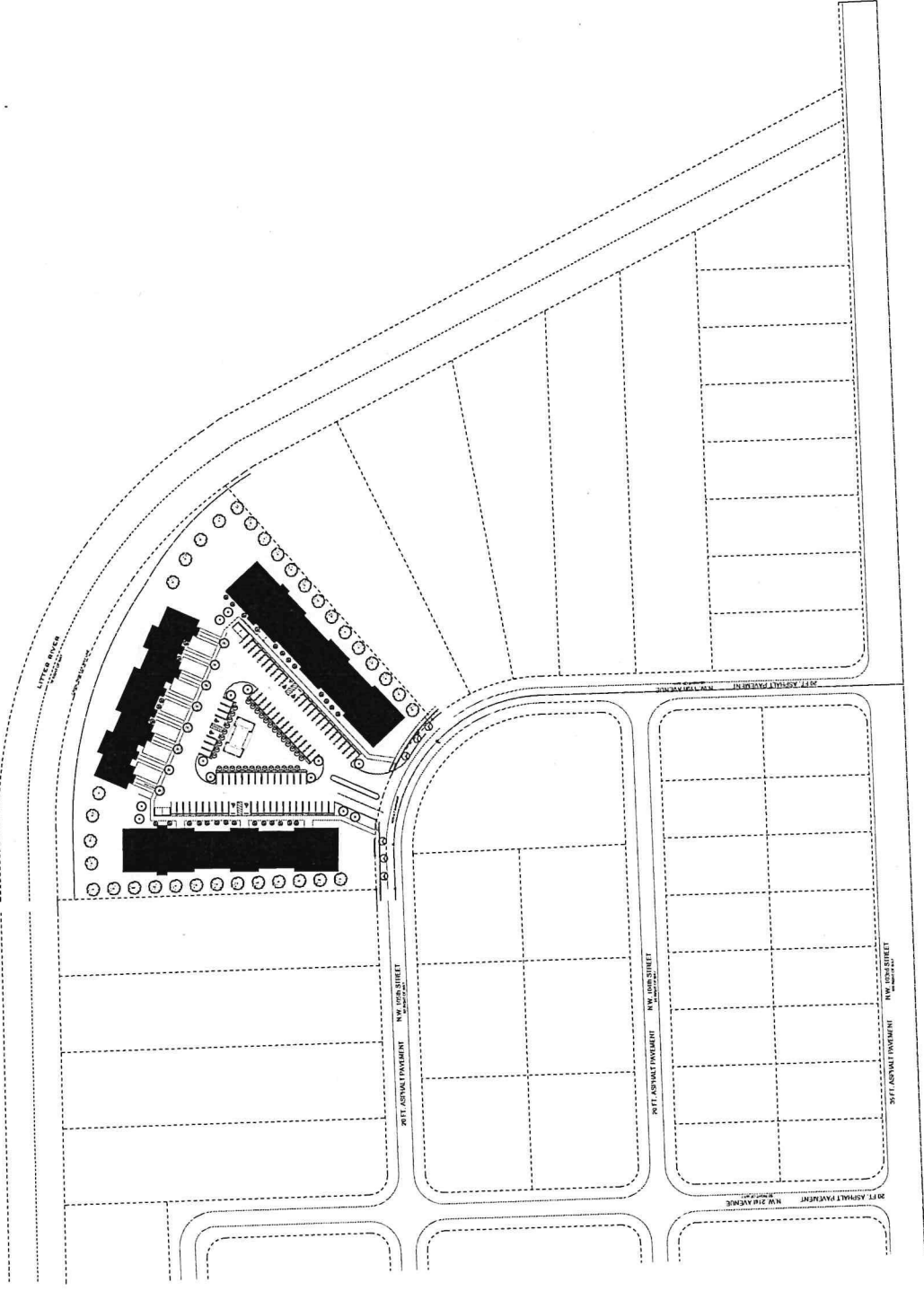
PIAMA INTERNATIONAL
 JAME PLANA
 ARCHITECT
 11000 W. BAYVIEW BLVD
 SUITE 1000
 MIAMI, FLORIDA 33147
 TEL: 305.555.1100
 FAX: 305.555.1101
 WWW.PIAMA.COM

CONSTRUKOMISA
 INCORPORATED
 11000 W. BAYVIEW BLVD
 SUITE 1000
 MIAMI, FLORIDA 33147
 TEL: 305.555.1100
 FAX: 305.555.1101
 WWW.CONSTRUKOMISA.COM

PROJECT NAME AND ADDRESS:
 MODENA DEVELOPMENT
 PROPOSED SITE PLAN FOR
 1927 NW 105th STREET
 MIAMI, FLORIDA

CLIENT NAME AND ADDRESS:
 WEST GROUP DEVELOPERS, LLC
 7725 NW 87th AVENUE, MIAMI, FLORIDA 33178
 FLORES # 20-2144019-0270 / 20-2144019-0271 / 20-2144019-0280

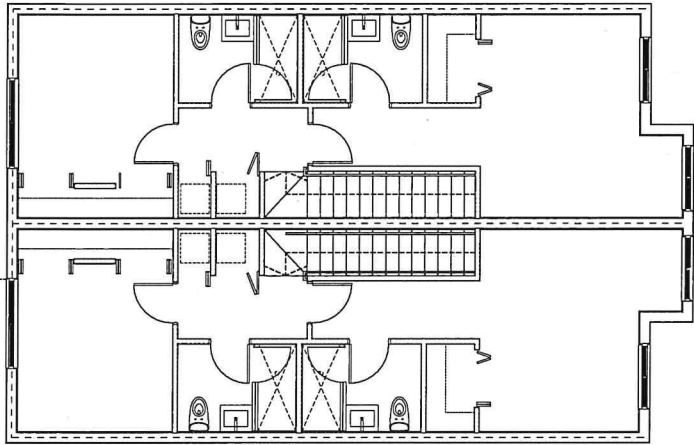
DATE: 02-02-2020
 SHEET TITLE: SITE LOCATION
 LOCATION: A-1.2



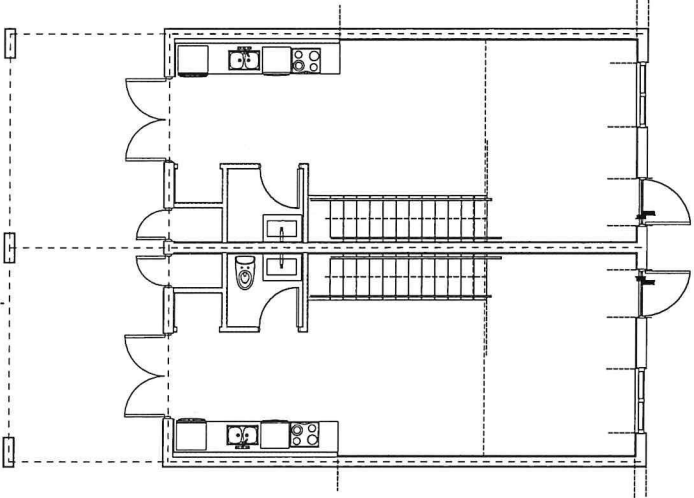
GENERAL LOCATION PLAN
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RECEIVED
 MIAMI-DADE COUNTY
 PLANNING DEPARTMENT
 DATE: 02/14/2022
 BY: GONSOL

38

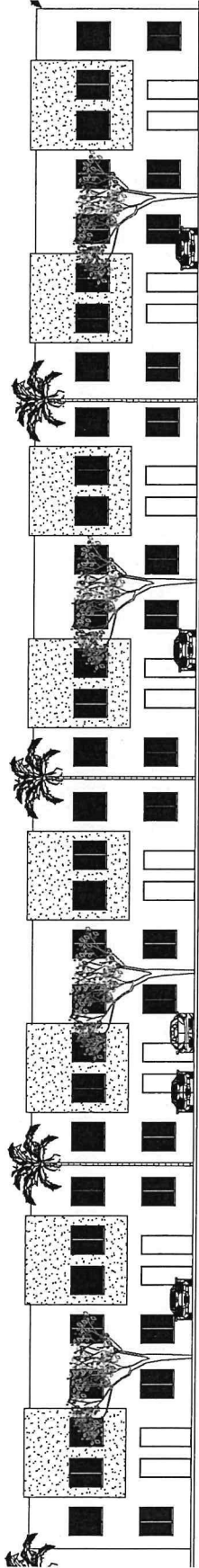


SECOND FLOOR PLAN



GROUND FLOOR PLAN

TYPE B
 2 BEDROOM / 2-1/2 BATHROOMS
 1,020 SQ. FT.



TOWN HOMES ELEVATIONS

PLANA INTERNATIONAL
 JAMIE PLANA
 ARCHITECT
 10000 SW 15TH ST
 SUITE 1000
 MIAMI, FL 33185
 TEL: 305.441.1111
 WWW.PLANAINTERNATIONAL.COM

CONSTRUKOMISA
 10000 SW 15TH ST
 SUITE 1000
 MIAMI, FL 33185
 TEL: 305.441.1111
 WWW.CONSTRUKOMISA.COM

PROJECT NAME AND ADDRESS:
 MODENA DEVELOPMENT
 1927 NW 105th STREET
 MIAMI, FLORIDA

CLIENT NAME AND ADDRESS:
 WEST GROUP DEVELOPERS, LLC
 775 N.W. 87th AVENUE, MIAMI, FLORIDA 33178
 FOLIO # 20-213-01-0278 / 20-213-01-0271 / 20-213-01-0270

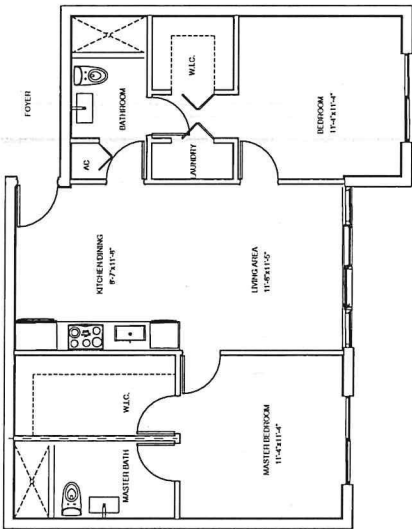
DATE: 02/22/2020
 SHEET TITLE: TOWN HOMES
 A-5.0

JAMIE PLANA
 ARCHITECT

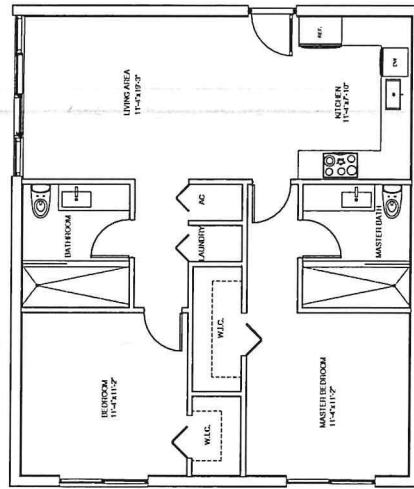
RECEIVED
 PLANNING COUNTY
 PROJECT NO. 2022-00104
 DATE OF 10/2022
 BY: GONDOL

28

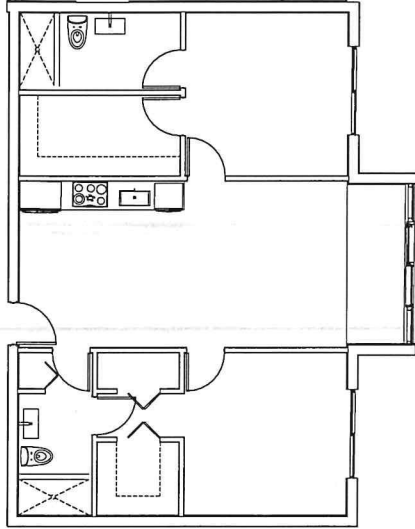
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 DATE OF 18/2022
 BY: GONDOL



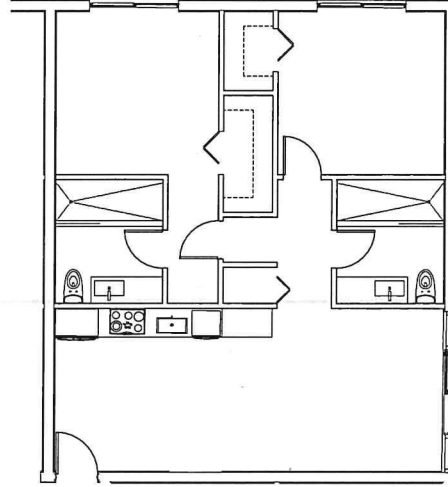
TYPE 2a
 2 BEDROOM / 2 BATHROOMS
 865 SQ. FT. / 80.96 SQ. M
 UNITS 103 THRU 110 - 203 THRU 212



TYPE 2b - CORNER
 2 BEDROOM / 2 BATHROOMS
 872 SQ. FT. / 81.01 SQ. M
 UNITS 102 - 1112 - 202 - 214



TYPE 2c
 2 BEDROOM / 2 BATHROOMS
 943 SQ. FT.



TYPE 2d
 2 BEDROOM / 2 BATHROOMS
 872 SQ. FT.

PLANA INTERNATIONAL
 JAMIE PLANA
 ARCHITECT
 1000 SOUTH MIAMI AVENUE
 MIAMI, FLORIDA 33130
 PHONE: 305.441.1111
 FAX: 305.441.1111
 EMAIL: jamie@plana.com

CONSTRUKOMISA
 1400 COMMERCIAL BLVD
 MIAMI, FLORIDA 33130
 PHONE: 305.441.1111
 FAX: 305.441.1111
 EMAIL: info@constru.com

Project Name and Address:
 MODENA DEVELOPMENT
 1827 NW 105th STREET
 MIAMI FLORIDA
 Client Name and Address:
 WEST GROUP DEVELOPERS LLC
 7725 NW 87th AVENUE, MIAMI, FLORIDA 33178
 FLOORS # 20-213-41-13-278 / 20-213-41-13-271 / 20-213-41-13-280

Scale:
 1/8" = 1'-0"
 1/4" = 1'-0"
 1/2" = 1'-0"
 3/4" = 1'-0"
 1" = 1'-0"
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 11" = 1'-0"
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 11 1/2" = 1'-0"
 11 3/4" = 1'-0"
 12" = 1'-0"

REVISIONS
 NO. DATE BY
 1 01/15/2020 J.P.
 2 01/15/2020 J.P.
 3 01/15/2020 J.P.
 4 01/15/2020 J.P.
 5 01/15/2020 J.P.
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JAMIE PLANA
 SEAL

DATE: 09-02-2020
 SHEET TITLE

TYPOLOGIES
 A-7.0

14

RECEIVED
MIAMI-DADE COUNTY
PLANNING DEPARTMENT
DATE: NOV 14 2022
BY: CONPOL

PLANA INTERNATIONAL
JAMIE PLANA
ARCHITECT
1100 BAYVIEW AVENUE
SUITE 1000
MIAMI BEACH, FLORIDA 33139
TEL: 305.556.1421
WWW.PLANAINTERNATIONAL.COM

CONSTRUKOMIUSA
3600 NE 137th AVE
SUITE 1000
MIAMI, FLORIDA 33181
TEL: 305.556.1421
WWW.CONSTRUKOMIUSA.COM

Client Name and Address:
WEST GROUP DEVELOPERS, LLC
7275 NW 87th AVENUE, MIAMI, FLORIDA 33178
MIA, FLORIDA

Project Name and Address:
MODENA DEVELOPMENT
1927 NW 105th STREET
MIAMI, FLORIDA

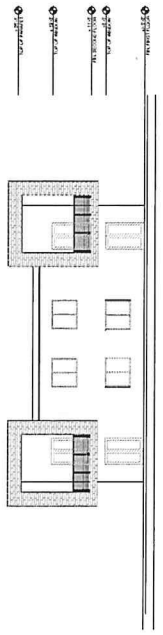
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DATE: 02/02/2020
SHEET TITLE: ELEVATIONS
A-4.0

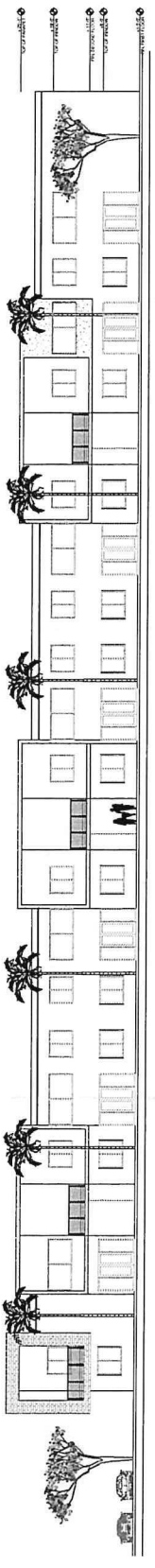
JAMIE PLANA
SEAL



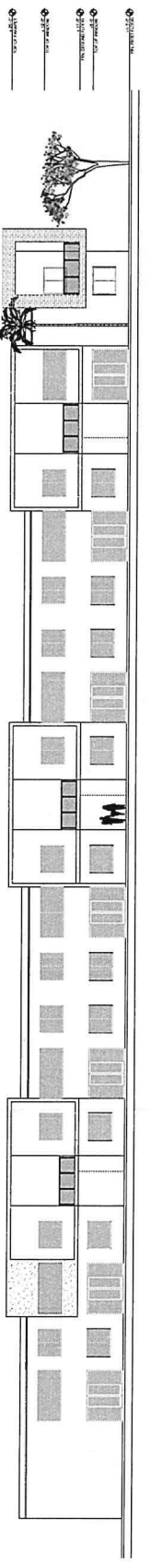
CANAL VIEW ELEVATION



FRONT ROAD ELEVATION



INTERIOR ROAD ELEVATION



SIDE ELEVATION

BUILDING A ELEVATIONS

42

PLANA INTERNATIONAL
 JAMIE PLANA
 ARCHITECT
 1927 NW 103th STREET
 MIAMI, FLORIDA 33167
 TEL: 305-555-5555
 WWW.PLANAINTERNATIONAL.COM

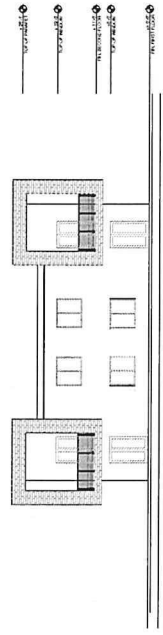
CONSTRUKOMUSA
 1927 NW 103th Street
 Miami, Florida 33167
 Tel: 305-555-5555
 www.construcomusa.com

Project Name and Address:
 MODENA DEVELOPMENT
 1927 NW 103th Street
 MIAMI, FLORIDA
 Client Name and Address:
 WEST GROUP DEVELOPERS, LLC
 775 N.W. 67th Avenue, Miami, Florida 33178
 FOLIOS # 30-2134-013-0270 / 30-2134-013-0271 / 30-2134-013-0280

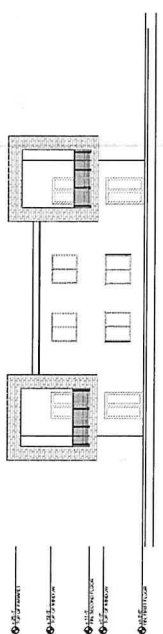
DATE:	02-02-2020
SCALE:	AS SHOWN
PROJECT:	MODENA DEVELOPMENT
ARCHITECT:	PLANA INTERNATIONAL
CONTRACTOR:	CONSTRUKOMUSA
DATE:	02-02-2020

JAMIE PLANA
 SEAL

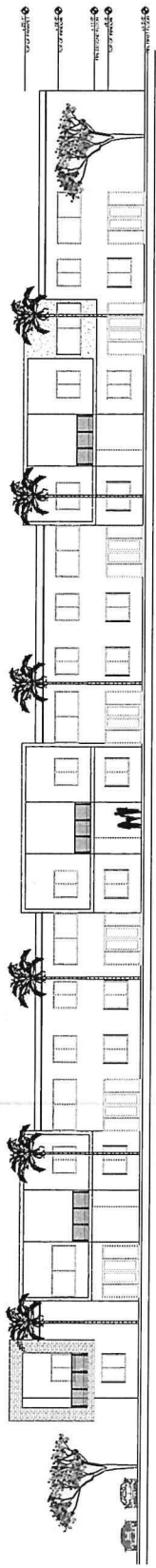
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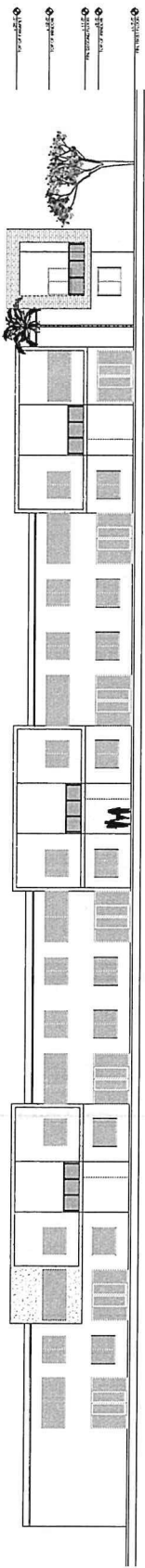
FRONT ROAD ELEVATION



CANAL VIEW ELEVATION



INTERIOR ROAD ELEVATION



SIDE ELEVATION

BUILDING B ELEVATIONS

RECEIVED
 CIVIL ENGINEERING
 DATE: NOV 14 2022
 BY: GONZALEZ

43

RECEIVED
MAY 14 2022
PROJECT NO. 2201-084
BY: LEON, D.

PLANA INTERNATIONAL
JANINE PLANA
ARCHITECT
1927 NW 108th STREET
MIAMI, FLORIDA 33187
TEL: 305-555-1111
WWW.PLANAINTERNATIONAL.COM

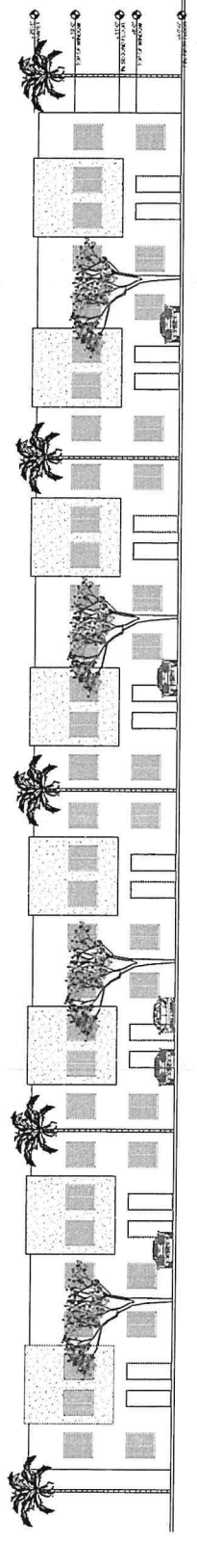
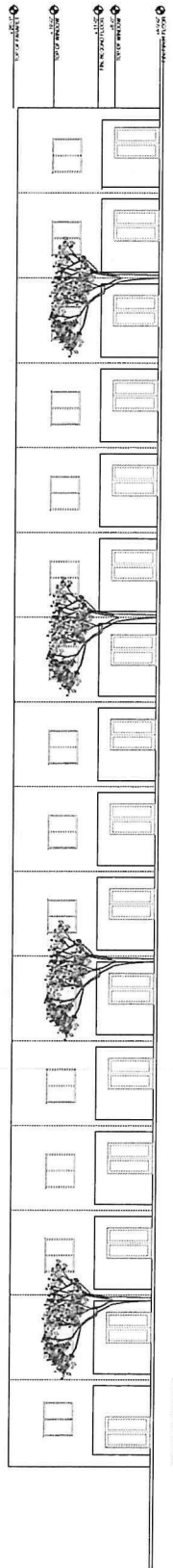
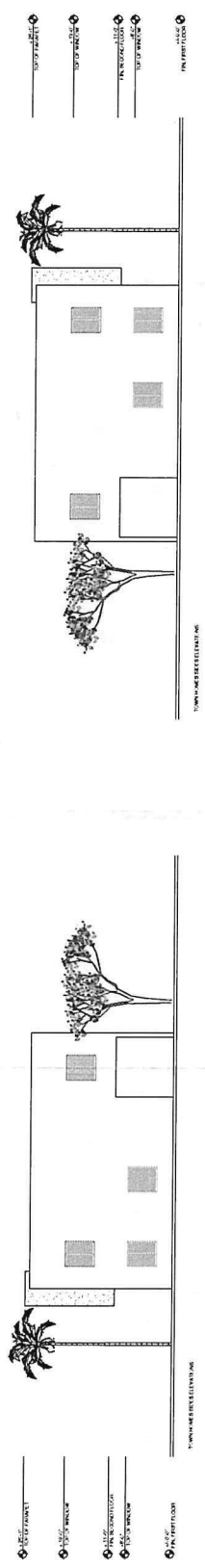
CONSTRUKOMISA
1927 NW 108th Street
Miami, Florida 33187
Tel: 305-555-1111
www.construcomisa.com

Project Name and Address:
MODENA DEVELOPMENT
1927 NW 108th STREET
MIAMI, FLORIDA
Client Name and Address:
WEST GROUP DEVELOPERS, LLC
775 N.W. 67th AVENUE, MIAMI, FLORIDA 33178
FOLIOS # 30-21-14-01-13-0279 / 30-21-14-01-13-0271 / 30-21-14-01-13-0280

NO.	DATE	DESCRIPTION
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2	02/01/2022	ISSUED FOR PERMITS
3	02/01/2022	ISSUED FOR PERMITS
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10	02/01/2022	ISSUED FOR PERMITS

JANINE PLANA
SEAL

DATE: 02-02-2022
SHEET TITLE: ELEVATIONS
A-5.1



TOWN HOMES FLOOR PLANS

45

PLANA INTERNATIONAL
 JAMIE PLANA
 ARCHITECT
 10700 SW 15TH STREET
 MIAMI, FLORIDA 33185
 PHONE: (305) 666-1111
 FAX: (305) 666-1111

CONSTRUKOMIUSA
 3400 CONVENT ROAD
 MIAMI, FLORIDA 33133
 PHONE: (305) 442-1111
 FAX: (305) 442-1111

Project Name and Address:
 MODENA DEVELOPMENT
 1827 NW 105TH STREET
 MIAMI, FLORIDA

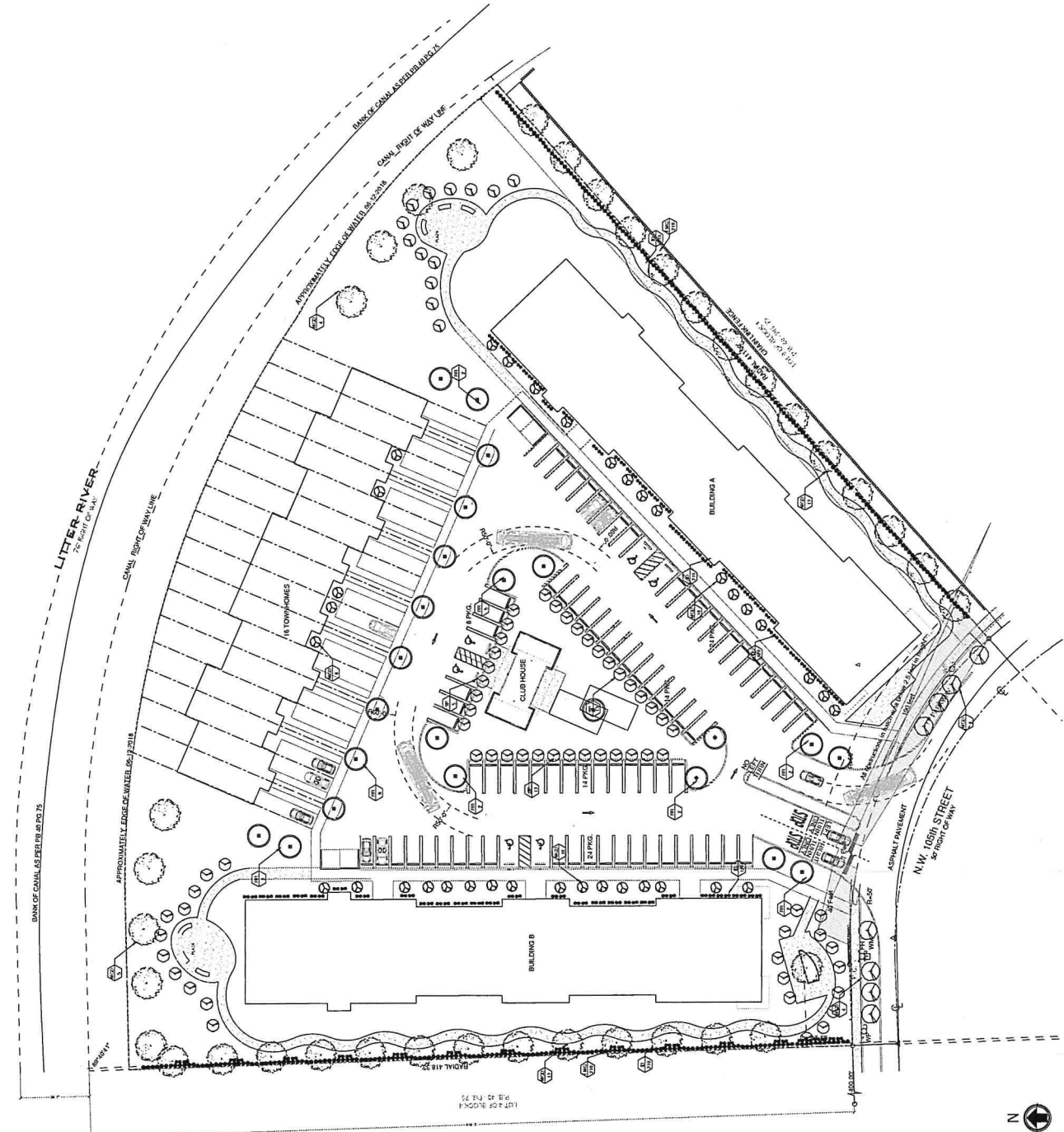
Client Name and Address:
 WEST GROUP DEVELOPERS, LLC
 7725 NW 87TH AVENUE, MIAMI, FLORIDA 33178
 PHONE: (305) 416-13270 / (305) 213-41271 / (305) 213-41280

DATE: 02/22/2020
 DRAWN BY: JAMIE PLANA
 CHECKED BY: JAMIE PLANA
 SCALE: AS SHOWN

NO.	DATE	DESCRIPTION

JAMIE PLANA
 SEAL

PROJECT DATE: 02/22/2020
 SHEET TITLE: LANDSCAPE PLAN
 L-1.0



RECEIVED
 HAVENLY COMMUNITY
 DATE: 03/14/2024
 BY: GONNOL

LANDSCAPE PLAN

PLANA INTERNATIONAL
 JAIME PLANA
 ARCHITECT
 19150 N.W. 11th St.
 Suite 100
 Miami, Florida 33187
 Phone: (305) 555-1111
 Fax: (305) 555-1112
 E-Mail: jplana@plana.com

CONSTRUIROMUSA
 3000 N.W. 11th St.
 Suite 100
 Miami, Florida 33187
 Phone: (305) 555-1111
 Fax: (305) 555-1112
 E-Mail: construiromusa@plana.com

Project Name and Address:
 MODERNA DEVELOPMENT
 PROPOSED SITE PLAN FOR
 1827 NW 108th STREET
 MIAMI BEACH, FLORIDA 33154

Client Name and Address:
 WEST GROUP DEVELOPERS, LLC
 7725 N.W. 87th Avenue, Miami, Florida 33158
 Phone: (305) 441-1270 / (305) 441-9271 / (305) 441-9280

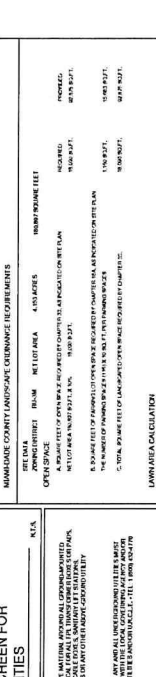
DATE: 02-02-2020
 SHEET TITLE: LANDSCAPE DETAILS
 L-2.0

PLANT SCHEDULE

NO.	SYMBOL	PLANT NAME	PLANT SIZE	PLANT QUANTITY	PLANT SPECIES	PLANT NOTES
1	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
2	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
3	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
4	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
5	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
6	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
7	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
8	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
9	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE
10	(Symbol)	18" PALM TREE	18"	10	CHRYSEALMA PALM	18" PALM TREE

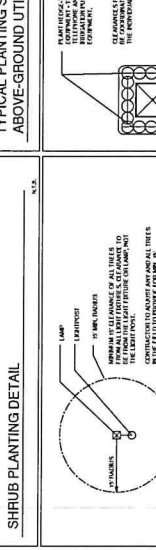
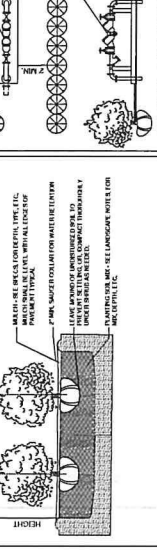
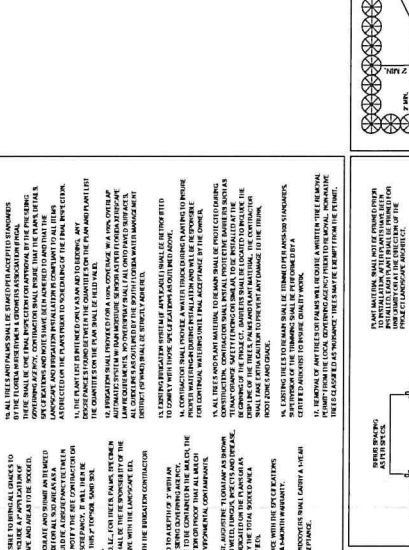
LANDSCAPE NOTES

- ALL PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA, AND ALL APPLICABLE ORDINANCES AND REGULATIONS.
- ALL PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA, AND ALL APPLICABLE ORDINANCES AND REGULATIONS.
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- ALL PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA, AND ALL APPLICABLE ORDINANCES AND REGULATIONS.



TYPICAL PLANTING SCREEN FOR ABOVE-GROUND UTILITIES

TYPICAL PLANTING SCREEN FOR GROUND-MOUNTED EQUIPMENT



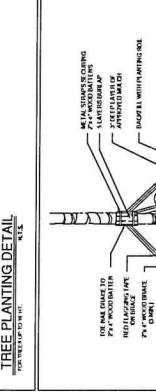
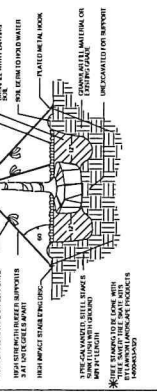
SHRUB PLANTING DETAIL

TREE PLANTING DETAIL

PALM PLANTING DETAIL

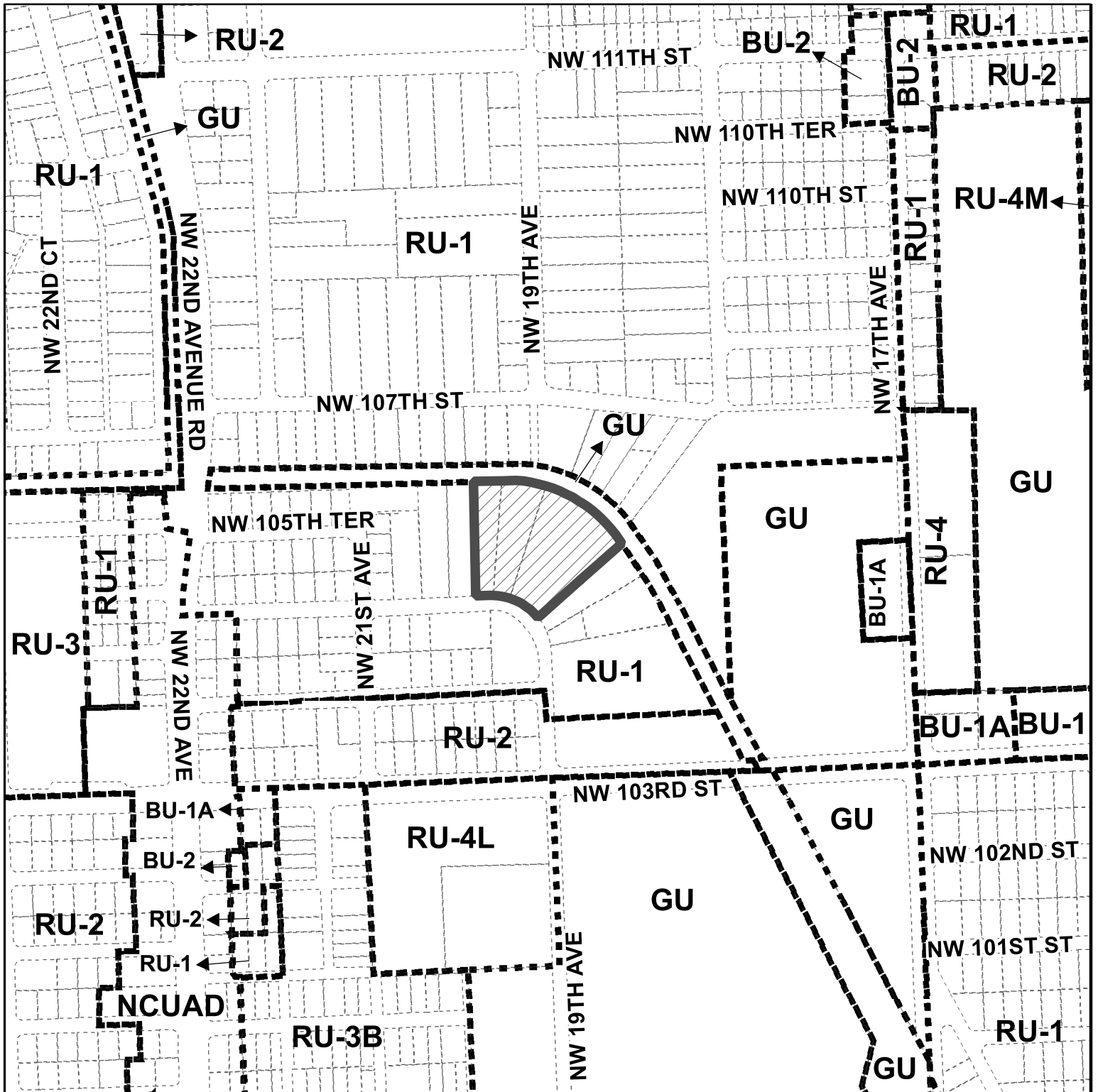
LANDSCAPE NOTES

- ALL PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA, AND ALL APPLICABLE ORDINANCES AND REGULATIONS.
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TREE PLANTING DETAIL



PALM PLANTING DETAIL

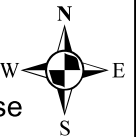


MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2020000084

Legend

-  Subject Property Case
-  Zoning



Section: 34 Township: 52 Range: 41
 Applicant: West Group Developers, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: Roberto Gonzalez
 Scale: NTS




SKETCH CREATED ON: Monday, June 8, 2020

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2019

Process Number
Z2020000084

Legend
 Subject Property

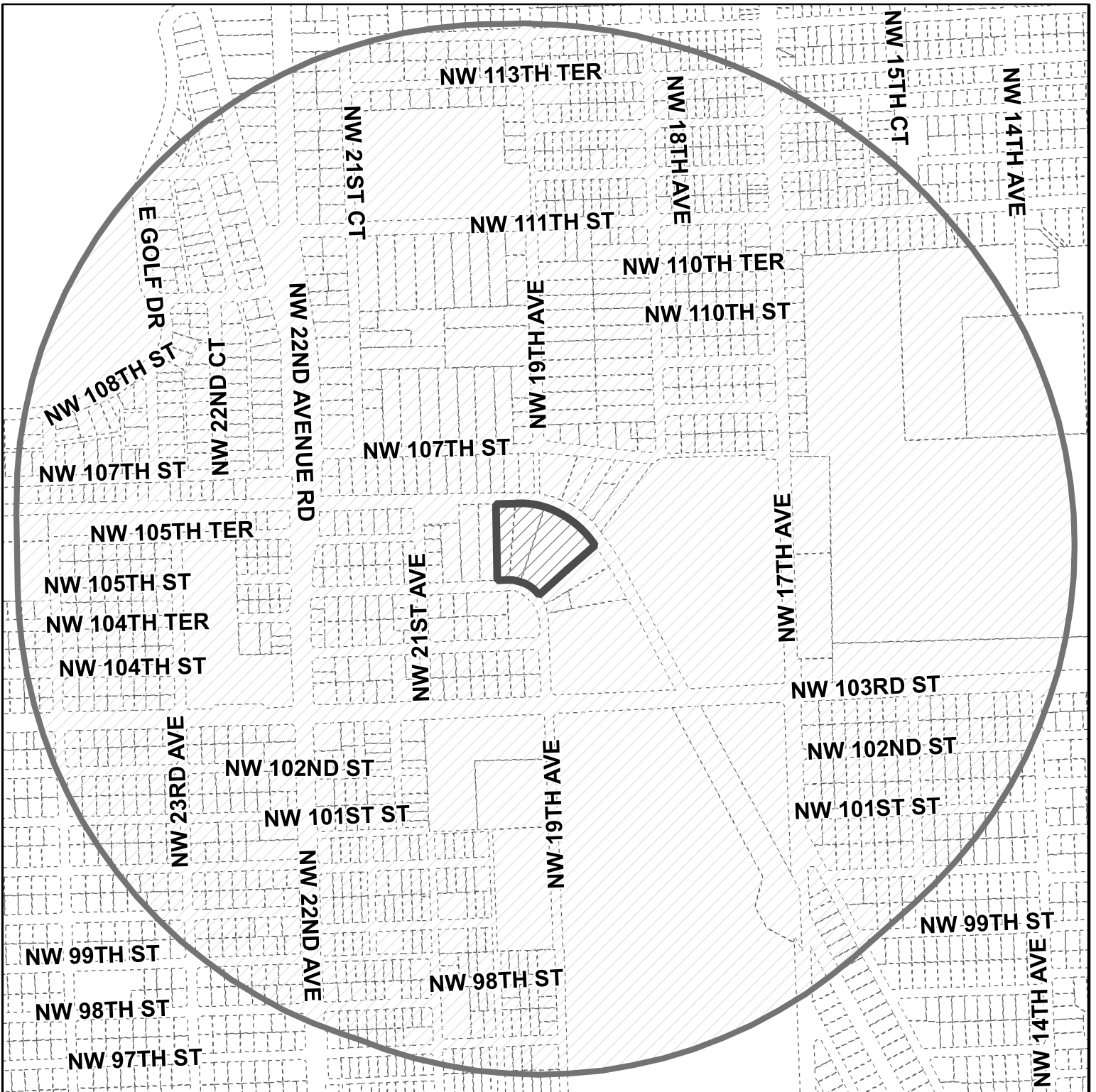


Section: 34 Township: 52 Range: 41
 Applicant: West Group Developers, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: Roberto Gonzalez
 Scale: NTS



SKETCH CREATED ON: Monday, June 8, 2020

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 34 Township: 52 Range: 41
 Applicant: West Group Developers, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: Roberto Gonzalez
 Scale: NTS

Process Number
Z2020000084
 RADIUS: 2640

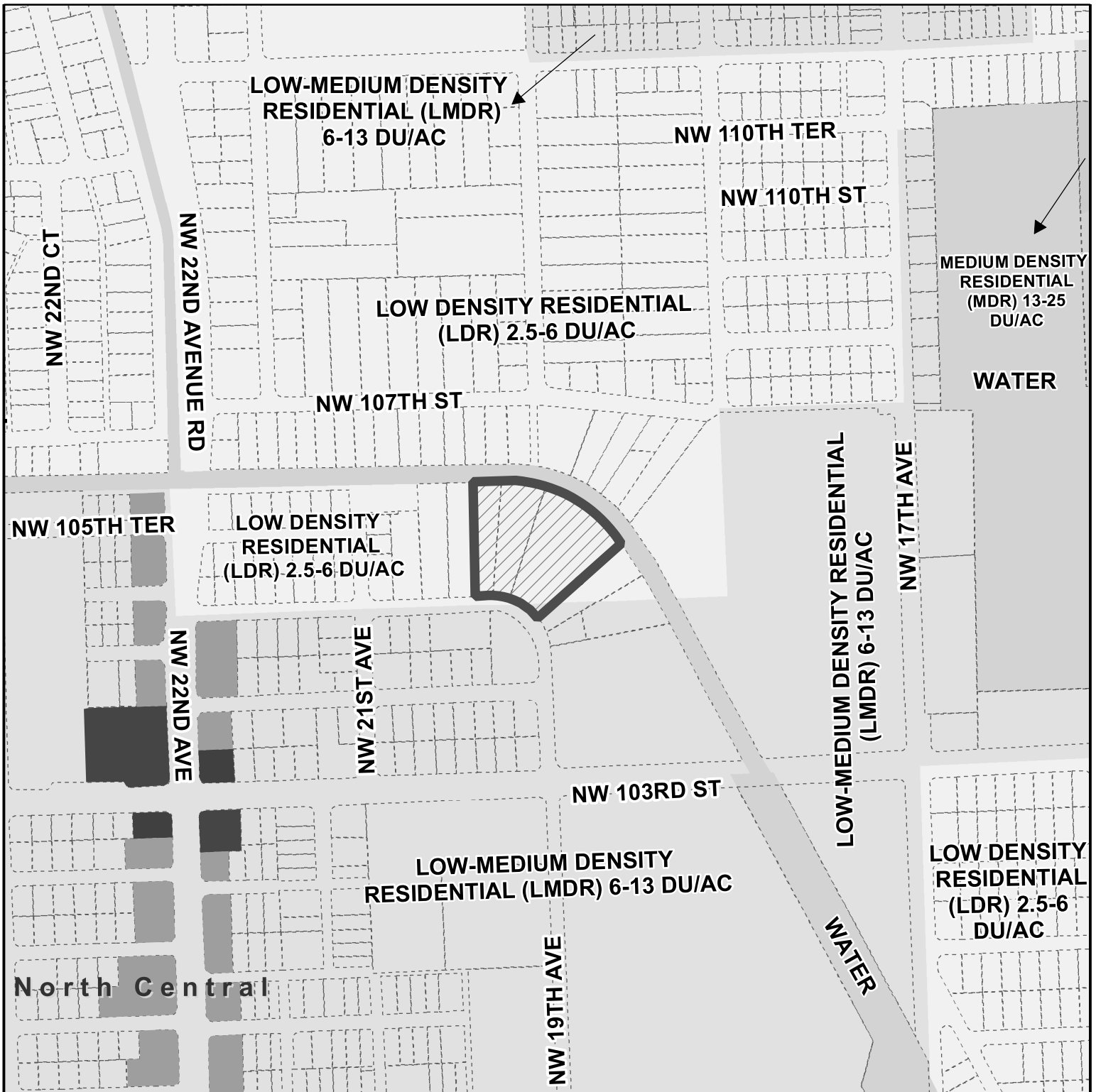
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, June 8, 2020

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2020000084

Legend

 Subject Property Case



Section: 34 Township: 52 Range: 41
 Applicant: West Group Developers, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: Roberto Gonzalez
 Scale: NTS



SKETCH CREATED ON: Monday, June 8, 2020

REVISION	DATE	BY

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

This instrument was prepared by:

Name: Javier L. Vazquez, Esq.

Title: Attorney-at-Law

(Space reserved for Clerk of the Court)

Address: Berger Singerman LLP
1450 Brickell Avenue, Suite 1900
Miami, FL 33131

**SITE PLAN AND WORKFORCE HOUSING DECLARATION
OF RESTRICTIVE COVENANTS**

This Site Plan and Workforce Housing Declaration of Restrictive Covenants (the "Declaration") is made as of the ___ day of _____, 2023, by West Group Developers LLC, a Florida limited liability company (the "Declarant"), the owner of that certain property ("Property") located in Miami-Dade County, Florida, which is more particularly described in Exhibit "A" attached hereto and made part hereof.

IN ORDER TO ASSURE the **Department of Regulatory and Economic Resources** of Miami-Dade County, Florida, that the representations made to it by Owner during consideration of Public Hearing No. Z20202000084 will be abided by, the Declarant freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the above-described real property.

RECITALS

WHEREAS, Pursuant to section 33-193.7.1(A) of the Code of Miami-Dade County, for developments within the unincorporated area, density bonuses for residential developments that provide workforce housing units shall be provided in accordance with this section; and

WHEREAS, section 33-193.6 defines a Work-force Housing Unit ("WHU") as "[a] dwelling unit, the sale, rental or pricing which is restricted to households whose income is up to one hundred forty (140) percent of the most recent median family income for the County reported by the [United States Department of Housing and Urban Development]"; and

WHEREAS, the Miami-Dade Public Housing and Community Development Department administers workforce housing units pursuant to chapter 17, article IX, of the Code of Miami-Dade County, and regulations established with respect thereto (article XIIA of chapter 33 and article IX of chapter 17 are collectively referred to hereinafter as the "Ordinance"); and

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084

WHEREAS, pursuant to the Ordinance, WHUs must be provided for sale to Qualified Households, all in accordance with conditions set forth in the Ordinance; and

DATE: MAR 15 2023
BY: ISA

WHEREAS, the Declarant makes this Declaration to provide covenants and restrictions to ensure that no less than twenty percent (20%) of the approved rental dwelling units shall be WHUs located on the Property and shall at all times be available for occupancy by Qualified Households as hereinafter defined,

NOW, THEREFORE, TO ASSURE Miami-Dade County, Florida (the "County") that the obligations and requirements set forth in the Ordinance will be abided by, the Declarant, on behalf of itself and its successors and assigns, freely, voluntarily, and without duress hereby makes the following Declaration of Restrictive Covenants and Workforce Housing Agreement covering and running with the Property, which shall bind the Declarant, any assignee, mortgagee, or buyer, and all other parties that receive title to, or interest in, the WHUs,

1. The foregoing recitals are true and correct and are incorporated herein.

2. **Definitions.**

(a) "Area Median Income" means the median income level for the Miami-Dade County Metropolitan Statistical Area, as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development, and adjusted for household size.

(b) "Certificate of Qualification" means a certificate approved by the Department and used by the Declarant to establish a Qualified Household's eligibility to purchase or rent a WHU.

(c) "Control Period" means each 20-year period during which the affordability restrictions shall apply, which period shall commence from the date the Covered Development and Workforce Housing Units are available for public occupancy as evidenced by the issuance of certificate of occupancy or temporary certificate of occupancy for the Covered Development.

(d) "Covered Development" means the WHUs that shall be developed on the Property.

(e) "County" means Miami-Dade County.

(f) "Department" means, unless otherwise indicated, the Miami-Dade Public

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084

Housing and Community Development Department, or any other successor agency.
DATE: MAR 15 2023
BY: ISA

(g) "Housing Director" means, unless otherwise indicated, the Director of the Department, or the Director's designee.

(h) "Eligible Household" means a household whose total income is up to 140% of Area Median Income.

(i) "Eligible Household Income" means any income derived by any proposed occupants of a WHU who are 18 years of age or order and who will use the WHU as their primary residence.

(j) "Household" means any natural person who occupies a WHU as their primary residence.

(k) "Market Rate Dwelling Units" means all additional dwelling units in a development that are not WHUs as defined herein.

(l) "Qualified Household" means an eligible household that has received a certificate of qualification from the Declarant, as verified by the Department

(m) "WHU" means a workforce housing unit.

(n) "Workforce Housing Rent" or "WHU Rent" means rents that do not exceed the maximum monthly Rent Limit as determined for Miami-Dade County by the U.S. Department of Housing and Urban Development in its annual income Limits and Rent Limits and as used by the Florida Housing Finance Corporation for its multifamily rental programs (published annually at <http://www.floridahousing.org>).

3. **Site Plan:** That the property shall be developed substantially in accordance with the plan previously submitted "Modena Development" as prepared by "Plana International Jaime Plana", consisting of twenty-two (22) sheets, dated stated and received 11/14/2022 and entitled "Floorplan Plana International Jaime plana (FloorplanV4)" consisting of six (6) sheets, dated stamped and received 10/18/2022 for a total of twenty-eight (28) sheets.

4. **Covered Development.** The proposed development will contain no less than twenty percent (20%) WHUs (the Covered Development), which shall be identified on an annual inventory of WHUs to be provided to the Department.

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PROCESS NO: Z20-084

DATE: MAR 15 2023

BY: ISA

5. **Leasing of WHUs During Control Period.** WHUs shall be leased only to Qualified Households during the Control Period. Qualified Households shall be provided leases of a minimum period of 12 months, which shall comply with all applicable federal and state laws. WHU leases shall, at minimum, include: (i) provisions that specify the maximum household size allowed in the unit; (ii) a prohibition against subleasing; and (iii) a requirement that qualified household shall report any changes in household size or income during his or her tenancy.

6. **Eligibility to Rent.** The Covered Development may only be rented, before the expiration of the Control Period, by Qualified Households to be used as primary residences for those households. Prospective Eligible Households seeking to rent a WHU shall complete and execute the Certificate of Qualification as part of their unit lease application. Completed copies of the Certificate of Qualification, executed by the Declarant or their designee, shall be transmitted to the Department for a verification of eligibility. Upon determination of eligibility by the Declarant, the Declarant shall sign the Certificate of Qualification confirming that the Eligible Household is a Qualified Household. The property manager or property owner of the Covered Development shall retain the original Certificate of Qualification on site in the Qualified Household's file and provide a copy of the same to the Department. Copies of documents provided by the Eligible Household evidencing their earnings shall be retained in the Qualified Household's file along with the Certificate of Qualification.

7. **Validity and Issuance of Certificates of Qualification.** Certificates of Qualification shall be valid for 12 months. The Department hereby authorizes the Declarant to issue Certificates of Qualification, subject to verification by the Department.

8. **Limits on WHU Rents.** Rents for WHUs shall be affordable to households whose income is up to 140 percent of area median income (determined at the time of initial occupancy), which shall be adjusted for family and unit size. Before the expiration of the Control Period, WHUs may only be rented at rents that do not exceed the maximum monthly Rent Limit as determined for Miami-Dade County by the U.S. Department of Housing and Urban Development in its annual income Limits and Rent Limits as the same are used by the Florida Housing Finance Corporation for its multifamily rental programs.

9. **Monitoring of WHU Compliance.** Declarant shall comply with all monitoring requirements established by the Department. The Department may conduct, upon 48-hours' notice to the Declarant, an on-site inspection of the Covered Development to review client files

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084

DATE: MAR 15 2023
BY: ISA

for income verification. If a Qualified Household's Eligible Household Income increases above the maximum allowed income levels or a rented WHU is found to be non-compliant, the household may choose to remain in the WHU for the remaining term of the lease, and the property owner or manager shall make the next comparable vacant unit at the Covered Development available to an eligible household at the WHU rent.

10. **Occupancy Report.** Declarant shall, on an annual basis, furnish the Department with an occupancy report, which provides the following information: (a) a list of all occupied WHUs, indicating composition of each resident family, as of the end date of the reporting period; (b) a list of all vacant WHUs, as of the end date of the reporting period; (c) the total number of vacancies that occurred during the reporting period; and (d) the total number of WHUs that were re-rented during the reporting period, stating family size and income. The Declarant shall permit Department representatives to conduct on-site inspection of the Covered Development, upon 48-hours' notice, to review tenant files for income verification.

11. **Annual Report.** The Declarant shall provide an annual report to the Department every 12 months, confirming that all of the WHUs are being leased to Eligible Households.

12. **Re-Sale of Covered Development During Control Period.** Although the Declarant is permitted to sell the Property at all times, the Declarant hereby agrees that the WHU and rental restriction requirement outlined herein shall continue to apply to the Covered Development following any sale or transfer of the Covered Development through the expiration of the Control Period.

13. **Condominium Conversion.** If the Property is converted into a condominium or other "for sale" project (other than by a subsequent owner after a foreclosure sale of an Eligible Mortgage or deed in lieu of foreclosure transfer of ownership), then prior to entering into the first contract for sale of a WHU as a "for sale" unit, the Declarant shall enter into a new covenant in favor of the County for a "for sale" project in accordance with the current restrictions for such units as established by the Department and shall require all purchasers to abide by the restrictions. Such covenant shall grant to each Qualified Household occupying a WHU, at the time the Declarant is required to provide a notice of intended conversion in accordance with section 718.608 of the Florida Statutes, a right of first refusal to purchase the WHU. Such covenant shall also grant to the County, among other things, the County's right of first refusal to purchase any or all of the WHUs in the event that a Qualified Household does not purchase the WHU within six months from the first date Declarant or its successors or assigns offers the WHU for sale. In the event Qualified Households or the County do not exercise their right of first refusal option, the

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084

DATE: MAR 15 2023
BY: ISA

Declarant shall continue to market and sell or rent such WHUs to Qualified Households throughout the Control Period.

14. **Expiration of Control Period.** The Control Period shall expire 20 years from the date when the WHUs forming part of the Covered Development are first placed into service, as evidenced by the issuance of a certificate of occupancy or temporary certificate of occupancy by a local government agency authorizing the use of the WHUs as primary residences. Upon the expiration of the Control Period, the County shall record in the Public Records of Miami-Dade County an instrument releasing the Covered Development from its obligation to provide WHUs, and the Declarant, or its successors and assigns, may freely lease or sell the Property or individual units at the market rate.

15. **Prior Notice of Initial Offering for Rent.** At least 60 days prior to the initial offering of WHUs for lease, the Declarant shall provide the Department with notice of its intention to commence leasing. The notice shall set forth the number, size, rents, and location of the WHU units. Following the transmittal of the notice of Declarant's intention to commence leasing and the initial lease of the WHUs, any subsequent offering of a WHU for lease shall not be subject to the notice requirements set forth in this paragraph. The Declarant and its agents or representatives shall also provide the Department with the contact information for the Declarant and its agents and representatives.

16. **Discrimination.** The Declarant shall not discriminate against any person in the exercise of its obligations under this Declaration, and all such actions shall be taken without regard to race, age, religion, color, gender, sexual orientation, gender identity or gender expression, status as a victim of domestic violence, dating violence, or stalking, national origin, marital status, physical or mental disability, political affiliation, source of legitimate income, or any other factor which cannot be lawfully used. For purpose of clarity, the foregoing limitations shall not be construed to preclude the Declarant from denying an Eligible Household an opportunity to lease a WHU unit based upon such factors as the Eligible Household's poor credit history or their inability to demonstrate household income sufficient to pay the WHU Rents and any other financial obligations.

17. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof pursuant to a lawful permit issued by the County (or any successor municipality), and inspections made and approval of occupancy given by the County (or any successor municipality), then such construction, inspection, and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

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PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

18. **County as Beneficiary.** The County is the beneficiary of this Declaration; and, as such, the County may enforce these restrictive covenants by action at law or in equity, including without limitation, a decree of specific performance or mandatory or prohibitory injunction, as well as civil penalties as provided in the Code of Miami-Dade County, Florida.

19. **Modification, Amendment, Release.** The Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the Department consents to the modification, amendment, or release. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality.

20. **Recording of Covenants and Declarations.** The Declarant shall record this Declaration in the Public Records of Miami-Dade County, Florida. The County shall have the right to enforce and maintain in full force and effect, the terms, conditions, and requirements of this Declaration.

21. **Severability.** Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the Miami-Dade County, Florida shall be entitled to revoke any approval predicated upon the invalidation portion.

22. **Laws and Venue.** This document shall be construed in accordance with the laws of Florida and venue shall be Miami-Dade County, Florida.

23. **Survival.** This Declaration shall survive any proceedings in foreclosure, bankruptcy, probate or any other proceedings at law or in equity.

24. **Headings.** The headings herein are for reference purposes only and shall not affect the meaning or interpretation of the terms and conditions hereof.

[Signature page to follow]

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PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

OPINION OF TITLE

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of Declaration of Restrictions pursuant to a CDMP Public Hearing No. CDMP20200003, it is hereby certified that I have examined a complete Abstract of Title covering the period from the beginning to the 24th. day of February, 2023, at the hour of 8:00 AM, inclusive, of the property described on Exhibit A hereto. I know of no reason that this Abstract of Title is inaccurate or incomplete.

I am of the opinion that the fee simple title to the above-described real property was vested in: West Group Developers, LLC, a Florida limited liability company.

I am of the opinion that Alejandro Ambrugna is authorized to sign on behalf of West Group Developers LLC.

Based on my review of the Title Evidence that on the last mentioned date, the above-described property is subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. RECORDED MORTGAGES:

➤ None.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

➤ None.

3. GENERAL EXCEPTIONS:

- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- Rights or claims of parties in possession not shown by the public records.
- Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
- Taxes or assessments which are not shown as existing liens in the public records.

4. SPECIAL EXCEPTIONS:

- Restrictions, covenants, conditions, easements and other matters as contained on the Plat of River Gulfair, recorded in Plat Book 40, Page 75, of the Public Records of Miami-Dade County, Florida.
- Agreed Order No. 85-33 Relating to Water Service recorded December 24, 1985 in Official Records Book 12740, Page 3058.
- Agreed Order No. 86-56 Relating to Water Service recorded February 11, 1987 in Official Records Book 13177, Page 1683.
- Warranty Deed to Central and Southern Florida Flood Control District, filed in Deed in Official Records Book 4348, Page 383
- Easement granted to Central and Southern Florida Flood Control District by instrument recorded in Deed in Official Records Book 33, Page 353.
- Declaration of Restrictions recorded in Official Records Book 32723, Page 822.
- Declaration of Unity of Title recorded in Official Records Book 33011, Page 3848.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

Therefore, it is my opinion that there are no other parties that must join in the agreement in order to make the Declaration of Restrictions a valid and binding covenant on the lands described herein.

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PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

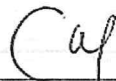
The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
7223-6372293	First American Title Insurance Company	3	Beginning till 02/24/2023


I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

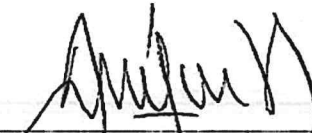
Respectfully submitted this 14 day of March, 2023.



Witness: Camila Marquez



Witness: Ariana Pinca



Alejandra Marquez Villa, Esq.
Florida Bar No. 127386



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PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

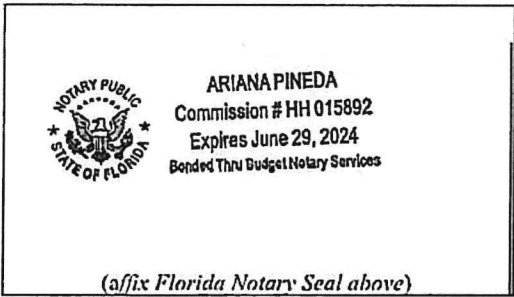
The foregoing instrument was acknowledged before me by means of *(how the individual appeared check one)*:

physical presence online notarization this 14 day of March, 2023.
(date) (month) (year)

by Alejandra Marquez Villa
(name of individual acknowledging)

as _____ for _____
(type of authority, e.g., Officer, Attorney-in Fact) (Name of party on behalf of whom executed)

Individual identified by: personal knowledge satisfactory evidence _____
(type)



[Signature]
(Signature of Notary Public)
Ariana Pineda
(typed, printed, or stamped name of Notary Public)



DO NOT WRITE BELOW THIS LINE - GOVERNMENT USE ONLY

(Date)

[insert name of County employee]

[insert title of County employee]

(Witness Name)

(Witness Name)

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MIAMI-DADE COUNTY
PROCESS NO: Z20-084
DATE: MAR 15 2023
BY: ISA

EXHIBIT A

Parcel 1:

Lot 5, Block 4, RIVER GULFAIR, according to the map or plat thereof as recorded in Plat Book 40, Page(s) 75, Public Records of Miami-Dade County, Florida, less Little River Canal Right of Way.

Parcel 2:

Lot 6 in Block 4, of RIVER GULFAIR, according to the plat thereof as recorded in Plat Book 40, Page(s) 75, of the Public Records of Miami-Dade County, Florida, less Little River Canal Right of Way.

Parcel 3:

Lots 7 and 8, Block 4, RIVER GULFAIR, according to the map or plat thereof as recorded in Plat Book 40, Page(s) 75, Public Records of Miami-Dade County, Florida, less and excepting Little River Canal R/W Also known as: less that portion of Lots 7 and 8 commencing at the Northeast corner of said Lot 8, bear Southwesterly along the East line of said Lot 8; a distance of 18.9 feet more or less, to the Point of Beginning, thence North 53 degrees 28' 49", a distance of 157.65 feet to a point of curvature of a curve to the left; having a central angle of 38 degrees 02' 16" and a radius of 476.7 feet; thence, Northwesterly along the arc of said curve to a point of intersection with the West line of said Lot 7 and the end of the specifically described line, all of the Public Records of Miami-Dade County, Florida.

