

APRIL 2007
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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APRIL 2007 CYCLE APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

June 5, 2007

Miami-Dade County Department of Planning and Zoning
1110 Stephen P. Clark Center
111 NW 1 Street
Miami, Florida 33128-1972
(305) 375-2835

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BACKGROUND AND INTRODUCTION

The purpose of this report is to present the applications to amend Miami-Dade County's Comprehensive Development Plan (CDMP) which were filed for evaluation during the April 2007 amendment review cycle. Amendments to the Plan may be needed to correct an error, to reflect changing circumstances or conditions in the community, or to improve the ability of the Plan to fulfill its purposes and goals. This report contains the tentative schedule of activities for this amendment review period along with a list and table summarizing all of the applications, followed by a complete copy of each application. The next report will be the April 2007 Initial Recommendations report to be published on August 24, 2007.

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. These procedures involve thorough County and State review as required by Chapter 163, Florida Statutes, and Chapters 9J-5 and 9J-11, Florida Administrative Code. Current procedures provide for the filing of applications in April and October, with the amendment process generally taking eleven months to complete. The April 2009 filing period is the next cycle that is in the odd numbered year, when the Miami-Dade County Department of Planning and Zoning considers changes to the Land Use Plan map outside the Urban Development Boundary (UDB). Plan components eligible for amendment application during the various semiannual filing periods are summarized below. *

Plan Components Eligible for Amendment

Application Filing Period (Month)	Even-Numbered Years	Odd-Numbered Years
April Filing Period	All Components Except UDB, UEA and Land Uses Outside UDB (Mandatory Cycle)	All Components including UDB and UEA (Mandatory Cycle)
October Filing Period	All Components Except UDB, UEA and Land Use Outside UDB (Optional Cycle)	All Components Except UDB, UEA and Land Use Outside UDB (Mandatory Cycle)

Notes: UDB = Urban Development Boundary

UEA = Urban Expansion Area

*Source: Section 2-116.1, Code of Miami-Dade County.

The Plan review and amendment process provides for the filing of amendment applications, staff analysis of the applications, and public participation in the process. Each application will be thoroughly evaluated by the Department of Planning and Zoning and will be subject to review at a series of public hearings. The final action to adopt, adopt with a change, or deny each application will be made by the Board of County Commissioners. Further details about the hearings and the review process are discussed in the next section.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all privately filed applications are finalized, the Department of Planning and Zoning published this Applications Report on **June 5, 2007** listing all applications filed.

The Department of Planning and Zoning (DPZ) will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than Monday, August 27, 2007. Community Councils, which have been elected into districts throughout unincorporated Miami-Dade County, may make recommendations to the PAB and Board of County Commissioners on local planning matters, including proposals to amend the CDMP. Community Councils, in which a proposed Land Use Plan map amendment is located, will have the opportunity to hold a public hearing in September 2007 to discuss the application(s) and to formulate recommendation(s) regarding the request(s). The PAB, acting as Miami-Dade County's Local Planning Agency (LPA) pursuant to Chapter 163, Part 2, Florida Statutes, will hold a public hearing in October, 2007 to receive comments on the proposed amendments and initial staff recommendations, to formulate its recommendations to the Board of County Commissioners regarding adoption of requested "small-scale" amendments, and transmittal to the Florida Department of Community Affairs (DCA) for review and comment of all requested "standard amendments" by State agencies. The Board of County Commissioners is scheduled to hold a public hearing in November 2007 to consider final action on requested "small-scale" amendments, and to consider transmittal of the requested "standard amendments" to DCA, as well as any of the requested "small-scale" amendments that the commission elects to process through the regular procedure. Adopted small-scale amendments will become effective 31 days after adoption unless there is a citizen challenge.

Transmittal of "standard" (non-small-scale) amendment proposals to DCA for review and comment does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications begins after transmittal of the applications to the DCA and associated State agencies. Also, the Board of County Commissioners may opt to neither adopt nor deny a requested small-scale amendment at its first public hearing but may, instead, decide to transmit to DCA for State-agency review and comment as a "standard" amendment request.

With transmittal to DCA expected to occur on or around December 2007, DCA will return comments or an Objections, Recommendations and Comments (ORC) report in February 2008 addressing all transmitted applications. The PAB would then conduct its final public hearing in March 2008, and the Board of County Commissioners would conduct a public hearing and take final action in April or May 2008. During the DCA review period, the Department of Planning and Zoning will also review comments received at the transmittal hearings and any additional material submitted and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made only by the County Commission under a "Special" amendment process, or by an applicant for approval or amendment of a Development of Regional Impact (DRI), or for a closed or realigned military base. Procedures for processing such "Special" or DRI or military base-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "small-scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board of County Commissioners to take final action on small-scale requests to amend the Land Use Plan Map (version dated October 2006) at the transmittal public hearing. During the April 2007 filing period, five amendment applications were eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use change of 10 acres or less.
2. The cumulative annual acreage of all small-scale amendments shall not exceed 120 acres, and not more than 60 acres of the total can be located outside of areas designated in the CDMP as urban infill or urban redevelopment transportation concurrency exception areas, or in the Dadeland Chapter 380 Regional Activity Center.
3. Outside of the foregoing infill and redevelopment areas and Regional Activity Center, amendments involving residential land uses are limited to maximum density of 10 dwelling units per acre, but amendments inside these designated areas are eligible to request and density.
4. The proposed amendment does not involve the same property granted an amendment in the prior 12 months; and
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.

6. The proposal cannot involve any text changes to the Plan's goals, objectives, and policies.
7. The proposed amendment is not in an area of critical state concern; and
8. The proposal involves the construction of affordable housing units, meeting the affordability criteria of Section 420.0004(3), Florida Statutes, on property which will be the subject of a restricted land use agreement or extended use agreement recorded in conjunction with the issuance of tax exempt bond financing or allocation of federal tax credits through the Florida Housing Finance Corporation or a local housing finance authority authorized by the Division of Bond Finance of the State Board of Administration.

Applicants who want their eligible applications processed under the expedited "small-scale" amendment procedure must explicitly make such a request in the application. Generally, small-scale amendments will not be reviewed by the Florida Department of Community Affairs (DCA) or issued a notice of intent, and they will take effect 31 days after adoption by the Commission unless a challenge is filed.

At its initial public hearing to address the April 2007 cycle applications, the Board of County Commissioners may elect to adopt, adopt with change, or not adopt small-scale amendments. If it does not adopt a small-scale amendment, the Commission may elect to transmit it to DCA for review along with the standard amendment requests and take final action at its second public hearing, which will occur after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1210; Miami, Florida 33128-1972; telephone 305-375-2835.

Prohibition on Argument or Representation Regarding Proposed Specific Future Uses Without Proffering a Restrictive Covenant

According to Ordinance 03-40 pertaining to CDMP procedures, no applicant, or applicant's representative seeking a recommendation for approval of an amendment to the land use plan map, shall be permitted to present to the Board of County Commissioners, or other recommending County board, a specific future use or uses for an application site without proffering a restrictive covenant. The representation cannot include a specific use or uses, or exclude a use or uses, authorized by the proposed land use designation unless the applicant has submitted a restrictive covenant

committing to such representation for the subject property, which has been submitted to the Director and has received approval as to form.

Deadlines for Submitting Covenants to be Considered

The deadline for covenants to be considered in the Department's written recommendations and at public hearings is **Friday, July 27, 2007**. If a Community Council, the Planning Advisory Board, or the Board of County Commissioners is to consider a covenant in its decision-making, the deadline for submittal is 17 days prior to the hearing. If the Department is to consider the covenant in its written recommendation on an application in the Revised Recommendations Report, it must be received and finalized as to form and content at least four weeks prior to the final hearing of the Planning Advisory Board.

Table 1
DECLARATION OF RESTRICTIONS DEADLINES
April 2007-2008 CDMP Amendment Cycle

Deadline for submitting Declaration of Restrictions to be considered in the Initial Recommendations Report	July 27, 2007
Deadline for submitting revised Declaration of Restrictions to be considered at Community Council(s) Public Hearing(s)	17 days prior to Community Council hearing
Deadline for submitting revised Declaration of Restrictions to be considered at Planning Advisory Board (PAB) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	September 28, 2007
Deadline for submitting revised Declaration of Restrictions to be considered at Board (BCC) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	November 2, 2007
Deadline for submitting Declaration of Restrictions to be considered in the Revised Recommendations Report	4 weeks prior to PAB Final Public Hearing
Deadline for submitting Declaration of Restrictions to be considered at PAB Hearing Regarding Final Recommendations	Seventeen days prior to hearing
Deadline for submitting Declaration of Restrictions to be considered at BCC Hearing Regarding Adoption of Standard Amendments	Seventeen days prior to hearing

Table 2
TENTATIVE SCHEDULE OF ACTIVITIES
APRIL 2007-2008 CDMP AMENDMENT CYCLE

Pre-application Conference for the Private Sector	March 1- March 30, 2007
Application Filing Period	April 1- April 30, 2007
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	May 7, 2007
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency (May 16, 2007)
Applications Report published by DP&Z	June 5, 2007
Deadline for submitting Technical Reports	June 29, 2007
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	July 27, 2007
Initial Recommendations Report released by DP&Z	August 24, 2007
Community Council(s) Public Hearing(s)	Specific date(s) to be set in September 2007
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	Monday, October 15, 2007* County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	November 19, 2007* County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to DCA for State review	December, 2007**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	February, 2008** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2008* (Within 30 days after receipt of ORC report from DCA)
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in April, 2008* (No later than 60 days after receipt of ORC report from DCA)

Note: * Date is subject to change. All hearings will be noticed by newspaper advertisement.

** Estimated Date.

Overview of April 2007 Amendment Applications

A total of 13 applications were filed during this amendment cycle, of which 11 were filed by private parties requesting changes to the CDMP Land Use Plan map (approximately 700 acres) and 2 text amendment applications were filed by the Department of Planning and Zoning (DP&Z).

Of the 11 privately filed applications, five (Nos. 1, 2, 7, 10 and 11) have requested to be processed in the expedited small-scale amendment process, whereby requesting the redesignation of approximately 20 acres on the Land Use Plan (LUP) map. The other six privately filed requests are standard amendment applications (Nos. 3, 4, 5, 6, 8 and 9) and request to redesignate approximately 253 acres of land on the LUP map. One privately filed application, No. 3, seeks to add a Regional Activity Center. Four of the privately filed applications (Nos. 4, 5, 8 and 9) seek to redesignate parcels on the LUP map outside the year 2015 Urban Development Boundary (UDB), and to expand the UDB to include these areas; these applications encompass approximately 191 acres.

The Department of Planning and Zoning (DP&Z) filed two applications (Nos. 12 and 13). Application No. 12 addresses the “Environmentally Protected Parks” land use category by revising the text and figures, and developing a new figure identifying environmentally protected parks. Application No. 13 will update the Schedule of Improvements in the Capital Improvements Element (CIE). The Applications Report does not contain the tables to be amended due to the difference in scheduling of the CDMP amendment process and the preparation of the annual County budget. These CIE tables will be formulated during the budget preparation process and will be published in the “April 2007 Initial Recommendations Report” to be issued on August 24, 2007.

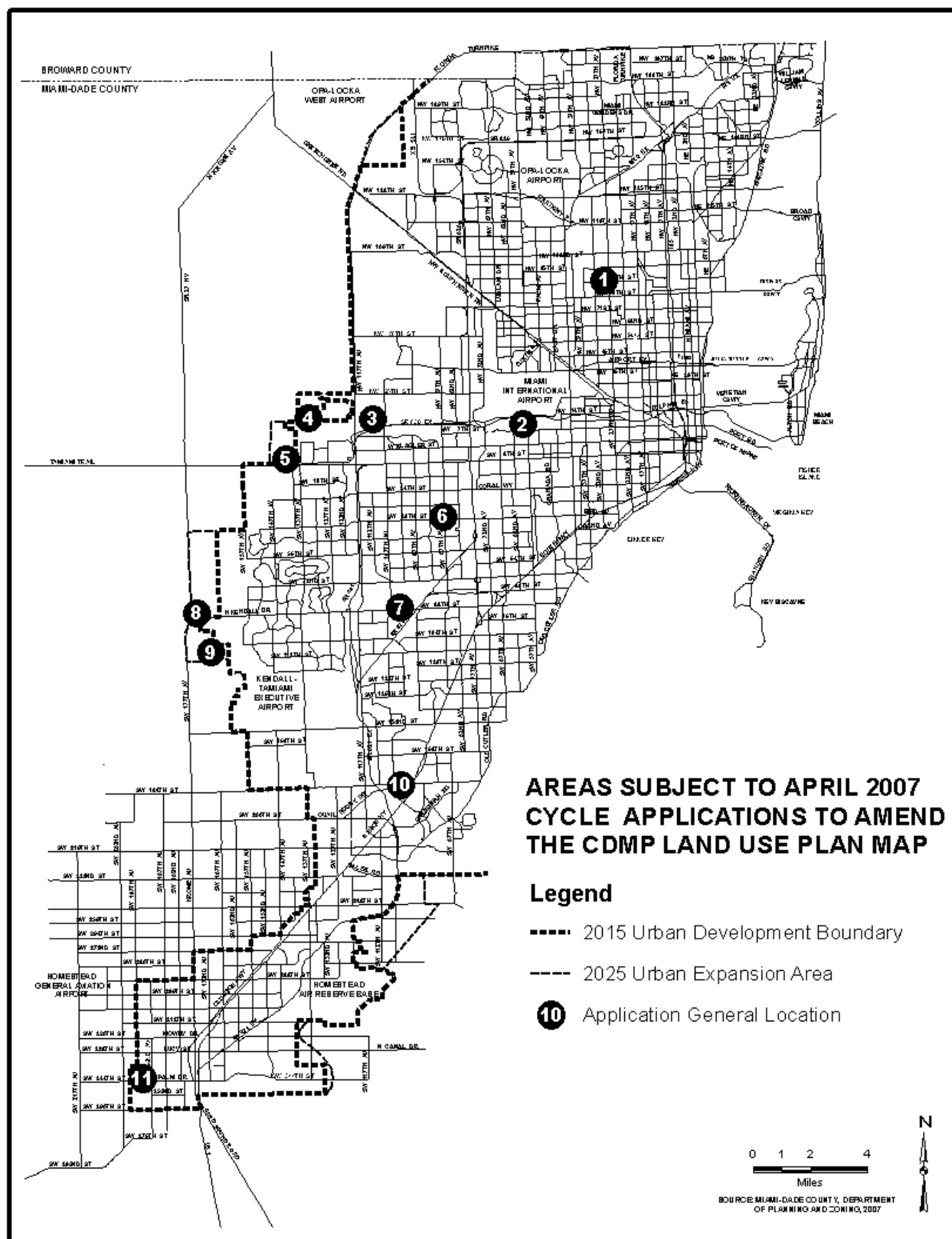


Table 3
LIST OF APRIL 2007 APPLICATIONS REQUESTING AMENDMENTS TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
1	Geovanis Medina/Ms Gloria Velazquez, Esq. 100 feet east of NW 27 Avenue between NW 87 Terrace and theoretical NW 89 Street From: Business and Office and Low-Medium Density Residential (6-13 DU/Ac) To: Business and Office Small-Scale	1.57 Gross 1.37 Net
2	Blue Lagoon Development, LLC/Felix M. Lasarte, Esq. Southeast corner of NW 57 Avenue and Blue Lagoon Drive From: Office/Residential To: Business and Office Small-Scale Amendment	8.6 Gross 7.63 Net
3	Anthony Balzebre Trust/Jeffrey Bercow Esq. & Michael Larkin, Esq. Northwest corner of NW 107 Avenue and NW 12 Street 1. Redesignate the subject property From: Industrial and Office & Business and Office To: Business and Office 2. Designate the subject property as a Regional Activity Center (Chapter 380.06, F.S.) 3. Revise the subsection entitled "Chapter 380 Regional Activity Centers" in the Land Use Element 4. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element Standard Amendment	59.95 Gross
4	Alva Property Management, LLC/Jose M. Alvarez, President Northeast corner of NW 132 Avenue and NW 13 Street 1. Redesignate the subject property From: Open Land To: Restricted Industrial and Office 2. Expand the UDB to include the subject property Standard Amendment	2.54 Gross 1.77 Net

Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
5	<p>Lowe's Home Center, Inc./Juan J. Mayol, Jr. Esq. & Richard A. Perez, Esq. Northwest corner of Theoretical SW 138 Ave and SW 8 Street</p> <ol style="list-style-type: none"> Redesignate the subject property <p><u>Parcel A (21.6 Acres)</u> From: Open Land To: Business and Office</p> <p><u>Parcel B (30.1 Acres)</u> From: Open Land To: Institutions, Utilities and Communications</p> Expand the UDB to include the subject property Revise Open Subareas Map (Figure 4) in the Land Use Element as necessary Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element <p>Standard Amendment</p>	51.7 Gross
6	<p>8440 Property. Inc/Ben Fernandez, Esq. & Graham Penn, Esq. 300 Feet west of SW 84 Avenue and south of SW 38 Street</p> <p>From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Medium-High Density Residential (25 to 60 DU/Ac)</p> <p>Standard Amendment</p>	1.59 Gross 1.52 Net
7	<p>Armando Amador/Augusto E. Maxwell, Esq. Northwest corner of SW 101 Avenue and SW 88 Street (N. Kendall Drive)</p> <p>From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Business and Office</p> <p>Small-Scale Amendment</p>	1.29 Gross 0.56 Net
8	<p>David Brown, Steven Brown and Victor Brown/Chad Williard, Esq. Southside of SW 88 Street west of SW 167 Avenue</p> <ol style="list-style-type: none"> Redesignate the subject property <p>From: Agriculture To: Business and Office</p> Expand the UDB to include subject property <p>Standard Amendment</p>	42.0 Gross 38.5 Net

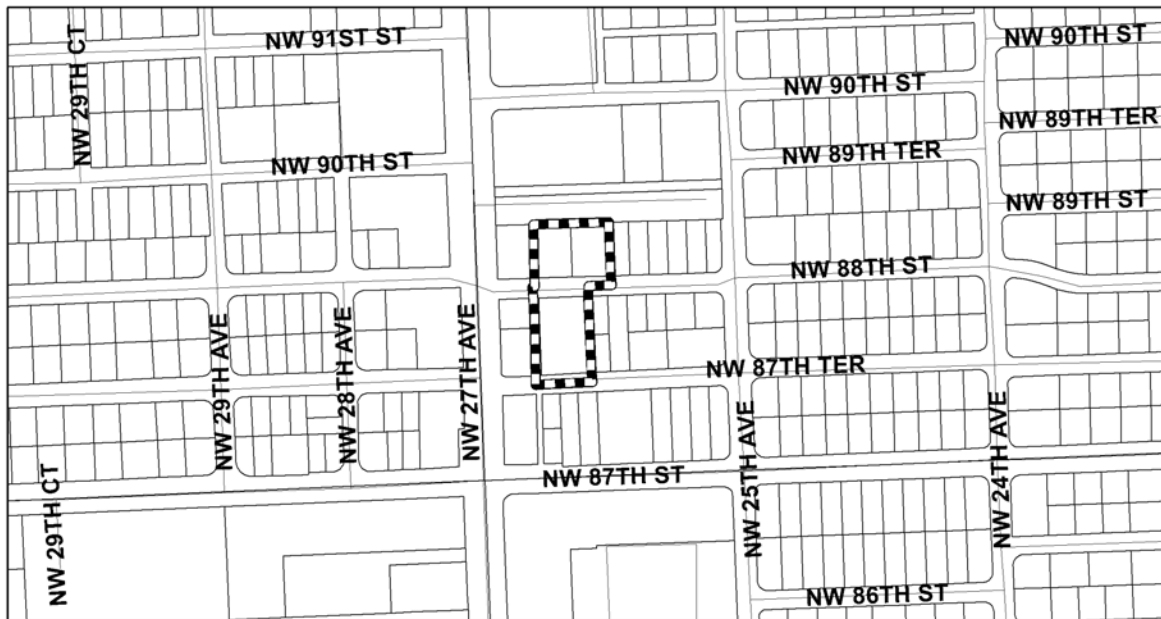
Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
9	<p>Ferro Investment Group II, LLC/Miguel Diaz De La Portilla, Esq. & Crystal Conner-Lane, Esq. Area between SW 104 and SW 112 Streets and between SW 167 Avenue and theoretical SW 164 Avenue</p> <p>1. Requested Amendment to the Land Use Plan map <u>Part A (71.6 acres)</u> From: Agriculture To: Low Density Residential (2.5 to 6.0 DU/Ac.) <u>Part B (10.0 acres)</u> From: Agriculture To: Business and Office</p> <p>2. Expand the UDB to include the subject property 3. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element Standard Amendment</p>	<p>94.84 Gross 81.61 Net</p>
10	<p>West Perrine Land Trust, Inc. a Florida corporation & Wilber B. Bell, Trustee/Gilberto Pastoriza, Esq.</p> <p>1. Requested Amendment to the Land Use Plan map Southwest corner of Homestead Avenue and SW 184 Street (Eureka Drive) From: Industrial and Office To: Medium Density Residential w/ Density Increase 1 (DI-1) (13 to 60 DU/Ac)</p> <p>2. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element Small-Scale Amendment</p>	<p>3.2 Gross 2.63 Net</p>
11	<p>BDG Florida City, LLC/Jeff Bercow, Esq. and Melissa Tapanes Llahues, Esq. 34250 SW 192 Avenue From: Estate Density Residential (1 to 2.5 DU/Ac) To: Low-Medium Density Residential (6 to 13 DU/Ac) Small-Scale Amendment</p>	<p>5.04 Gross 4.75 Net</p>
12	<p>Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director LAND USE ELEMENT, to revise Environmentally Protected Parks category in the Land Use Element Standard Amendment</p>	

Application Number	Applicant/Representative Location REQUESTED CHANGE(S)	Acres
13	Miami-Dade County Department of Planning and Zoning / Subrata Basu, AIA, AICP, Interim Director CAPITAL IMPROVEMENTS ELEMENT Tables of Proposed Projects. Modify the following currently adopted tables as indicated in the application and related information: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities. Standard Amendment	

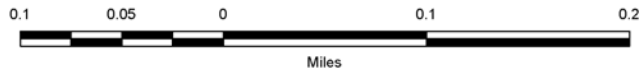
UDB: Urban Development Boundary as delineated in the Adopted 2015-2025 Land Use Plan map for Miami-Dade County, Florida

APPLICATION NO. 1 **SMALL-SCALE AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Geovanis Medina 2615 NW 88 th Street Miami, Florida 33147-3837	Gloria M. Velazquez, Esq. Gloria M. Velazquez, P.A. 1711 West 38 th Place, Suite 1207 Hialeah, Florida 33012 (305) 725-4566
<p><u>Requested Amendment to the Land Use Plan Map</u></p> <p>From: Business and Office and Low-Medium Density Residential (6-13 DU/Ac)</p> <p>To: Business and Office</p> <p>Location: 100 feet east of NW 27 Avenue between NW 87 Terrace and theoretical NW 89 Street</p> <p>Acreage: Application area: 1.57 Gross Acres Application area: 1.37 Net Acres</p> <p>Acreage Owned by Applicant: 1.37 Acres</p>	



APPLICATION AREA



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

2007 APR 26 A 11:14

PLANNING & ZONING
METROPOLITAN PLANNING SECT

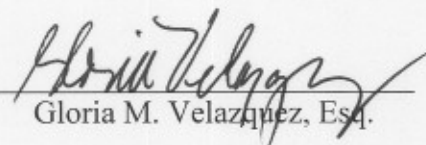
1. APPLICANT

Geovanis Medina
2615 NW 88th Street
Miami, Florida 33147-3837

2. APPLICANT'S REPRESENTATIVE

Gloria M. Velazquez, Esq.
Gloria M. Velazquez, P.A.
1711 West 38th Place, Suite 1207
Hialeah, Florida 33012
305-725-4566

By:


Gloria M. Velazquez, Esq.

Date: April 23, 2007

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan map is requested.

B. Description of the Subject Property

The subject property (the "Property") consists of approximately 1.37 net acres located in Section 03, Township 53S, Range 41E and as more specifically described in Exhibit "C" attached.

C. Gross and Net Acreage

Application area: 1.57 gross acres / 1.37 net acres

Acreage Owned by Applicant: 1.57 gross acres / 1.37 net acres

D. Requested Change

It is requested that the application area be redesignated on the Land Use Plan map from BUSINESS AND OFFICE & LOW-MEDIUM DENSITY RESIDENTIAL (5-13 DU/AC.) TO BUSINESS AND OFFICE.

It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Property consists of approximately 1.37 net acres parcel of land located on the east side of NW 27th Avenue, 100 feet easterly at NW 88th Street, located both north and south of the street, and identified by Miami-Dade County Folio No. 30-3103-028-0270, 30-3103-028-0240 and 30-3103-028-0090. Each folio has been referenced in this Application as Parcel A, B, and C for purposes of explanation. The CDMP LUP Map already designates the western portions of Parcel A and C of the Property as "Business and Office" at a depth of approximately 40 feet. One of the main reasons to support this small-scale amendment is that it is a logical extension of the existing "Business and Office" designation that already exists along the western portion of the Property. The prevailing development pattern along this portion of NW 27th Avenue consists of approximately 140-foot wide strip of "Business and Office designation. The proposed designation will expand that strip on the eastern side of 27th Avenue on NW 88th Street. The current designation is barely deep enough to support a business. This redesignation will enable the current business to redevelop and expand their current truck sales business.

N.W. 27th Avenue is a major roadway which, in the long-term, the CDMP identifies this area for transit-oriented development. However, this application site is located beyond the two metrorail stations radii for pedestrian activity and falls outside the Community Urban Center (CUC) radii contemplated in the future. The CUC radii which the CDMP defines as normally between 700 and 1800 feet. Our site is just beyond the 1800 feet. The impact of redesignating this property will have a no affect to the overall goal of the Community Urban Centers, which is to create pedestrian activity. Additionally, although there is sufficient land banked for commercial in this area, the acres that will be added to the commercial pool will be de minimus and the reduction of approximately less than 1 acre of residential will also have no significant impact in light of the fact that a large portion of the Property is already designated "business and office" and zoned commercial.

Infill development has been encouraged time and time again. This is a prime example of urban infill development where further intensification is promoted. Further, this application site falls within the Targeted Urban Areas. This area has been identified to encourage revitalization through economic development. This application will further revitalize an existing business in the area.

Based on the foregoing, the Applicant believes that the approval of this application would be a timely improvement to the Land Use Plan map to properly designate the existing use and provide opportunity for expansion of the existing use. Parcel B and C are currently vacant. Thus, promoting "LAND USE POLICY 1C: Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand."

Lastly, you will find the same type of “business and office” uses across NW 27th Avenue. A review of the uses shows that the existing depths for “business and office” are greater than what the norm is according to the map.

5. ADDITIONAL MATERIAL SUBMITTED

Additional materials will be submitted at a later date.

6. COMPLETE DISCLOSURE FORMS

See Attached Exhibit “B”

Attachments:

- Legal Description of Property owned by Applicants – Exhibit "A"
- Disclosure of Interest Form – Exhibit "B"
- Location Map for Application – Exhibit "C"
- Aerial Photograph – Exhibit "D"

**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN
Exhibit "C"**

APPLICANT / REPRESENTATIVE

Geovanis Medina / Gloria M. Velazquez, Esq.

DESCRIPTION OF SUBJECT AREA

The Property consists of approximately 1.37 acres located in Section 03, Township 53S, Range 41E.



DISCLOSURE OF INTEREST
Exhibit "B"

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Geovanis Medina, 2676 NW 88th Street, Miami, Florida 33147

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
Geovanis Medina	Yeager & Medina Investment, LLC	30-3103-028-0270 (A)	.34
	Geovanis Medina & Robert Yeager	30-3103-028-0240 (B)	.34
	Geovanis Medina & Madelaine Canas	30-3103-028-0090 (C)	.69

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
A	X			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESSPERCENTAGE OF INTEREST

Geovanis Medina & Madelaine Canas	2676 NW 88 th Street, Miami, Florida	Parcel C	100%
Geovanis Medina & Robert Yeager	2615 NW 88 th Street, Miami, Florida	Parcel B	100%

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (5), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Yeager & Medina Investment, LLC

NAME, ADDRESS, AND OFFICE (if applicable)PERCENTAGE OF STOCK

Geovanis Medina, MGR, T	8801 NW 27 th Avenue, Miami, Florida	Parcel A	50%
Robert Yeager, MGR, S	8801 NW 27 th Avenue, Miami, Florida	Parcel A	50%

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: N/A

BENEFICIARY'S NAME AND ADDRESSPERCENTAGE OF INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

NAME AND ADDRESS OF PARTNERSPERCENT AGE OF INTEREST


- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

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

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

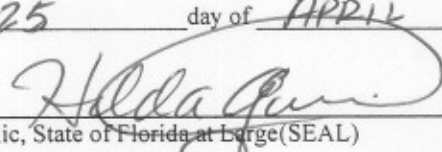
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names



Sworn to and subscribed before me

this 25 day of APRIL 2007


Notary Public, State of Florida at Large (SEAL)



HILDA GARCIA
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD414854
EXPIRES 4/27/2009
BONDED THRU 1-888-NOTARY1

My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

LEGAL DESCRIPTION
Exhibit "A"

Parcel A/.34 Acres

The Property is more accurately described as the West 100 Feet of Tract 5-A, of REVISED PLAT OF OXFORD GATE, a subdivision recorded in Plat Book 33, Page 65 of the Public Records of Miami-Dade County, Florida, less and except the part lying North of North line of SW 1/4 of SW 1/4 of SW 1/4 of Section 3, Township 53 South, Range 41 East, Miami-Dade County, Florida. The Parcel Identification Number is 30-3103-028-0270.

Parcel B/.34 Acres

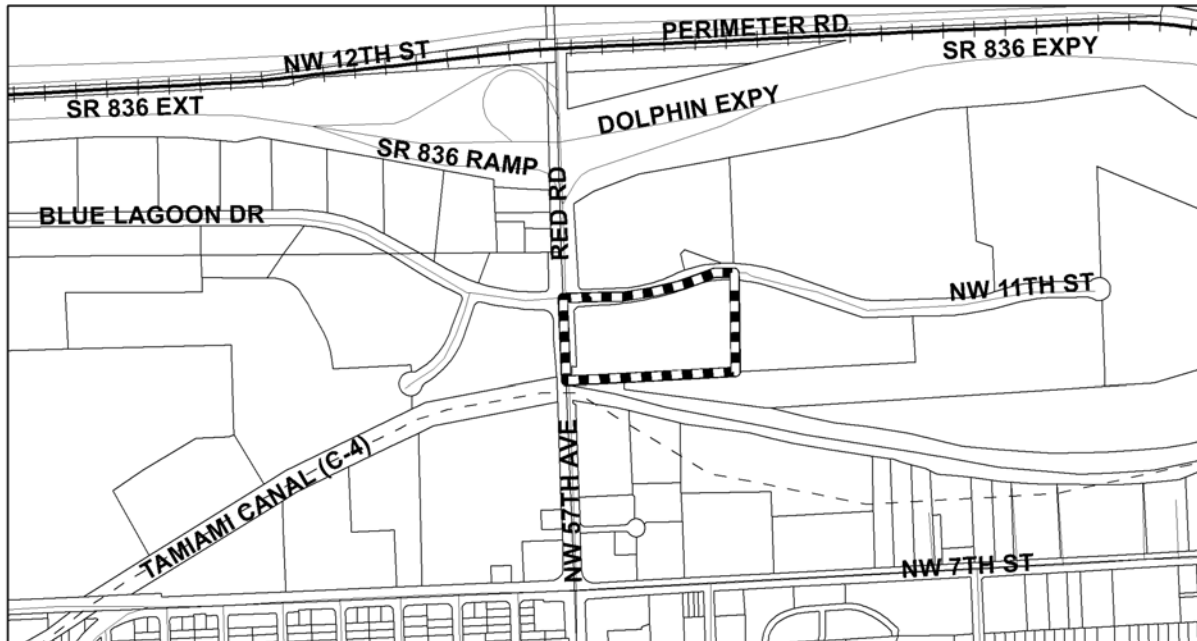
The Property is more accurately described as the East 100 Feet of West 200 Feet of Tract 5-A, of REVISED PLAT OF OXFORD GATE, a subdivision recorded in Plat Book 33, Page 65 of the Public Records of Miami-Dade County, Florida, less the part lying North of North line of SW 1/4 of SW 1/4 of SW 1/4 of Section 3, Township 53 South, Range 41 East, Miami-Dade County, Florida. The Parcel Identification Number is 30-3103-028-0240.

Parcel C/.69 Acres

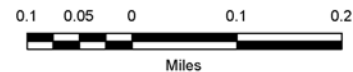
The Property is more accurately described as the West 150 Feet of Tract 4-A of OXFORD GATE according to the revised plat thereof, as recorded in Plat Book 33 at Page 65 of the Public Records of Miami-Dade County, Florida. The Parcel Identification Number is 30-3103-028-0090.

APPLICATION NO. 2 SMALL-SCALE AMENDMENT APPLICATION

Applicant	Applicant's Representative
Blue Lagoon Development, LLC, a Florida limited liability company c/o Felix M. Lasarte, Esq.	Felix M. Lasarte, Esq. Holland & Knight LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 789-7580
<p>Requested Amendment to the Land Use Plan Map</p> <p>From: Office/ Residential</p> <p>To: Business and Office</p> <p>Location: Southeast corner of NW 57 Avenue and Blue Lagoon Drive</p> <p>Acreage: Application area: 8.6 Gross Acres; 7.63 Net Acres</p> <p>Acreage Owned by Applicant: 7.63 Acres</p>	



APPLICATION AREA



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Blue Lagoon Development, LLC,
a Florida limited liability company
c/o Felix M. Lasarte, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

2. APPLICANTS' REPRESENTATIVE

Felix M. Lasarte, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
(305) 789-7580
(305) 789-7799 (fax)
felix.lasarte@hklaw.com

By: _____

Felix M. Lasarte, Esq.

Date

4/30/07

2007 APR 30 P 4:09
PLANNING & ZONING
METROPOLITAN PLANNING SECT

3. DESCRIPTION OF REQUESTED CHANGE

- A. A change to the Land Use Element, Land Use Plan map (Item A.1(d) in the fee schedule) is requested.

Blue Lagoon Development, LLC (the "Applicant"), is requesting a change in the property's designation from "Office / Residential" to "Business and Office".

- B. Description of the Subject Area.

The subject property consists of approximately ± 7.63 net acres of land located in Section 31, Township 53, Range 41, in unincorporated Miami-Dade County. The subject property is located at 1101 N.W. 57th Avenue at the southeast corner of the intersection of N.W. 57th Avenue and Blue Lagoon Drive, lying south of State

Road 836 (a.k.a. Dolphin Expressway) and the Miami International Airport, as more specifically described in Exhibit "A" to this application ("Property").

C. Acreage.

Subject application area: ±8.6 gross acres / ±7.63 net acres

Acreage owned by Applicants: ±8.6 gross acres / ±7.63 net acres

D. Requested Change.

1. It is requested that the subject area be re-designated on the Land Use Plan map from "Office / Residential" to "Business and Office".
2. It is requested that the application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation of the Property from "Office/Residential" to "Business and Office". The Property is currently zoned RU-4A and was the former site of a Double Tree Hotel. While the Applicant intends to develop the Property as a hotel, it hopes to establish a mixed use development by incorporating a variety of uses, as permitted under the "Business and Office" designation.

The Property is located along NW 57th Avenue at the entrance of a peninsula of land comprised largely of hotels. It lies just south of the Miami International Airport as well as State Road 836, also known as the Dolphin Expressway. The lands to the south of the Property are designated Business and Office and High Density Residential, while the lands to the east and west are designated Office/Residential and zoned IU-2. Therefore, the re-designation of the Property to "Business and Office" would be compatible with the current trend of development in the surrounding area.

This application would further the goals of the CDMP. The Property's location along a section line road authorizes its use for public and semi-public uses as well as high density residential under the CDMP's guidelines for urban form. Furthermore, the Property's vicinity to the Dolphin Expressway and Miami International Airport provides an ideal location for a mixed use development which would provide good countywide, multi-modal accessibility without a major burden on existing roadways.

The re-designation of the Property to "Business and Office" would also enhance and expand the established neighborhood in the area. Located in Minor Statistical Area 5.1, the property's surrounding area is projected to deplete its supply of commercial land before 2015. *See Residential, Commercial and Industrial Land Supply and Demand Analysis, Miami-Dade County, Florida, Department of Planning and Zoning, March 2007.* Permitting a variety of commercial and residential uses on the Property, as would be permitted with a "Business and

Office" designation, would provide services to both the immediate community as well as the County as a whole.

Based on the foregoing, the Applicants believes that the approval of this application would be compatible with the guidelines for urban form, a timely improvement to the Land Use Plan map, and will further the goals of the CDMP by providing a variety of uses and services to a large County-wide population at a location with good transportation access.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP policies:

LAND USE POLICY LU-1A: High intensity, well designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.

LAND USE POLICY LU-1B: Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

LAND USE POLICY LU-1E: In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of the Land Use Plan Map" text adopted as an extension of these policies.

LAND USE POLICY LU-1F: To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning, and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

LAND USE OBJECTIVE LU-2: Decisions regarding the location, extent and intensity of future land use in Miami-Dade County, and urban expansion in particular, will be based upon the physical and financial feasibility of providing, by the year 2015, all urbanized areas with services at levels of service (LOS) which meet or exceed the minimum standards adopted in the Capital Improvements Element.

LAND USE OBJECTIVE LU-5: Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives, and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map" as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

LAND USE OBJECTIVE LU-8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

LAND USE POLICY LU-8E: Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would: i) satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County; (ii) Enhance provisions of services at adopted LOS standards; (iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods.

LAND USE POLICY LU-9D: Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.

LAND USE POLICY LU-9H: Miami-Dade County shall reorient its special area planning program to emphasize preparation of physical land use and urban plans for strategic and high growth locations.

LAND USE POLICY LU-10A: Miami-Dade County shall facilitate contiguous urban development, infill, redevelopments of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed use projects to promote energy conservation.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attachments: Legal Description of Property owned by Applicants - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"

4510833_v3

EXHIBIT "A"

LEGAL DESCRIPTION:

PARCEL I

TRACT "A" OF THE INN OF MIAMI TRACT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 97, PAGE 2 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II

A PORTION OF LOT 7, BLOCK 2 OF BLUE LAGOON EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 120, PAGE 63 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID LOT 7 LYING WEST OF THE FOLLOWING DESCRIBED LINE. COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 86 DEGREES 57'25" EAST ALONG THE SOUTH LINE OF SAID LOT 7 FOR 683.27 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LINE; THENCE NORTH 01 DEGREES 24'32" WEST ALONG THE SOUTHERLY EXTENSION OF EAST LINE OF TRACT "A" OF INN OF MIAMI TRACT, AS RECORDED IN PLAT BOOK 97, PAGE 2 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR 464.39 FEET TO THE SOUTH RIGHT OF WAY OF N.W. BLUE LAGOON DRIVE AND THE POINT OF TERMINUS OF SAID LINE.

EXHIBIT "C"

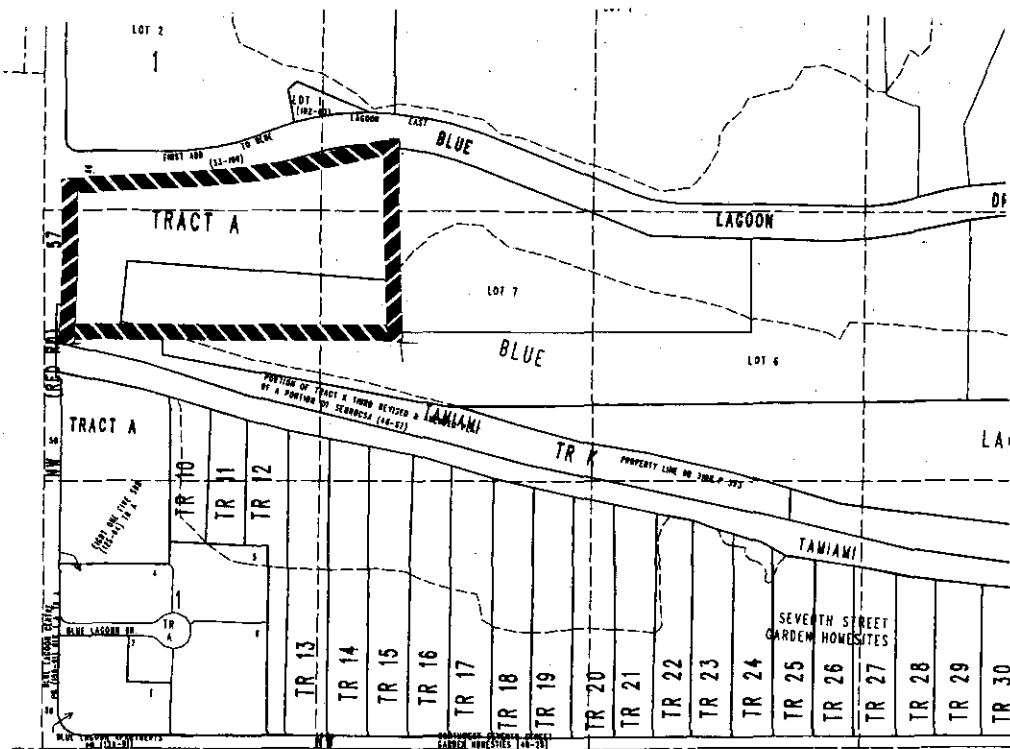
LOCATION MAP FOR APPLICATION TO AMEND COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT / REPRESENTATIVE

BLUE LAGOON DEVELOPMENT, LLC / Felix M. Lasarte, Esq.

DESCRIPTION OF SUBJECT AREA

The subject property consists of approximately ± 7.63 net acres of land located in Section 31, Township 53, Range 41, in unincorporated Miami-Dade County. The subject property is located at 1101 N.W. 57th Avenue, at the southeast corner of the intersection of N.W. 57th Avenue and Blue Lagoon Drive, lying south of State Road 836 (a.k.a. Dolphin Expressway) and the Miami International Airport, as more specifically described in Exhibit "A" to this application.



LEGEND



APPLICATION AREA

EXHIBIT "B"

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Blue Lagoon Development, LLC, a Florida limited liability company

10 N.W. 42nd Avenue, Suite 700

Miami, FL 33126

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
<u>A</u>	<u>Blue Lagoon Development, LLC</u>	<u>30-3131-015-0010</u>	<u>TOTAL +/- 7.63</u>

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
<u>A</u>	<u>X</u>			

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME Blue Lagoon Development, LLC, a Florida limited liability company

NAME, ADDRESS, AND OFFICE (if applicable) **PERCENTAGE OF STOCK**

Blue Lagoon Development Group, Inc. 53.5%

10 N.W. 42nd Avenue, Suite 700, Miami, FL 33126

Black Coral, LLC 46.5%

396 Alhambra Circle, Suite 100, Coral Gables, FL 33134

CORPORATION NAME Blue Lagoon Development Group, Inc., a Florida corporation

NAME, ADDRESS, AND OFFICE (if applicable) **PERCENTAGE OF STOCK**

Miguel Mouriz 100%

10 N.W. 42nd Avenue, Suite 700, Miami, FL 33126

CORPORATION NAME Black Coral, LLC, a Florida limited liability company

NAME, ADDRESS, AND OFFICE (if applicable) **PERCENTAGE OF STOCK**

Pacific Cable Television, Inc. 41.5%

396 Alhambra Circle, Suite 100, Coral Gables, FL 33134

Blue Coral, LLC 58.5 %

396 Alhambra Circle, Suite 100, Coral Gables, FL 33134

CORPORATION NAME Pacific Cable Television, Inc., a Florida corporation

NAME, ADDRESS, AND OFFICE (if applicable) **PERCENTAGE OF STOCK**

<u>Chiltonshire, N.V.</u>	<u>25%</u>
<u>Roberto Isaias, (Managing Director)</u>	
<u>Roberto Isaias (Shareholder)</u>	<u>25%</u>
<u>Estefano Isaias (Shareholder)</u>	<u>25%</u>
<u>William Isaias (Shareholder)</u>	<u>25%</u>

CORPORATION NAME Blue Coral, LLC, a Florida limited liability company

NAME, ADDRESS, AND OFFICE (if applicable) **PERCENTAGE OF STOCK**

<u>Roberto A. Isaias (Member)</u>	<u>20%</u>
<u>William Isaias (Member)</u>	<u>20%</u>
<u>Roberto Isaias Plaza (Member)</u>	<u>20%</u>
<u>Luis Isaias Plaza (Member)</u>	<u>20%</u>
<u>Estefano Isaias Chiriboga (Member)</u>	<u>20%</u>

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
---------------------------------------	-------------------------------

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

Date of Contract _____

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

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

BLUE LAGOON DEVELOPMENT, LLC, a Florida limited liability company

By: _____

Name: Miguel A. Mouriz

Title: Manager

Sworn to and subscribed before me

this 30 day of April, 2007

Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

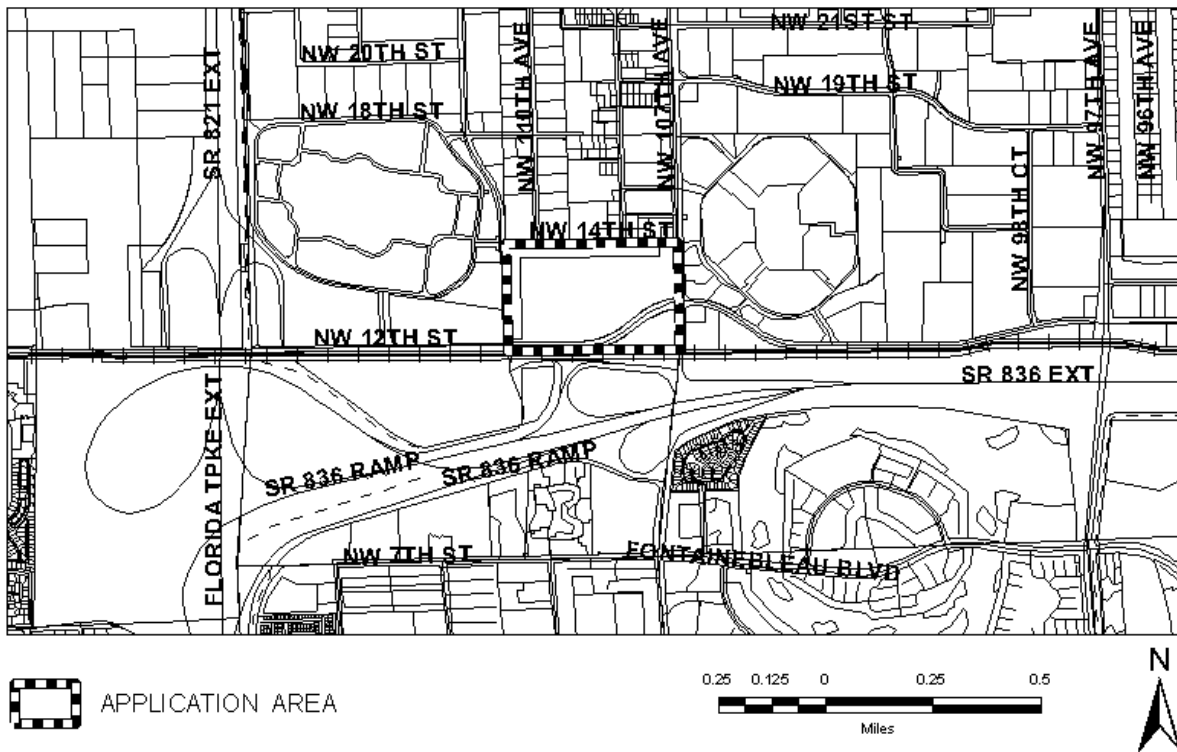


Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

4510897_v1

APPLICATION NO. 3
STANDARD AMENDMENT APPLICATION

Applicant	Applicant's Representative
Anthony Balzebre Trust 1717 Collins Avenue Miami Beach, FL 33139	Jeffrey Bercow Esq. & Michael Larkin, Esq. Bercow and Radell P. A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300
<p>Requested Amendment to the Land Use Plan Map</p> <ol style="list-style-type: none"> Redesignate the subject property From: Industrial and Office & Business and Office To: Business and Office Designate the subject property as a Regional Activity Center (Chapter 380.06, F.S.) Revise the subsection entitled "Chapter 380 Regional Activity Centers" in the Land Use Element Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element. <p>Location: Northwest corner of NW 107 Avenue and NW 12 Street Acreage: Application area: 59.949 Gross Acres Acreage Owned by Applicant: 59.949 Acres</p>	



- Notes:
1. This page is not part of the Application
 2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**STANDARD AMENDMENT REQUEST TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2007-2008 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

2007 APR 30 P 1:53
PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

Anthony Balzebre Trust
1717 Collins Avenue
Miami Beach, FL 33139

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Michael W. Larkin, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Jeffrey Bercow, Esq.

Date: April 30, 2007

By: 
Michael W. Larkin, Esq.

Date: April 30, 2007

3. DESCRIPTION OF REQUESTED CHANGES

Amendments to the text of the Comprehensive Development Master Plan and Land Use Plan Map are requested.

A. Amendments to the text of the Land Use Element and to the Land Use Plan Map are requested.

B. Description of Application Area

The Application Area consists of 59.949 acres located in Section 31, Township 53, Range 40 in unincorporated Miami-Dade County. See Attached Survey.

C. Acreage

Application Area: 59.949 acres.

Acreage owned by Applicant: 59.949 acres.

D. Requested Changes

- 1) It is requested that the Application Area be designated on the Land Use Plan Map as a Regional Activity Center (RAC) in accordance with relevant Florida Statutes and provisions of the Miami-Dade County Comprehensive Development Master Plan. The applicant is requesting an amendment to the text of the Land Use Element within the CDMP in accordance with its RAC designation request. The proposed text amendment is attached to this application as Exhibit A. In addition, the applicant requests the redesignation of the Application Area from Industrial and Office and Business and Office to Business and Office. Finally, if the CDMP amendment application is adopted by the Board of County Commissioners, and a proffered covenant is accepted as a condition of such approval, then the applicant requests that the covenant be added to the text of the CDMP Land Use Element, specifically to the table contained therein and entitled "Restrictions accepted by Board of County Commissioners in association with Land Use Plan Amendments." The covenant will be submitted to Miami-Dade County in accordance with the timelines adopted by the Department of Planning and Zoning.

4. REASONS FOR AMENDMENT

The Application Area consists of two parcels divided by NW 12th Street. The larger parcel is situated at the northwest corner of NW 12th Street and NW 107th Avenue. It is bounded by NW 107th Avenue to the east, NW 14th Street to the north, NW 111th Avenue to the west, and NW 12th Street to the south. The smaller parcel is irregularly shaped and situated at the southwest corner of NW 12th Street and NW 107th Avenue. The smaller parcel is bounded by NW 107th Avenue to the east, NW 12th Street to the north and west, and the State Road 836 (SR 836) ramp right-of-way to the south. The majority of the Application Area is currently designated as Industrial and Office. A portion of the Application Area adjacent to NW 107th Avenue is currently designated as Business and Office. The Application Area is zoned IU-2, IU-C and GU. Currently, the Application Area is vacant and has no existing use. There is a lake in the center of the Application Area. Pursuant to permits obtained from DERM, the lake will be filled in the next two years.

Based upon the Application Area's proximity to major transportation corridors within Miami-Dade County, a vacant parcel with no residential or commercial uses is a substandard use of the Application Area. There is easy access to the Homestead Extension of the Florida Turnpike (HEFT) and SR 836 from the Application Area. In addition, NW 107th Avenue is a six lane arterial major roadway and forms the eastern boundary of the Application Area. Miami International Mall, an existing Metropolitan

Urban Center, is located immediately east of the Application Area. Dolphin Mall is located immediately west of the Application Area. Accordingly, this is an ideal property to redevelop into a mixed-use Regional Activity Center (RAC). The RAC could have a wide variety of uses such as residential, retail, office and hotel.

In the near future, Metrorail will be extended into western Miami-Dade County along SR 836. The western expansion will begin at the Miami Intermodal Center adjacent to Miami International Airport. At present, there are two proposed routes for the Metrorail extension where it intersects with NW 107th Avenue. One route diverges and heads south along NW 107th Avenue terminating at the eastern edge of Florida International University Campus (FIU). The second route continues west crossing NW 107th Avenue until it intersects with the HEFT. At that point, the route turns south terminating at the western edge of FIU campus. The second route proposes a Metrorail station on the portion of the Application Area that is situated on the south side of NW 12th Street. The applicant is willing to work with Miami-Dade County to accommodate the proposed Metrorail station at this location and integrate the station into the overall RAC. It is our understanding that the Metropolitan Planning Organization in the next few months will reach a decision with regard to its locally preferred alternative route for the Metrorail extension.

The designation of the Application Area as an RAC will permit the redevelopment of the Property with a variety of uses. The proposed redevelopment of a large vacant parcel within the Urban Development Boundary adjacent to major transportation corridors in Miami-Dade County is consistent with several objective goals and policies within the Comprehensive Development Master Plan. The approval of the application will be consistent with the following objective and policies:

OBJECTIVE LU-1

The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

Based upon the proposed variety of uses, the RAC will be a center of activity. In addition, the applicant intends on complying with Miami-Dade County's Urban Design Guidelines in order to ensure that this will be a well-designed mix of residential and commercial uses.

POLICY LU-1A

High intensity, well designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.

As mentioned previously, at the moment, the Application Area is served by not only SR 836 but also by HEFT. In the near future, Metrorail will be extended into western Miami-Dade County. Under the applicant's preferred route, a Metrorail station will be located within the RAC. However, the alternative track locates a Metrorail station adjacent to Miami International Mall which is still in close proximity to the Application Area.

POLICY LU-1B

Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.

The RAC will be a major center of activity with a multitude of retail/commercial uses along with a significant residential population. The RAC is situated in an area that either has, or will have in the near future, good county-wide, multi-modal accessibility.

POLICY LU-1C

Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

The Application Area is a large vacant parcel situated within the Urban Development Boundary in a currently urbanized area. A vacant parcel of this size adjacent to major transportation corridors in Miami-Dade County is a substandard use of the Property.

OBJECTIVE LU-7

Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

Based upon the proximity of the Application Area to a proposed Metrorail station, the RAC will be a transit-oriented development that will mix residential, retail, office and open spaces within a pedestrian-friendly environment that will promote the use of Metrorail.

POLICY LU-7A

Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land

uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading of Urban Centers.

The redevelopment of this large vacant parcel into a mixed use RAC will attract transit ridership and promote travel patterns on the transit lines that are balanced directionally and temporally to promote transit operational and financial efficiencies.

POLICY LU-7B

It is the policy of Miami-Dade County that both the County and its municipalities shall accommodate new development and redevelopment around rapid transit stations that is well designed, conducive to both pedestrian and transit use, and architecturally attractive. In recognition that many transit riders begin and end their trips as pedestrians, pedestrian accommodations shall include, as appropriate, continuous sidewalks to the transit station, small blocks and closely intersecting streets, building oriented to the street or other pedestrian paths, parking lots predominantly to the rear and sides of buildings, primary building entrances as close to the street or transit stop as to the parking lot, shade trees, awnings, and other weather protection for pedestrians.

The applicant will comply with the County's Urban Design Guidelines. The applicant's compliance with the foregoing guidelines will create a pedestrian-friendly environment that will promote the use of the proposed Metrorail station.

Finally, the approval of the application will be consistent with Policy LU-8F which states that the UDB should contain developable land having capacity to sustain projected county wide residential demand for a period of ten (10) years after adoption of the most recent evaluation and appraisal report plus a five-year surplus (a total of 15-year county-wide supply beyond the date of EAR adoption). As an RAC, this redeveloped Application Area will have a significant residential component. Accordingly, the approval of this application will increase the residential inventory within the UDB.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Survey
- 2) Aerial Photograph/Section Map

3) RAC Map

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

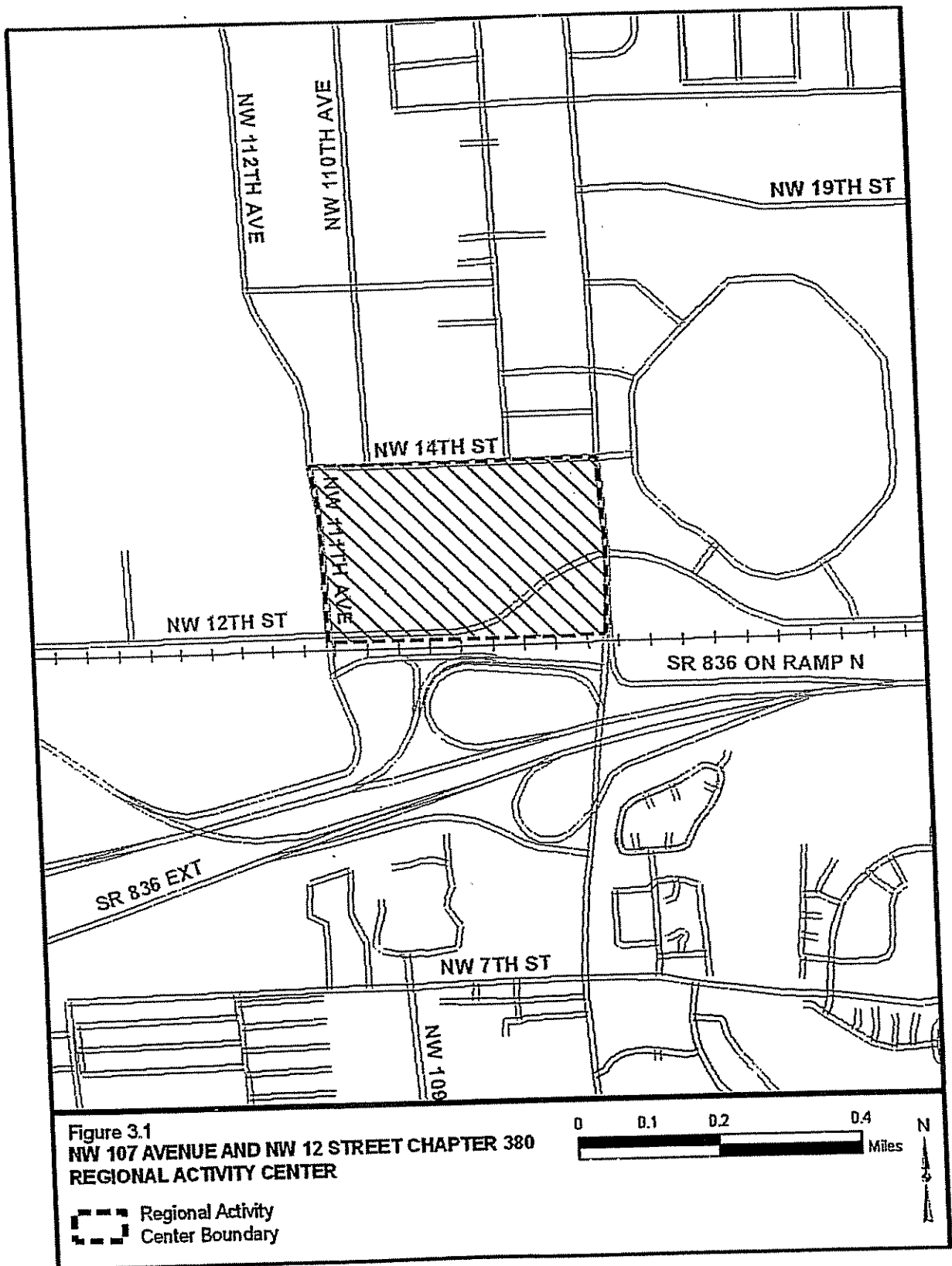
6. **COMPLETE DISCLOSURE FORMS:** See attached.

EXHIBIT A

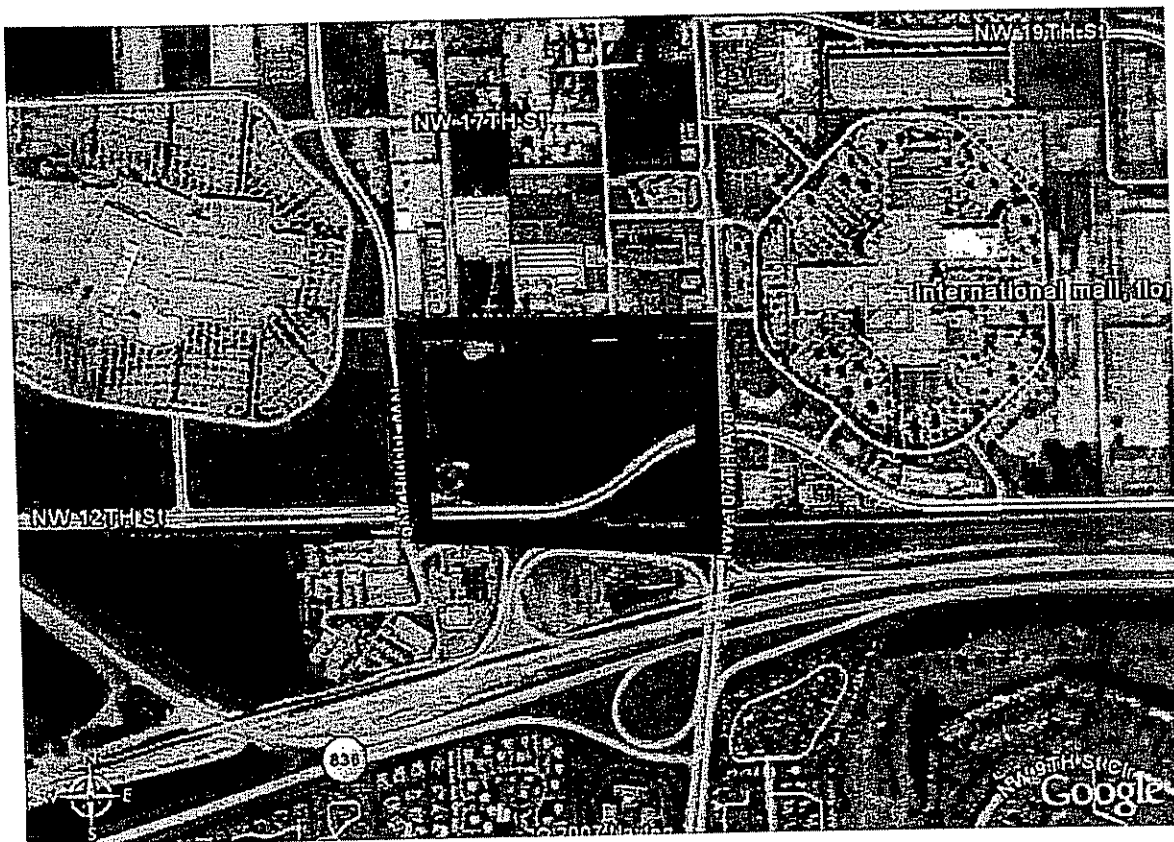
Chapter 380 Regional Activity Centers. Chapter 380.06(2)(e), Florida Statutes (F.S.) and Chapter 28-24.014, Florida Administrative Code (FAC), authorize local governments to designate areas as regional activity centers, hereinafter "Chapter 380 regional activity centers", where the local government seeks to encourage higher intensities of development by increasing the threshold of the development size required to undergo State review as a Development of Regional Impact (DRI). In addition, Policy 11.14 of the Adopted 2004 Strategic Regional Policy Plan for South Florida authorizes the designation of "Regional Development Districts" to implement provisions of Chapters 380-0651(3)(d)(3) and (3)(g)(2), F.S., which provide for the designation of geographic areas highly suitable for increased (DRI review) threshold intensity. The designation of a specific area and boundaries as a Chapter 380 regional activity center for the purpose of increasing DRI review thresholds does not change the CDMP Land Use Plan map designation of any land, nor does it change the uses or intensities of development authorized by the CDMP. It only changes the circumstances under which proposed developments in the designated area would have to be reviewed through the Chapter 380, F.S., DRI process. The following ~~area is~~ areas are hereby designated to be a Chapter 380 regional activity ~~center~~ centers and, subject to approval by the South Florida Regional Planning Council, a regional development ~~district~~ districts (a geographic area specifically designated as highly suitable for increased threshold intensity), for the purpose of increasing the DRI review thresholds:

1. Dadeland, as depicted on Figure 3
2. N.W. 107th Avenue and N.W. 12th Street
as depicted on Figure 3.1

EXHIBIT A



**Map of Property Located on Northwest Corner of the Intersection of
N.W. 107th Avenue and N.W. 12th Street/SR 836 Ramp**



DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: DOROTHY BALZEBRE, TRUSTEE

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

- 2. PROPERTY DESCRIPTION:** Provide the following information for all properties in the Application Area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES IN SIZE (net)</u>
<u>Anthony Balzebre Tr.</u>	<u>same</u>	<u>30-3031-000-0021</u> <u>30-3031-035-0010</u>	<u>59.949 acres</u>

- 3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.**

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR</u> (Attach <u>FOR PURCHASE</u>)	<u>OTHER</u> <u>Explanation)</u>
<u>A</u>	<u>X</u>			

4. **DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
--------------------------------------	-------------------------------

N/A	
-----	--

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (5), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENT AGE OF STOCK</u>
--	-----------------------------

N/A	
-----	--

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: Dorothy Balzebre

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
---------------------------------------	-------------------------------

Anthony F. Balzebre, Jr.	16.666 % (1/6)
Janet Balzebre Murray	16.666 % (1/6)
Richard W. Balzebre	16.666 % (1/6)
Susan Balzebre Gordon	16.666 % (1/6)
Robert P. Balzebre	16.666 % (1/6)
Thomas W. Balzebre	16.666 % (1/6)

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the

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

N/A

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

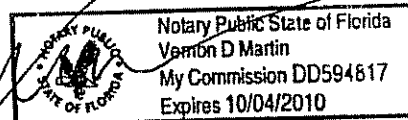
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

x Dorothy W. Balzare, Trustee
DOROTHY W. BALZARE, TRUSTEE

Sworn to and subscribed before me
this 27 day of APRIL, 2007.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

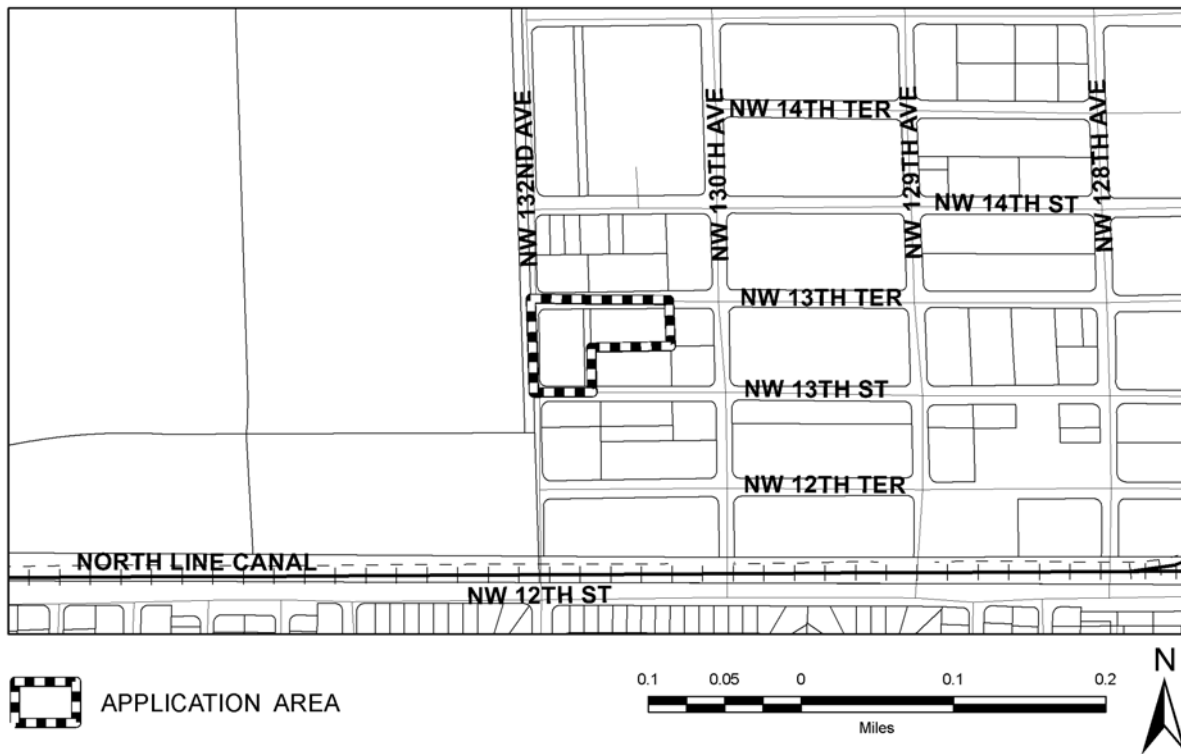


VERNON D MARTIN

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

APPLICATION NO. 4 **STANDARD AMENDMENT APPLICATION**

Applicant	Applicant's Representative
ALVA Property Management, LLC 10741 SW 30 th Street Miami, FL 33165 305-220-8863	Jose M. Alvarez, President ALVA Property Management, LLC 10741 SW 30 th Street Miami, FL 33165 (305) 986-6545
<p>1. Redesignate the subject property From: Open Land To: Restricted Industrial and Office</p> <p>2. Expand the UDB to include the subject property Location: Northeast corner of NW 132 Avenue and NW 13 Street Acreage: Application area: 2.54 Gross Acres; 1.77 Net Acres Acreage Owned by Applicant: 0.94 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANTS

ALVA Property Management, LLC
10741 SW 30th Street
Miami, FL 33165
305-220-8863

RECEIVED

APR 30 2007

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

2. APPLICANTS' REPRESENTATIVE

BY _____

Jose M. Alvarez
ALVA Property Management, LLC
10741 SW 30th Street
Miami, FL 33165
305-986-6545

By: _____ :
(Signature of Applicant's Representative)

Date: 4/30/2007

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan map (item A.1 in the fee schedule) is requested.

(This is a repeat of APRIL 1989 Application No. 75)

B. Description of the Subject Properties

Lots 10, 11, 12, 13, 14, and 15 Block 21 WESTERN MIAMI SUBDIVISION SECTION C, according to the Plat thereof, as recorded in Plat Book 27, Page 54, of the Public Records of Miami-Dade County, Florida.

Lots 4, 5, 6, 7, 8, and part of Lot 9, lying East of the railroad Right-of-Way, Block 21 WESTERN Miami SUBDIVISION SECTION C, according to the Plat thereof, as recorded in Plat Book 27, Page 54, of the Public Records of Miami-Dade County, Florida.

C. Gross and Net Acreage

Application area: 2.54 gross acres (1.77 net acres)
Acreage Owned by Applicant: 0.94 gross acres (0.94 net acres)

D. Requested Change

1. Move the Urban Development Boundaries to encompass application area.
2. It is requested that the application be redesignated on the Land Use Plan map from OPEN LAND TO RESTRICTED INDUSTRIAL & OFFICE.

4. REASON FOR AMENDMENT

The whole property contains industrial commercial and office uses, and is zoned for IU-C.

5. ADDITIONAL MATERIAL SUBMITTED

N/A

6. COMPLETE DISCLOSURE FORMS

Attachments: Two Maps
One Aerial Photo

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

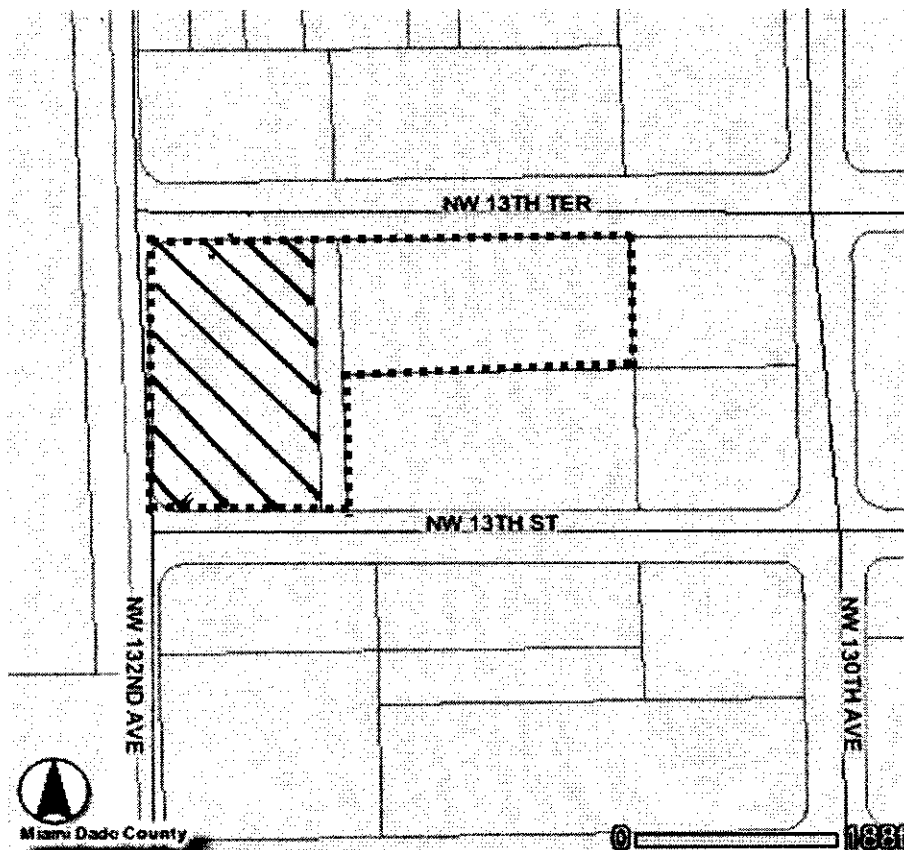
APPLICANT/ REPRESENTATIVE

ALVA Property Management, LLC/ Jose M. Alvarez

DESCRIPTION OF SUBJECT AREA

Lots 10, 11, 12, 13, 14, and 15 Block 21 WESTERN MIAMI SUBDIVISION SECTION C, according to the Plat thereof, as recorded in Plat Book 27, Page 54, of the Public Records of Miami-Dade County, Florida.

Lots 4, 5, 6, 7, 8, and part of Lot 9, lying East of the railroad Right-of-Way, Block 21 WESTERN Miami SUBDIVISION SECTION C, according to the Plat thereof, as recorded in Plat Book 27, Page 54, of the Public Records of Miami-Dade County, Florida.



Legend



Application Area

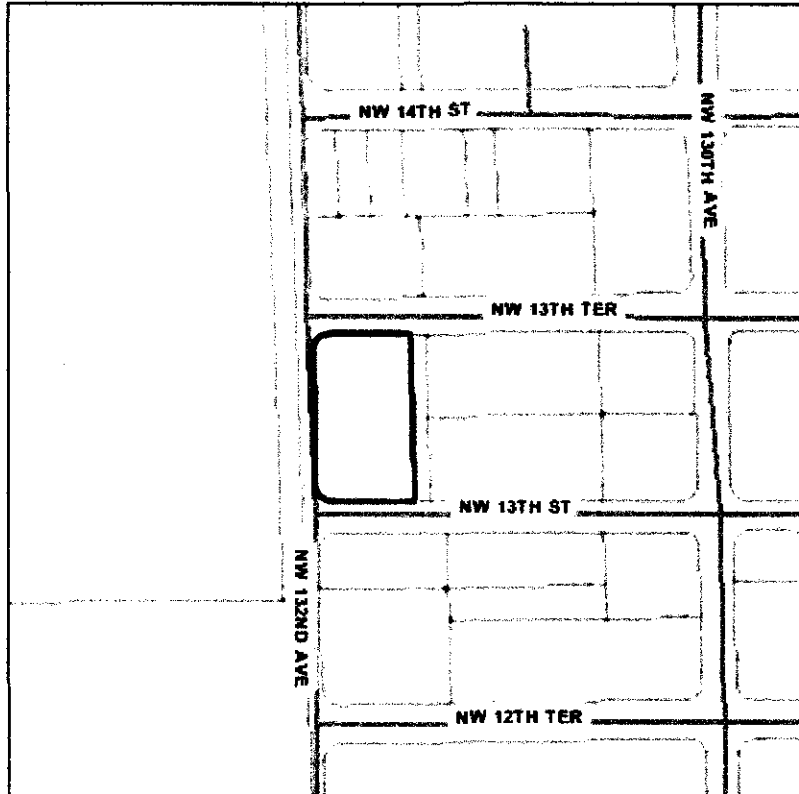
Area Owned by Applicant

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Digital Orthophotography - 2006

0 — 127 ft

This map was created on 5/1/2007 11:05:06 AM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



Close

Summary Details:

Folio No.:	30-3935-004-0440
Property:	
Mailing Address:	ALVA PROPERTY MANAGEMENT LLC 10741 SW 30 ST MIAMI FL 33165-

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1 ACRES
Year Built:	0
Legal Description:	WESTERN MIAMI SEC C PB 27-54 LOTS 10 THRU 15 BLK 21 LOT SIZE .94 AC OR 19261-3250 0700 1 COC 25479-3605 03 2007 1

Sale Information:

Sale O/R:	25479-3605
Sale Date:	3/2007
Sale Amount:	\$335,000

Assessment Information:

Year:	2006	2005
Land Value:	\$131,600	\$131,600
Building Value:	\$0	\$0
Market Value:	\$131,600	\$131,600
Assessed Value:	\$131,600	\$131,600
Total Exemptions:	\$0	\$0
Taxable Value:	\$131,600	\$131,600

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Alva Property Management LLC 107415.W 30 STREET MIAMI FL 33165

APPLICANT B: "

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A JOSE ALVAREZ, Alva Property Management LLC	"	30-3935-004-0440	1 ACRE
B "	"	CARMEN S. PLA	30-3935-004-0400 1 ACRE

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
^A Alva Property Management LLC				Pond Heavy Equipment Stockpile Aggregates

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Alva Property Management LLC.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

Alva Property Management LLC 10741 SW 30 ST MIAMI FL 33165	JOSE M. OLIVERA 50%	MARIO N. ALVAREZ. 50%

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Alva Property Management LLC 10741 S.W. 30 ST MIAMI FL 33165	Jose M. Alvarez 50 %
	Mario N. Alvarez 50 %

Date of Contract: Feb 1, 07

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

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Alva Property Management LLC.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

Alva Property Management 10741 G.W. 3035 MIDLAND 33105 JOSE M. OLIVERA 50%
MARIA N. OLIVERA 50%

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

NA

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

15 / 12

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Applicant's Signatures and Printed Names

JOSE ALVAREZ

Sworn to and subscribed before me

this 30 day of April, 2007

Notary Public, State of Florida at Large (SEAL)

My Commission Expires: April 20, 2008

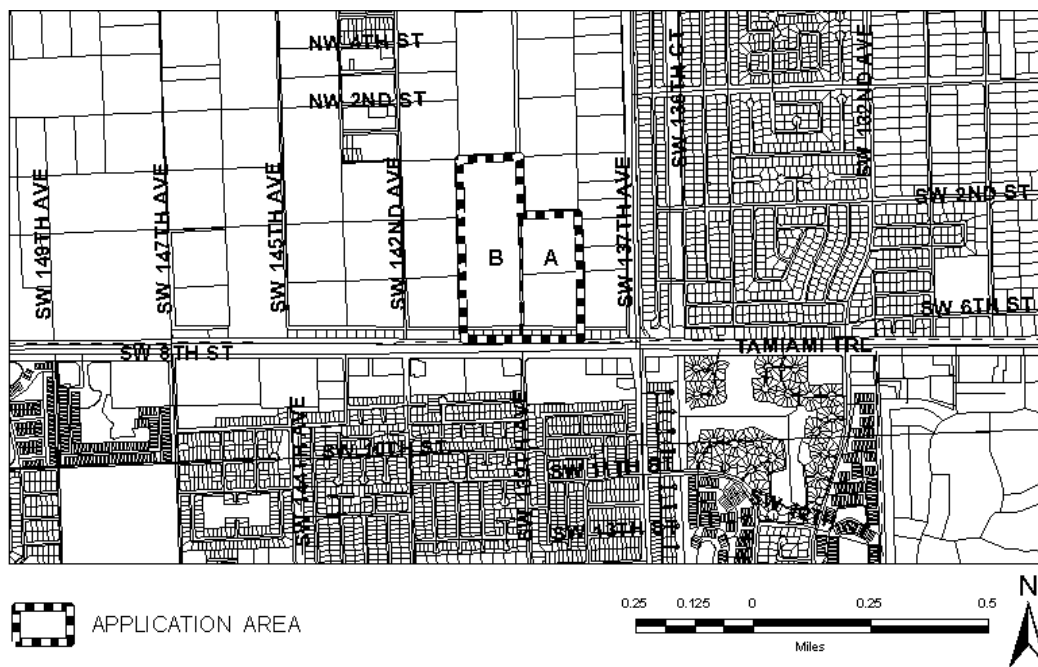


Jenny Fiallo
Commission # DD311928
Expires: April 20, 2008
Aaron Notary 1-800-350-5161

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

APPLICATION NO. 5 **STANDARD AMENDMENT APPLICATION**

Applicant	Applicant's Representative
Lowe's Home Center, Inc. c/o Gary E. Wyatt 1605 Curtis Bridge Road REEC Dock Wilkesboro, NC 28697	Juan J. Mayol, Jr. Esq. Richard A. Perez, Esq. Holland & Knight LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500
<p>Requested Amendment to the Land Use Plan Map</p> <ol style="list-style-type: none"> Redesignate the subject property <ul style="list-style-type: none"> Parcel A (21.6 Acres) <ul style="list-style-type: none"> From: Open Land To: Business and Office Parcel B (30.1 Acres) <ul style="list-style-type: none"> From: Open Land To: Institutions, Utilities and Communications Expand the UDB to include the subject property Revise Open Subareas Map (Figure 4) in the Land Use Element as necessary Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element <p>Location: Northwest corner of Theoretical SW 138 Avenue and SW 8 Street Acreage: Application area: 51.7 Gross Acres Acreage Owned by Applicant: 21.6 Acres</p>	



Notes:

- This page is not part of the Application
- Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

RECEIVED

APR 20 2007

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

BY _____

1. APPLICANTS

LOWE'S HOME CENTERS, INC.
c/o Gary E. Wyatt
1605 Curtis Bridge Road
REEC Dock
Wilkesboro, NC 28697

2. APPLICANT'S REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Richard A. Perez, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500
(305) 679-6305 (fax)

By _____

Richard A. Perez, Esq.

April 30, 2007
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map, Sub-Area Map and Text.

1. Expand the Urban Development Boundary. Applicant requests an amendment to expand the Urban Development Boundary (the "UDB") to include the subject property.

2. Change the Land Use Plan Map. Applicant requests a change to the Land Use Element, Land Use Plan map as follows: (i) a re-designation of Parcel A, as defined below, from "Open Land" to "Business and Office" and (ii) a re-designation of Parcel B, as defined below, from "Open Land" to "Institutions, Utilities, and Communications."

3. Change to Sub-Area Map. Applicant requests a change to the Open Land Subareas Map (Figure 4, Page I-62) to remove the subject property from the Tamiami-Bird Canal Basins.

4. Acceptance of Proffered Covenant. Applicant requests that the Declaration of Restrictions attached hereto as Exhibit "E," as may be amended prior to final adoption, be incorporated within the table entitled "Restrictions Accepted by the Board of County Commissioners in Association with Land Use Map Plan Amendments," as adopted pursuant to Remedial Amendment 06-1R.

B. Description of Subject Area.

Subject property consists of two parcels: (i) Parcel A includes approximately 21.6 gross acres of land located west of the northwest corner of S.W. 8th Street (Tamiami Trail) and S.W. 137th Avenue and is bounded on the south by Tamiami Trail, on the north by theoretical S.W. 2nd Street, on the east by S.W. 137th Avenue, and on the west by theoretical S.W. 139th Avenue, and (ii) Parcel B includes approximately 30.1 gross acres located north of S.W. 8th Street, and bound by Parcel A to the east and theoretical S.W. 142nd Avenue to the west.

Parcel A and Parcel B are located in Section 3, Township 54, Range 39, in unincorporated Miami-Dade County, as depicted on the location map attached as Exhibit "C."

C. Acreage.

Subject application area: ±51.7 gross acres

Acreage owned by applicant: ±21.6 gross acres

D. Requested Changes.

1. Applicant requests an amendment to the Urban Development Boundary (the "UDB") to include the subject property.
2. Applicant requests a change to the Land Use Element, Land Use Plan map as follows: (i) a re-designation of 21.6 acres, which includes all of Parcel A, as defined below, from "Open Land" to "Business and Office" and (ii) a re-designation of 30.1 acres, which includes all of Parcel B, as defined below, from "Open Land" to "Institutions, Utilities, and Communications."
3. Applicant requests a change to the Open Land Subareas Map (Figure 4, Page I-62) to remove the subject property from the Tamiami-Bird Canal Basin.
4. Applicant requests that the Declaration of Restrictions attached hereto as Exhibit "E," as may be amended prior to final adoption, be incorporated within the table entitled "Restrictions Accepted by the Board of County Commissioners in Association with Land Use Map Plan Amendments," as adopted pursuant to Remedial Amendment 06-1R.

4. REASONS FOR AMENDMENT

The Applicant is requesting a re-designation of Parcel A from "**Open Land**" to "**Business and Office**" and Parcel B from "**Open Land**" to "**Institutions, Utilities, and Communications**," together with an amendment to include the subject property within the Urban Development Boundary and a map amendment to remove the subject property from Open Land Subarea 3. The subject property consists of approximately 51.7 gross acres, located in Section 3 of Township 54 South, Range 39 East. The subject property, which is situated near the northwest corner of SW 8th Street (Tamiami Trail) and SW 137th Avenue, is contiguous to urban development boundary to the south and east. To the south, the development pattern consists of commercial parcels fronting Tamiami Trail, serving the many residential communities extending westward along Tamiami Trail to SW 157th Avenue. To the east, the parcels immediately adjacent to the subject property were re-designated from "Industrial and Office" to "Business and Office" during the April 2003 Comprehensive Development Master Plan Amendment Cycle and further east along Tamiami Trail are low density residential communities, while development along the SW 137th Avenue corridor has been largely characterized by open yard storage of construction equipment.

The subject property is located within the 2015 Expansion Area Boundary within the County's North-Central Planning Analysis Tier ("North-Central Tier"), and more specifically within Minor Statistical Area 3.2 ("MSA"). The subject property sits between the large-scale mining operations of the Lake Belt Area and the existing residential developments to the south and east. As such, development of the subject property affords an appropriate opportunity to provide an effective transition between the intensive mineral extraction/industrial uses that characterize the Lake Belt and the largely single-family neighborhoods along the southern boundary.

The County's Comprehensive Development Master Plan (CDMP) Future Land Use Element provides that the expansion of urban area should be managed to occur at a rate commensurate with projected population and economic growth, and in locations which optimize efficiency in public service delivery and conservation of natural resources. This property is contiguous to the Urban Development Boundary on two sides, bounded on the east and south by extensive residential development with the vacant property to the west having been designated as a future Urban Expansion Area (UEA). The property is located adjacent to two (2) section line roadways and only a short distance from the Florida Turnpike and State Road 836, which shall allow for the efficient delivery of public services with minimal impacts.

As contemplated by the Applicant, the development of the subject property is consistent with the Comprehensive Development Master Plan's Guidelines for Urban Form. These Guidelines provide that "[i]ntersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any non-residential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes." Consequently, the intersection of Tamiami Trail and SW 137th Avenue is an appropriate location for the proposed commercial designation.

Furthermore, the re-designation of Parcel B to "Institutions, Utilities, and Communications" will allow for Parcel B to be used to address certain of the pressing needs of the

surrounding community. For example, the Miami-Dade County School Board has attempted to identify a location for a public high school to serve as a relief high school for Braddock Senior High School, Miami Coral Park High School, and Miami Springs High School, each of which is substantially above programmed capacity. To date, the Miami-Dade County School Board has been unsuccessful in identifying an adequate location. As a result of dwindling land within the Urban Development Boundary, it is highly unlikely that the Miami-Dade County School Board will be able to identify adequate land at a reasonable price. Parcel B remains one of the last few large parcels available to accommodate a relief high school. The Applicant commits to working with the owner of Parcel B to identify an appropriate public use for Parcel B.

Based on the foregoing, the Applicant requests the favorable recommendation of the Miami-Dade Planning and Zoning Department. Appropriately analyzed, there is a need to provide additional **Business and Office** inventory within the immediate vicinity of the property and within the broader MSA and Planning Analysis Tier. The subject property is the appropriate location for this additional inventory.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP policies:

LAND USE POLICY IP: Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agricultural Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

LAND USE POLICY 4B: Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.

LAND USE POLICY 4C: Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust, or traffic.

LAND USE POLICY 8H: When considering land areas to add to the UDB, after demonstrating that a county-wide need exists,

iii) The following areas shall be given priority for inclusion, subject to conformity with Policy 7G and the foregoing provisions of this policy [] ... Land contiguous to the UDB.

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in

continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways. (Urban Form)

5. ADDITIONAL MATERIAL SUBMITTED

The Applicant submits the Declaration of Restrictions set forth as Exhibit "E." Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"
Declaration of Restrictions – Exhibit "E"

Exhibit "A"
Legal Description

PARCEL A:

ALL OF TRACTS 34 AND 47 AND ALL OF TRACTS 55 THROUGH 60, INCLUSIVE, ALL OF "EVERGLADES GARDENS," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 14, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL B:

TRACT 46 a/k/a THE TRACT BETWEEN 45 AND 47 AND TRACTS 30, 35, 61, 62, 63, 64, 65, AND 66, EVERGLADES GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8 AT PAGE 14 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

2806476_v2

Exhibit "A"
Legal Description

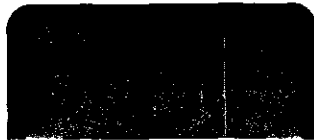
PARCEL A:

ALL OF TRACTS 34 AND 47 AND ALL OF TRACTS 55 THROUGH 60, INCLUSIVE, ALL OF "EVERGLADES GARDENS," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 14, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL B:

TRACT 46 a/k/a THE TRACT BETWEEN 45 AND 47 AND TRACTS 30, 35, 61, 62, 63, 64, 65, AND 66, EVERGLADES GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8 AT PAGE 14 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

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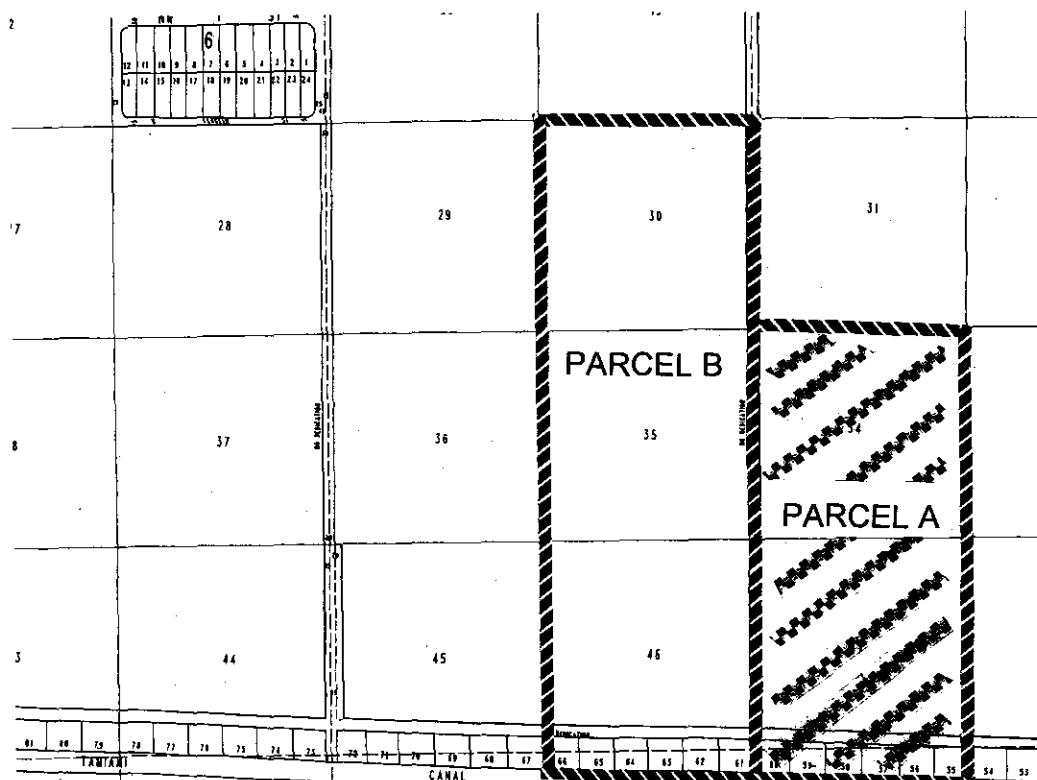
**LOCATION MAP FOR APPLICATION
TO AMEND COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT / REPRESENTATIVE

LOWE'S HOME CENTERS, INC. / Juan J. Mayol, Jr., and Richard A. Perez

DESCRIPTION OF SUBJECT AREA

The subject property consists of approximately +/- 51.7 gross acres of land located in Section 3, Township 54, Range 39, in unincorporated Miami-Dade County. The property is more accurately describes as tracts 30, 34, 35, 46, 47, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66 of "Everglades Garden" (8-14). The Applicant owns tracts 34, 47, 55, 56, 57, 58, 59, and 60.



LEGEND



APPLICATION AREA



AREA OWNED BY APPLICANT

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

LOWE'S HOME CENTERS, INC.
C/O GARY E. WYATT
1605 CURTIS BRIDGE ROAD
REEC DOCK
WILKESBORO, NC 28697

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
-----------	-----------------	--------------	---------------

PARCEL A:

Lowe's Home Centers, Inc.

30-4903-003-0310	21.6
30-4903-003-0440	
30-4903-003-0570	
30-4903-003-0560	
30-4903-003-0550	
30-4903-003-0540	
30-4903-003-0530	
30-4903-003-0520	

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
Lowe's Home Centers, Inc.	X			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME	<u>LOWE'S HOME CENTERS, INC., a North Carolina corporation</u>
<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>a wholly owned subsidiary of LOWE'S COMPANIES, INC.,</u>	
<u>a PUBLICLY TRADED COMPANY</u>	<u>N/A</u>

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Applicant's Signatures and Printed Names

LOWE'S HOME CENTERS, INC.

[Signature]

GARY E. WYATT

Sr. Vice-President - Real Estate, Engineering & Construction

ELC
4/26/07
WY

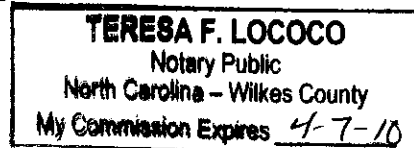
Sworn to and subscribed before me

this 27 day of April, 2007


[Signature]

Notary Public, State of N. Carolina at Large (SEAL)

My Commission Expires:



Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.


This Instrument was Prepared by:

Name: Richard A. Perez, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, Lowe's Home Center, Inc. ("Lowe's"), has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan that is pending as Application No. __ in the April 2007 Cycle (the "Application");

WHEREAS, the Application seeks to expand the urban development boundary to include Parcel A and Parcel B and to re-designate Parcel A from "Open Land" to "Business and Office" and Parcel B from "Open Land" to "Institutional and Public Facilities."

WHEREAS, Parcel A and Parcel are located in unincorporated Miami-Dade County, Florida, as described in Exhibit "A" ("Parcel A") and Exhibit "B" ("Parcel B") to this Declaration of Restrictions (collectively, Parcel A and Parcel B shall be referred to as the "Property");

WHEREAS, Lowe's holds fee simple title to Parcel A and 139 Avenue SW 8 Street, LLC, a Florida limited liability company (the "Parcel B Owner"), holds fee simple title to Parcel B;

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County, Florida (the "County"), that the representations made by the Lowe's and the Parcel B Owner during the consideration of Comprehensive Development Master Plan Standard Amendment Application No. __ (the "Application") will be abided by, Lowe's and the Parcel B Owner freely,

voluntarily, and without duress, make the following Declaration of Restrictions covering and running with the Property:

1. Prohibition on Residential Uses; Home Improvement Store.

(a) Notwithstanding the re-designation of the Property on the County's Land Use Plan map, Lowe's and the Parcel B Owner agree not to develop or maintain any residential uses within the Property.

(b) Lowe's shall not seek building permits for the construction of any buildings on Parcel A without having first submitted for a building permit for the construction of a home improvement store on Parcel A.

2. Water Conservation and Re-Use. Lowe's hereby agrees to implement the following water conservation and re-use standards for the development of Parcel A:

(i) All structures or buildings located within Parcel A that contain a connection to the regional waste water system shall also be constructed to include appropriate pipes to permit future connection into any regional wastewater re-use system that may be constructed by the County;

(ii) Upon the construction of a regional wastewater re-use system that includes a connection point abutting Parcel A, Lowe's (or its successors or assigns) shall connect the water re-use pipes serving the structures and buildings located on Parcel A to such regional wastewater re-use system; and

(iii) The water for any irrigation system used within Parcel A shall be supplied from a rain water capture and re-use system constructed for the benefit of Parcel A and such irrigation system shall not use the public water supply system, except in the case of force majeure, including, but not limited to, droughts or mechanical failure.

3. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration of Restrictions on the part of Lowe's and the Parcel B Owner shall constitute a covenant running with the land and shall be recorded by Lowe's, at Lowe's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon Lowe's and the Parcel B Owner and their heirs, successors, and assigns until such time as the same is modified or released with the approval of the County. These restrictions, during their lifetime, shall be for the benefit of, and limitation upon, all present and future owners of the Property and for the public welfare.

B. **Term.** This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date that this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then owner(s) of the Property has been recorded in the public records agreeing to change the covenant in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended, or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the land covered by the proposed amendment, modification or release, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to

comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the Miami-Dade comprehensive plan. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration of Restrictions be so modified, amended or released, the Director of the Planning and Zoning Department or the executive officer of the successor of said Department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

D. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. Election of Remedies. All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

F. **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.

G. **Recording.** This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of Lowe's following the adoption of the Application. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

[Signature Pages Follow]

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 200_.

WITNESSES:

139 AVENUE SW 8 STREET, LLC, a Florida limited liability company

Signature

Print Name

Signature

Print Name

By: _____

Name: _____

Title: _____

STATE OF _____)

)

SS.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 200_, by _____, as _____ of 139 Avenue SW 8 Street, LLC, a Florida limited liability company, who is personally known to me or has produced _____ as identification, and acknowledged that she did execute this instrument freely and voluntarily for the purposes stated herein.

My Commission Expires:

Notary Public, State of _____

Print Name

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 200_.

WITNESSES:

Signature

Print Name

Signature

Print Name

LOWE'S HOME CENTERS, INC.,
a North Carolina corporation

By: _____

Its: _____

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE) SS.

The foregoing instrument was acknowledged before me this _____ day of _____, 200_, by _____, as _____ of Lowe's Home Centers, Inc., a North Carolina corporation, on behalf of the company. He is personally known to me or has produced _____ as identification, and acknowledged that he did execute this instrument freely and voluntarily for the purposes stated herein.

My Commission Expires:

Notary Public, State of Florida

Print Name

EXHIBIT A

ALL OF TRACTS 34 AND 47 AND ALL OF TRACTS 55 THROUGH 60, INCLUSIVE, ALL OF "EVERGLADES GARDENS," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 14, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

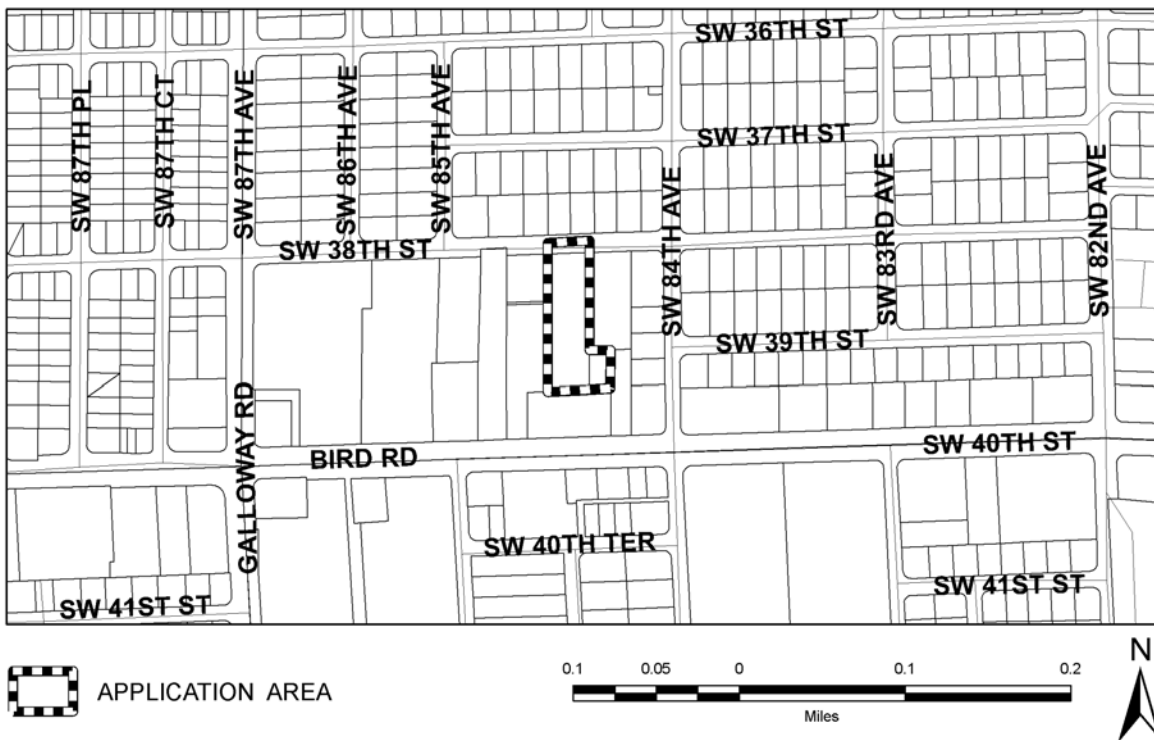
EXHIBIT B

TRACT 46 a/k/a THE TRACT BETWEEN 45 AND 47 AND TRACTS 30, 35, 61, 62, 63, 64, 65, AND 66, EVERGLADES GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8 AT PAGE 14 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

3320735_v10

APPLICATION NO. 6 **STANDARD AMENDMENT APPLICATION**

Applicant	Applicant's Representative
8440 Property, Inc. 5783 Bird Road, #302 Miami, FL 33155	Ben Fernandez, Esq. & Graham Penn, Esq. Bercow, Radell & Fernandez, P. A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300
<p>Requested Amendment to the Land Use Plan Map</p> <p>From: Low Density Residential (2.5 to 6.0 DU/Ac.)</p> <p>To: Medium-High Density Residential (25 to 60 DU/Ac.)</p> <p>Location: 300 Feet west of SW 84 Avenue and south of SW 38 Street</p> <p>Acreage: Application area: 1.59 Gross Acres; 1.52 Net Acres</p> <p>Acreage Owned by Applicant: 1.52 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2007-2008 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

8440 Property, Inc.
5783 Bird Road, # 302
Miami, FL 33155

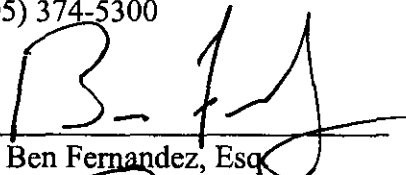
RECEIVED
APR 20 2007

2. APPLICANT'S REPRESENTATIVES

Ben Fernandez, Esq.
Graham Penn, Esq.
Bercow, Radell & Fernandez, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

MIAMI-DADE COUNTY
DEPT. OF PLANNING
METROPOLITAN PLANNING SECT. 34

BY _____

By: 
Ben Fernandez, Esq.

Date: April 30, 2007

By: 
Graham Penn, Esq.

Date: April 30, 2007

3. DESCRIPTION OF REQUESTED CHANGES

A small-scale amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

A. Change the Land Use Plan Map.

A change to the Land Use Element, Land Use Plan Map (item A.1 in the fee schedule) is requested.

B. Description of Subject Area.

The property subject of this application request consists of approximately 1.59 gross acres of land located in Section 15, Township 54, Range 40, in unincorporated Miami-Dade County. This subject area is located north of SW

40th Street ("Bird Road") and south of SW 38th Street between SW 84th Avenue and SW 87th Avenue and is more specifically described in Exhibit A to this application (the "Property").

The Property is currently designated for Low Density Residential development under the CDMP but is developed with thirty-nine (39) rental bungalows constructed circa 1952 under the long defunct Bungalow Court (RU-3B) zoning district. The existing net density of development on the Property is approximately 25.6 units per acre.

To the west of the Property are two parcels developed with multi-family bungalow-type uses. The southernmost parcel immediately to the west of the Property was the subject of CDMP Amendment No. 9 of the October 2005 cycle in order to redesignate the parcel from a mix of Business and Office and Low Density Residential to Business and Office. Farther west lies the parcel that was the subject of Application No. 9 of the April 2005 cycle, which was similarly redesignated to Business and Office. At the northeast corner of S.W. 40 Street and S.W. 87 Avenue lies a large shopping center parcel.

To the south of the Property lies an existing commercial strip center that is designated for Business and Office use. To the east of the Property is similar bungalow-type development designated for Low Density Residential development but actually constructed at a considerably higher density. To the north across S.W. 38 Street lies an existing single family residential neighborhood designated for Low Density Residential use.

C. Acreage.

Subject Application Area:	1.59 Acres Gross (includes right of way)
	1.52 Acres Net
Acreage Owned by Applicant:	1.52 Acres

D. Requested Changes.

1. It is requested that the Property be redesignated on the Land use Plan map from "Low Density Residential" to "Medium-High Density Residential".
2. Upon adoption of the land use plan amendment, we request that the Declaration of Restrictions proffered by the Applicant be added to the appropriate table in the Land Use Element of the Plan.

4. REASONS FOR AMENDMENT

The Applicant is requesting the redesignation from “Low Density Residential” to “Medium-High Density Residential” in order to re-develop the Property with a low rise multi-family community with a total of forty-nine (49) homes. As noted above, there are presently thirty-nine (39) rental units on the Property that were built in 1952 under the “Bungalow Court” zoning district, a defunct zoning category that was repealed by the Board of County Commissioner’s in 1961. The Property is also within a block that is primarily occupied by a commercial shopping center located east of SW 87th Avenue between SW 38th Street and SW 40 Street.

The Board of County Commissioners has recently expanded the scope of Business and Office land in the area, approving Applications Nos. 9 in the April and October 2005 amendment cycles. As a result, approximately three quarters of the block where the Property is located is now designated for Business and Office use.

Based on the existing Bungalow Court rental development on the Property, the current Business and Office land use designation of the directly abutting properties to the south and the west, and the fact that the abutting property to the east is developed with multi-family condominiums, it is clear that the Low Density Residential designation is not appropriate for the Property. The Medium-High Density designation would be reasonable given the surrounding land uses.

The Applicant intends to proffer a Declaration of Restrictions as part of the application limiting the maximum density on the Property to forty-nine (49) apartment homes. The proposed development would consist of only ten (10) more units than the current rental bungalow development on the Property. Unlike the existing rental bungalows, the proposed development would be subject to modern parking, open space, and landscaping. The proposed density of development would also be well below the maximum permitted under the Medium-High Density Residential designation. The Applicant’s Declaration of Restrictions will also ensure that the scale of the proposed development along SW 38th Street is compatible with the single family homes to the north by limiting the maximum height of development to a maximum of 35 feet along this street.

The requested change from Low Density Residential to Medium-High Density Residential is also appropriate as it furthers the following goals and objectives of the Comprehensive Plan:

Objective LU-1

The location and configuration of Miami-Dade County’s urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted rather than sprawl.

Objective LU-1C

Miami Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

Objective LU-1F

To promote housing diversity and to avoid creation of monotonous development, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and house finance activities, among others. In particular, Miami-Dade County shall review its zoning, and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information may be supplied at a later date under separate cover.

6. COMPLETE DISCLOSURE FORMS:

See attached as Exhibit B

Attachments:

Legal Description (Net Acreage) – Exhibit A

Disclosure of Interest Form – Exhibit B

Location Map for Application – Exhibit C

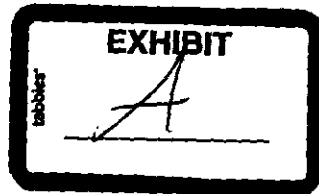
Aerial Photograph – Exhibit D

Draft Declaration of Restrictions – Exhibit E

True

mail disc.
frd.

NE COR. SE 1/4
SW 1/4, NW 1/4
Sec. 15-54-40



Address :

west 38th Street
da, 33155

Information:

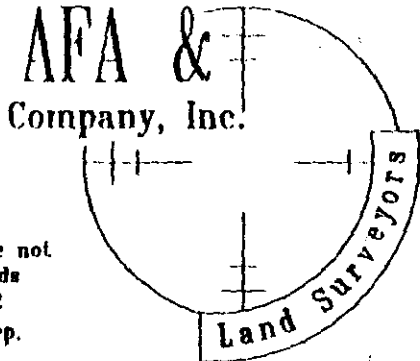
el #: 120635
0170
" X "
m : 3-2-1994
Elev. n/a
lev. n/a
lev. n/a
" J "

Legal Description:

The West 187.92 feet at the East 395.83 feet
of the S.E. 1/4 of the S.W. 1/4, of the S.W. 1/4
of Section 15, Township 54 South, Range 40 East
Lying and Being in Dade County, Florida, Less the
North 1/2 of the East 65.97 feet thereof and Less
the South 200 feet thereof. and Less the North 25
feet of S.E. 1/4 , S.W. 1/4, S.W. 1/4, Sec. 15-54s-40e
for right-of-way purpose

Certified Only To:

Anibal J. Durate
Attorney's Title Insurance Fund, Inc.
Title Company of America, Inc.



This certifies that the survey of the property
described hereon was made under my super-
vision & that the survey meets the minimum
technical standards set forth by the Florida
Board of Professional Land Surveyors &
Mappers in Chapter 61G17-6 of Florida
Administrative Code, pursuant to Section
472.027, Florida Statutes,
& That the Sketch hereon is a true and
accurate representation thereof to the best
of my knowledge and belief, subject to notes
and notations shown hereon.

[Signature]
Armando F. Alvarez
Professional Surveyor & Mapper # 5526
State of Florida
Not Valid unless used & signed with Embossed Seal

Professional
Surveyors & Mappers
3470 S.W. 143rd Place
Miami Florida, 33145
Ph. # (305) 227 0099
F # (305) 552 1191

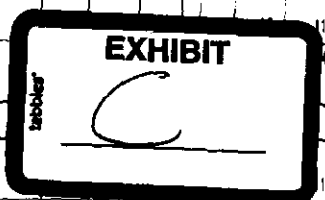
ds Shown hereon were not
and/or R/W of records
without Sheet 1 of 2
ounty Public Works Dep.

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2
= 20'

Date: 12 20 1997

Property
0778
8440



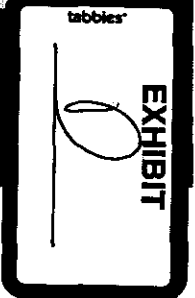
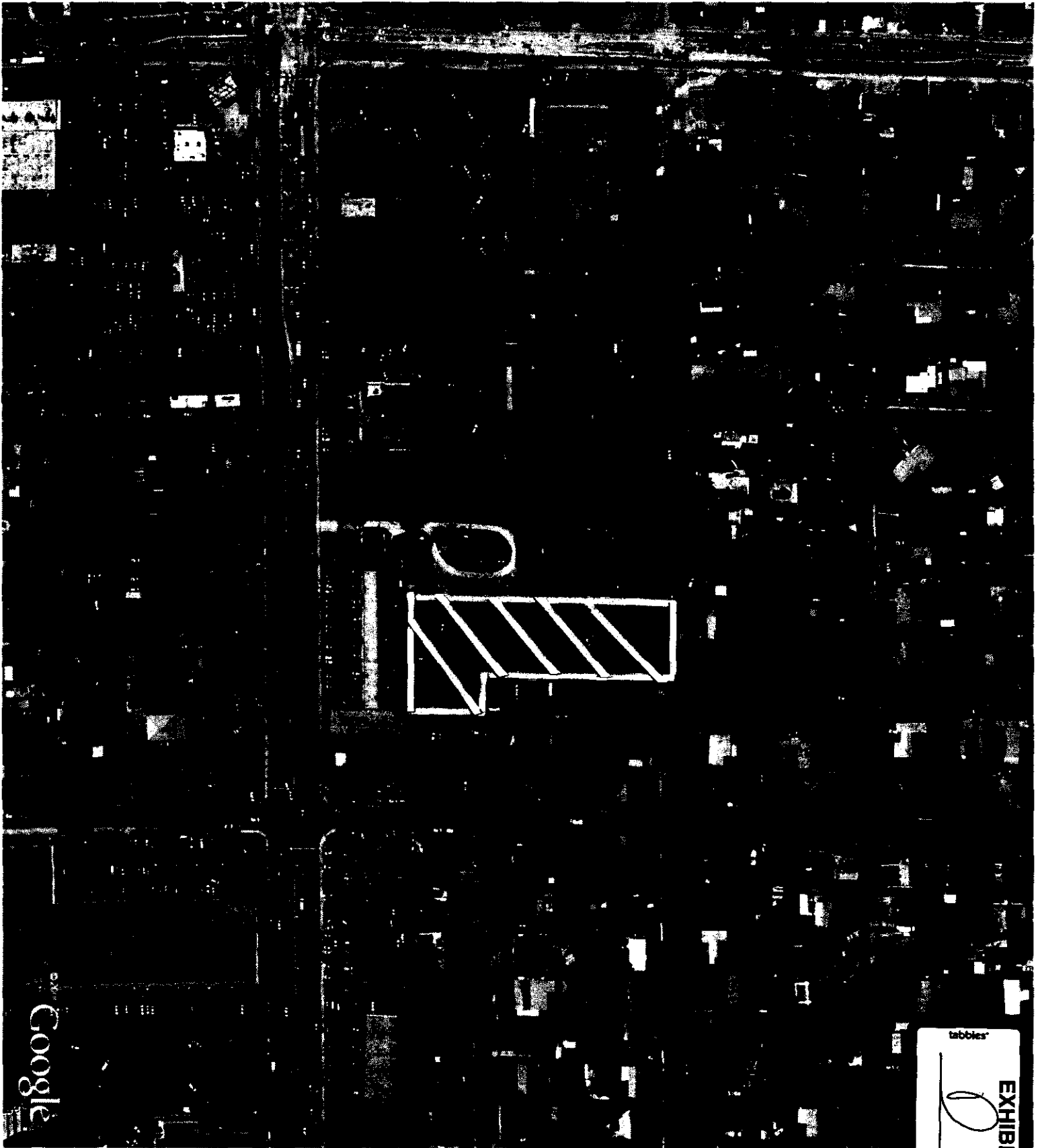


Exhibit B
DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

APPLICANT (S) NAME AND ADDRESS:

A. 8440 Property, Inc.
 5783 Bird Road, # 302
 Miami, FL 33155

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

- 2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
A.	8440 Property, Inc.	30-4015-000-0110	1.29
	8440 Property, Inc.	30-4015-000-0120	0.23

- 3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.**

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
A.	X			

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (S), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

CORPORATION NAME: 8440 Property, Inc.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENT AGE OF STOCK

Anibal Duarte-Viera

50%

John Bradley

50%

5835 Blue Lagoon Drive, #200
Miami, Florida 33126

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

TRUSTEES NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (S) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENT AGE OF INTEREST

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

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

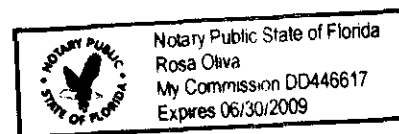
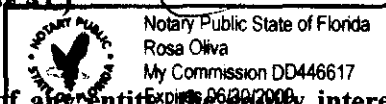
Applicant's Signatures and Printed Names

ANISOL OUAKE VENT

Sworn to and subscribed before me
this 25TH day of APRIL, 2007

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

Rosa Oliva



Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.



This instrument was prepared by:

Name: Graham Penn, Esq.

Address: Bercow & Radell, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County Florida, described in Exhibit "A," attached to this Declaration (the "Property"), which is supported by the submitted attorney's opinion;

WHEREAS, the Property is the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. X of the April 2007 Amendment Cycle;

WHEREAS, the Owner has sought a Land Use Plan amendment to change the designation of the Property from "Low Density Residential" to "Medium-High Density Residential."

NOW THEREFORE, in order to assure the Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application will be abided by the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

Development Limitations. The Property shall be developed with no more than forty-nine (49) residential units. Furthermore, all residential buildings within the northern fifty (50) feet of the Property shall be a maximum of thirty-five (35) feet in height.

Traffic Impact. The Owner shall work in good faith with the Miami-Dade County Public Works Department and Department of Planning and Zoning to ensure that adequate infrastructure will be available to accommodate the traffic trips generated by the development of the Property.

(Space reserved for Clerk)

Water Conservation Measures. The Owner agrees to utilize the following water conservation measures during the design and construction of any residential development on the Property:

- 1) Design and construct buildings with minimal impact on site topography and natural drainage ways; disturb only areas need to install foundations and roadways. Minimize driving on mud.
- 2) Insure that existing and new wells are protected (cased, sealed or grouted) from drainage and contamination.
- 3) Use silt fencing or biofiltration (permeable bags filled with chips, compost or bales of straw) to control erosion during construction.
- 4) Designate appropriate location for washing vehicles and equipment – away from surface waters, storm drains and slopes that could erode.
- 5) Sweep surfaces rather than spraying with water; dispose of sweepings in trash instead of down drains.
- 6) Immediately repair all equipment and vehicle leaks.
- 7) Choose low-flow equipment for toilet, shower, and faucets.
- 8) Remove non-native and nuisance plants without use of herbicides where possible.
- 9) Install zoned irrigation systems, including a rain sensor shut off.

Specimen Trees. During the permitting and development of the Property, the Owner shall make a reasonable good faith effort to preserve specimen trees on the Property in accordance with the requirements of Chapter 24 of the Miami-Dade County Code.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit

(Space reserved for Clerk)

of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and its heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality that amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and the provisions of the municipality's ordinances that apply to the adoption of district boundary changes. Should this Declaration be so modified, amended, or released, the Director of the Department of Planning and Zoning or the executive

(Space reserved for Clerk)

officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her office, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, 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.

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 County shall be entitled to revoke any approval predicated upon the invalidated portion

(Space reserved for Clerk)

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

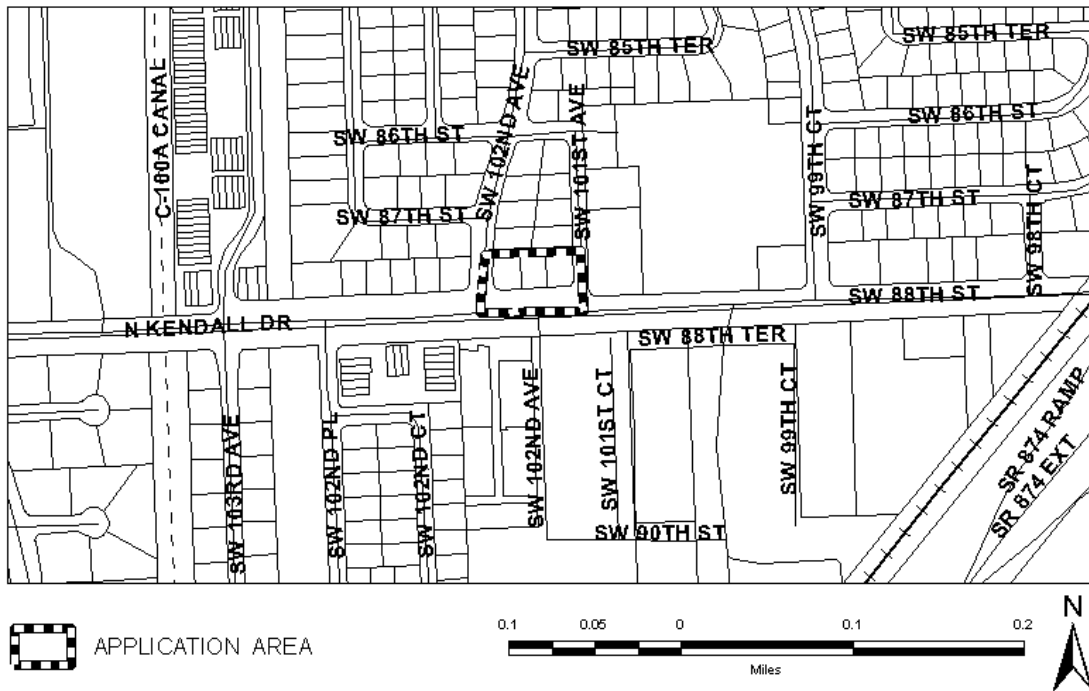
Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

APPLICATION NO. 7 **SMALL-SCALE AMENDMENT APPLICATION**

Applicant	Applicant's Representative
Armando Amador 8900 SW 107 th Avenue, Suite 200 Miami, FL 33176	Augusto E. Maxwell, Esq. Akerman Senterfitt, P.A. One Southeast Third Avenue, 26 th Floor Miami, Florida 33131 (305) 374-5600
<p>Requested Amendment to the Land Use Plan Map</p> <p>From: Low Density Residential (2.5 to 6.0 DU/Ac.)</p> <p>To: Business and Office</p> <p>Location: Northwest corner of SW 101 Avenue and SW 88 Street (N. Kendall Drive)</p> <p>Acreage: Application area: 1.29 Gross Acres; 0.563 Net Acres</p> <p>Acreage Owned by Applicant: 0.196 Net Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

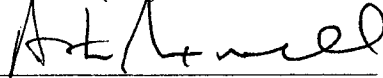
2007 APR 30 A 8:56
PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

ARMANDO AMADOR
8900 S.W. 107th Avenue
Suite 200
Miami, FL 33176

2. APPLICANT'S REPRESENTATIVE

Augusto E. Maxwell, Esq.
Akerman, Senterfitt, P.A.
One Southeast Third Avenue, 26th Floor
Miami, FL 33131
augusto.maxwell@akerman.com
(305) 374-5600
(305) 374-5095 (fax)

By: 
Augusto E. Maxwell, Esq.

4/27/07
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

A change to the Land Use Element Land Use Plan Map (Item A.1(d) in the fee schedule) is requested to re-designate the Subject Area from "Low Density Residential" to "Business and Office."

B. Description of Subject Area.

The Subject Area consists of approximately 1.29 gross acres of land¹ and that the LUP Map currently designates as "Low Density Residential" (2.5 to 6 dwelling units per acre).

The Parcels are located in Section 32, Township 54 South, Range 40 on S.W. 88th Street and between 101st Avenue and 102nd Avenue.

¹ From east to west to east the folio numbers of these Parcels are as follows: 30-4032-007-2860; 30-4032-007-2850 and 30-4032-007-2840.

C. Acreage.

Subject Area: 1.29 ± gross acres
.563 ± net acres

Acreage owned by Applicant: .196 ± net acres

D. Requested Changes.

1. It is requested that the Land Use Plan Map be amended to re-designate the Subject Area from "Low Density Residential" to "Business and Office."
2. It is requested that this application be processed as a Small-Scale Amendment pursuant to the State of Florida and Miami-Dade County's expedited procedure.

4. REASONS FOR AMENDMENT

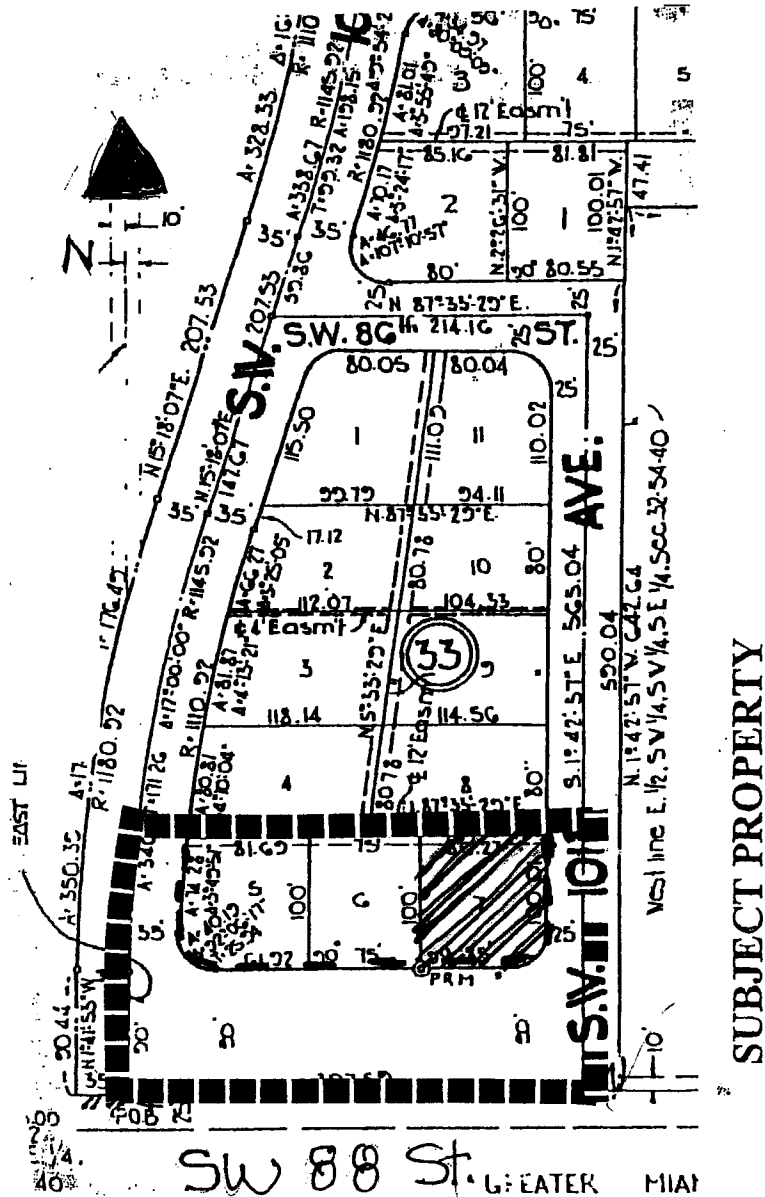
The Applicant seeks this change upon this Property to develop office uses which would serve area residents. The Property essentially fronts a major roadway, North Kendall Drive to the South and to its east abuts a much larger RU-5A zoned area. This extension of the "Business & Office" designation is consistent with several express CDMP policies including **Land Use Element Policies 1E and the Guidelines for Urban Form** which calls for such office uses along section line roads.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attachments: Exhibit "A" – Disclosure of Interest Forms
Aerial Photograph
Plat Map



APPLICATION AREA

AREA OWNED
BY APPLICANT

EXHIBIT "A"

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Armando Amador, 8900 S.W. 107th Avenue, Suite 200, Miami, FL 33176

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
ARMANDO AMADOR	ARMANDO AMADOR	30-4032-007-2860	.196 ± net acres

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

			<u>CONTRACTOR</u>	<u>OTHER</u>
(Attach)				
<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>FOR PURCHASE</u>	<u>Explanation)</u>

A: ARMANDO AMADOR X

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
ARMANDO AMADOR, 8900 S.W. 107 th Avenue, Suite 200, Miami, FL 33176	100%

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be

the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Armando Amador, (Applicant) & Ana G. Azcuy, his wife</u> <u>8900 S.W. 107th Avenue, Suite 200, Miami, FL 33176</u>	<u>100%</u>
<u>Juan & Regina Garcia, 10115 S.W. 88th St., Miami, FL 33176</u>	<u>100%</u>
<u>Jorge Zelaya, 10125 S.W. 88th Street, Miami, FL 33176</u>	<u>100%</u>

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>N/A</u>	

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES

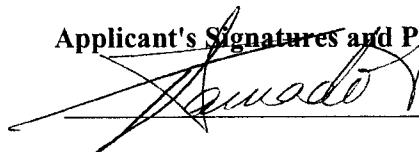
NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

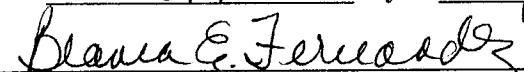
Applicant's Signatures and Printed Names



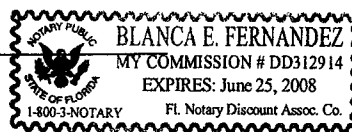
Armando Amador
8900 S.W. 107th Avenue, Suite 200
Miami, FL 33176

Sworn to and subscribed before me

this 27th day of April, 2007



Notary Public, State of Florida at Large (SEAL)



My Commission Expires: 6-25-08

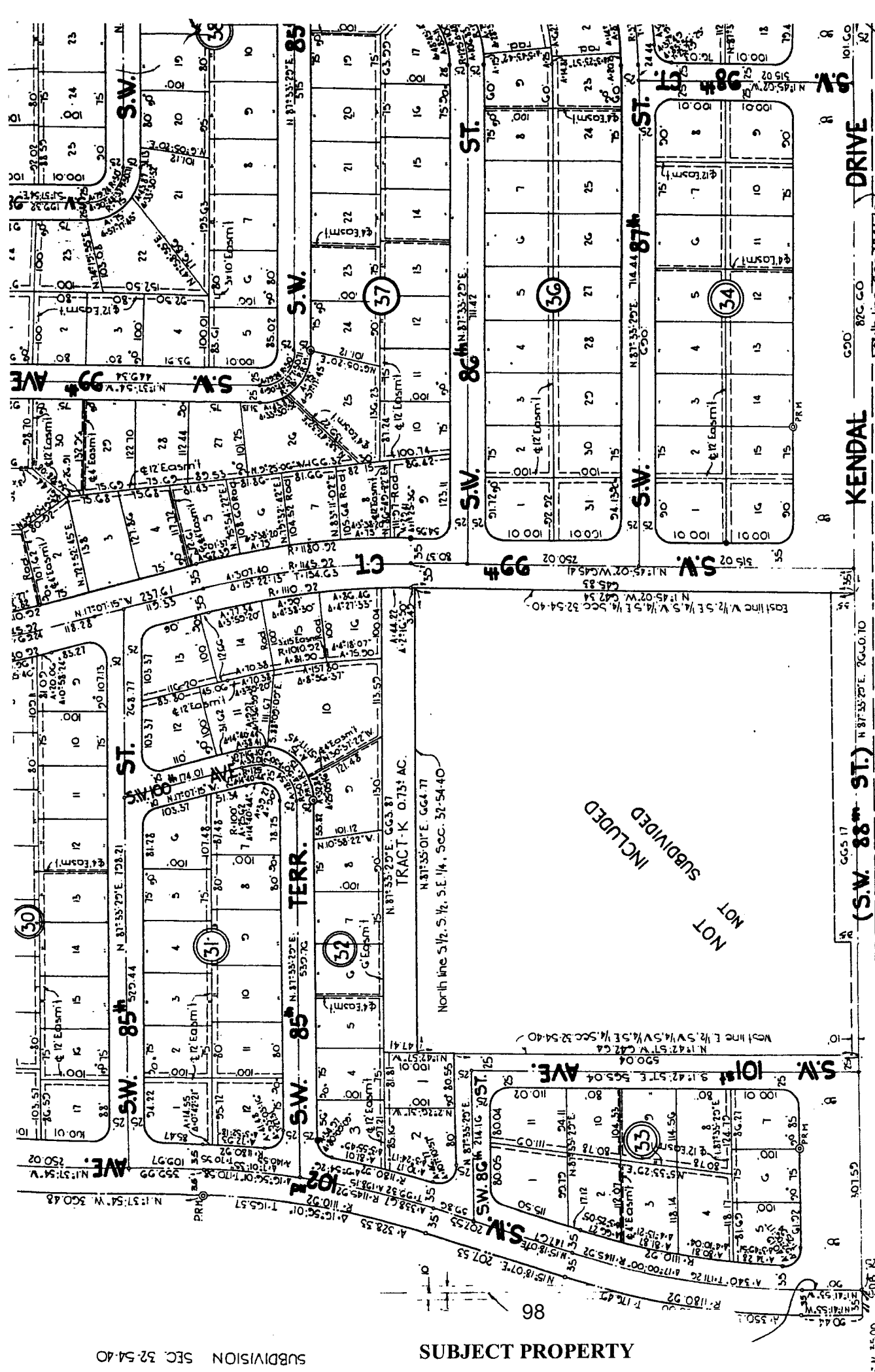
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

Surveyor's Note:
Dimensions on corner lots are to the intersection of
block lines extended, unless otherwise shown; and
all radii are 25 feet, unless otherwise shown.
Ⓢ Denotes Permanent Reference Monuments
Bearings shown are based on an assumed

GREATER MIAMI DEVELOPMENT COMPANY'S SUBDIVISION SEC. A (14-65)

**HEFTLER HOMES
SUNSET PARK
SECTION TWO**

BEING A REPLAT OF PORTIONS OF "DADE COUNTY DEVELOPMENT COMPANY SUBDIVISION" OF SEC TWP. 54 S., RGE. 40E., (P.B. 3, P. 36), A PORTION OF THE S.E. 1/4 OF SECTION 32 TWP. 54 S., RGE. 40E.

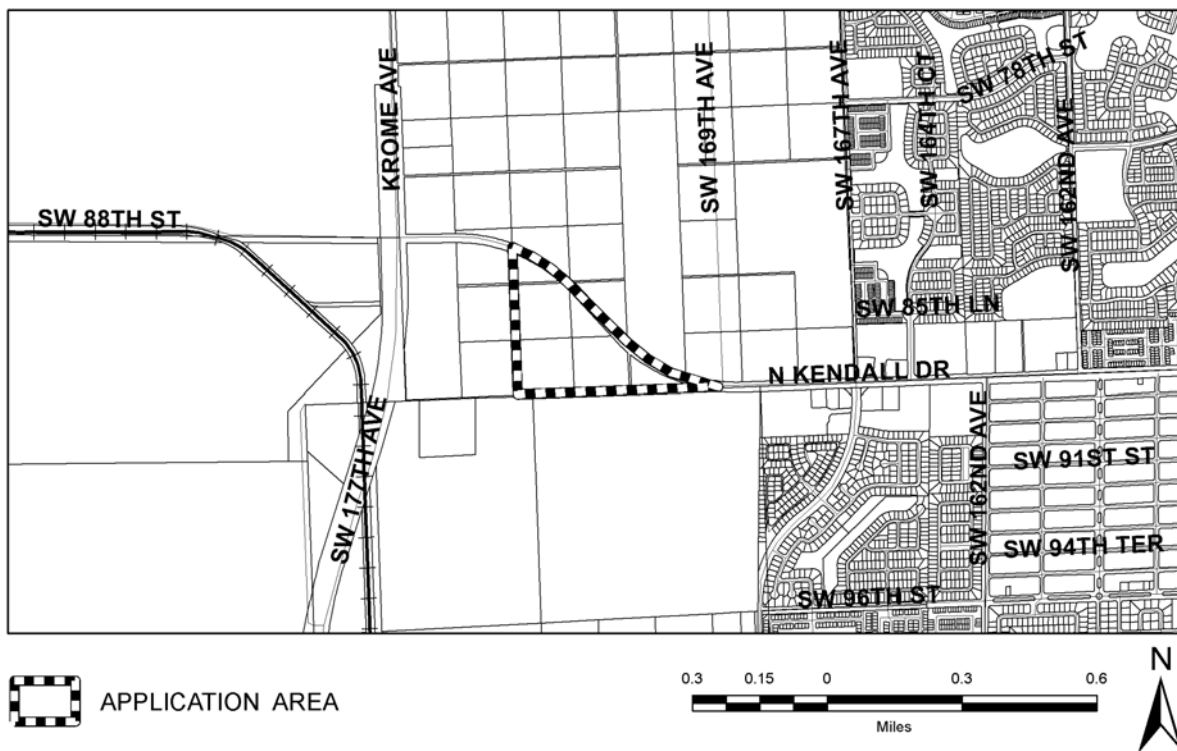




SUBJECT PROPERTY

APPLICATION NO. 8 **STANDARD AMENDMENT APPLICATION**

Applicant	Applicant's Representative
David Brown, Steven Brown, and Victor Brown 500 South Dixie Highway, Suite 220 Coral Gables, FL 33146	Chad Williard, Esq. Carlos Williard & Flanagan, P. A. 999 Ponce De Leon Boulevard, Suite 1000 Coral Gables, Florida 33134 (305) 444-1500
<p>1. Redesignate the subject property From: Agriculture To: Business and Office</p> <p>2. Expand the UDB to include subject property Location: Southside of SW 88 Street west of SW 167 Avenue Acreage: Application area: 42.0 Gross Acres; 38.5 Net Acres Acreage Owned by Applicant: 0 Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION TO AMEND THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

2007 APR 19 P 3 43

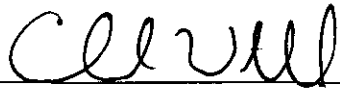
PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

David Brown, Steven Brown & Victor Brown
500 South Dixie Highway
Suite 220
Coral Gables, FL 33146

2. APPLICANT'S REPRESENTATIVE

Chad Williard, Esq.
Carlos Williard & Flanagan, P.A.
999 Ponce de Leon, Suite 1000
Coral Gables, FL 33134
(305) 444-1500
(305) 443-8617 (FAX)
chadw@cwfp.com

By: 
Chad Williard, Esq.

4/19/2007
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element,
2015/2025 Land Use Plan map.

B. Description of Subject Area

The subject property (the "Property") consists of 42.0 gross acres of land located in Section 31, Township 54 South, Range 39 East, in unincorporated Miami-Dade County. More specifically, the Property is located south of North Kendall Drive, west of SW 167th Avenue and is bordered to the south by the 2015 Urban Development Boundary (and the "Vizcaya TND").

C. Acreage

Subject Application Area: 38.5 net acres (42.0 gross acres)
Acreage Owned by Applicant: 0 acres (the Applicant has a Contract to purchase 38.4 acres of the Property).

D. Requested Change

1. It is requested that the Property be redesignated on the 2015/2025 Land Use Plan map from "Agriculture" and "2025 Expansion Area Boundary" to "Business and Office."
2. It is also requested that the 2015 Urban Development Boundary be amended to include the Property.
3. If a Declaration of Restrictions (voluntarily proffered by the Applicant) is accepted by the Miami Dade County Board of County Commissioners, then it is also requested that said Declaration of Restrictions be added to the Table entitled, "Restrictions Accepted by the Board of County Commissioners in Association with Land Use Plan Map Amendments," as memorialized in the Land Use Element.

4. REASONS FOR AMENDMENT

The Property is located on the south side of Kendall Drive (SW 88 Street), west of SW 167 Avenue and abuts the 2015 Urban Development Boundary (the "UDB") on its southern boundary. Inherent in the Property's location is an important fact: while the Property is technically outside the UDB, approval of this request to include it within the UDB will essentially amount to nothing more than a continuation of the present westerly boundary to intersect Kendall Drive; thereby filling a small gap in the positioning of the UDB created by the approval of the "Cropseyville" CDMP Application many years ago.

The Property is located within the CDMP Land Use Plan map's "2025 Expansion Area Boundary" in an area of Miami-Dade County (West Kendall) which has experienced, and continues to experience, rapid residential growth. In fact, one has to look no further than immediately south of the Property, where the "Vizcaya TND" community is currently being developed. This significant residential development has exacerbated the present condition wherein the area (Minor Statistical Areas 6.1 and 6.2, in particular) has an insufficient supply of commercially designated, zoned and/or developed land.

As further explained herein, given this inadequate commercial land supply, the Property's "Agriculture" land use designation is no longer the best use of the Property. That is, in order for the County to adequately plan for the future needs of its residents – in furtherance of certain Goals, Objectives and Policies of the Land Use Element of the CDMP - the Property should be redesignated from "Agriculture" to "Business and Office" and included within the 2015 UDB.

There is a clear and present need for additional commercially designated land in West Kendall (MSAs 6.1 & 6.2). A review of the data with respect to commercial supply and demand plainly demonstrates this point. The analysis generated by the Planning & Zoning Department (the "Department") during the April 2006 Cycle ("Projected Absorption of Land for Commercial Uses, April 2006 Cycle; page 10-5 of the Initial Recommendations) indicated at that time that there were 384.9 vacant commercial acres, being absorbed at an average annual rate of 27.29 acres per year, resulting in a projected

depletion year of 2020 for MSAs 6.1 & 6.2. This same rate initially was acknowledged as accurate when the County considered this application during the April 2005 Cycle.¹

In April 2006, the Department's data identified 384.9 acres of vacant commercial land in MSAs 6.1 & 6.2; however, as of February 2007, Department data indicated **that the acreage had dropped to 255.5 acres**. Thus, the vacant commercial acreage has dropped dramatically – a 130-acre reduction (almost 34%) in less than one year. Extrapolating from this data, the vacant commercial land supply in MSAs 6.1 & 6.2 will be depleted in approximately 2 years – resulting in a projected depletion year of **2010 – roughly 10 years earlier than the County's projected depletion; and, almost 13 years less than the 15 year planning horizon recommended in the Land Use Element of the CDMP**.

Nonetheless, assuming for argument's sake, that the County's annual absorption rate of 27.3 acres per year is accurate, the vacant commercial land would still be depleted in less than 10 years. Thus, regardless of the criteria relied upon to conduct the analysis, the fact is that there may be as little as 2 years of vacant commercial land supply in MSAs 6.1 & 6.2; but, under no circumstances, is there more than an approximate 9 year supply. And of the 255.5 acre vacant commercial land supply, over 100 acres is in one contiguous project ("Kendall Town Center" located at Kendall Drive and SW 152 Avenue) which will be developed in the very near future. Clearly, there is an overwhelming need to approve this Application in order to provide, at least a portion of, the commercial land needed in this area.

In its previous recommendation for this Application (from the April 2005 CDMP cycle), the Department referenced Policy 8H in stating that "land designated 'Agricultural' on the Land Use Plan map should be avoided." While it is true that the Property is designated "Agriculture," it is equally true that the Property lies within the 2025 Urban Expansion Area – a key fact that supports the reality that the site was not intended to remain in agricultural use perpetually. Agriculture is no longer an appropriate designation for this Property. One has only to look where the Property is situated – it has a major state road to its north (Kendall Drive, SR 94), a half section line road to its west (theoretical) and the developing, Vizcaya community to its south. As such, it is unrealistic to argue that a relatively small, 40 acre parcel, bounded by urban uses, and with SW 172 Avenue cutting through the Property, can long remain a viable agricultural property. Given the rapid rate at which the residential development of Vizcaya is progressing to the south, maintaining an agricultural use – with its use of overhead irrigation, fertilizers, pesticides and heavy equipment - will actually be hostile and incompatible to this neighboring, 1,200-unit residential community.

Regional water managers have publicly expressed great concern regarding Miami Dade County's water supply. This application will actually reduce the property's water supply demand from its current agricultural use. A study prepared by the Applicant's consultant demonstrates that the current agricultural use of the Property results in a net loss of approximately 3670 gallons per acre per day of water through irrigation – water drawn

¹ In the final hearing before the Miami-Dade County Commission where this similar application was considered in April 2006, the applicant argued (and the Planning & Zoning Director confirmed) that the absorption rate for this area was closer to 41 acres per year -which will result in a depletion year of approximately 2012 - significantly earlier than the 15 year planning horizon required by the Land Use Element of the CDMP.

from the Biscayne aquifer through shallow wells. Business and office uses, on the other hand, will require **less than half that amount**. Therefore, in approving the Application, the County will significantly reduce the amount of water the Property will use on a daily basis.

In its Revised Recommendation with respect to the aforementioned, 2005 version of this application, the Department acknowledged that Miami-Dade County's concurrency for roadways in the general vicinity of this application would not be negatively impacted as a result of the Application's approval. Approval of the Application will have no negative impact on roadway capacity levels. In fact, the Application actually has the potential to reduce trips with respect to peak (east/west) direction on the roadway network. Furthermore - a very important point that cannot be overstated - approval of the Application will result in the Applicant's construction and dedication of SW 172 Avenue.

This new, half-section line road will provide an important north/south link between the Vizcaya community to the south and Kendall Drive: without this SW 172 Avenue extension, the residents of the 1200-unit, Vizcaya development will be forced to access Kendall Drive via SW 96th Street/SW 167 Avenue – exacerbating the problem at a point where the roadway already experiences “bottleneck” conditions. The importance of SW 172nd Avenue to this area was confirmed by the Miami-Dade County Commission when it passed a resolution (Miami Dade County Resolution No. R-1042-06) directing the County Manager to acquire land for the construction of this portion of SW 172nd Avenue. Clearly the construction of this road will address an important County need – a need which the Applicant is willing to provide (at its sole cost and expense) upon approval of this Application.

Another comment made by the Department during the prior consideration of the Application was that this proposal will place a commercial node at the UDB and that such nodes should be located at the center of the market and not the edge. This statement is inconsistent with past CDMP amendments and, in this case, does not reflect the best interest of the surrounding community. First, there is a continuous band of commercially designated/zoned/developed land for approximately one mile east of the Property. Therefore, while it is technically correct that the Property lies on the western boundary of this commercial band, the fact remains that it is a continuation of the existing commercial use. Furthermore, the 2025 Urban Expansion Area lies west of the Property, so ultimately, the Property will not lie at the western edge of the UDB.

In no way would approval of this Application mark a precedent-setting extension of commercially designated lands, rather it will establish a natural termination point in that its approval will not move the UDB any further west than what already exists. It will simply “fill in” the thin sliver of land between Kendall Drive and the development to the south of the Property which was created by the approval of the “Cropseyville” Application.

Second, and most importantly (from a consistency and credibility standpoint), in the recent past the Department has frequently recommended approval of similar, CDMP Amendment requests. Specifically, the Department has routinely acknowledged instances where it is appropriate to locate commercial development - recommending

approval of “Business and Office” redesignation requests, in particular - at the Urban Development Boundary.²

With each of these prior applications, the Department acknowledged that, due to the lack of availability of viable alternate locations, it is necessary “in order to provide required commercial properties to serve the community,” to permit such commercial development at the UDB. As such, if there was ever an instance where the opportunity to provide much-needed commercial land supply in an area where there are very few (if any) viable, alternate sites – while also providing vital infrastructure (e.g., SW 172 Avenue, in the instant case) – warranted the support of the Department, this Application epitomizes such a request: there is a scarcity of vacant commercial land in MSAs 6.1 & 6.2; and even with the addition of the Property’s 40 acres, there will still be a shortage of commercially designated land in this area when compared to Countywide averages. Thus, the Department is obligated to discharge its responsibility to provide for the future needs of Miami Dade County’s residents by recommending approval of this Application – just as it has done with prior, less meritorious requests.

Also, please note that the Applicant will proffer a covenant prohibiting all residential uses on the Property; such that, if the Application is approved, the Property will be developed entirely with non-residential uses. Therefore, no residential analysis will be necessary by the Department or the Miami Dade County School Board.

Finally, approval of this Application is consistent with Objective 1 and Policies 1H, and 8B, as well as certain Guidelines for Urban Form memorialized in the Land Use Element of the CDMP: the Property is located at the intersection of a section line and a half section line road; and approving this Application will provide a transitional activity node adjacent to major roadways, as suggested in the Miami Dade County’s Guidelines for Urban Form (CDMP page I-22).

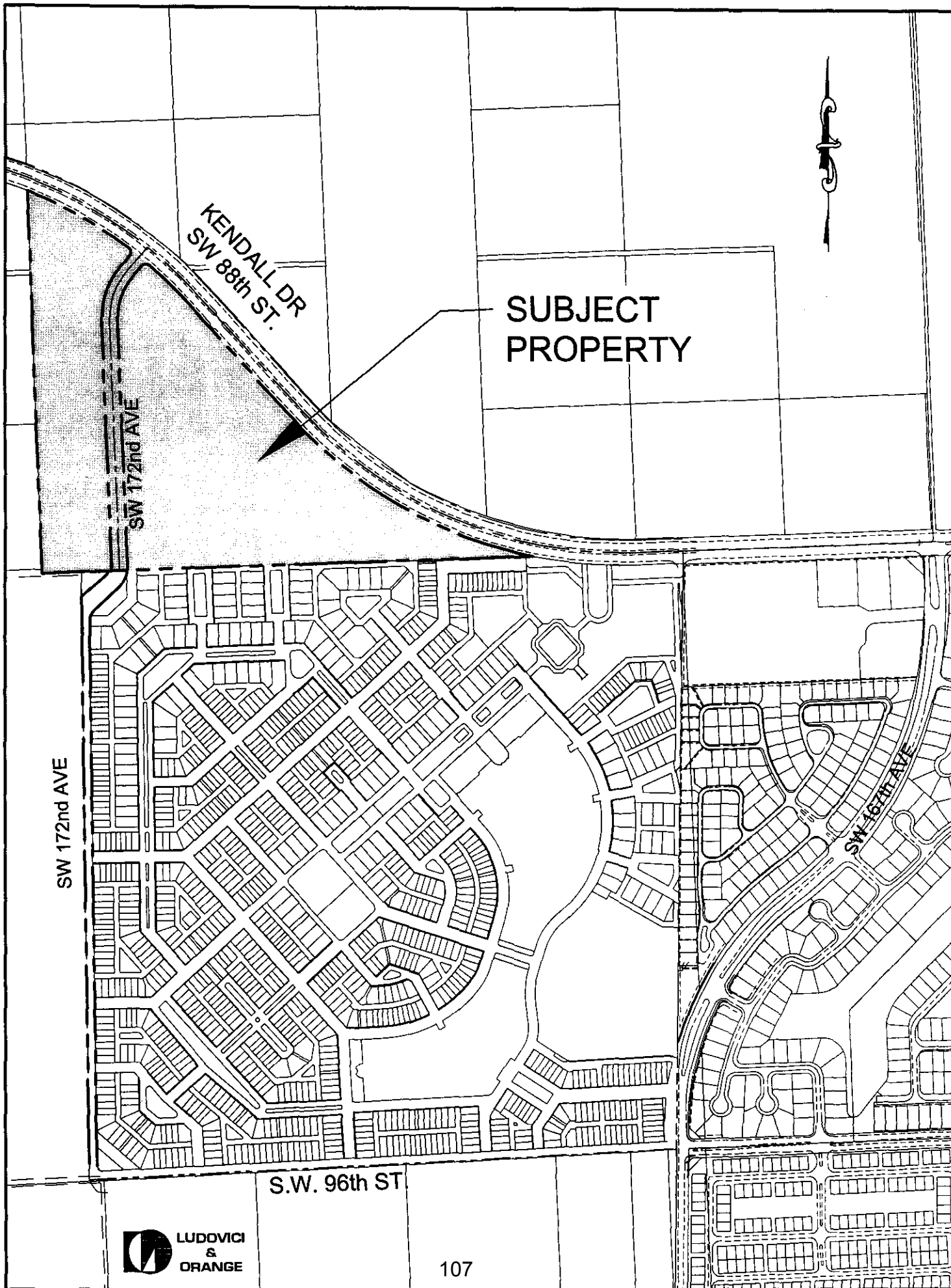
For all the reasons set forth herein, the Applicant respectfully submits that the need for additional commercial and office land is clear and that there is no better or more logical place to provide for this additional capacity than that location proposed by this Application.

5. ADDITIONAL MATERIALS SUBMITTED

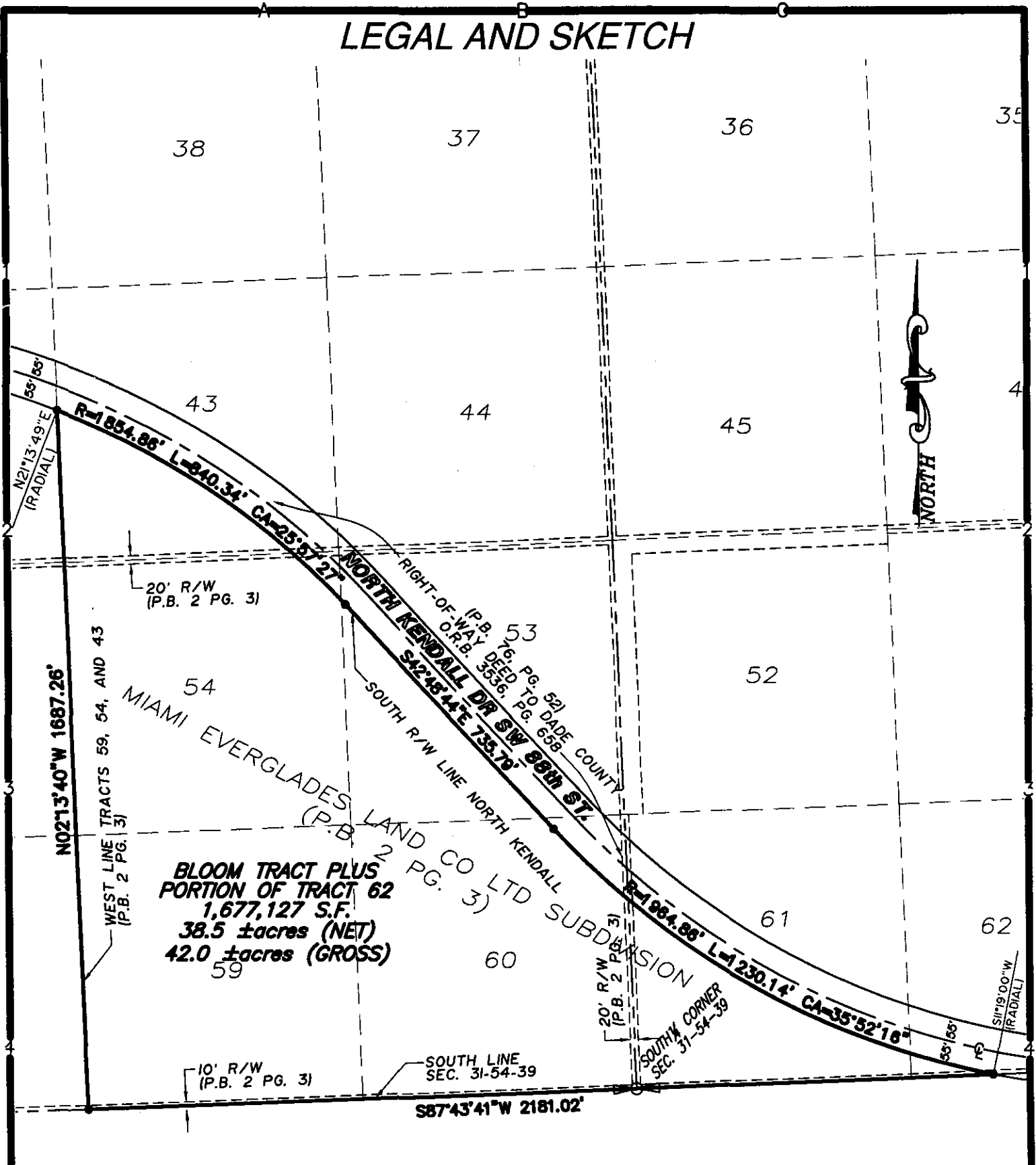
1. legal description and sketch of property
2. section map
3. aerial photograph
4. 8 ½”x11” page showing application area

The Applicant reserves the right to supplement the Application with additional documentation within the time permitted by the Code of Miami-Dade County.

² Application No. 6, April 1998 CDMP Amendment Cycle - The Paradise Group; Application No.7, April 1998 CDMP Amendment Cycle - Gerald M. Higier; Application No.11, April 2001 CDMP Amendment Cycle - Peters Trust; Application No.4, October 2001 CDMP Amendment Cycle - Ferro Development Inc; Application No. 4, April 2002 CDMP Amendment Cycle – CB 152, LLC; Application No. 15, April 2005 CDMP Amendment Cycle – Pasadena Capital Group; and, Application No. 24, April 2005 CDMP Amendment Cycle - Talamas, Valdes, et al.



LEGAL AND SKETCH



PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**OVERALL
TRACT**

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

CL Centerline
P.B. Plat Book
PG. Page
R Radius
CA Central Angle of Curve
L Length
SF Square Feet
SEC. Section
O.R.B. Official Record Book

LEGAL DESCRIPTION: (FROM COMMITMENT NO. CF-1527299)

All that part of Tracts 53, 60, 61 and 62 lying South and West of North Kendall Drive right-of-way in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida.

Tract 59 of Section 31, Township 54 South, Range 39 East, "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", according to the plat thereof, recorded in Plat Book 2, Page 3, of the Public Records of Miami-Dade County, Florida.

All of Tract 43 lying South of North Kendall Drive, and all of Tract 54, less right-of-way for North Kendall Drive, in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida. Containing 1,677,127 square feet or 38.50 acres, more or less. And the street dedications shown on the above described property.

SURVEYOR'S NOTE: Kendall Drive is recorded in O.R.B. 3536, Page 658 of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey. Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: AS NOTED



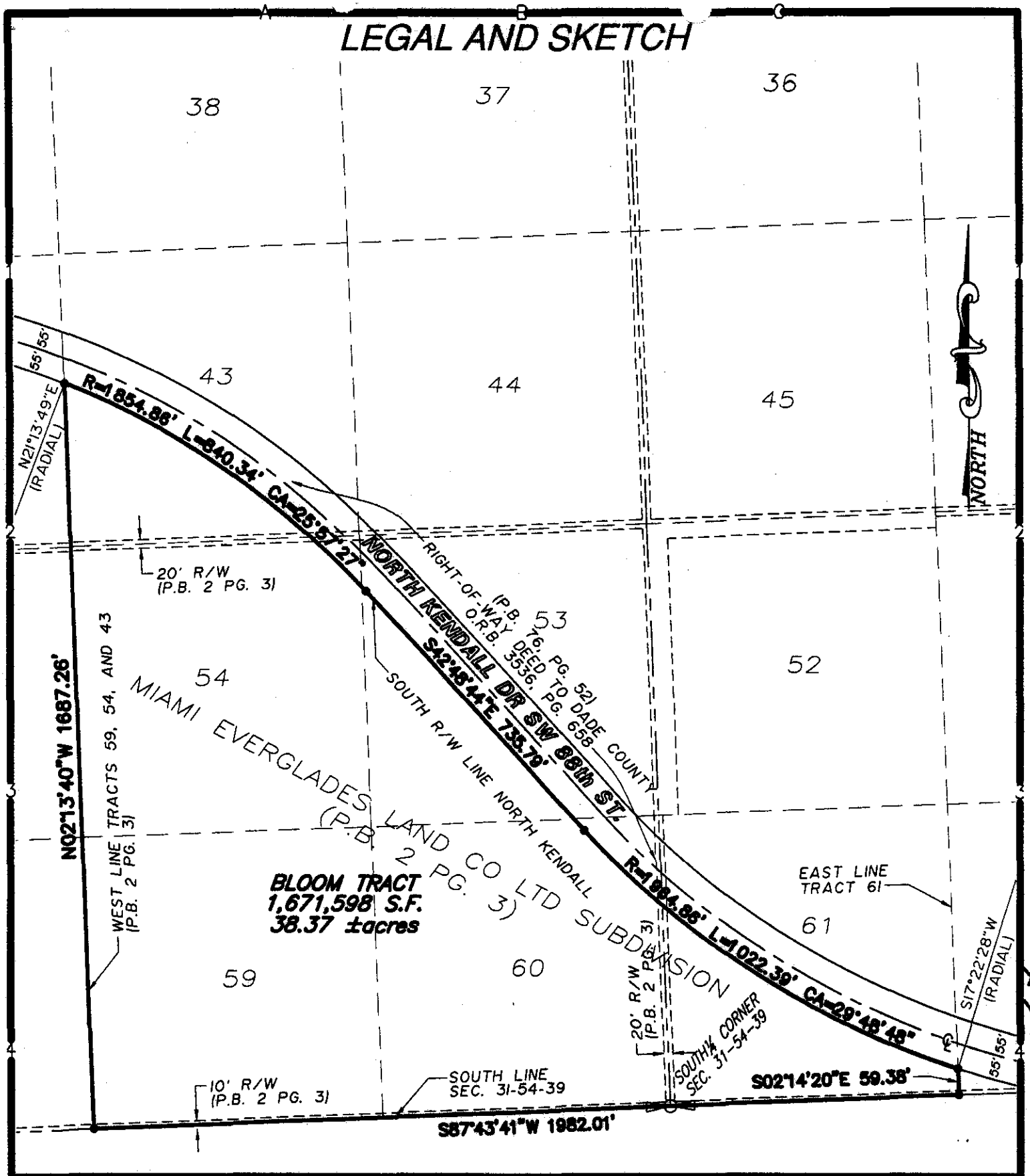
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**OVERALL
TRACT**

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

BLOOM TRACT

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

CL Centerline
P.B. Plat Book
PG. Page
R Radius
CA Central Angle of Curve
L Length
SF Square Feet
SEC. Section
O.R.B. Official Record Book

LEGAL DESCRIPTION: (FROM COMMITMENT NO. CF-1527299)

All that part of Tracts 53, 60 and 61 lying South and West of North Kendall Drive right-of-way in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida.

Tract 59 of Section 31, Township 54 South, Range 39 East, "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", according to the plat thereof, recorded in Plat Book 2, Page 3, of the Public Records of Miami-Dade County, Florida.

All of Tract 43 lying South of North Kendall Drive, and all of Tract 54, less right-of-way for North Kendall Drive, in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida. Containing 1,671,598 square feet or 38.37 acres, more or less. And the street dedications shown on the above described property.

SURVEYOR'S NOTE: Kendall Drive is recorded in O.R.B. 3536, Page 658 of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.
Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22 DATE: 04-21-2005 DRAWN: AJ CHECKED: AS SCALE: AS NOTED



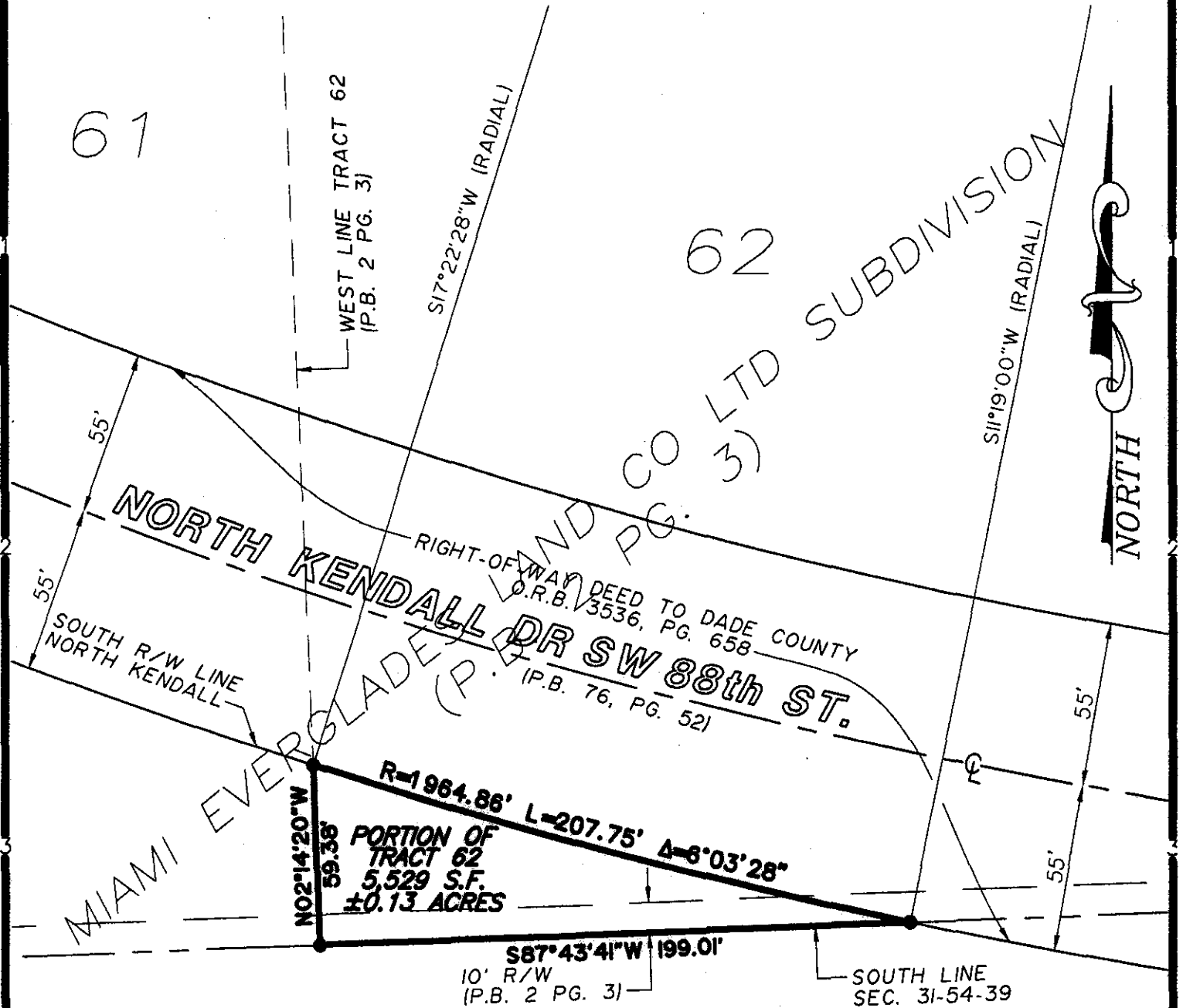
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**BLOOM
TRACT**

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



GRAPHIC SCALE



(IN FEET)

1 inch = 50 ft.

PROJ. NO: 2005 22 | DATE: 04-21-2005 | DRAWN: AJ | CHECKED: AS | SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**PORTION
TRACT 62**

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

CL Centerline
P.B. Plat Book
PG. Page
R Radius
CA Central Angle of Curve
L Length
SF Square Feet
SEC. Section
O.R.B. Official Record Book

LEGAL DESCRIPTION:

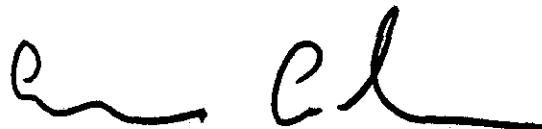
All that part of Tract 62 lying South of North Kendall Drive right-of-way in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida. Containing 5,529 square feet. And the street dedications shown on the above described property.

SURVEYOR'S NOTE: Kendall Drive is recorded in O.R.B. 3536, Page 658 of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.
Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____



Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22 | DATE: 04-21-2005 | DRAWN: AJ | CHECKED: AS | SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

PORTION
TRACT 62

SHEET 1 OF 2 SHEETS

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: David Brown, Victor Brown & Steven Brown

APPLICANT B: 500 South Dixie Highway, Suite 220

APPLICANT C: Miami, FL 33146

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

	APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	David Brown	See Attached Exhibit "A"	42.0 acres (gross)	
	Victor Brown			
	Steven Brown			

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	David, Victor & Steven Brown		X	

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
David Brown	33 1/3
Victor Brown	33 1/3
Steven Brown	33 1/3

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
David Brown 500 South Dixie Highway, Suite 220	33 1/3
Victor Brown 500 South Dixie Highway, Suite 220	33 1/3
Steven Brown 500 South Dixie Highway, Suite 220	33 1/3

Date of Contract: 3/1/05

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

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Sam and Roberta Bloom See Attached Exhibit "A"	100%
11000 SW 75 Court	
Miami, FL 33156	

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: Newest Kendall, LLC.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Newest Kendall, LLC.</u>	<u>See Attached Exhibit "A"</u>
<u>c/o Maria Hamilton</u>	
<u>1570 Madrugá Ave, Suite 214</u>	

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Sam & Roberta Bloom

100%

11000 SW 75 Court

Miami, FL 33156

Date of Contract: 3/1/05

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

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

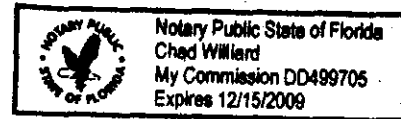
Applicant's Signatures and Printed Names

David Brown
David Brown

Sworn to and subscribed before me

this 11th day of April, 19 2007

Chad Willard
Notary Public, State of Florida at Large(SEAL)



My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

EXHIBIT "A"
DISCLOSURE OF INTEREST

A. Contract Purchaser

David Brown	33.33%
Victor Brown	33.33%
Steven Brown	33.33%

B. Property Owners

Sam Bloom	30-4931-001-0521	100%
	30-4931-001-0590	100%
	30-4931-001-0601	100%
Sam & Roberta Bloom	30-4931-001-0421	100%
	30-4931-001-0530	100%
	30-4931-001-0580	100%
Newest Kendall, LLC.	30-4931-001-0611	100%
100% owned by		
Lufer Investments, Inc.,		
A British Virgin Islands corporation.		
Officers/shareholders:		
Luis Fernandez &		
Esther de Fernandez		
100% (joint tenant w/right of survivorship)		

This instrument was prepared by:

Name: Chad Williard, Esq.
Address: 999 Ponce de Leon Blvd
Suite 1000
Coral Gables, Florida 33134
305.444.1500

DRAFT

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

WHEREAS, the Property is the subject of Comprehensive Development Master Plan Amendment Application No. ____ of the April 2007 Amendment Cycle, seeking a change from "Agriculture" to "Business & Office" (the "CDMP Application");

WHEREAS, the intent of the Applicant is to seek approval of the "Business & Office" designation for the Property and intends, subject to the terms and conditions set forth below, to develop the Property with non-residential uses (e.g., commercial/retail).

IN ORDER TO ASSURE the County that the representations made by the Owner during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions (the "Declaration") covering and running with the Property:

Prohibition on Residential Uses. The Owner agrees, subject to the approval of the CDMP Application, to develop the Property with non-residential uses.

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, 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 same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, 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.

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 County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This

Declaration of Restrictions

Page 3

Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

Declaration of Restrictions
Page 4

Signed, witnessed, executed and acknowledged this _____ day of _____ 2008.

Witnesses:

Print Name: _____

Print Name: _____

DRAFT

Sam Bloom

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____ 2008 by Sam Bloom, who is personally known to me or produced _____ as identification.

Notary Public, State of Florida
at large
My Commission Expires

Declaration of Restrictions
Page 5

Witnesses:

Print Name: _____

Print Name: _____

DRAFT

Roberta Bloom

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____ 2008 by Roberta Bloom, who is personally known to me or produced _____ as identification.

Notary Public, State of Florida
at large
My Commission Expires

Declaration of Restrictions
Page 6

Witnesses:

Print Name: _____

Print Name: _____

NEWEST KENDALL, LLC

By: _____

Print Name: _____

Title: _____

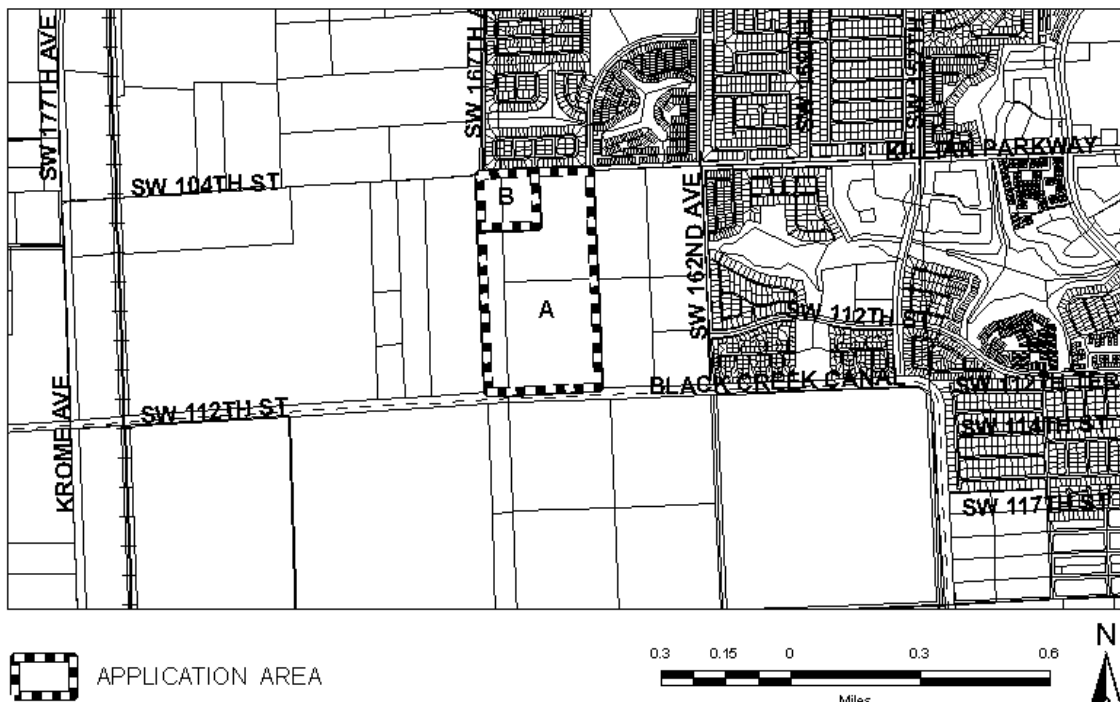
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____ 2008 by _____, as _____ of Newest Kendall, LLC, who is personally known to me or produced _____ as identification.

Notary Public, State of Florida
at large
My Commission Expires

APPLICATION NO. 9 **STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Ferro Investment Group II, LLC c/o Mario Ferro, Jr. – Managing Member 8165 NW 155 Street Miami Lakes, FL 33016	Miguel Diaz De la Portilla, Esq. Crystal Conner-Lane, Esq. Becker & Poliakoff 121 Alhambra Plaza, 10th Floor Coral Gables, FL 33134 (305) 262-4433
<p>1. Requested Amendment to the Land Use Plan map</p> <p><u>Part A (71.6 acres)</u></p> <p>From: Agriculture</p> <p>To: Low Density Residential (2.5 to 6.0 DU/Ac.)</p> <p><u>Part B (10.0 acres)</u></p> <p>From: Agriculture</p> <p>To: Business and Office</p> <p>2. Expand the UDB to include the subject property</p> <p>3. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element</p> <p>Location: Area between SW 104 and SW 112 Streets and between SW 167 Avenue and theoretical SW 164 Avenue</p> <p>Acreage: Application area: 94.84 Gross Acres; Application area: 81.61 Net Acres</p> <p>Acreage Owned by Applicant: <u>±94.84 acres</u></p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

New

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP OF THE MIAMI-DADE COMPREHENSIVE DEVELOPMENT
MASTER PLAN**

1. APPLICANT

FERRO INVESTMENT GROUP II, LLC
c/o Mario Ferro, Jr. - Managing Member
8165 North West 155 Street
Miami Lakes, FL 33016

RECEIVED
APR 30 2007

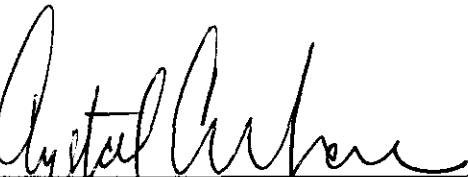
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

2. APPLICANT'S REPRESENTATIVE

Miguel Diaz De la Portilla, Esq.
Becker & Poliakoff
121 Alhambra Plaza
10th Floor
Coral Gables, Florida 33134
(305)262-4433
mdportilla@becker-poliakoff.com

BY _____

By: _____



Miguel Diaz De la Portilla, Esq.
Crystal Connor-Lane, Esq.

Date: 4/30/07

3. DESCRIPTION OF REQUESTED CHANGE

A. Change to the Land Use Plan Map

A change to the Adopted 2007 Land Use Plan Map is requested.

B. Description of the Subject Property

The west half of the Section 8 Township 55 South Range 39 East less the South 70 feet for the right of way of Canal C-1W and a portion of the north half of Section 7, Township 55 South, Range 39 East, being more particularly described as follows ("the property");

C. Gross Acreage

Application area: ±94.84 Acres

Acreage Owned by Applicant: ±94.84 Acres

D. Requested Change

1. It is requested that the Urban Development Boundary (“UDB”) be extended to include the Applicant’s property.
- 2(a). It is requested that ± 84.84 Acres of the subject area be re-designated on the Land Use Plan Map from “*Agriculture*” to “*Low Density Residential*”.
- 2(b). It is requested that ± 10 Acres of the subject area be re-designated on the Land Use Plan Map from “*Agriculture*” to “*Business and Office Use*”.
3. If accepted by Board of County Commissioners with the covenant, then restriction of covenant is to be added to the Table of Land Use Element Text.

4. **REASONS FOR AMENDMENT**

The basis for this application is to provide both the County and the local area where the Property is located with an increase in the single-family housing supply where the supply is nearing absorption and additional neighborhood retail for the area. This application envisions a sustainable, mixed use community where people can live, work, and play. The application envisions residential development consisting of 256 Townhomes and 171 detached single family homes on ± 84.84 Acres and ± 10 Acres of neighborhood retail. Thus, the application is consistent with Policy 1F of the CDMP Guidelines for Urban Form (“the Guidelines”) in the planning and design of all new residential development, as the attached **conceptual plan shows**. The requested re-designation of the property promotes policy 9N which promotes both a “diversity of uses in or adjacent to residential districts, including neighborhood designs that have a mixture of retail, residential, office, institutional and service business uses in close proximity,” and a variety of housing and construction types.”

The proposed “Low Density Residential” and “Business and Office” designations, which contemplate a mixed use development, offer a transitional use, density and intensity of development with respect to the surrounding land uses that include residential development abutting the subject property to the North. Additionally, the surrounding land uses combined with the proposed Low Density Residential and Business and Office designations for the Property, maximize utilization of the existing and planned infrastructure and services consistent with Policies 8A, 1F, 1G and the Guidelines, ppI-17-19.

In addition, the Property is located within the western portion of the South Central Tier, Census Minor Statistical Area ("MSA") 6.2. In the area west of the Homestead Extension to Florida's & Turnpike, the absorption of available single-family land will occur by the year 2008. This depletion date falls well before the 15-year residential inventory goal in Policy 8F of the CDMP Land Use Element. Policy 8G calls for the County to provide residential land within in the UDB to satisfy "Countywide residential demand for a period of 10 years after the adoption of the most recent Evaluation and Appraisal Report plus a 5-year surplus." If absorption is to occur in 2008, Policy 8G cannot be met by the County and the UDB should be expanded to supply the demand for single-family housing to adhere to the CDMP policy. Furthermore, the Countywide supply of residential units, after accounting for absorption rates that have occurred since the 2000 Census, will also be depleted within the 15-year period delineated in Policy 80 of the Land Use Element. Therefore expansion of the UDB provides both the County and the area where the Property is located with the means to increase the single-family housing capacity of the County to fulfill Policy 8G.

Due to the above capacity facts, this application to extend the UDB complies with Objective 8 and Policies 8A, 8E, and 8G of the CDMP Land Use Element to amend the Land Use Plan Map to accommodate projected County-wide growth. Policy 8A requires the County to strive to accommodate residential development in suitable locations and densities. A variety of factors should be used to evaluate what is a suitable location and density. The Policy provides the following to be examined: recent trends in location and design of units, projected availability of service and infrastructure, proximity and accessibility to employment, commercial and cultural centers, character of existing nearby neighborhoods, avoidance of natural resource degradation, maintenance of quality of life and creation of amenities. This application adheres to the current trend of providing low density residential housing, together with neighborhood retail, on the edges of the County and fits into the surrounding character of the area. The surrounding area is a mix of low and low-medium densities. The Property is also in an ideal location inside the UEA to meet service and infrastructure needs because the CDMP requires urban infrastructure and services to be planned for the eventual extension of the UDB into the UEA. The Property is situated near in close proximity to major transportation corridors, such as the Turnpike, allowing easy access to employment and cultural and commercial centers. The Property avoids any degradation because the existence of agriculture to the south and west provide a sufficient buffer to any environmentally sensitive areas. The property will contribute to the quality of life and amenities in the area and County by providing new housing opportunities for the community. Thus, this application complies with Policy 8A of the Plan.

In addition, Policy 8E requires the County to evaluate applications to amend the CDMP by examining some of the following considerations whether the application would: satisfy a deficiency in the CDMP Land Use Plan Map to accommodate projected population or economic growth, enhance or impede provision of services at or above LOS standards, be compatible with land uses and character of the surrounding area, and enhance or degrade environmental or historical resources. The Property satisfies Policy 8E(i) specifically by increasing the single-family housing supply in an area and County where single-family housing is rapidly nearing absorption. Furthermore, the application satisfies Policy 8E(ii) to enhance the County's provision of services because it is located inside the UEA. The County is currently considering expansion of the UDB into the UEA by planning infrastructure and services be extended to these areas. The application is also consistent with the surrounding neighborhood in that directly to the north and farther east of the Property are low and

low-medium densities residential neighborhoods. Thus, this application complies with Policy 8F of the Plan.

In further support of this application, Policy 8Gi provides which areas should be not be considered to expand the UDB, which areas should be avoided and which areas should be given priority to expand the UDB. The Property abuts the UDB to the North. Accordingly, this Application complies with Policy 8Giii(b) of the CDMP Land Use Element, which states that land contiguous to the UDB should be given priority for inclusion. In conclusion, the Applicant strongly believes that this application is totally consistent with the goals, objectives and policies of the Master Plan. The Property's Location inside the UEA provides both the County and the area where the Property is located with an increase in the housing supply to accommodate Countywide growth where both the County and the MSA where the Property is located are rapidly nearing absorption.

5. ADDITIONAL MATERIAL SUBMITTED

Property survey prepared by J.F. Lopez & Associates, Inc., dated March 18, 2006.

Supplemental information to be submitted later, prior to the June 29, 2007, deadline for technical reports.

6. DISCLOSURE OF INTEREST

A completed Disclosure of Interest Form is attached hereto.

7. ATTACHMENTS

Exhibit "A" -Legal Description of ± 94.84 Acres Owned by Applicant.

One Aerial Photo

One Section Map

Survey of Area

Conceptual Site Plan

EXHIBIT "A"

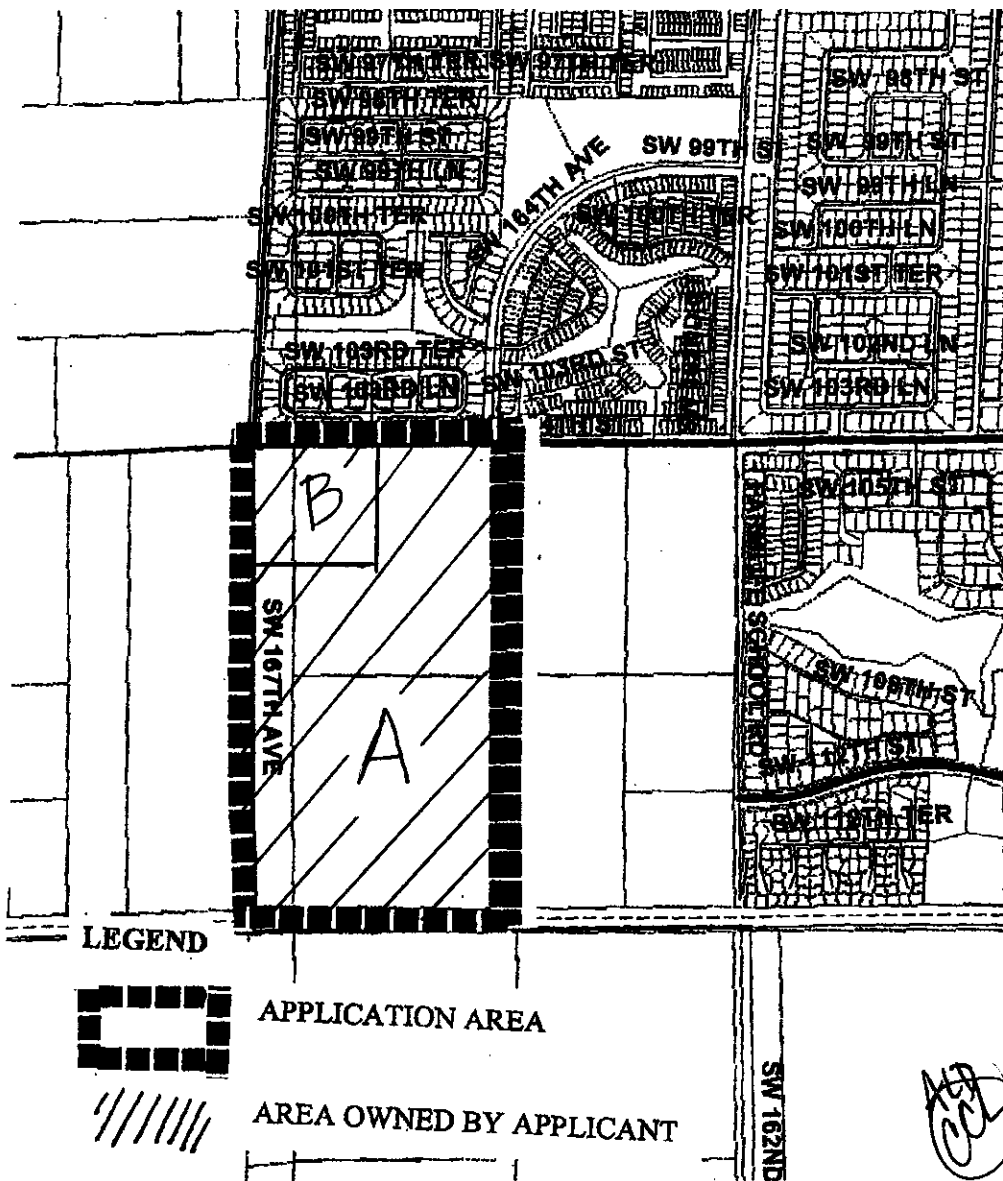
LEGAL DESCRIPTION OF ±94.84ACRES OWNED BY APPLICANT

- Parcel I: The West ½ of the NW ¼ of Section 8, Township 55 South, Range 39 East less the South 70' thereof for the R-O-W of Canal C-1W (Black Creek Canal), Miami Dade County, Florida. Tax Folio Numbers, 30-5908-000-0030 and 0031.
- Parcel II: A portion of the North ½ of Section 7, Township 55 South, Range 39 East, of Miami Dade County Florida, U.S.A. being more particularity described as follows: Commence at the Northwest Corner of said Section 7, thence run North 86 degrees, 20 minutes 39 seconds East along the North Line of said Section 7 for 5,099.48 feet (deed 6,097.98 feet) to the Northern east corner of parcel of land described in Deed recorded in Official Record Book 2737 at page 489 of the Public Records of Miami Dade County, Florida and being the point of beginning of hereinafter described parcel of land. From said point of beginning thence continue North 86 degrees, 20 minutes, 39 seconds East, along the North line of said Section 7, for 257.71 feet to the Northeast corner of said Section 7, thence run South 02 degrees, 09 minutes, 38 seconds East, along the East line of Canal C-1W, thence run S86°25'20W, along the North Right-of Way line of Canal C-1 W, also being a line 70.00 feet North of and parallel to the South line of the North half (1/2) of said Section 7, for 252.41 feet to the point of intersection with the East line of parcel of the land described in Deed recorded in Official Record Book 2757 at page 489 of the Public Records of Miami-Dade County, Florida; thence run North 02 degrees, 16 minutes, 32 seconds West along the East Line of last described parcel of land for 2,638.02 feet to the point of beginning. Tax Folio Number 30-5907-000-0012.

Ferro Investment Group II, Inc. / Miguel Diaz De La Portilla, Esq.

DESCRIPTION OF SUBJECT AREA

The Property consists of 94.84 +/- acres located in the west half of Section 8, Township 55 South, Range 39 East less the South 70 feet for the right-of-way of Canal C-IW and a portion of the north half of Section 7, Township 55 South, Range 39 East.



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{213490.0001/M1511204_1}
MIA\148034.1

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT(S) NAME AND ADDRESS:

Ferro Investment Group II, LLC

8165 North West 155 Street

Miami Lakes, FL 33016

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION:

Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
------------------	------------------------	---------------------	----------------------

Ferro Investment Group II, LLC	30-5908-000-0030	41.28
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Ferro Investment Group II, LLC	30-5908-000-0031	39.12
--------------------------------	------------------	-------

Ferro Investment Group II, LLC	30-5907-000-0012	14.44
--------------------------------	------------------	-------

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2, above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER</u> (attach explanation
------------------	--------------	---------------	------------------------------	----------------------------------

<u>X</u>				
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4. DISCLOSURE OF APPLICANTS INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

a. If the owner is an individual (natural person) list the applicant and all other individual owner below and the percentage of interest held by each.

INDIVIDUALS NAME AND ADDRESS PERCENTAGE OF ITNEREST

N/A

b. If the owner is a COPOPRATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. (Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the aforementioned entity).

CORPORATION NAME Ferro Investment Group II, LLC

Mario Ferro, Jr. - 50% Shareholder

Mario Ferro, Sr. - 50% Shareholder

c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. (Note: where the beneficiary\beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

TRUSTEE'S NAME: N/A

BENEFICIARY'S NAME AND ADDRESS PERCENTAGE OF INTEREST

N/A

d. If the owner Is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the

a. If the applicant is an Individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS PERCENTAGE OF INTEREST

N/A

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. (Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

CORPORATION NAME: Ferro Investment Group II, LLC

NAME, ADDRESS AND OFFICE (if applicable) PERCENTAGE OF STOCK

c. If the applicant is A TRUSTEE, list the trustees name and address of the beneficiaries of the trust, and the percentage of interest held by each. (Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

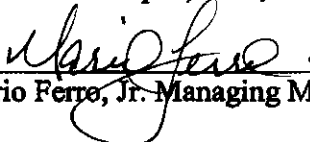
TRUSTEES NAME: N/A

BENEFICIARY'S NAME AND ADDRESS/ PERCENTAGE OF INTEREST

d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. Note: where the partner(s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which

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

Ferro Investment Group II, LLC, Florida Corporation

By: 
Mario Ferro, Jr. Managing Member

Sworn to and subscribed before me
this 27 day of April, 2007





R. Villar
My Commission DD288536
Expires February 08, 2008

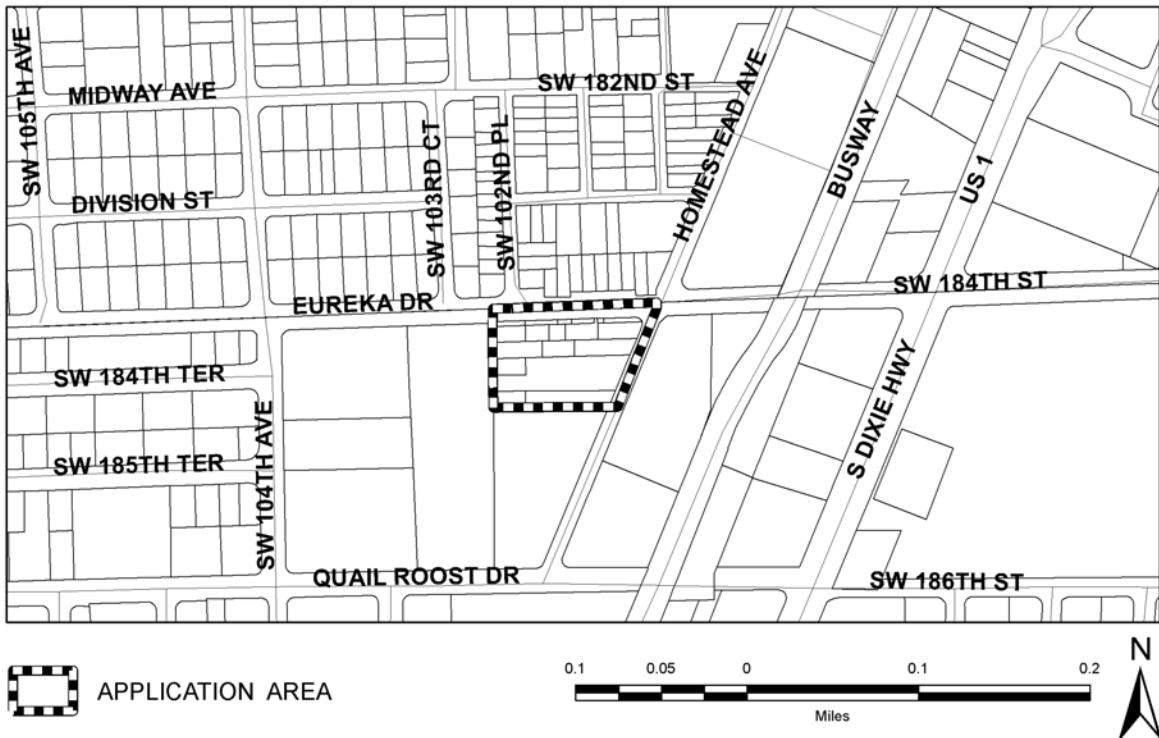
Notary Public, State of Florida at Large
My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICATION NO. 10
SMALL-SCALE AMENDMENT APPLICATION

Applicant	Applicant's Representative
West Perrine Land Trust, Inc., a Florida corporation and Wilbur B. Bell Trustee c/o Gilberto Pastoriza, Esq.	Gilberto Pastoriza, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P.A. 2525 Ponce de Leon Blvd., Suite 700 Coral Gables, Florida 33134 (305) 854-0800
<p>1. Requested Amendment to the Land Use Plan Map From: Industrial and Office To: Medium Density Residential with Density Increase 1 (DI-1) (13 to 60 DU/Ac)</p> <p>2. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element</p> <p>Location: Southwest corner of Homestead Avenue and SW 184 Street (Eureka Drive)</p> <p>Acreage: Application area: 3.20 Gross Acres; 2.63 Net Acres Acreage Owned by Applicant: 2.41 Net Acres</p>	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

**APPLICATION REQUESTING AN
AMENDMENT TO THE LAND USE PLAN MAP**

1. **Applicants**

West Perrine Land Trust, Inc., a Florida corporation and
Wilbur B. Bell Trust

c/o Gilberto Pastoriza, Esq. whose address and telephone number is provided in
Item 2 of this application below.

RECEIVED
APR 27 2007

2. **Applicant's Representative**

Gilberto Pastoriza, Esq.
Weiss Serota Helfman Pastoriza Cole & Boniske, P.A.
2525 Ponce de Leon Blvd.
Suite 700
Coral Gables, Florida 33134
Phone #: (305) 854-0800

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

BY _____

By: _____

Gilberto Pastoriza
April 27, 2007

3. **Description of Requested Changes.**

A. **Change the Land Use Plan Map.**

A change to the Land Use Element Land Use Plan Map (Item A.1 (d) in the fee schedule is requested. The Applicant is requesting to redesignate the property legally described in the attached Exhibit "A", which totals approximately 2.63 net acres from Industrial and Office to Medium Density Residential with Density Increase I (DI-1).

B. **Description of Subject Property.**

- (1) The Subject property consists of 2.63 net acres located in Section 5, Township 56 South, Range 40 East. The Property is located is located west of Homestead Avenue and South of SW 184th Street. The property is more accurately described in the attached Exhibit "A" to this application. The applicants own the portion of the property as shown on the map provided in the attached Exhibit "C". The balance of the property not owned by the applicant is also shown in the attached Exhibit "C".

C. Acreage.

Entire Application area seeks “Medium
Density Residential (with DI-1 Increase)”

Subject Application area (net): 2.63 acres±

Subject Application area (gross): 3.20 acres±

Acreage owned by Applicants (net): 2.41 acres±

D. Additional Supporting Information.

- (1) The present CDMP land use designation of the property is Industrial and Office. The Applicant is requesting to redesignate the property legally described in the attached Exhibit “A”, which is approximately 2.63 net acres from Industrial and Office to Medium Density Residential with Density Increase I (DI-1).
- (2) This application is eligible for expedited processing as a “Small Scale” amendment due to its location within a Transportation Concurrency Exception Area. Accordingly, the Applicants request this application be processed under the expedited procedure for the “Small Scale” amendment.
- (3) If a proffered Declaration of Restrictions is accepted by the Board of County Commissioners, then the proffered Restrictions will be added to the table in the Land Use Element text.

(4) Reasons for Amendment.

The Property consists of approximately 2.63 net acres and is located on the south side of SW 184 Street. The Property lies within close proximity to the Rapid Transit Corridor which parallels U.S. Highway No. 1. Southwest 184 Street is designated as a major roadway in Miami-Dade County’s Adopted 2005-2015 Land Use Plan. There are existing bus routes along the Rapid Transit Corridor and SW 184th Street.

The Property is underutilized and in need of redevelopment. There are no environmental or historic features on the Property.

The proposed development will incorporate urban design features and will be compatible with and consistent with the Core Sub-district of the West Perrine Community Urban Center and the West Perrine Overlay Ordinance (the “West Perrine Ordinance”) which the County is in the process of adopting.

The Property lies within the Urban Development Boundary, the West Perrine Community Urban Center, and is infill property. Public facilities such as water, sanitary sewer, solid waste, drainage, fire and police services are available. Various public schools and the Harry and Penny Thompson Park lie within close proximity to the Property.

The proposed densities are consistent with the proposed densities under the County's West Perrine Community Urban Center and the proposed West Perrine Overlay Ordinance.

This application and the proposed development are consistent with the goals, policies, and objectives of the County's Comprehensive Development Master Plan including:

LU-1A
LU-1C
LU-1E
LU-1F
LU-2B
Objective LU-7
LU-7F
LU-7G
LU-7I
LU-10A
Goal III of the CDMP's Housing Element
Water and Sewer Subelements WS-1A, WS-1B
Solid Waste Subelement SW-1A

This application and the proposed development serve a public interest by providing

- i) Development in close proximity to the Busway/Rapid Transit Corridor, thus encouraging the use of public transportation and alleviating traffic congestion;
- ii) residential development opportunities within the Urban Development Boundary, thus easing the pressure to extend the Urban Development Boundary.

(5) Additional Materials Submitted.

Additional materials will be supplied at a later date under separate cover.

(6) Completed Disclosure Forms.

Attached as Exhibit "B"

(7) **Attachments.**

Exhibit "A" – Legal Description

Exhibit "B" – Disclosure of Interest Form

Exhibit "C" – Location Map for Application

Exhibit "D" - Full size Miami-Dade County Plat Map

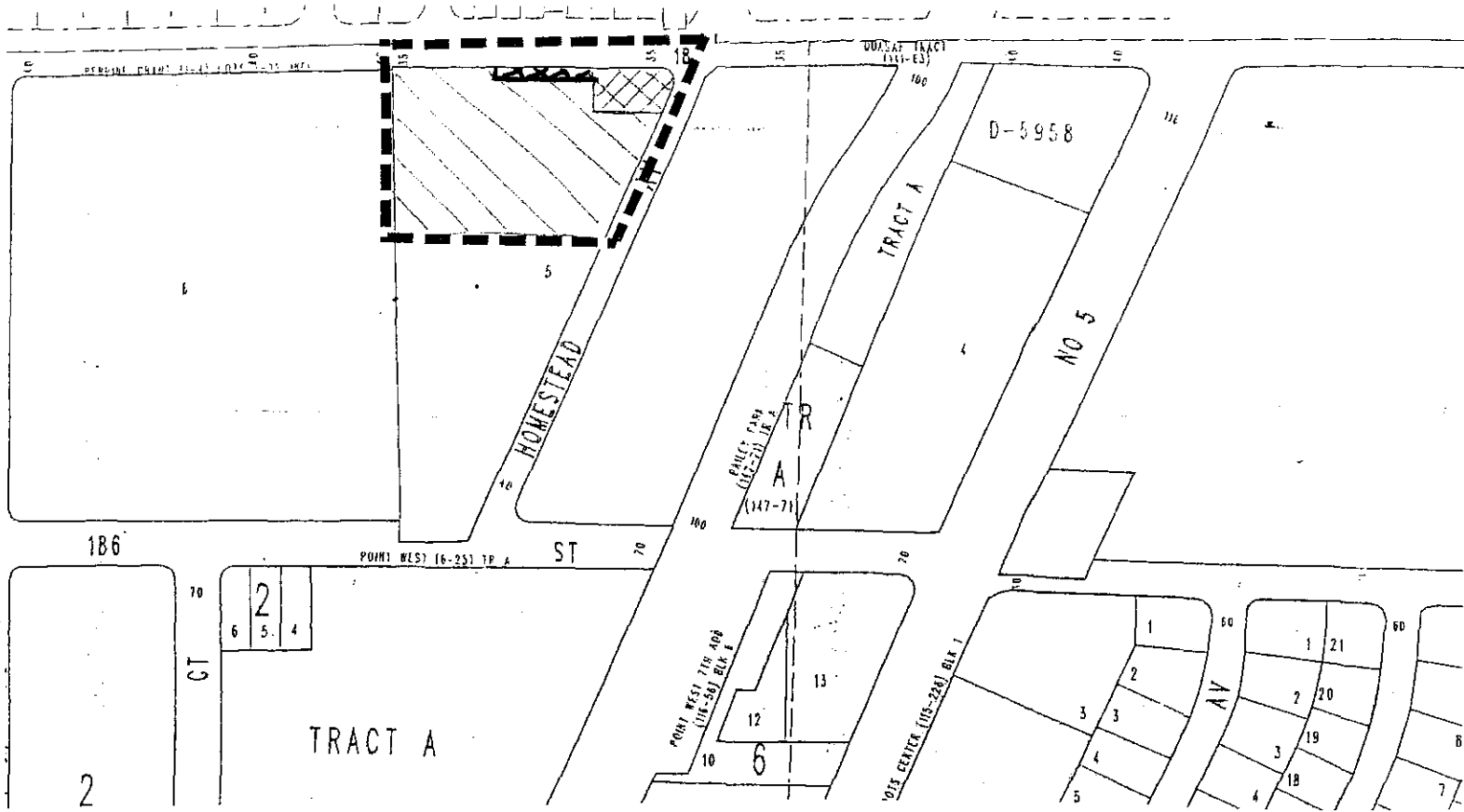
Exhibit "E" – Aerial Photograph

Exhibit "F" – Survey

Exhibit "A"
Legal Description

That portion of the South 265.00 feet of the North 300.00 feet of Tract 5, of PERRINE GRANT SUBDIVISION," according to the Plat thereof, as recorded in Plat Book 1, at Page 4, of the Public Records of Miami-Dade County, Florida, lying Westerly of the Westerly right of way of County Road, (known as Homestead Avenue), less the area bounded by the South line of the North 35.00 feet of said Lot 1, bounded by the West right of way line of Homestead Avenue, and bounded by a 25 foot radius arc concave to the Southwest, and being tangent to the last described two (2) lines.

Exhibit "C"
Location Map for Application



↑ Scale: 1" = 300'
N

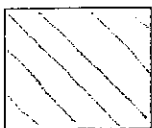
Small Scale Comprehensive Plan Amendment

Section 5
Township 56 South
Range 40 East

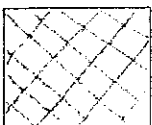
Application Area:



Boundary of Application



Proposed "Medium Density Residential with Density Increase I (DI-1)"



Property not owned by Applicant but included in this Application

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: WEST PERRINE LAND TRUST, INC. 1827 S.W. 109th Ave, Perrine, 33157

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	WEST Perrine Land Trust	3060050010210	4,792 sq. ft. / 0.11 acres
A	WEST PERRINE LAND TRUST	3060050010220	2,614 sq. ft. / 0.06
	WEST PERRINE LAND TRUST	3060050010270	4,829 sq. ft. / 0.11
	WEST PERRINE LAND TRUST	3060050010250	20,473 sq. ft. / 0.47

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	✓			

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: WEST PERRINE LAND TRUST, INC.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

Wilbur B. Bell, 18271 S.W. 109 Avenue, Perrine, FL Pres. 100%


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

N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

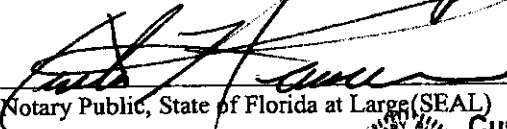
Applicant's Signatures and Printed Names



Wilbur B. Bell

Sworn to and subscribed before me

this 28th day of April, 182007



Notary Public, State of Florida at Large (SEAL)



Curtis H. Lawrence
Commission # DD350994
Expires September 17, 2008
Bonded Troy Fain - Insurance, Inc. 800-385-7019

My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

his instrument was prepared by:

Name
Address

PETER B. CAGLE, P.A.
6075 Sunset Drive, Suite 203
SOUTH MIAMI, FLORIDA 33143

OFF. REC. 16041PG3208

93R434962 1993 SEP 02 09:33

Return to: PETER B. CAGLE, P.A.
Name: PETER B. CAGLE, P.A.
Address: 6075 Sunset Drive, Suite 203
SOUTH MIAMI, FLORIDA 33143

Grantee #1 S.S. No. _____
Grantee #2 S.S. No. _____
Property Appraiser's
Parcel Identification No.
30-6005-001-0210

4360.00
(4)

DOCSTPDEE 27.60 SURTX 20.70
HARVEY RUVIN, CLERK DADE COUNTY, FL

WARRANTY DEED

(STATUTORY FORM — SECTION 689.02, F.S.)

This Indenture, made this 23 day of Aug. 1993, Between

MARY GRACE MABRY, a single woman, a/k/a JENNETTE MABRY
whose post office address is 10228 SW 184 ST, (Perrine), FL 33157
of the County of Dade, State of Florida, grantor*, and
WEST PERRINE LAND TRUST, INC., a Florida corporation
whose post office address is 18271 S.W. 109th Avenue, Miami, Florida 33157
of the County of Dade, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100- - - - - Dollars,
and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof 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 Dade County, Florida, to-wit:

The East 100 feet of the West 250 feet of the South 50 feet of the North 150 feet of Lot 5, of PERRINE GRANT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 1, at Page 4 of the Public Records of Dade County, Florida.

Subject to taxes for the year 1993 and all subsequent years.

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

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

*Grantor and grantee are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Mrs. Debra E. Brown
(First Witness)

Printed or typed name: Mrs. Debra E. Brown

Mary Grace Mabry (Seal)
Grantor

Printed or typed name: MARY GRACE MABRY a/k/a JENNETTE MABRY

Mrs. Debra E. Brown (Seal)

This Special Warranty Deed Made the 7th day of December A. D. 1993 by

J.S.M. HOLDING CORP., INC., a Florida corporation,
hereinafter called the grantor, to

WEST PERRINE LAND TRUST, INC., a Florida corporation,
whose postoffice address is 18271 S.W. 109th Avenue, Miami, FL 33157

hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable 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 County, Florida, viz:

Folio No. 30-6005-001-0220

4300.00

The East 50 feet of the West 223 feet of the South 50 feet of the North 100 feet of Lot 5 of "PERRINE GRANT SUBDIVISION", of Section 5, Township 56 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 1, at Page 4, of the Public Records of Dade County, Florida.

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

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 claiming by, through or under the said grantor.

In Witness Whereof, the said grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Beverly J. Compton
Beverly J. Compton
Peter B. Cagle
Peter B. Cagle

J.S.M. HOLDING CORP., INC.
Florida corporation

Michael S. Jones
MICHAEL S. JONES, President
Post Office Box 560114
Miami, FL 33256-0114

This instrument was prepared by:

Name _____
Address _____

PETER B. CAGLE, P.A.
6075 Sunset Drive, Suite 203
SOUTH MIAMI, FLORIDA 33143

OFF. REC. 16094PG2468

Return to:

Name _____

Address _____

Grantee #1 S.S. No. _____

Grantee #2 S.S. No. _____

Property Appraiser's

Parcel Identification No. _____

30-6005-001 0270

12,000.00

(8)

WARRANTY DEED

(STATUTORY FORM — SECTION 689.02, F.S.)

This Indenture, made this 13th day of October 1993, Between

BEN ESSEN, a married man,
whose post office address is 18305 Biscayne Boulevard, Suite 400, North Miami Beach, FL 33160
of the County of Dade, State of Florida, grantor*, and

WEST PERRINE LAND TRUST, INC., a Florida corporation,
whose post office address is 18271 S.W. 109th Avenue, Miami, FL 33157
of the County of Dade, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of

TEN AND 00/100 (\$10.00) ———— Dollars,
and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof 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 Dade County, Florida, to-wit:

(SEE ATTACHED LEGAL DESCRIPTION)

DOCSTPDEE 72.00 SURTX 54.00
HARVEY RUVIN, CLERK DADE COUNTY, FL

The Grantor warrants that this is not his homestead property in that
it is vacant land and he resides at: 19667 Turnberry Way, #20-K,
North Miami Beach, FL 33180.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons
whomsoever.

***Grantor* and *grantee* are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

(First Witness)

Printed or typed name: _____

Grantor

Printed or typed name: BEN ESSEN

(Seal)

(Seal)

to self-addressed stamped envelope)

Peter B. Cagle, P.A.
Attorney At Law
7211 S.W. 62nd. Ave., Suite 201
South Miami, Fl. 33143

OFF. REC. 16053PG2308

93R452166 1993 SEP 14 07:23

This instrument Prepared by:

Barry Sharpe
1060 E. 33rd. Street
Hialeah, Fl. 33013

phone: (305) 693-3500
Property Appraisers Parcel Identification (Folio) Number(s):
30-6005-001-0250
Grantee(s) S.S. #s): 12,500.00

Cembrole Paper & Printing Co., Inc. 1985

(6)

DOCSTFDEE 75.00 SURTX 56.25
HARVEY RUVIN, CLERK DADE COUNTY, FL

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Special Warranty Deed Made the 2nd day of September A.D. 1993 by
BARRY SHARPE, individually & as Trustee
hereinafter called the grantor, to
WEST PERRINE LAND TRUST, INC.
whose post office address is 17452 S.W. 104th. Ave.
Miami, Fl. 33157

hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 (Ten) 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 Dade County, State of Florida, viz:

S 50 ft of N 150 ft Lot 5 less E 100 ft
of W 250 ft W of Co Rd, Sub of, Plat Book 1
Page 4, Section 5, Township 56 South, Range
40 East, containing .47 acres more or less
in the County of Dade, State of Florida.

Grantor state that he nor any member of his family has ever resided in the above property nor in any adjacent or contiguous property. Being a vacant lot.

Said Grantor resides at: 13453 SW 104 Ct., Miami, FL 33176

This deed is subject to covenants, easements, restriction and limitations of record common to the subdivision; as well as, all zoning ordinances, taxes and liens for 1992 and subsequent years.

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 claiming by, through or under the said grantor.

In Witness Whereof, the said grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature (as to Grantor)

Printed Name

Witness Signature (as to Grantor)

Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Signature

Grantor Signature

Barry Sharpe, individually & as trustee

1060 E. 33rd. Street

Post Office Address

Hialeah, Fl. 33013

Co-Grantor Signature, if any

Printed Signature

152

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
RECORD VERIFIED
HARVEY RUVIN

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Wilbur B. Bell Living Trust, 18271 S.W. 109 Avenue, Perrine, Fl. 33157

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES	acres
A	Wilbur B. Bell Living Trust	3060050010150	36,510 sq ft	0.84
A	Wilbur B. Bell Living Trust	3060050010190	3,485 sq ft	0.08
A	Wilbur B. Bell Living Trust	3060050010200	4,792 sq ft	0.11
A	Wilbur B. Bell Living Trust	3060050010230	871 sq ft	0.02
A	Wilbur B. Bell Living Trust	3060050010240	1,307 sq ft	0.03
A	Wilbur B. Bell Living Trust	3060050010300	4,792 sq ft	0.11
A	Wilbur B. Bell Living Trust	3060050010320	15,246 sq ft	0.35
A	Wilbur B. Bell Living Trust	3060050010280	5,227 sq ft	0.12

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	✓			

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
N/A	

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: Wilbur B. Bell

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Desiree B. Davis, 10540 S.W. 170 Street, Miami, Fl. 33157</u>	<u>50%</u>
<u>Darlene Bell-Alexander, 14250 Madison Street, Miami, Fl. 33176</u>	<u>50%</u>

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

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

N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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


Applicant's Signatures and Printed Names

[Signature]
William B. Bell

Sworn to and subscribed before me

this 20th day of April, 2007

[Signature]
Notary Public, State of Florida at Large (SEAL)

 **Curtis H. Lawrence**
Commission # DD350994
Expires September 17, 2008
Bonded Froy Fahn - Insurance, Inc. 800-365-7019

My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country, or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

110.00

MAR -1 PM 2:56

89R071840

90.00

FOLIO: 30-6005-001-0150

20,000.00

This instrument was prepared by:

2

OFF
REC

14015 PG

153

Name Don R. Livingstone, Esq.

Address 7711 S. W. 62 Ave., #101

South Miami, Florida 33143

Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 21 day of February 1989, Between

HUBERT SMILEY, a single man

of the County of Liberty, State of Georgia, grantor*, and

DARLENE Y. BELL, a single woman,

whose post office address is 18271 S.W. 109th Avenue, Miami, FL 33157

of the County of Dade, State of Florida, grantee*,

Witnesseth, That said grantor, for and in consideration of the sum of

*****TEN AND NO/100(\$10.00)*****

Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof 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 Dade County, Florida, to-wit:

The South 50 feet of the North 200 feet LESS the West 100 feet thereof and the South 50 feet of the North 250 feet lying Westerly of the County Road now known as the HOME-STEAD AVENUE EXTENSION, ALL in Tract 5, of PERRINE GRANT SUBDIVISION, in Section 05, Township 56 South, Range 40 East, recorded in Plat Book 1, at Page 4, of the Public Records of Dade County, Florida.

Subject to restrictions and limitations of record common to the neighborhood, and subject to any easements for public utilities, which may be of record.

Secretary's Stamps Collected \$ 1100.00
\$ 90.00 — GOVTAX Doc. Stamps Collected
Class "C" Intangible Tax Collected \$
Richard P. Drinker, Clerk, Dade County, Fla.
by C. Greene 3/1/89 PC

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,

Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

(TWO REQUIRED)

X Dorcia M. Durrence
witness

X Mari F. McQuinn
witness

X Hubert Smiley (Seal)
HUBERT SMILEY, a single man

(Seal)

(Seal)

(Seal)

STATE OF GEORGIA
COUNTY OF LIBERTY

157

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared

OFF. REC. 18863162284 3 4 303.00

Tax Deed File Number 99-236
Property Identification No. 30-6005-001-0190

99R581124 1999 NOV 15 09:46

STATE OF FLORIDA
COUNTY OF DADE

TAX DEED

DOCSTPDEE 22.20 SURTX 16.65
HARVEY RUVIN, CLERK DADE COUNTY, FL

Tax Sale Certificate Number 93-29559 issued on
June 01, 1994, and the application for the
issuance of a tax deed was filed in the office of the
Dade County Tax Collector. The applicant having paid
or redeemed all other taxes or tax sale certificates
on the property described below, and due notice of
sale having been published, and no person entitled to
do so having appeared to redeem said land, such land
was sold for cash

to: WILBUR B. BELL
whose address is:
18271 S.W. 109 AVE.
MIAMI L33157

being the highest bidder at the public sale held on November 10, 1999,
and who has paid the sum of his bid as required by the laws of this state.

NOW, on November 10, 1999 the County of Dade, State of
Florida, in consideration of the sum of (\$3,668.26) THREE THOUSAND
SIX HUNDRED SIXTY EIGHT AND 26/100----- dollars
does hereby sell the following lands situated in Dade County, Florida, and
described as follows:

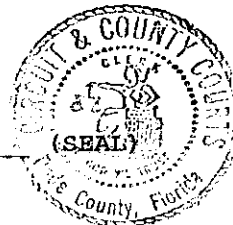
E73FT OF W173FT OF S50FT OF N100FT OF LOT 5 SUB OF PB 1-4
SECTION 5 TOWNSHIP 56 SOUTH RANGE 40 EAST CONTAINING .08 AC

Witnessed by:

Delma Ortega
Shirley Shabazz

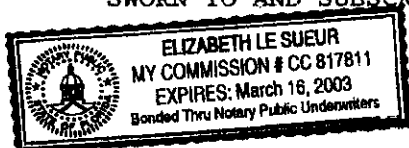
HARVEY RUVIN
Clerk of Circuit Court
Dade County, Florida

BY: Shirley Shabazz
DEPUTY CLERK



BEFORE ME, the undersigned notary public, personally appeared
Shirley Shabazz, Deputy Clerk of the Circuit Court in and for Dade County,
Florida, who is personally known to me and who acknowledged the execution of
this instrument to be his own free act and deed for the use and purposes
therein mentioned.

SWORN TO AND SUBSCRIBED BEFORE ME ON November 10, 1999



Elizabeth Le Sueur
Notary Public, State of Florida, At Large

THIS DEED IS SUBJECT TO GOVERNMENTAL TAXES
AND LIENS, AND TO ANY RIGHT, INTEREST, PUBLIC
EASEMENTS, RESTRICTIONS, AND COVENANTS THAT
MAY SURVIVE THE ISSUANCE OF THIS TAX DEED IN
ACCORDANCE WITH APPLICABLE LAW

This instrument prepared by
Delma Ortega
Deputy Clerk of Circuit Court
Dade County, Florida

This instrument was prepared by:

Name

Address

PETER B. CAGLE, P.A.
6075 Sunset Drive, Suite 203
SOUTH MIAMI, FLORIDA 33143

OFF. REC. 15877P2086

93R182930 1993 APR 12 17:34

Return to:

Name

Address

Grantee #1 S.S. No.

Grantee #2 S.S. No.

Property Appraiser's

Parcel Identification No.
30-6005-001-0200

30-6005-001-0230

1

DOCSTPDEE 42.00 SURTX 31.50
HARVEY RUVIN, CLERK DADE COUNTY, FL

7000.00

WARRANTY DEED

(STATUTORY FORM — SECTION 689.02, F.S.)

This Indenture, made this 25th day of March 1993, Between

EDDIE TATE and ODESSA TATE, his wife

whose post office address is 10465 SW 150 Terrace Miami, FL 33176

of the County of Dade, State of Florida, grantor*, and

WILBUR B. BELL

whose post office address is 18271 S.W. 109th Avenue, Miami, Florida 33157

of the County of Dade, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100- - - - -

(\$10.00) - - - - - Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof 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 Dade County, Florida, to-wit:

The West 100 feet of the South 50 feet of the North 100 feet and the West 100 feet of the North 50 feet of Lot 5, lying west of Homestead Avenue, less the North 35 feet, of PERRINE GRANT SUBDIVISION, recorded in Plat Book 1, at Page 4, and being in Section 5, Township 46 South, Range 40 East, Dade County, Florida.

Subject to taxes for the year 1993 and all subsequent years.

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

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

(First Witness)

Printed or typed name: Peter B. Cagle

Grantor

159

Printed or typed name:

EDDIE TATE

(Seal)

Odessa Tate

(Seal)

OFF. REC. 1882671013

QUIT-CLAIM DEED

4,000.00

Return to: (enclose self-addressed stamped envelope)

Name:

Address:

99R534284 1999 OCT 19 08:39

This instrument Prepared by:

THOMAS G. SANDER, Attorney at Law

Address: 8925 SW 148th Street, Suite 110

Miami, Florida 33176

Property Appraisers Parcel Identification (Folio) Number(s):

30-6005-001-0240

Grantee(s) S.S. #(s):

DOCSTPDEE 24.00 SURTX 18.00
HARVEY RUVIN, CLERK DADE COUNTY, FL

This Quit-Claim Deed, Executed this 11th day of October, A.D. 1999, by THOMAS G. SANDER, an unmarried widower first party, to WILBUR BELL, a single man whose post office address is 18271 S.W. 109 AVENUE MIAMI, Florida 33157 second party.

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the county of Miami-Dade, State of Florida, to-wit:

The East 100 Feet of the West 200 Feet of the South 15 Feet of the North 50 Feet (M/L) of Lot 5, in PERRINE GRANT of SECTION 5, Township 56 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 1, at Page 4, lying westerly of County Road, also know as Homestead Avenue Extension, Public Records of Dade County, Florida.

This property is not or never has been the homestead of the grantor, nor contiguous to the grantor's homestead. Grantor's homestead is as listed below his name.

To Have and to Hold The same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Car. Ellis

Witness Signature (as to Grantor)

MURIEL ELHIS

Printed Name

Lee Anne Martin

Witness Signature (as to Grantor)

LEE ANNE MARTIN

Printed Name

Thomas G. Sander

THOMAS G. SANDER

7752 SW 184th Lane

Miami, Florida 33157

STATE OF FLORIDA
COUNTY OF MIAMI-DADE)

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared THOMAS G. SANDER, an unmarried widower known to me to be the person described in and who executed the foregoing instrument.

OFF. REC. 16612-4202

Prepared by:
Darlene Y. Bell-Alexander, Esq.
17452 S.W. 104 Avenue
Miami, FL 33157

94R574837 1994 DEC 14 13:38

Folio No: ~~30-0005-001-0300~~
Grantee ID Number:

DOCSTPDEE 0.60 SURTX 0.00
HARVEY RUVIN, CLERK DADE COUNTY, FL

QUIT CLAIM DEED

THIS QUITCLAIM DEED, executed on this 31 day of Dec, 1994, by the first party, Wilbur B. Bell, to the second party, West Perrine Land Trust, Inc., a Florida corporation, of 18271 S.W. 104 Avenue, Perrine, Florida, 33157;

WITNESSETH, that the said first party, for good consideration and for the sum of \$10.00 paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Dade, State of Florida, to wit:

The West 100 feet of the South 50 feet of the North 300 feet of Lot 5 of PERRINE GRANT, according to the plat thereof recorded in Plat Book 1 at Page 4 of the Public Records of Dade County, Florida.

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

Signed, sealed and delivered in presence of:

Wilbur B. Bell
Grantor

Shantae Ceason
Witness

Shantae Ceason
Witness - Print

1055 SW 95 AVE Apt 247
Witness Address

Perrine, Fla 33157

18271 SW. 104 Ave.
Address

Richard Davis
Witness

Richard Davis
Witness - Print

20315 SW 110 RT
Witness Address

Miami, Fla 33157

State of Florida
County of Dade

Then personally appeared Wilbur B. Bell to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

Identification: DL 13400 895 38 262

Darlene Y. Alexander
Notary Public



OFFICIAL SEAL
Darlene Y. Alexander
My Commission Expires
Jan. 6, 1997
Comm. No. CC 250653

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN,
Clerk of Circuit & County
Courts

61

OFF. REC. 1595462509

Instrument Prepared by: Bayardo I. Torres, Esq.
9520 S.W. 40th St.
Suite 206
Miami, Fl. 33165

Glenville Paper & Printing Co., Inc. 1987

17.000-00

93R303694 1993 JUN 12 10:25

City Appraisers Parcel Identification (Folio) Number(s):
30-60050010320
eels) S.S. #s):

DOCSTFDEE 102.00 SURTX 0.00
HARVEY RUVIN, CLERK DADE COUNTY, FL

(11)

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the 14th day of June A.D. 19 93 by
ULISSES DELGADO, a single man
hereinafter called the grantor, to
WILBUR B. BELL
whose post office address is
17452 S.W. 104th Ave., Miami, Fl. 33157
hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable 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 County, State of , viz:

The South 50 feet of the North 300 feet of that part of Lot 5, in Section 5, of Township 56 South, Range 40 East, lying West of Homestead Avenue, Extended in A.A. DOOLEY PLAT, according to the Plat thereof, recorded in Plat Book 1, at Page 4, of the Public records of Dade County, Florida.

SUBJECT TO:

1. Taxes for the year 1993 and subsequent years
2. Conditions, restriction, easements, limitations and zoning ordinances of record, if any.

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, 19 92.

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

Printed Signature

Signature

Printed Signature

Signature

Printed Signature

Signature

Printed Signature

Post Office Address

Signature

Printed Signature

ULISSES DELGADO

7851 S.W. 133rd Ave, Miami, Fl. 33183

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
SECOND VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

CFN 2007R0083419
OR # 25304 P# 38911 (1st)
RECORDED 01/24/2007 18:18:52
DEED DOC TAX 1,778.00
SURTAX 1,327.50
HARVEY RUWIM, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

Prepared by:

Antonio J. Soto, III, Esq.
8500 W. Flagler St., Suite A-105
Miami, FL 33144
305-227-3700
File Number: 06-2465

Return to:

Greater Miami Title, Inc.
15600 SW 288 St., Suite 404,
Homestead, FL 33033

Parcel Identification No. 30-6005-001-0280

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 12th day of January, 2007 between Stanley A. Scavella, a single man whose post office address is 8820 SW 127 Terr., Miami, FL 33176 of the County of Miami-Dade, State of Florida, grantor, and Wilbur B. Bell as Trustee of the Wilbur B. Bell Living Trust dated March 23, 2001 whose post office address is 18271 SW 109 Ave., Miami, FL 33157 of the County of Miami-Dade, State of Florida, grantee,

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof 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:

The West 100 feet of the South 50 feet of the North 200 feet of Lot 5, PERRINE GRANT SUBDIVISION of Section 5, Township 56 South, Range 40 East, lying Westerly of the County Road (now known as Homestead Avenue Extended) according to the Plat made by A.A. Deoley and recorded in Plat Book 1 Page 4, of the Public Records of Miami-Dade County, Florida.

Subject to taxes for 2007 and subsequent years; covenants, conditions, restrictions, assessments, reservations and limitations of record, if any.

Property is Vacant Land.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: CARLY VAUGHN
[Signature]
Witness Name: J. R. SANTANA

[Signature] (Seal)
Stanley A. Scavella

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 12 day of January, 2007 by Stanley A. Scavella, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

NOTARY PUBLIC-STATE OF FLORIDA
Maria Eugenia Santana
Commission # DL339
Expires: MAR. 14, 2009
Bonded Thru Atlantic Bonding Co., Inc.

Notary Public

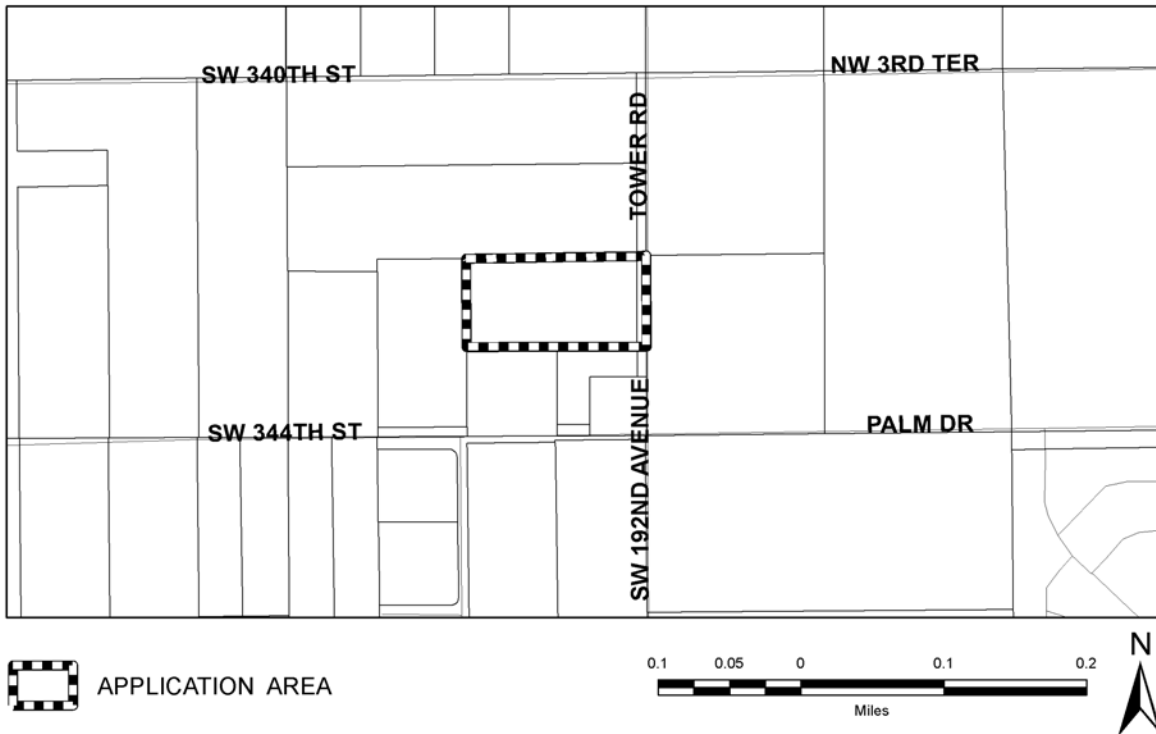
Printed Name:

My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Maria Eugenia Santana
Commission # DL339
Expires: MAR. 14, 2009
Bonded Thru Atlantic Bonding Co., Inc.

APPLICATION NO. 11 **SMALL-SCALE AMENDMENT APPLICATION**

Applicant	Applicant's Representative
BDG Florida City, LLC 2655 LeJeune Road, Suite 409 Coral Gables, FL 33134	Jeff Bercow, Esq. Melissa Tapanes Llahues, Esq. Bercow and Radell, P. A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300
1. Requested Amendment to the Land Use Plan Map From: Estate Density Residential (1 to 2.5 DU/Ac) To: Low-Medium Density Residential (6 to 13 DU/Ac) 2. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element Location: 34250 SW 192 Avenue Acreage: Application area: 5.04 Gross Acres; 4.75 Net Acres Acreage Owned by Applicant: 4.75 Acres	



Notes:

1. This page is not part of the Application
2. Disclosure of Interest contains only those applicable pages; all others were deleted.

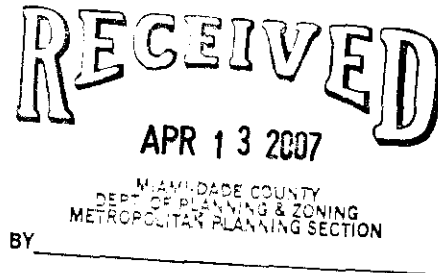
**APPLICATION TO AMEND THE 2005/2015
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

BDG Florida City, LLC
2655 LeJeune Road, Suite 409
Coral Gables, Florida 33134

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Melissa Tapanes Llahues, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131



By: 
Jeffrey Bercow, Esq.

Date: April 13, 2007

By: 
Melissa Tapanes Llahues, Esq.

Date: April 13, 2007

3. DESCRIPTION OF REQUESTED CHANGES

A. An amendment to the CDMP Land Use Map is requested.

Current Land Use Designation: Estate Density Residential

Proposed Land Use Designation: Low-Medium Density Residential (6 to 13 dwelling units per gross acre)

B. Description of the Subject Property

The property consists of approximately 5 acres of land located at 34250 Southwest 192 Avenue, further identified by Miami-Dade County Tax Folio Identification No. 30-7823-004-0011 ("Property"). Currently, the Property is used as a single-family residence.

C. Gross Acreage

Application area: +/- 5.04 gross acres
 +/- 4.75 net acres

D. Requested Changes

1. The Applicant respectfully requests that the 5-acre application area be re-designated on the Land Use Plan ("LUP") Map from Estate Density Residential (1 to 2.5 dwelling units per acre) to Low-Medium Density Residential (6 to 13 dwelling units per gross acre).

2. In addition, the Applicant respectfully requests the acceptance of the proffered Declaration of Restrictions limiting the future development of the Property to a maximum of 10 dwelling units per gross acre, and inclusion in the table provided in the "Restrictions" paragraph provided in the "Concepts and Limitations of the Land Use Plan" section found on Pages I-62 through I-63 of the CDMP, as adopted in the April 2006 CDMP Amendment Cycle.

3. The Applicant respectfully requests expedited processing as a Small-scale amendment.

4. REASONS FOR AMENDMENT

Property. The Property consists of one parcel totaling approximately five-acres of land located at 34250 Southwest 192 Avenue, fronting Southwest 192 Avenue, a half-section line road. Though zoned for Agriculture, the Property is designated as "Estate Density Residential" and used as a single family residence. Designation of the Property as "Low-Medium Density Residential" and acceptance of the proffered Declaration of Restrictions would allow for the development of the Property with up to ten dwelling units per gross acre, which will serve to convert underutilized rural land to much-needed residential land to serve the County's projected population growth.

To the north, the Property abuts Application No. 14 of the April 2006 Cycle to Amend the CDMP Land Use Map ("Application 14"), in which the Board of County Commissioners designated approximately 120 acres of land as "Low Density Residential with a DI-1 Bonus" to permit the development of a maximum of 940 dwelling units. The Declaration of Restrictions proffered by the applicant in Application 14 covenants to provide Estate Density Residential development to the west and transition to Low-Medium Density to the east, immediately north of the Property. The redesignation of the Property to "Low-Medium Density Residential" is compatible with the proposed density immediately to the north and will serve as a buffer to the transitional rural area immediately to the west and south of the Property.

To the east, the Property adjoins lands within Florida City's municipal limits designated by the Florida City 1997 EAR-based Amendment Map for commercial and medium to high-density residential uses. Specifically, immediately to the east, the lands have been approved for commercial development by Florida City Resolution 04-23. Within the square mile immediately west of the Property, residential developments have been approved by Florida City at a density of up to 22 units per acre, which is greater than the requested "Low-Medium Density Residential." The proffering and acceptance of the Declaration of Restrictions will serve to transition between the higher residential density to the north approved in Application 14, the commercial and medium to high density approvals in Florida City to the East, and the existing Estate Density Residential to the west and south.

To the south, the southwest corner of Southwest 192 Avenue and 344 Street intersection has been zoned and developed as Neighborhood Business or BU-1. Florida City has approved additional commercial development at the northeast corner of the intersection, caddy corner to the County BU-1-

zoned parcel and immediately east of the Property. At the southeast corner of the intersection, the Board of County Commissioners approved Application No. 15 of the April 2006 Cycle to Amend the CDMP Land Use Map ("Application 15"). Application 15 redesignated approximately 21 acres of land to "Low Density Residential with a DI-1 designation" and limited the maximum density to 10 dwelling units per gross acre. The approval of the redesignation of the Property and acceptance of the Declaration of Restrictions limiting the maximum density to 10 units per gross acre would be compatible with the surrounding neighborhood and consistent with recent precedent and trends in the area.

Land Supply. CDMP Land Use Element Objective 8 and Policies 8A, 8F, 8G, and 8H all require that Miami-Dade County maintain an adequate supply of residential land for projected demand for a period of 15 years. The most recent Residential Supply and Demand data for the County is published in Table 1 of the March 2007 "Residential, Commercial, and Industrial Land Supply and Demand Analysis." The data indicates that the County-wide single-family residential supply of land will be exhausted by the year 2011. This County-wide depletion date falls far short of CDMP Policy 8G that requires the County to sustain adequate residential inventory for projected demand for a period of 15 years. Re-designation of the Property to Low-Medium Density Residential will help fill the existing void of single family housing in the urbanized area of the County.

The Property is located in Minor Statistical Area ("MSA") 7.6, although it sits on the boundary shared by 7.6 and 7.5, and is very close to 7.3. The most recent Residential Supply and Demand data for MSA 7.6, 7.5, and 7.3 is published on Page 14-5 of the April 2006 Initial Recommendations Report. The data indicates that the projected year of depletion of single family housing is 2018 and for multi-family housing is 2014, which is inadequate.

Consistency with the CDMP. CDMP Policy 8A provides that Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect the character of existing adjacent or surrounding neighborhoods. The Property is located just west of Florida City's municipal limits and land approved for commercial development. The current agricultural zoning and rural residential use is incompatible with the character of the surrounding neighborhood, inconsistent with recent precedent, and contradictory to the need to value land as a scarce resource.

Water and Transportation Infrastructure, Workforce Housing, and Schools. The Applicant hereby proffers a Declaration of Restrictions to mitigate any potential impact and make certain commitments related to transportation and transit infrastructure, water and sewer facilities, water conservation, and workforce housing. In addition, the Applicant intends to explore solutions to mitigate the impacts on school facilities as part of dialogue with Miami-Dade County Schools.

5. ADDITIONAL MATERIAL SUBMITTED

1. Legal Description and Survey of Property (See Exhibit A)
2. Aerial Photograph (See Exhibit B)
3. Reduced Aerial Photograph (See Exhibit C)
4. Section Map (See Exhibit D)
5. Location Map (See Exhibit E)
6. Declaration of Restrictions (See Exhibit F)

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

EXHIBIT E

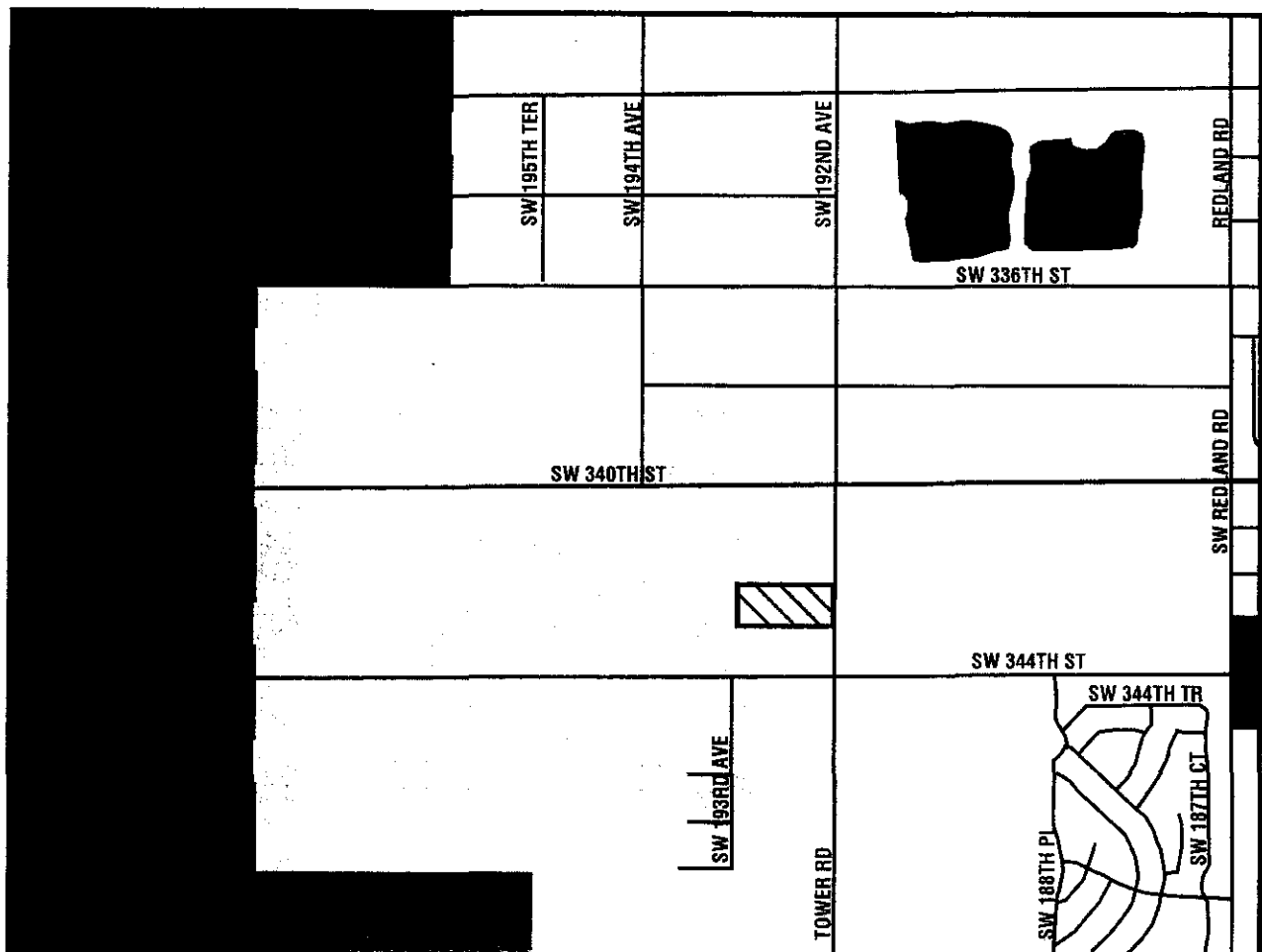
LOCATION MAP FOR SMALL-SCALE APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANTS / REPRESENTATIVE:

BDG Florida City, LLC /
Bercow & Radell, PA
Jeffrey Bercow, Esq. & Melissa Tapanes Llahues, Esq.

DESCRIPTION OF SUBJECT AREA:

The subject property consists of approximately 5.04 gross acres of land located at 34250 S.W. 192 Avenue in Section 23, Township 57, Range 38, in unincorporated Miami-Dade County.



DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: BDG Florida City, LLC

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
<u>A</u>	<u>BDG Florida City, LLC</u>	<u>30-7823-004-0011</u>	<u>5.00</u>
<u>Total</u>			<u>5.00</u>

3. **For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.**

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
<u>A</u>	<u>X</u>			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. **If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (5), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: BDG Florida City, LLC (See Exhibit G for Additional Disclosure)

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Blok Realty Group, LLC, 2655 LeJeune Road, Suite 409, Coral Gables, FL 33134</u>	<u>33.34 %</u>
<u>DMAJ Investment Group, LLC, 2955 East 11 Avenue, Hialeah, FL, 33013</u>	<u>33.33%</u>
<u>Emilio Moran Ventures, Inc. 2030 Douglas Road, Suite 601, Miami, FL 33134</u>	<u>33.33%</u>

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES

NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENT AGE OF INTEREST</u>

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PERCENTAGE OF

RECEIVED

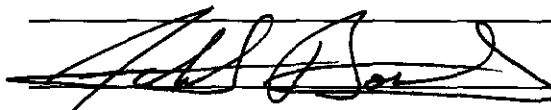
APR 17 2007

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
METROPOLITAN PLANNING SECTION

BY _____

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

Applicant's Signatures and Printed Names

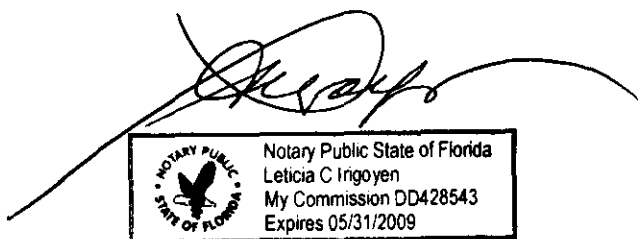
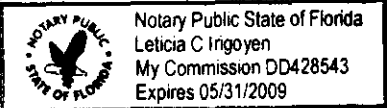

Ashley Bosch

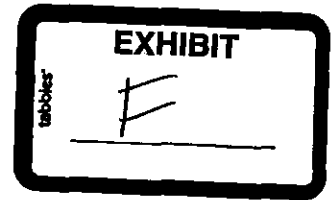
Sworn to and subscribed before me
this 10th day of April, 2007.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

FLM C:INSTRUCTIONS REPORTOct2001.docRevised 8116101



This instrument was prepared by:

Name: Melissa Tapanes Llahues, Esq.

Address: Bercow & Radell, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to approximately five acres of land in Miami-Dade County, Florida, described in Exhibit "A," attached to this Declaration (the "Property"), which statement as to title is supported by the attorney's opinions attached to this Declaration as Exhibit "B";

WHEREAS, the Property is a five-acre parcel located at 34250 S.W. 192 Avenue in unincorporated Miami-Dade County, further identified by Miami-Dade County Folio No. 30-7823-004-0211, and is the subject of a Comprehensive Development Master Plan ("CDMP") Amendment Application No. ____ of the April 2007 Amendment Cycle;

WHEREAS, has sought a Land Use Plan amendment to change the designation of the Property from "Estate" to "Low-Medium Density Residential";

NOW THEREFORE, in order to assure the Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application will be abided by the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Workforce Housing.**

(a) Commitment. A minimum of ten percent (10%), if the Property is designated Low Density Residential, and twenty percent (20%), if the Property is designated Low-Medium Density Residential (and receives zoning approval for the construction of fifty (50) residential

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dwelling units as provided in Paragraph 2 herein), of the proposed residential dwelling units on the Property shall be set aside for sale or rent as Workforce Housing Units ("WHU").

(b) Definition. A "Workforce Housing Unit" shall consist of residential dwelling units that are made available for sale or rent by the Owner to persons with a median family income that is 65% to 140% of the median family income in Miami-Dade County, as published annually by the U.S. Department of Housing and Urban Development.

(c) Distribution of Workforce Housing Units. If pursuant to Section 1(a) of this Declaration, the Owner sets aside twenty percent (20%) of the residential dwelling units as WHU, then the Owner shall set aside twenty-five percent of such WHU for sale or rent to persons with a median family income that is 65% to 105% of the median family income in Miami-Dade County, as published annually by the U.S. Department of Housing and Urban Development ("Moderate WHU") (e.g., of the Property receives zoning approval for 50 residential dwelling units, then 13 residential dwelling units shall be set aside as WHU of which 4 shall be set aside as Moderate WHU).

(d) Process. Prior to obtaining the initial building permit for the construction of any residential dwelling unit (other than model homes) for the Property, the Owner shall submit a declaration of restrictions, in a form acceptable to the County, setting forth restrictions on the resale of such residential dwelling units consistent with the intent of maintaining such residential dwelling units as WHU for a period of twenty (20) years from the date of its initial sale. The Owner further agrees to grant to the County the right of first refusal to purchase any WHU in which a qualified purchaser cannot be located within two-hundred and ten (210) days from the date the WHU is offered for sale. In the event a qualified purchaser cannot be located and the County does not exercise its right of first refusal, then the Owner may sell the WHU at market rate.

2. Maximum Density. Notwithstanding the approval of the redesignation of the Property, the density of any residential development on the Property shall not exceed fifty (50) residential dwelling units ("Maximum Density"). Nothing in this Declaration shall limit or

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otherwise prevent the Owner, after zoning approvals, from developing other non-residential, permitted uses that are consistent with the LUP designation of the Property.

3. **Transit Improvements.** In an effort to accommodate public transportation in the area, the Owner shall coordinate with Miami-Dade Transit and allow encroachments onto the Property, as necessary, to provide for a bus pull-out bay and bus shelter. The Owner's obligation under this Paragraph shall expire upon the approval of a final plat for the Property. Notwithstanding the approval of a final plat, the Owner shall cooperate with the County to allow the installation of a bus pull-out bay and/or shelter if said installation can be accomplished without altering the approved final plat for the Property.

4. **Water Conservation Requirements.** In an effort to conserve water, the Owner hereby agrees to develop the Property and construct the proposed residential dwelling units so as to satisfy the requirements necessary to achieve (but shall not be required to obtain certification as) a "Florida Water Star" rating in accordance with the "Florida Water Star Basic Qualification Checklist," a copy of which is attached to this Declaration as Exhibit "C."

5. **Water Treatment Capacity.** The Owner shall not seek a certificate of use and occupancy for any residential dwelling units in excess of seventeen (17) dwelling units until (i) the Owner, at its own cost and expense, connects to a water distribution main from the South Miami Heights Water Treatment Plant (or any other similar plant with sufficient water treatment capacity to provide service to the contemplated development on the Property at such point of connection as may be designated by the Department of Water and Sewer or (ii) the approval of the expansion of the water and sewer service area of the City of Florida City to include the Property.

6. **Improvement of S.W. 344 Street.** The Owner shall not seek a certificate of use or occupancy for any residential dwelling units in excess of thirty (30) units until such time as the construction of S.W. 344 Street as a four (4) lane, divided arterial roadway from S.W. 182 Avenue to S.W. 192 Avenue ("Roadway Improvements"), is completed.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the

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public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality that amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such

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ordinances, subject to Chapter 163 and the provisions of the municipality's ordinances that apply to the adoption of district boundary changes. Should this Declaration be so modified, amended, or released, the Director of the Department of Planning and Zoning or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her office, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, 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.

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

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any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

EXHIBIT G

**DISCLOSURE OF INTEREST
FOR
BDG FLORIDA CITY, LLC**

33.34% Managing Member: Blok Realty Group, LLC, 2655 Le Jeune Road, Suite 413, Coral Gables, Florida 33134

100% Ashley Bosch, 2655 Le Jeune Road, Suite 413, Coral Gables, Florida 33134

33.33%: DMAJ Investment Group, LLC, 2955 East 11 Avenue, Hialeah, Florida 33013, Managing Member: Daniel Alonso

25% The Amancio Alonso Living Trust, 919 S.W. 24 Road, Miami, Florida 33129

50% Amancio Alonso, 919 S.W. 24 Road, Miami, Florida 33129

50% Bertha Alonso, 919 S.W. 24 Road, Miami, Florida 33129

25% DKD Investment Properties, LLC, 5726 Devonshire Boulevard, Miami, Florida 33155

100% Daniel Alonso, 5726 Devonshire Boulevard, Miami, Florida 33155

25% Caribbean Strategic Holdings, LLC, 1000 West Avenue, No. 815, Miami Beach, Florida 33139

100% Manny Fernandez, 2955 East 11 Avenue, Hialeah, Florida 33013

25% ChanChris, LLC, 2955 East 11 Avenue, Hialeah, Florida 33013

100% Daisy Canino, 2955 East 11 Avenue, Hialeah, Florida 33013

33.33%: Emilio Moran Ventures, Inc., 2030 S. Douglas Road, Suite 601, Miami, Florida 33134

100% Emilio Moran, 2030 S. Douglas Road, Suite 601, Miami, Florida 33134

APPLICATION NO. 12

**APPLICATION REQUESTING AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami- Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
(305) 375-2835

2. APPLICANT'S REPRESENTATIVE

Subrata Basu, AIA, AICP, Interim Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By:  June 1, 2007
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES

PART A - Revise the text of the Land Use Element as contained in the CDMP "Adopted Components" October 2006 Edition As Amended through April 2006-2007 amendment cycle as noted below:¹

Add language to the "Parks and Recreation" text found on Page I-52 last paragraph as follows:

Parks and Recreation

Some of the land shown for Parks is also environmentally sensitive. While most of these environmentally sensitive areas are designated on the LUP map as "Environmentally Protected Parks" some may be designated as Parks and Recreation due to graphic constraints (the environmentally sensitive portion of the park that is smaller than five acres). Parkland which is characterized by valuable environmental resources shall be managed in a manner consistent with the goals, objectives and policies for development of the applicable environmental resources or protection area. Accordingly, resource enhancing facilities including boardwalks, nature trails, canoe trails and launches and interpretive facilities may be provided in these areas.

¹ Underlined words are proposed additions. ~~Strikethrough~~ words are proposed deletions. All other words exist in the Plan and will remain unchanged.

Revise the language of the “Environmentally Protected Parks” text found on Page I-52 as follows:

Environmentally Protected Parks

The land designated as “Environmentally Protected Parks” designation is mainly comprised of environmentally sensitive and land and water areas within the authorized boundaries of Big Cypress National Preserve, Everglades National Park, and Biscayne National Park. The National Park Service retains ownership of most of the land in these areas and is currently pursuing the acquisition of the remainder. includes tropical hardwood hammocks, high-quality Dade County pineland and viable mangrove forests. Additionally, Some sites that carry this designation are proposed for public acquisition or have been acquired under Miami-Dade County Environmentally Endangered Lands (EEL), Florida's Conservation and Recreational Lands (CARL) and Florida Forever programs and include tropical hardwood hammocks, high-quality Dade County pineland and viable mangrove forests. These sites are identified in this category on the LUP map although they may be as small as ten acres in size.

Land uses and activities which may occur in the National Parks and Big Cypress National Preserve are outlined in management plans for those areas prepared and adopted by the National Park Service. In addition, any development, which might be contemplated for non-federal lands in the Big Cypress area, is also limited by this Plan and by provisions of the Miami-Dade County Code to uses that are consistent with Florida Rules governing the Big Cypress Areas of Critical State Concern (Chapter 27 F-3, Part III, F.A.C.).

Miami-Dade County supports the implementation of those agencies' management policies and programs. Accordingly, until acquisition has been completed, uses permitted in the Big Cypress Preserve area by Miami-Dade County will be limited to rural residential use at a maximum density of one dwelling unit per five acres and utility and communication facilities with limited ground coverage, provided that the site can be designed and accessed in a manner consistent with the goals, objectives and policies of this Plan, all prevailing environmental regulations and the referenced State Rules governing the Big Cypress Critical Area, whichever are most protective.

All portions of parkland designated Environmentally Protected Parks or other parkland which is characterized by valuable environmental resources shall be managed in a manner consistent with the goals, objectives and policies for development of the applicable environmental resources or protection area. Accordingly, resource enhancing facilities including boardwalks, nature trails, canoe trails and launches and interpretive facilities may be provided in these areas. Figure 4 depicts the larger federal lands located within the “Environmentally Protected Parks” designation, but due to map scale, does not include smaller parcels within this category.

Revise the language of the “Environmental Protection Subarea A” text found on Page I-65 as follows:

Environmental Protection Subarea A (State Water Conservation Area). This subarea contains the land and water areas within ~~national preserve and~~ the authorized boundaries of Water Conservation Area No. 3 of the South Florida Water Management District (SFWMD). The westernmost portion of this subarea contains a portion of the Big Cypress National Preserve and the Dade-Collier Training and Transition Airport. Most of the land in ~~these~~ this subareas is under ownership of the National Park Service or the SFWMD, and acquisition of the remainder is currently being pursued. Miami-Dade County encourages full acquisition of these areas, with the understanding that revenue obtained from the purchase of the Dade-Collier Training and Transition Airport will be used to acquire another acceptable site to accommodate the long-term growth of commercial aviation activity traditionally accommodated by Miami International Airport.

Land uses and activities, which may occur in the Big Cypress National Preserve, are outlined in management plans prepared and adopted by the National Park Service. In addition, any development, which might be contemplated for non-federal lands in the Big Cypress area, is also limited by this Plan and by provisions of the Miami-Dade County Code to uses that are consistent with Florida Rules governing the Big Cypress Areas of Critical State Concern (Chapter 27 F-3, Part III, F.A.C.). Land uses and activities in Water Conservation Area 3 are governed by the SFWMD. Miami-Dade County supports the implementation of land use and management policies and programs established by the SFWMD. ~~In Water Conservation Area No. 3, Miami-Dade County will consider approval of no use in excess of one dwelling unit per forty acres.~~

Miami-Dade County supports the implementation of those agencies' management policies and programs. Accordingly, until acquisition has been completed, uses permitted in the Big Cypress Preserve area by Miami-Dade County will be limited to rural residential use at a maximum density of one dwelling unit per five acres and utility and communication facilities with limited ground coverage, provided that the site can be designed and accessed in a manner consistent with the goals, objectives and policies of this Plan, all prevailing environmental regulations and the referenced State Rules governing the Big Cypress Critical Area, whichever are most protective. In Water Conservation Area No. 3, Miami-Dade County will support the use policies established by the South Florida Water Management District and will consider approval of no use in excess of one dwelling unit per forty acres.

PART B: Revise the Land Use Element Map Series as follows:

The following figures in the Land Use Element Map Series will be renumbered as follows:

Current Figure Number	Figure Name	CDMP Page Location	New Figure Number
Figure 3A	Agricultural Subarea 1	I-60	Figure 5
Figure 4	Open Land Subareas	I-62	Figure 6
Figure 5	Environmental Protection Subareas	I-66	Figure 7
Figure 6	Population Estimates and Projections 2000, 2015, 2025	I-71	Figure 8
Figure 7	Miami-Dade County Historic Resources 2004	I-77	Figure 9
Figure 8	Wellfield Protection Areas	I-79	Figure 10
Figure 9	Bays, Rivers, Lakes, Harbors & Beaches	I-80	Figure 11
Figure 10	Floodplains	I-81	Figure 12
Figure 11	Areas Subject to Coastal Flooding	I-82	Figure 13
Figure 12	Future Wetlands and CERP Water Management Areas	I-83	Figure 14
Figure 13	Mineral Resources	I-85	Figure 15
Figure 14	General Soils Map	I-86	Figure 16
Figure 15	Water Resources in Miami-Dade County	I-87	Figure 17

The following references to figures in the Land Use Element Map Series will be modified to reflect the new revised figure numbers as listed above.

Page I-59:

This Subarea is bounded on the north by SW 168 Street; on the east by Levee 31N and Canal 111; on the south by Environmental Protection Subareas D and Everglades National Park; and on the west by Everglades National Park (See Figure ~~3A~~5).

Page I-61:

The map titled "Open Land Subareas" (Figure ~~4~~6) and the following text indicate the boundaries between Open Land Subareas.

Page I-65:

The map titled "Environmental Protection Subareas" (Figure ~~5~~7) and the following text indicate the boundaries between subareas of the Environmental Protection Area.

Page I-69:

Accordingly, the projected distribution of population for the years 2015 and 2025 (Figure ~~6~~8) reflects the following factors:

Page I-74:

Future wellfields and their protection areas are identified on Figure 810 in the following section of this Element.

Page I-76:

Figure 79 shows the historic districts, archaeological districts and historic cemeteries that are recognized by the Miami-Dade Office of Historic Preservation as meriting local designation.

Page I-76:

Map series Figures 810 through 4416 identify certain future natural resources in Miami-Dade County.

Page I-76:

The information that is summarized below, together with the extensive information contained in the Conservation, Aquifer Recharge and Drainage, and Coastal Management Elements, are reflected in the delineation of Future Open Land and Environmental Protection Sub-areas as shown on Figures 46 and 57.

Page I-78:

The public water supply wellfields in Miami-Dade County that are expected to be operational in the year 2015 and their respective protection area boundaries are shown on Figure 810.

Page I-78:

Figure 911 shows these natural features. The only lakes shown on this figure are the natural lakes that occur within Everglades National Park.

Page I-78:

As shown on Figure 4012, a very large percentage of the land within Miami-Dade County is considered to be a floodplain, or Special Flood Hazard Area (SFHA).

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For purposes of clarification, an additional map is presented to show the areas that are subject to coastal flooding during hurricanes of varying intensity (Figure 4413).

Page I-84:

Future Wetlands and CERP Water Management Areas are shown on Figure 4214.

Page I-84:

The general extent of Miami Limestone and mineral extraction areas is shown on Figure 4315.

Page I-84:

The soils that overlay the limestone in the County can generally be grouped into five broad categories: peats and mucks, marls, sands, rocky lands and man-made soils. These are shown on Figure ~~44~~16.

Page I-84:

The water resource summary map presented at the conclusion of this section (Figure ~~45~~17) is a composite of water resource features presented on previous maps in this series and discussed at length in the Conservation and Potable Water Element Support Documents and Evaluation and Appraisal Reports.

Figure 4, as shown on the following page will be included after the “Environmentally Protected Parks” text on page I-52

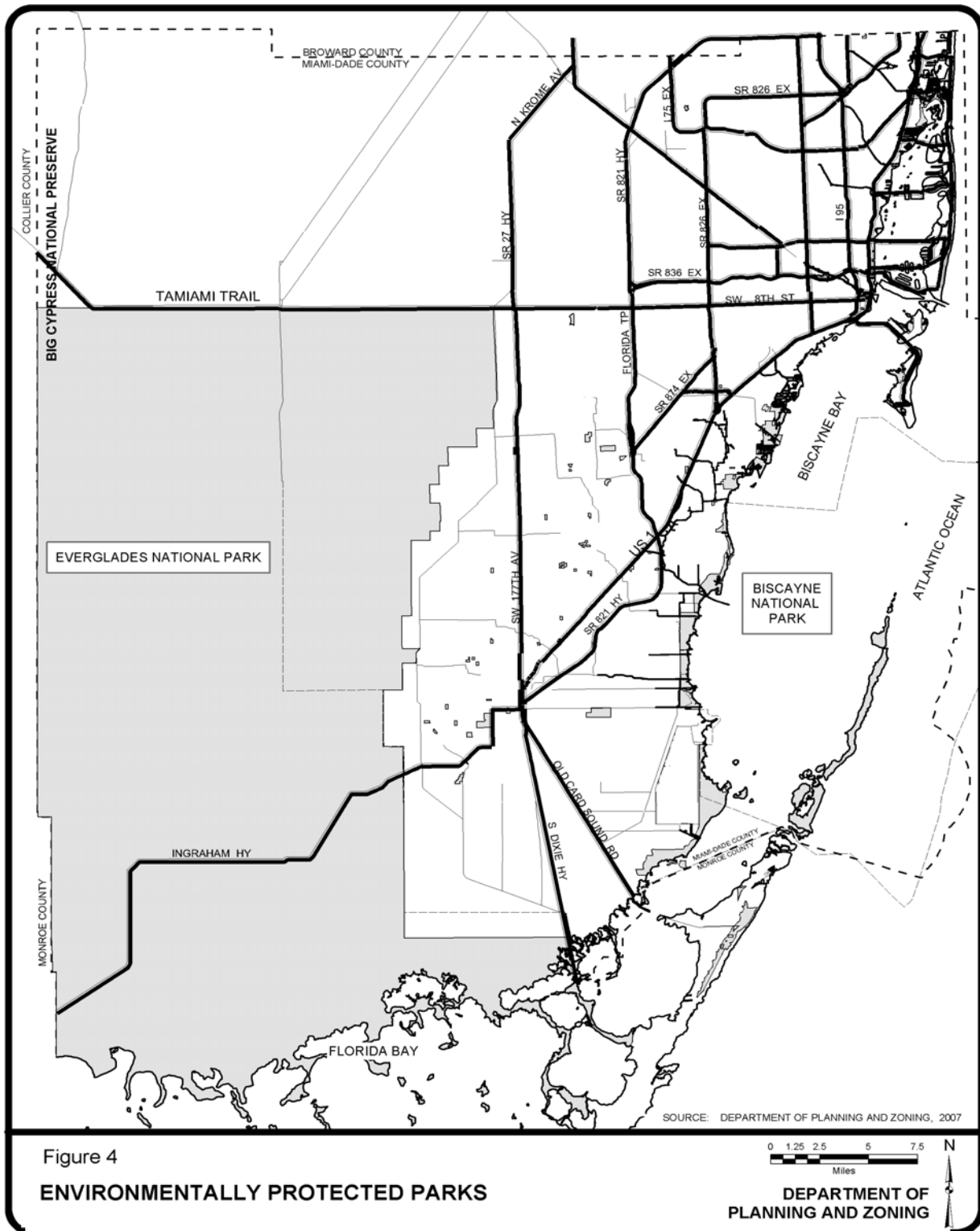


Figure 5, “Environmental Protection Subareas”, will become Figure 7 and will be revised as follows: (Map will be included in the Initial Recommendations Report to be published on August 25, 2007)

4. REASON FOR AMENDMENT

Prior to 1983, the National Parks were depicted on the Land Use Plan Map under the category “Parks and Recreation”. In that year, a distinction was developed between parks and environmentally sensitive parks. The National Parks were still classified under the “Parks and Recreation” category but a hatch pattern was added to parks that were also environmentally sensitive.

In 1988 a new category, titled “Environmentally Protected Parks”, was added to the map, so that the National Parks were designated by a separate category and not a combination of two land use designations. The language describing the new category, however, remained in the text for “Parks and Recreation” in the 1988 CDMP “Adopted Components”.

In October 2004 cycle to amend the CDMP, which included amendments based upon recommendations in the 2003 Evaluation and Appraisal Report (EAR), a new text section was created in the Land Use Element to describe the “Environmentally Protected Parks”. Language describing the National Parks, which had been included in the 2001 CDMP was inadvertently left out of this new section and therefore never included into the latest CDMP revision. This amendment proposes to include language that was removed from the “Parks and Recreation” and “Environmental Protection Subarea A” texts in 2003 but never added to the “Environmentally Protected Parks” section. This amendment will also add a new map to the Land Use Element Map Series which depicts the “Environmentally Protected Parks”. Because of the addition of this new figure, other modifications including a renumbering of the map series are proposed to bring continuity between the figures and text.

APPLICATION NO. 13

**APPLICATION REQUESTING AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

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2. APPLICANT'S REPRESENTATIVE

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By:  June 1, 2007
Subrata Basu

3. DESCRIPTION OF REQUESTED CHANGES

The following changes are requested to the Capital Improvements Element (CIE)¹:

- A. In the CIE Schedules of Improvements, Tables of Proposed Projects, modify the following currently adopted tables as indicated in the attached tables: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities.

Proposed additions are listed under the heading "Proposed Additions, April 2007 CDMP Amendment Cycle". Proposed deletions are indicated by dash lines and footnoted accordingly. All other Proposed Projects already exist in the CIE and remain essentially unchanged.

¹ Note: (The proposed updated Tables are not presented in the Applications Report but will be published in the Initial Recommendations Report in August 25, 2007 for reasons noted below.)

- B. Revise any other summary table or related text in the Capital Improvements Element as necessary to be consistent with the additions, deletions, or changes made by Part A of this application.

4. REASON FOR CHANGE

In accordance with Chapter 163, Part II, Florida Statutes, addition or deletion of projects in the Capital Improvements Element must be accomplished by Plan amendment. As conditions and priorities in the community change, the programs of capital facilities for the respective functional areas require modification. The requested changes contained in the application were initiated by the various operating departments and include, when necessary, adjustments to the scheduling, project costs, or revenue levels and sources.

There are numerous reasons why operating departments propose to add or delete projects. Generally they do so in following their department's capital improvements strategy that, in turn, is driven by their functional plans and the associated element(s) of the CDMP. Most often, projects are added as needed and deleted as they are finished or are no longer needed. Reasons for specific proposals will be outlined in the Initial Recommendations report.

It should be noted that the CDMP Capital Improvements Element (CIE) is closely coordinated with the production of the County's Capital Budget and Multi-Year Capital Plan, in particular, the formulation of the County Manager's proposed budget that is published in June. The schedule for publishing April cycle CDMP amendment applications precedes the schedule for preparing the capital budget, and thus the updated tables of CIE projects have not been finalized at the time of printing of this application; the updated CIE tables will be published in the Initial Recommendations Report to be issued in August 2007 and will reflect the proposed budget. The proposals to be published will be subject to further review and adjustment during the period between their initial publication and final adoption of the Capital Budget in September. Additional changes to these tables will be made to address the requirements of the Growth Management Law of 2005. Those changes are required to demonstrate that the CDMP is financially feasible. Changes to the initial application may be recommended to reflect the adjustments that are made during budget adoption activities or after State-agency review and comment.

5. ADDITIONAL MATERIALS SUBMITTED

None