

# Application No. 6

## Commission District 2 Community Council 8

### APPLICATION SUMMARY

Applicant/Representative:	Rosal Westview, LLC / Jeffrey Berrow Esq. & Gianeli Mestre, Esq.
Location:	Between NW 22 and 27 Avenues and between NW 107 and NW 132 Streets
Total Acreage:	±196.49 Gross Acres; ±180.4 Net Acres
Current Land Use Plan Map Designations:	"Industrial and Office" and "Business and Office"
Requested Amendment to CDMP text:	Modify existing Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element to affect changes to the restrictions pertaining to the perimeter buffer, vehicular access points, an alternative program to the "Adopt a Highway" program, and the applicability of conditions to each parcel in the application area.
Amendment Type:	Standard
Existing Zoning / Site Condition:	RU-1 (Single-family Residential District: 7,500 square feet net); RU-2 (Two-Family Residential District: 7,500 square feet net); RU-3B (Bungalow Court, 10,000 square feet net); and BU-1A (Limited Business District) / Former golf course

### RECOMMENDATIONS

Staff:	<b>TRANSMIT WITH CHANGE AND ADOPT</b> (March 9, 2015)
North Central Community Council (8):	<b>TO BE DETERMINED</b> (March 23, 2015)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	<b>TO BE DETERMINED</b> (April 20, 2015)
Transmittal Action of Board of County Commissioners:	<b>TO BE DETERMINED</b> (May 6, 2015)
Final Action of Board of County Commissioners:	<b>TO BE DETERMINED</b> (July 22, 2015)

Staff recommends to **TRANSMIT WITH CHANGE AND ADOPT** the proposed Comprehensive Development Master Plan (CDMP) amendment seeking to modify an existing Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, based on the following principal reasons.

**Principal Reasons for Recommendation:**

1. The application seeks to modify certain conditions and requirements of an existing CDMP Declaration of Restrictions (covenant) that apply to the application site, generally consistent with the CDMP. The covenant subject to the modification request was accepted in December 2012 by Miami-Dade Board of County Commissioners (Board) along with the Board's adoption of the October 2011 Cycle CDMP Amendment Application No. 1 through Ordinance No. 12-109. The adopted October 2011 Cycle Application No. 1 changed the CDMP land use designation on the application site from "Parks and Recreation" and "Low-Medium Density Residential" to "Business and Office" on parcels identified as the Business and Office North and South parcels and "Industrial and Office" on parcels identified as the Industrial and Office North and South (see the CDMP Land Use map on page 6-8). The Board accepted CDMP covenant is recorded in the Official Records of Miami-Dade County Book 28896, pages 1971 through 2007 (CFN2013R0875152). Approval of the application with the change outlined below would be generally consistent with the CDMP.

The change to the application is pursuant to the applicant's letter dated March 9, 2015, withdrawing the request for an additional vehicular access point at NW 118 Street and inclusion of a commitment to providing a buffer between the requested access along NW 24 Avenue and the multifamily residences, on the north side of NW 119 Street. If approved with the requested change, the application would modify certain specific restrictions and conditions of the covenant as outlined in 'a' through 'f' below. Also presented below, for ease of reference, are the paragraph numbers and/or sections of the recorded covenant that are proposed for modification and the respective Appendices Pages in this report where the proposed modifications are located.

- a. Paragraph 1: Change to the definition of the Property to clearly recognize that the application site consists of four distinct parcels, as mentioned above (see Appendices Page 7 and 8).
- b. Paragraph 6(a): Change seeks to clarify that the perimeter buffer requirement applies only to the in Industrial and Office North and Industrial and Office South parcels (see Appendices Pages 8 and 9).
- c. Paragraph 6(d): Change to allow additional vehicular access points to the application site along NW 24 Avenue (see Appendices Page 9).
- d. Paragraph 13: Change to allow an alternate to the Florida's Department of Transportation's (FDOT) "Adopt a Highway" program that would be acceptable to the Golf Park Homeowners Association, Inc. (see Appendices Page 10).
- e. Modification, Amendment, Release: Change to allow the covenant to be subsequently modified, amended or released as to any parcel or portion thereof without the need for the owner of parcels not affected thereby to be signatory to the modification, amendment or release. Change also clarifies process for modifying and releasing covenant in event the Property is annexed or incorporated into a municipality (see Appendices Pages 11 and 12).

- f. Authorization for Miami-Dade County to Withhold Permits and Inspections: Change seeks to narrow the withholding of permits and inspections, in the case of violations and/or non-compliance with covenant terms, to the parcel(s) having the violation or noncompliance (see Appendices Page 13).
2. It should be noted that, except for the proposed modifications above, all other conditions, requirements and limitations of the existing covenant would remain unchanged, be in full force and effect, and continue to encumber the property, including certain prohibitions on IU-1, IU-2 and IU-3 uses. The application site is restricted to a maximum of 400,000 square feet of retail and service uses on the Business and Office North and South parcels of the application site and a maximum of 1.6 million square feet of office, light industrial, warehouse and flex space on the "Industrial and Office" North and South parcels. In addition, residential development is restricted to a maximum 2,000 dwelling units within the "Business and Office" designated parcels of the application site.

Approval of the requested covenant modification would not affect the intensity of development that may be built on the application site. Therefore, the proposed covenant modification would not generate additional impacts to public services and facilities in the vicinity of the application site and would thereby not cause a violation in any level of service (LOS) standards for such public services and facilities.

3. Staff evaluated each proposed modification to the existing covenant conditions/restrictions identified above and have determined that the requested modification to the recorded covenant is generally consistent with the CDMP. Of particular note are the proposed modifications of the buffer requirements and the additional vehicular access points outlined in Principal Reason 1(b) and (c) above, respectively, and further discussed below.

Regarding the buffer requirements, staff reviewed the documentation and records of representations made throughout the CDMP amendment process for the October 2011 Cycle Application No. 1. The Documents reviewed include this Department's analysis of the application embodied in *Initial Recommendations, October 2011 Cycle Applications to amend the [CDMP]*, audio/video recordings and written minutes of and documents presented at the North Central Community Council, the Planning Advisory Board and the Board public hearings addressing the application. This review concluded that the representations made of the landscape buffer were specific to the Industrial and Office North and Industrial and Office South parcels, and that the purpose of the landscape buffer is toward mitigating the incompatibility of potential industrial uses within the Industrial and Office parcels with the existing residences adjacent to the subject property. Therefore, it is staff's opinion that the proposed clarification of the applicability of the landscape buffer requirement is consistent with the prior approval of the October 2011 Cycle CDMP Application No.1.

The recorded CDMP covenant in Paragraph 6(d) limits vehicular access to the application site exclusively to and from NW 119 Street and the Industrial and Office South parcel may have access to and from NW 22 Avenue NW 116 Street. The covenant provides an exception for additional emergency access points to be permitted if required by the County's Fire Rescue, Police or Public Work and Waste Management departments. The Business and Office North and Industrial and Office North parcels are located on the north side of NW 119 Street while the Business and Office South and the Industrial and Office South parcels are on the south side of NW 119 Street. The current application as originally filed requested additional vehicular access points from NW 24 Avenue on both the north and south sides of

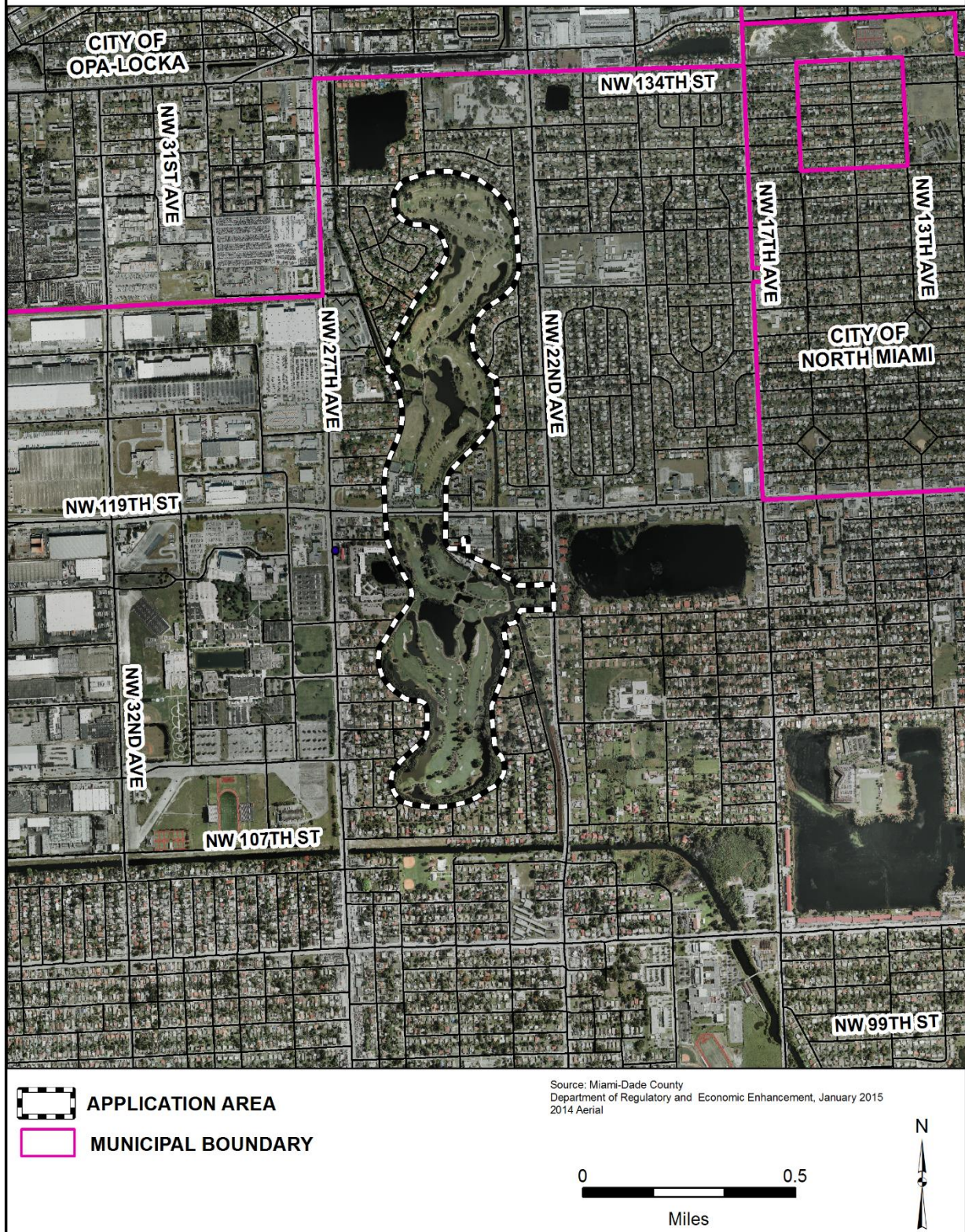
NW 119 Street to the site (both the north and south parcels), and access to the Business and Office South parcel from NW 118 Street. Staff had concerns with the access points, in particular the requested access from NW 118 Street based on potential impacts to the adjacent single family residences. The Applicant has since withdrawn the request for the access from NW 118 Street by letter dated March 9, 2015 (see Appendix A; Appendices Page 3). The applicant has also included language in the proposed covenant modification that provides for a buffer between the requested NW 24 Avenue access point on the north side of NW 119 Street and the multifamily residential property that abuts the Business and Office North parcel to the east. The intent of the proposed buffer is to mitigate the impacts that the requested NW 24 Avenue access on the north side of NW 119 Street would have on the adjacent multifamily residences. Staff believes the proposed buffer is not adequately defined at this time and will work with the applicant to further define the nature and extent of the buffer to ensure it will adequately mitigate the impacts of the proposed NW 24 Avenue access on the adjacent multifamily residences.

4. Approval of the proposed amendment would not impact any historical, archaeological resources or environmental resources. However, it is important to note that the Division of Environmental Resources Management of the Department of Regulatory and Economic Development (DERM) identifies that the federally endangered West Indian Manatee has been observed in the water bodies within the application area. DERM advises that works in water bodies accessible to manatees be designed to prevent entrapment of or injury to the animals in accordance with Miami-Dade County Manatee Protection Plan. Additionally, the State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Conditions for In-Water Work.

DERM also advises that the application site is within the United States Fish and Wildlife Service consultation area for the federally endangered Florida bonneted bat and the core foraging area for the 3B Mud East Colony wood stork rookery. The subject parcels comprise a combination of land and open water that may provide foraging and/or roosting areas for these species. The applicant is advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies prior to any rezoning or development approvals for the property.

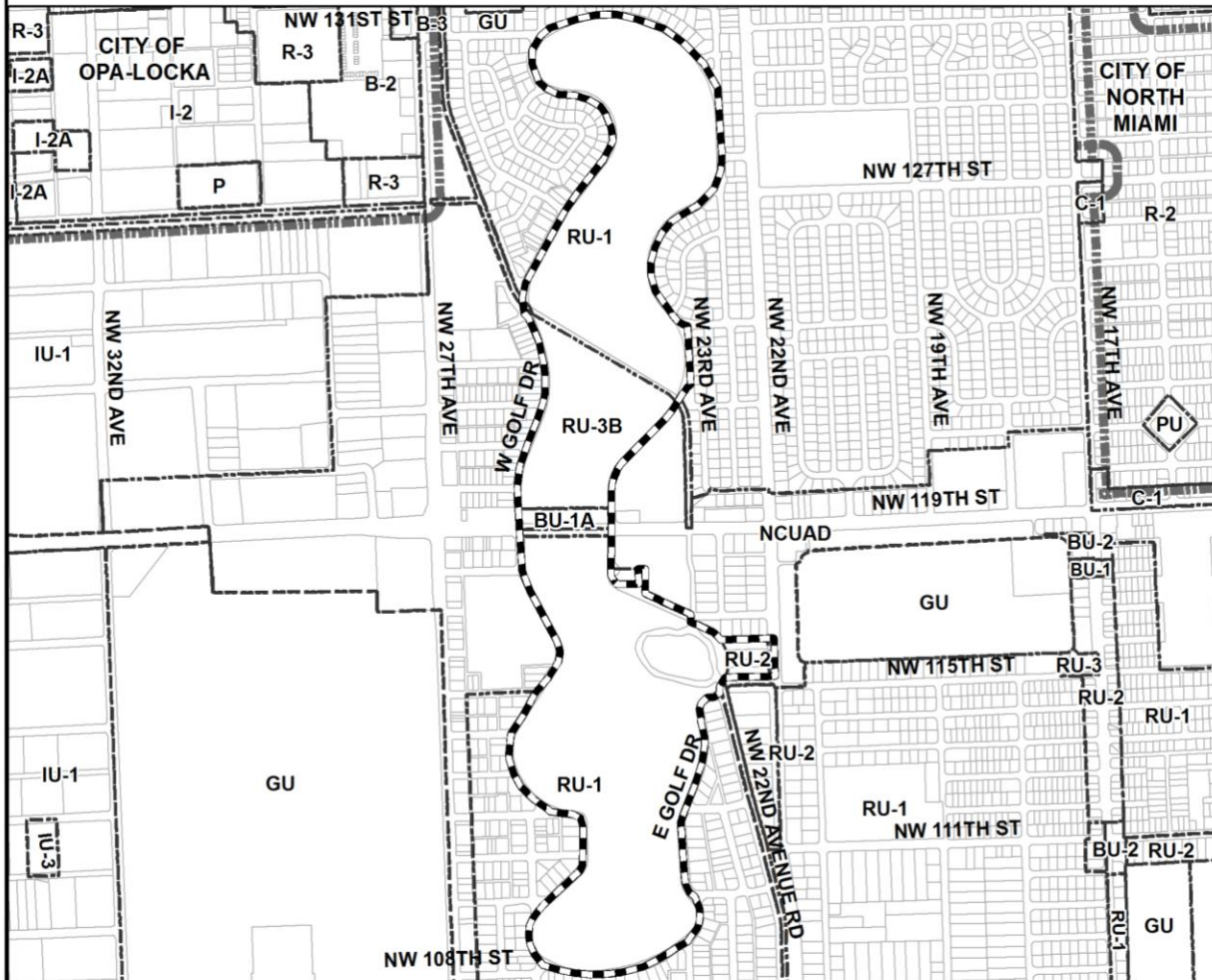


# APPLICATION NO. 6 AERIAL PHOTO





# APPLICATION 6 ZONING MAP



APPLICATION AREA



MUNICIPAL BOUNDARY

## MIAMI-DADE ZONING DISTRICTS

BU-1	BUSINESS DISTRICTS, NEIGHBORHOOD
BU-1A	BUSINESS DISTRICTS, LIMITED
BU-2	BUSINESS DISTRICTS, SPECIAL
BU-3	BUSINESS DISTRICTS, LIBERAL (WHOLESALE)
GU	INTERIM DISTRICT
IU-1	INDUSTRIAL DISTRICTS, LIGHT MANUFACTURING
IU-3	INDUSTRIAL DISTRICTS, UNLIMITED MANUFACTURING
NCUAD	NORTH CENTRAL URBAN CENTER
RU-1	SINGLE-FAMILY RESIDENTIAL
RU-2	TWO-FAMILY RESIDENTIAL DISTRICT
RU-3	FOUR-UNIT APARTMENT DISTRICT
RU-3B	BUNGALOW COURT DISTRICT

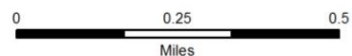
## OPA-LOCKA ZONING DISTRICTS

B-2	LIBERAL BUSINESS
I-2	LIBERAL INDUSTRIAL
I-2A	LIBERAL INDUSTRIAL
P	PUBLIC
R-3	MULTI FAMILY RESIDENTIAL

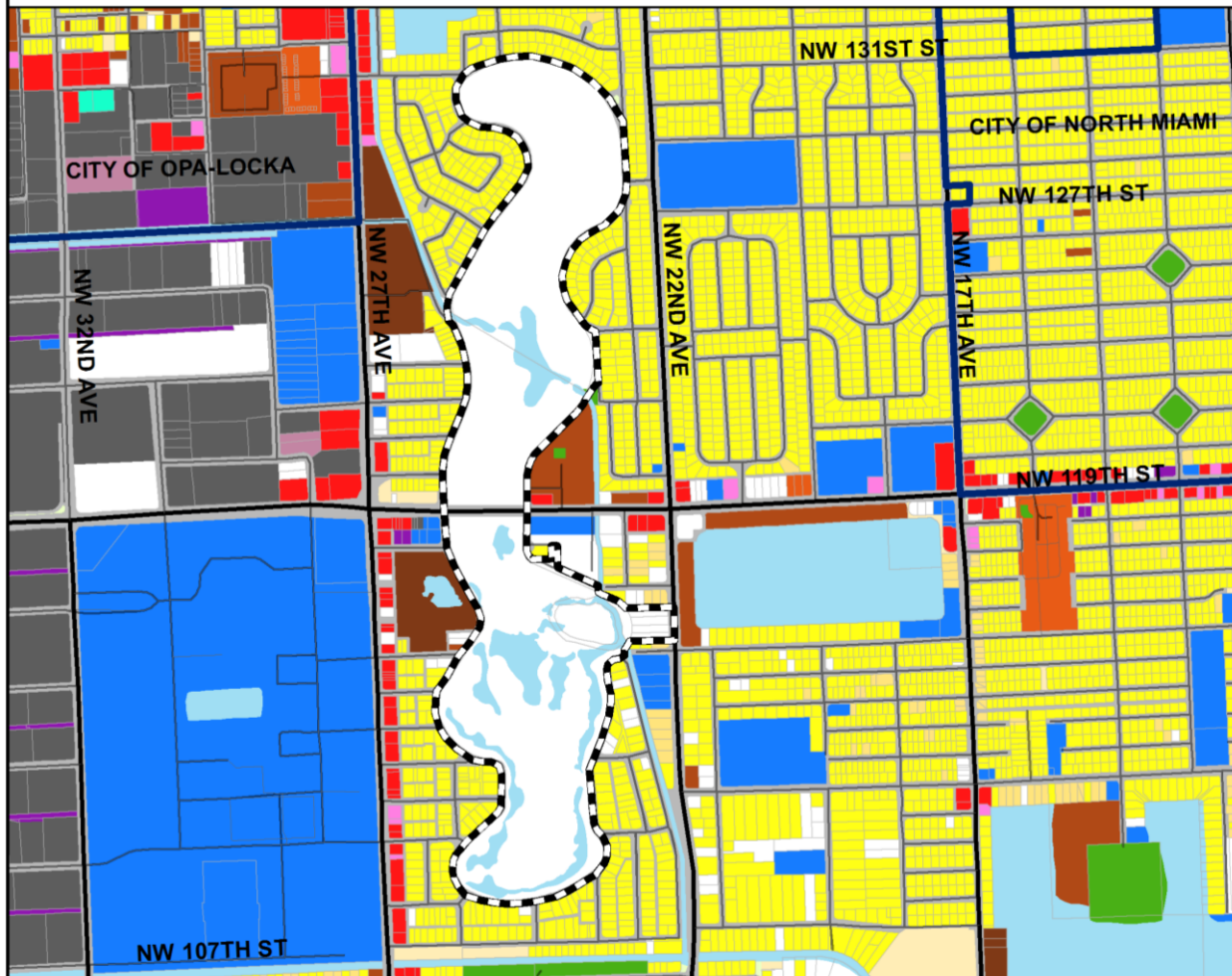
## NORTH MIAMI ZONING DISTRICTS

C-1	COMMERCIAL
PU	PUBLIC USE
R-2	SINGLE FAMILY

Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015



## APPLICATION NO. 6 EXISTING LAND USE



APPLICATION AREA



MUNICIPALITY

### EXISTING LAND USE

SINGLE-FAMILY

TWO-FAMILY DUPLEXES

TOWNHOUSES

LOW-DENSITY MULTI-FAMILY

HIGH-DENSITY MULTI-FAMILY

RESIDENTIAL-GOVERNMENT OWNED HOUSING

COMMERCIAL, SHOPPING CENTERS, STADIUMS

OFFICE

INSTITUTIONAL

INDUSTRIAL INTENSIVE

COMMUNICATIONS, UTILITIES, TERMINALS

INDUSTRIAL

STREETS, ROADS, EXPRESSWAYS, RAMPS

PARKS, PRESERVES, CONSERVATION AREAS

VACANT GOVERNMENT OWNED, UNPROTECTED

VACANT PRIVATELY OWNED, UNPROTECTED

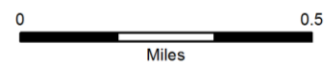
INLAND WATERS

MAJOR ROADWAYS (3 OR MORE LANES)

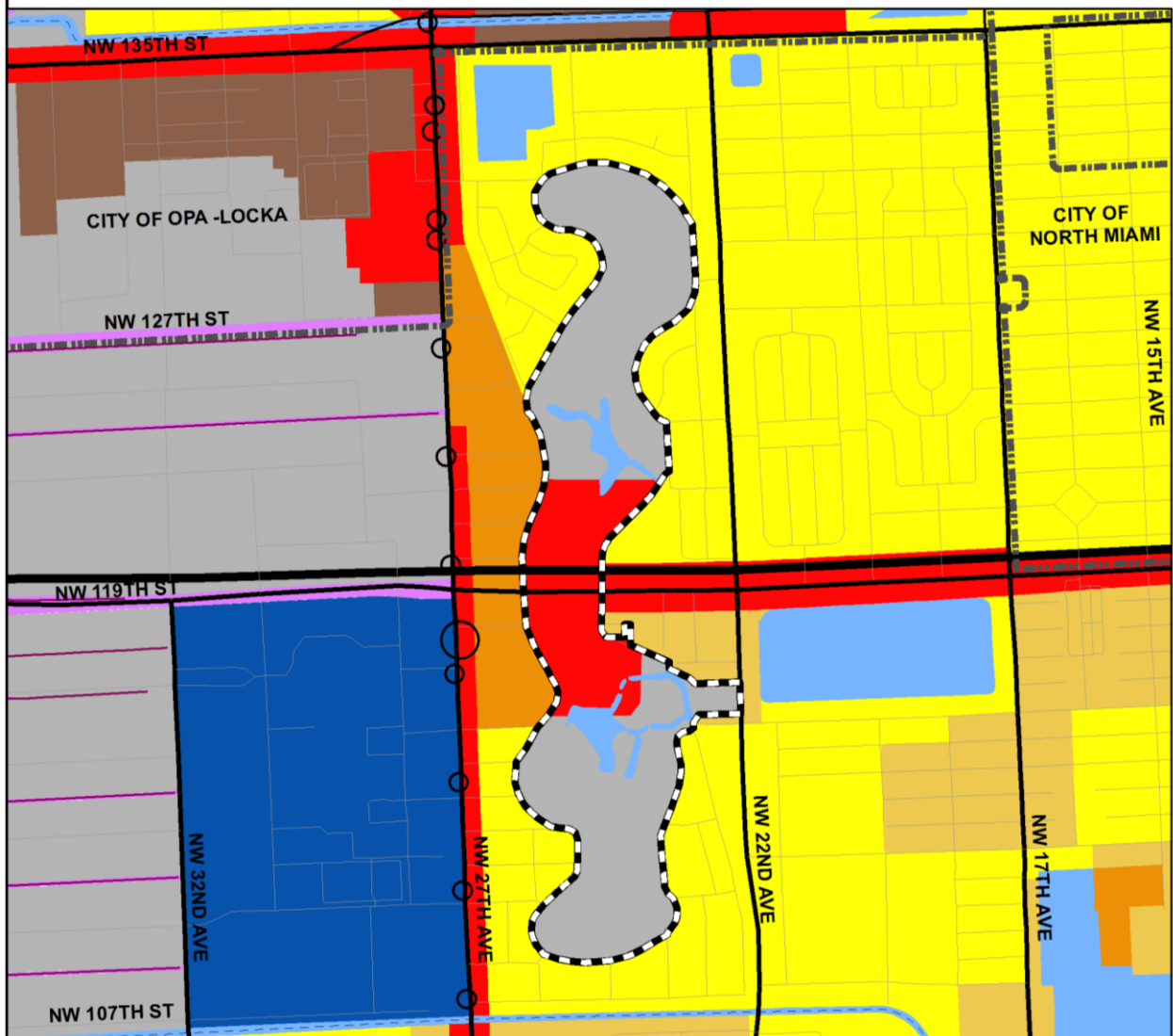
MINOR ROADWAYS (2 LANES)

STREET

Source: Miami-Dade County  
Sustainability, Planning, & Economic Enhancement Department  
January 2015



# APPLICATION NO. 6 CDMP LAND USE



APPLICATION AREA



MUNICIPAL BOUNDARY

## CDMP LAND USE

- LOW DENSITY (2.5-6 DU/AC)
- LOW-MEDIUM DENSITY (6-13 DU/AC)
- MEDIUM DENSITY (13-25 DU/AC)
- INDUSTRIAL AND OFFICE
- BUSINESS AND OFFICE
- OFFICE/RESIDENTIAL
- INSTITUTIONS, UTILITIES AND COMMUNICATION
- PARKS AND RECREATION

WATER

TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

EXPRESSWAY

MAJOR ROADWAYS (3 OR MORE LANES)

EXISTING RAPID TRANSIT

COMMUNITY URBAN CENTER

CANAL

RAILROAD

Source: Miami-Dade County  
Department of Regulatory and Economic Resources  
January 2015

0 0.15 0.3  
Miles



## BACKGROUND

### Location

The application site is a ±196 gross-acre (±180.4 net) site located between NW 22 and NW 27 Avenues and between NW 107 and NW 132 Streets. The site is located within Miami-Dade County's Urban Infill Area (UIA), generally east and south of SR 826/Palmetto Expressway, where infill development is encouraged (see "Aerial Photo" on page 6-5). The site is also within a Community Development Block Group (CDBG) eligible area and as such may receive grants from the U.S. Department of Housing and Urban Development (HUD) to address a wide range of unique community development needs.

### Existing Declaration of Restrictions

The covenant subject of the modification request was accepted in December 2012 by the Miami-Dade Board of County Commissioners (Board) along with the Board's adoption of the October 2011 Cycle CDMP Amendment Application No. 1 through Ordinance No. 12-109. Adoption of the application changed the CDMP land use designation on the application site from "Parks and Recreation" and "Low-Medium Density Residential (6 to 13 DU/Ac.)" to "Business and Office" on Parcels designated 2 and 3 and "Industrial" and Office" on Parcels designated 1 and 4 on the CDMP Adopted 2015 and 2025 Land Use Plan (LUP) map. Along with the application, the Board adopted a CDMP Declaration of Restrictions (covenant) proffered by the applicant, to govern development on the application site, recorded in the Official Records Book 28896, pages 1971 through 2007, in the public records of Miami-Dade County. Below are provisions/restrictions of the existing covenant.

- Development on the "Business and Office" designated area is restricted to a maximum of 400,000 square feet of total development, which may include retail, service and office uses. Development in the "Industrial and Office" designated area is restricted to a maximum of 1,600,000 square feet of total development, which may include office, light industrial, warehouse and flex space uses. In addition, residential development is restricted in the "Business and Office" designated area, and development of the site is limited to the generation of a maximum of 3,297 net external PM peak hour vehicle trips;
- Commitment to obtain "a conceptual surface water management permit(s)" from the Department of Regulatory and Economic Resources and an approved master paving and drainage plan(s) prior to the issuance of a building permit for any vertical construction on the application site;
- Commitment to work with the County, the Miami-Dade Expressway Authority and the Florida Department of Transportation (FDOT) to incorporate eastbound right turn lane(s) into the site plan for the portion of the application site located south of NW 119 Street between West Golf Drive and East Golf Drive. Commitment to extend the existing fourth westbound travel lane on NW 119 Street from West Golf Drive to East Golf Drive to connect to an existing travel lane on NW 119 Street from West Golf Drive to NW 27 Avenue to approximately 775 feet prior to issuance of the "first Certificate of Occupancy";
- Commitment to implementing certain Transportation Demand Management (TDM) measures to reduce peak hour traffic and single occupant vehicles and increase auto occupancy, transit ridership, bicycle and pedestrian access and mobility;
- Commitment to provide and maintain adequate landscape buffer (minimum 20 feet wide with masonry wall) along the boundaries of the proposed "Industrial and Office" areas of the application site, and to obtain approval of a landscape plan at the time of rezoning;

- Commitment to certain setback and building height restrictions (maximum 2 stories for building within 50 feet of property line) on the requested “Industrial and Office” portions of the site (Parts 1 and 4), and to employ certain strategies/mechanisms to address noise and lighting impacts on the adjacent residences; and
- Prohibits Parts 1 and 4 of the site from being rezoned to the IU-3 (Unlimited Industry) zoning district, and prohibits all IU-2 (Heavy Industry) and IU-3 (Unlimited Industry) permitted uses, except those uses permitted in IU-1 (Light Industry) and “Cement and clay products, such as concrete blocks, pipe, etc.”

#### General Obligations Bond Program Funding

On January 27, 2015, the applicant applied for funding from Miami-Dade County’s Building Better Communities General Obligations Bond Program (GOB). The County proposed to allocate 9.5 million in funding for infrastructure improvements related to the proposed business park development. This proposal was presented before the Economic Prosperity Committee on Thursday, February 12, 2015. The committee voted to forward a Resolution to the Board of County Commissioners with a favorable recommendation on the proposal. The Board of County Commissioners will act on the Resolution on March 3, 2015.

### **Land Use and Zoning**

#### Existing Land Use

The application site is the former Westview Country Club Golf Course. The subject site is primarily vacant and was developed with the golf course clubhouse, which was demolished. The application site currently contains two buildings/maintenance facilities south of NW 117 Street and east of theoretical NW 24 Avenue. Additionally, there is a continuous vegetative buffer along the boundary of the property (see “Aerial Photo” on page 6-5).

#### Land Use Plan Map Designation

The application site is currently designated “Business and Office” and “Industrial and Office” on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map, (see “CDMP Land Use Map” on page 6-8). The “Business and Office” category allows the full range of sales and service activities that includes retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, entertainment and cultural facilities, and residences. In areas designated “Industrial and Office” the following uses are permitted: manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings.

#### Zoning

The property is currently zoned RU-1, which permits single-family residences in 7,500 square feet net lots; RU-2, which permits two-family residential units on 7,500 square feet net lots; RU-3B, which permits bungalow court structures in 10,000 square feet net lots; and BU-1A, whose purpose is, according to County Code Section 33-246, to “provide for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods” (see “Zoning Map” on page 6-6).

#### Zoning History

Miami-Dade County zoning districts and zoning code regulations were first created in 1938. Based on the 1938 zoning code, the application site was originally zoned GU (Interim), which allows land uses based upon the character of the surrounding neighborhood. The County’s earliest zoning



maps indicate that the Westview Golf Course predated the 1938 zoning code. On May 13, 1947, Miami-Dade Board of County Commissioners adopted Resolution No. 2524 approving zoning district boundary changes that included the application site, except the BU-1A (Limited Business) zoned portion north of NW 119 Street, from GU (Interim), to the current RU-1 (Single Family Residential) and RU-2 (Two-Family Residential) zoning districts. On July 15, 1947, the Board adopted Resolution No. 2575 approving a rezoning from GU (Interim) and RU-1 to RU-1 and RU-3B (Bungalow Court). The subject property remains zoned RU-1 (Single Family Residential), RU-2 (Two-Family Residential), RU-3B (Bungalow Court) and BU-1A (Limited Business).

## **Adjacent Land Use and Zoning**

### Existing Land Uses

To the north, east and south of the application site are single-family residences that are generally in good condition. Properties east of the application site, on the north side of NW 119 Street, are multi-family residential units in the Westview Gardens Apartments subdivision. There is also an institutional use on the south side of NW 119 Street. To the west of the site is a mix of single and multi-family residences including business and retail establishments. Further west, beyond NW 27 Avenue and south of NW 119 Street, is the Miami-Dade College North Campus. The area north of NW 119 Street, beyond NW 27 Avenue, is characterized by industrial uses.

### Land Use Plan Map Designations

Properties adjacent to the south of the application site are designated “Low Density Residential (2.5 to 6 dwelling units per gross acre)” on the CDMP LUP map. The properties adjacent to the east of the application site are primarily designated “Low Density Residential” and “Low-Medium Density Residential (6 to 13 dwelling units per gross acre)”; there is a strip pattern of “Business and Office” designated properties along both sides of NW 119 Street. Properties adjacent to the west of the application site are designated “Low Density Residential” and “Medium Density Residential” (13 to 25 dwelling units per gross acre). Properties further west, along NW 27 Avenue, are designated “Business and Office.” The Miami-Dade College property is designated “Institutions Utilities and Communications” and the general area in the northwest corner of NW 119 Street and NW 27 Avenue is designated “Industrial and Office” (see “CDMP Land Use” map on page 6-8).

### Zoning

Properties adjacent to the north and south of the application site are zoned RU-1 (Single-Family Residential District), which allow single-family dwelling units on 7,500 sq. ft. net lots. Properties adjacent to the west of the application site are zoned RU-1 (Single-Family Residential District); other properties adjacent to the west of the application site are within the North Central Urban Area District (NCUAD). Properties adjacent to the east of the application site are zoned RU-1 (Single-Family Residential District) and RU-2 (Two-Family Residential District); and others are within NCUAD (see “Zoning Map” on page 6-6).

## **Environmental Conditions**

The Division of Environmental Resources Management (DERM) of the Regulatory and Economic Resources Department highlights that the federally endangered West Indian manatee (*Trichechus manatus*) has been observed in the water bodies located within the application site. Secluded lakes and canals such as those within the site are important refugia for manatees where sensitive behaviors (mating, birthing and nursing) are likely to occur. In accordance with the Miami-Dade County Manatee Protection Plan, all new or replacement culverts and outfalls accessible to manatees shall be designed to prevent entrapment of or injury to these animals.

Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide in order to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as not to cause injury to manatees, and to prevent the animals from entering the outfall including during construction. Further, the State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Conditions for In-Water Work.

In November 2013, the United States Fish and Wildlife Service listed the Florida bonneted bat as endangered under the Endangered Species Act. The application site is located within the United States Fish and Wildlife Service consultation area of the federally endangered Florida bonneted bat. The subject parcels provide a combination of open land and open water that is similar to other sites in Miami-Dade County where foraging or roosting by the Florida bonneted bat has been documented. In addition, the application site is located within the core foraging area of the 3B Mud East Colony wood stork rookery as identified by the United States Fish and Wildlife Service. The subject property contains open water habitat that may provide foraging habitat during the nesting season for this federally endangered species. The applicant is advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies before conducting any work or activities on the subject parcels.

## **Roadways**

This application does not seek any land use re-designation on the County's Adopted 2020 and 2030 LUP map, nor any changes to the restrictions limiting future development. The application initially proposed modification to Paragraph 6(d) of the recorded Declaration of Restrictions to allow additional vehicular access points to the application site along NW 24 Avenue, on both sides of NW 119 Street, and a driveway on Golf Drive West at NW 118 Street. Staff had concerns with the access points, in particular the requested access from NW 118 Street based on potential impacts to the adjacent single family residences. The Applicant has since withdrawn the request for the access from NW 118 Street by letter dated March 9, 2015 and proposes a buffer between the requested access roadway along NW 24 Avenue on the north side of NW 119 Street and the adjacent multifamily residences to the east (see Appendix A; Appendices Page 3).

### Applicant's Transportation Analysis

The applicant submitted a traffic study titled "*CDMP Amendment Transportation Analysis November 2014/2015 Amendment to the Declaration of Restrictions Westview Business Park and Shopping Center*" (February 12, 2015) to address the potential impacts of the additional vehicular accesses to the southern portion of the application site (see Appendix B: Applicant's Traffic Impact Report). The traffic analysis provides an updated evaluation of the Year 2025 traffic conditions to determine the adequacy of the roadway network adjacent to and in the vicinity of the application site to meet the adopted LOS standards through the Year 2025 long term planning horizon. County staff from the Miami-Dade County Public Works and Waste Management Department and the Regulatory and Economic Resources Department reviewed the subject transportation analysis report and provided the transportation consultant with comments and issues regarding the study. These comments and issues are: 1) Use a 3.0% growth rate for NW 119 Street since this is the most travelled corridor; 2) consider the planned limited access facility along NW 119 Street between NW 32 Avenue and I-95 by MDX; 3) use the cardinal distribution for the project zones 258 and 261 to provide project traffic assignments for new all proposed accesses for 2018 and 2025; and 4) assign and distribute the 3,297 external PM peak hour trips for the entire subject property onto the new accesses and surrounding roadways network.



### **Consistency Review with CDMP Goals, Objectives, Policies, Concepts and Guidelines**

The application would further the following goals, objectives, policies, concepts and guidelines of the CDMP:

- LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

THIS PAGE INTENTIONALLY LEFT BLANK

# APPENDICES

	Appendices Page
Appendix A: Amendment Application-----	3
Applicant's March 9, 2015 letter submitting Revised Exhibit 1: ---	24
Revised Exhibit 1: Proposed Modification to Declaration of Restrictions-----	25
Exhibit A: Recorded Declaration of Restrictions-----	41
Appendix B: Applicant's Traffic Impact Report-----	93
Appendix C: Photos of Site and Surroundings-----	109

THIS PAGE INTENTIONALLY LEFT BLANK

# **APPENDIX A**

## **Amendment Application**

THIS PAGE INTENTIONALLY LEFT BLANK

**APPLICATION TO AMEND THE MIAMI-DADE COUNTY  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**1. APPLICANT**

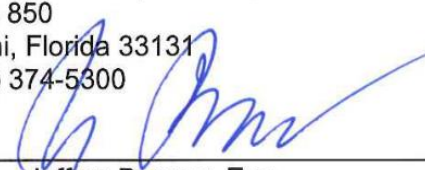
Rosal Westview, LLC  
3050 Biscayne Boulevard  
Suite 300  
Miami, Florida 33137

2014 NOV 26 P 2: 35

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

**2. APPLICANT'S REPRESENTATIVE**

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

By:   
Jeffrey Bercow, Esq.  
Applicant's Representative

Date: November 26, 2014

By:   
Gianeli Mestre, Esq.  
Applicant's Representative

Date: November 26, 2014

**3. DESCRIPTION OF REQUESTED CHANGE**

An amendment to the Comprehensive Development Master Plan (the "CDMP") Land Use Element is requested.

- A. Amendments to the Declaration of Restrictions recorded in Official Records Book 28896 at Pages 1971 through 2007 in the Public Records of Miami-Dade County, contained in the CDMP Land Use Element Table entitled "Restrictions accepted by the Board of County Commissioners in Association with Land Use Plan Amendments," are requested. See Exhibit A, recorded Declaration of Restrictions.

- B. Description of the Application Area

The application area ("Application Area") consists of approximately 194 acres located in Sections 27 and 34, Township 52 South, Range 41 East. See Exhibit B ("CDMP Legal and Sketch").

The Application Area is designated for Industrial and Office use and Business and Office use on the CDMP Land Use Plan Map. The Application Area consists of four parcels (the "parcels"), specifically designated as follows:

Industrial and Office North ("I&O-N")  
67.8 net acres

76.2 gross acres

Business and Office North ("B&O-N")

20.6 net acres

22.3 gross acres

Industrial and Office South ("I&O-S")

70.5 net acres

74.9 gross acres

Business and Office South ("B&O-S")

21.0 net acres

22.9 gross acres

See Exhibit C ("CDMP Aerial Exhibit").

C. Gross and Net Acreage

Application Area: ±193.8 gross acres (± 180.4 net acres)

Acreage Owned by Applicant: ±193.8 gross acres (±180.4 net acres)

D. Requested Change

The Applicant requests approval of the following amendments to the Declaration of Restrictions recorded in Official Records Book 28896 at Pages 1971 through 2007, of the Public Records of Miami-Dade County (the "Declaration"):

- clarifying that the Application Area consists of four distinct parcels;
- clarifying that the perimeter buffer is required for the I&O-N and I&O-S parcels;
- providing additional means of vehicular access into the Application Area;
- allowing the owner an option to provide a commitment to an alternative program, acceptable to the Golf Park Homeowner's Association, Inc., to FDOT's "Adopt a Highway" program;
- providing that the Declaration may be modified, amended, or released as to the Application Area, or any parcel or portion thereof, by a written instrument executed by the then owner(s) of the Application Area, or any parcel or portion thereof;
- providing that if the Declaration is violated, Miami-Dade County has authority to withhold permits and inspections on the parcel where the violation has occurred;
- providing that the amended Declaration of Restrictions proffered with this Application releases the Declaration, and hereinafter controls; and



- incorporating current standard Miami-Dade County covenant language in the "Modification, Amendment, Release" clause, at the request of staff.

#### 4. REASON FOR AMENDMENTS

The Application Area is located on either side of State Road 924 (Gratigny Road), a major east-west artery in northern Miami-Dade County that connects Interstate 75 and State Road 826 (Palmetto Expressway) to the west with State Road 7 (US 441) and Interstate 95 to the east. The Application Area is known as the former Westview Country Club, and is surrounded by single-family, multi-family, institutional, and commercial uses. It is also part of a much larger area that has received a brownfields designation. Major industrial and institutional uses are located just west of the Application Area, across N.W. 27<sup>th</sup> Avenue, in an area known as the "N.W. 27<sup>th</sup> – 37<sup>th</sup> Avenue Industrial Corridor." Miami-Dade College's 245-acre North Campus is located to the southwest of the Application Area and enrolls over 41,000 students.

The Application Area was the subject of Miami-Dade County's CDMP Amendment Application No. 1 in the October 2011 Cycle which resulted in a redesignation of the Application Area from "Park and Recreation" and "Low-Medium Density Residential," to two parcels abutting NW 119<sup>th</sup> Street with the "Business and Office" designation, and the remaining two parcels with the "Industrial and Office" Designation. As a result the Application Area now consists of four separate parcels: two designated for "Business and Office," two designated for "Industrial and Office" on the Land Use Plan map of Miami-Dade County's CDMP. In connection with the redesignation, the Applicant proffered the Declaration now recorded in Official Records Book 28896 at Pages 1971 through 2007, to restrict the use of the Application Area.

When the Applicant proffered the Declaration, it contemplated that a single developer would develop the entirety of the Application Area. It has since become apparent that individual developers will develop each of the four parcels. Therefore, the Applicant is proposing amendments to the Declaration to ensure that obligations assigned by the Declaration to specific parcels will apply only to that specific parcel, so that the failure of one parcel owner to comply with the Declaration will not impact the other parcels. Of course, Declaration restrictions that apply to the entirety of the Application Area – such as the use and intensity limitations in Paragraph 2 – will continue to apply to the Application Area and each of the four individual parcels.

This application consists of seven(7) proposed amendments to the Declaration. The text below restates the existing language for each Declaration section proposed for amendment, followed by the proposed revisions in strike through/underline form, and thereafter the reason(s) for the proposed amendment.

A. Paragraph 1 currently reads as follows:

FROM:

**1. Property.** The Property shall consist of the following four land use designations: (1) approximately 73.2 gross acres hereinafter called 'Industrial and Office North', described in Exhibit "B", attached hereto; (2) approximately 23.5 gross acres hereinafter called "Business and Office North", described in Exhibit "C", attached hereto; (3) approximately 74.9 gross acres hereinafter called "Industrial and Office South", described as Exhibit "D", attached hereto; and (4) approximately 22.9 gross acres hereinafter called "Business and Office South", described as Exhibit "E", attached hereto.

The Applicant is proposing to amend the language of Paragraph 1 to the following:

TO:

**1. Property.** The Property shall consist of the following four parcels (each individually referenced as "parcel" and collectively referenced as the "parcels") and their respective land use designations: (1) approximately 73.2 gross acres hereinafter called "Industrial and Office North", described in Exhibit "B", attached hereto; (2) approximately 23.5 gross acres hereinafter called "Business and Office North", described in Exhibit "C", attached hereto; (3) approximately 74.9 gross acres hereinafter called "Industrial and Office South", described as Exhibit "D", attached hereto; and (4) approximately 22.9 gross acres hereinafter called "Business and Office South", described as Exhibit "E", attached hereto.

Approval of this application will provide for language clarifying that the Application Area consists of four distinct parcels. This amendment is requested to clarify that the Application Area is comprised of four distinct parcels, and their respective land use designations.

B. Paragraph 6(a) currently reads as follows:

FROM:

**6. Compatibility with Adjacent Uses.** (a) The Owner shall provide and maintain an adequate perimeter buffer (the "Landscape Buffer") along the Property boundary, and within the Industrial and Office North and Industrial and Office South parcels. At a minimum, the Landscape Buffer shall be at least 60 (sixty) feet in width and shall include a decorative masonry wall, opaque fence, or a landscaped berm at least seven (7) feet in height, as well as landscaping to include a row of trees, of such species as may be approved by County staff, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center. In lieu of erecting a decorative masonry wall or opaque fence, the Owner shall seek approval to permit a berm at least seven (7) feet in height to satisfy Section 18A-6(H) of the Code of Miami-Dade County. The Landscaped Buffer may include pedestrian walkways, water features and water bodies, but may not include any habitable buildings. Furthermore, no parking, loading, or vehicular access areas may be included within the Landscape Buffer, except for emergency access required by Miami-Dade County Fire Rescue, Police and/or Public Works. Notwithstanding the foregoing, these restrictions shall not apply to the public recreational facility, as provided in Paragraph 9 herein. Where any such public recreational facility is located within the Landscape Buffer, the measurement of the 60 (sixty) foot width for the Landscape Buffer shall include land used for the public recreational facility, regardless of how the public recreational facility is improved.

The Applicant is proposing to amend the language of Paragraph 6(a) to the following:

TO:

**6. Compatibility with Adjacent Uses.** (a) The Owner shall provide and maintain an adequate perimeter buffer (the "Landscape Buffer") along the Property boundary, and within the Industrial and Office North and Industrial and Office South parcels. At a minimum, the Landscape Buffer shall be at least 60 (sixty) feet in width and shall include a decorative masonry wall, opaque fence, or a landscaped berm at least seven (7) feet in height, as well as landscaping to include a row of trees, of such species as may be

approved by County staff, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center. In lieu of erecting a decorative masonry wall or opaque fence, the Owner shall seek approval to permit a berm at least seven (7) feet in height to satisfy Section 18A-6(H) of the Code of Miami-Dade County. The Landscaped Buffer may include pedestrian walkways, water features and water bodies, but may not include any habitable buildings. Furthermore, no parking, loading, or vehicular access areas may be included within the Landscape Buffer, except for emergency access required by Miami-Dade County Fire Rescue, Police and/or Public Works. Notwithstanding the foregoing, these restrictions shall not apply to the public recreational facility, as provided in Paragraph 9 herein. Where any such public recreational facility is located within the Landscape Buffer, the measurement of the 60 (sixty) foot width for the Landscape Buffer shall include land used for the public recreational facility, regardless of how the public recreational facility is improved.

This amendment will provide a clarification to the Declaration requirement for perimeter buffering to be provided and maintained. The amendment clarifies that the Applicant will provide and maintain an adequate perimeter buffer along the boundaries of the I&O-N and I&O-S parcels.

C. Paragraph 6(d) currently reads as follows:

FROM:

(d) Other than as set forth in this Paragraph 6, there shall be no direct vehicular access between the Property and the surrounding residential neighborhood. Vehicular access to and from the Property will be provided exclusively to and from NW 119 Street, except that the Industrial and Office South parcel may have access directly to and from NW 22 Avenue at theoretical NW 116<sup>th</sup> Street. Notwithstanding the foregoing, additional emergency access points may be permitted if required by Miami-Dade County Fire Rescue, Police and/or Public Works.

The Applicant is proposing to amend the language of Paragraph 6(d) to the following:

TO:

(d) Other than as set forth in this Paragraph 6, there shall be no direct vehicular access between the Property and the surrounding residential neighborhood. Vehicular access to and from the Property will be provided exclusively: (i) to and from NW 119 Street, (ii) to and from the roadway segment of NW 24<sup>th</sup> Avenue abutting NW 119<sup>th</sup> Street and the Business and Office South parcel, (iii) to and from the roadway segment of NW 24<sup>th</sup> Avenue (formerly known as East Golf Drive) abutting NW 119<sup>th</sup> Street and the Business and Office North parcel (and the extension thereof into the Industrial and Office North Parcel), except that and (iv) the Industrial and Office South parcel may have access directly to and from NW 22 Avenue at theoretical NW 116<sup>th</sup> Street. The Business and Office South parcel is permitted to have a driveway on Golf Drive West at NW 118<sup>th</sup> Street to serve as an additional means of vehicular access. Notwithstanding the foregoing, additional emergency access points may be permitted if required by Miami-Dade County Fire Rescue, Police and/or Public Works.

Approval of this modification will allow for additional means of vehicular access into the Application Area on NW 24<sup>th</sup> Avenue, as well as a driveway on Golf Drive West at NW 118<sup>th</sup> Street to be used in order to access the B&O-S parcel. Providing for these additional means of vehicular access will

facilitate traffic movements, by providing for alternative entrances into the future shopping center sites in addition to the NW 119<sup>th</sup> Street entrances currently permitted by the Declaration.

Both segments of NW 24<sup>th</sup> Avenue serve only a B&O parcel and one other adjacent property, and essentially dead-end a short distance from NW 119<sup>th</sup> Street. Neither segment connects into the area roadway network, including in particular Golf Drive. The Applicant has met with representatives of the Golf Park Homeowner's Association to discuss the proposed additional entrances via NW 24<sup>th</sup> Avenue as well as the proposed driveway on Golf Drive West at NW 118<sup>th</sup> Street. These additional project entrances will improve future traffic circulation by reducing traffic impacts and trip lengths.

D. Paragraph 13 currently reads as follows:

FROM:

**13. Maintenance.** Within 60 days of the approval of the CDMP Amendment Application becoming final and non-appealable, the Owner shall (a) secure the Property with appropriate fencing and thereafter, regularly maintain the swale adjacent to the Property in good condition by cleaning the swale adjacent to the Property, trimming trees on the swale, and cutting the lawn on the swale in 30-day cycles, and (b) apply to FDOT's "Adopt A Highway" program for the segment of NW 27 Avenue between NW 103 Street and NW 135 Street and maintain its commitment to such roadway segment and be in good standing for 20 (twenty) years.

The Applicant is proposing to amend the language of Paragraph 13 to the following:

TO:

**13. Maintenance.** Within 60 days of the approval of the CDMP Amendment Application becoming final and non-appealable, the Owner shall (a) secure the Property with appropriate fencing and thereafter, regularly maintain the swale adjacent to the Property in good condition by cleaning the swale adjacent to the Property, trimming trees on the swale, and cutting the lawn on the swale in 30-day cycles, and (b) apply to FDOT's "Adopt A Highway" program for the segment of NW 27 Avenue between NW 103 Street and NW 135 Street and maintain its commitment to such roadway segment and be in good standing for 20 (twenty) years; provided, however, at the Owner's option, it may replace the FDOT "Adopt a Highway" program commitment with an alternative program acceptable to the Golf Park Homeowner's Association, Inc.

Approval of this amendment will allow, at the Owner's option, an alternative program to the FDOT's "Adopt a Highway" program commitment that is acceptable to the Golf Park Homeowner's Association, Inc. This amendment is requested in order to provide the Owner with an alternative to the "Adopt a Highway" program that will provide more of a benefit to residents in the vicinity of the Application Area.

E. The "Modification, Amendment, Release" Paragraph currently reads as follows:

FROM:

**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, 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 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.

The Applicant is proposing to amend the language to the following:

TO:

**Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any parcel or portion thereof, by a written instrument executed by the then owner(s) of all of the property such parcel affected by such modification, amendment or release, 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 and provided that such modification, amendment or release applies solely to the parcel and the proposed development thereon. This Declaration of Restrictions may be modified, amended or released as to more than one parcel, or any portion thereof, by a written instrument executed by the then owner(s) of all of the parcels affected by such modification, amendment or release, 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 and provided that such modification, amendment or release applies solely to the parcels which are the subject of the written instrument, and the proposed development thereon. It is expressly understood that in instances where a modification, amendment or release applies to a specific parcel(s) within the Property, or portion thereof, the consent of owner(s) of parcel not affected by the said modification, amendment or release shall not be required. By way of example, in the event a modification of this Declaration of Restrictions only applies to the Business and Office North parcel, the owners of (i) Industrial and Office North parcel, (ii) the Business and Office South parcel and (iii) Industrial and Office South parcel shall not be required to consent to said modification.

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 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.~~ In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality 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. In the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources 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.

Approval of this revision will clarify that the Declaration of Restrictions may be modified, amended or released as to the Application Area, or any parcel or portion thereof, by a written instrument executed by the then owner(s) of the Application Area, or any parcel or portion thereof. The amendment is requested to clarify that, in the future an owner of a parcel may file an application to modify or release the Declaration, as it applies to that parcel, without obtaining the signature or consent of the owners of the remainder of the Application Area. Of course, any such application would still require public hearings and approvals as presently required by the Declaration. Additionally, the amendment proposes to incorporate current standard Miami-Dade County covenant language relating to incorporation and annexation, at staff's suggestion.

F. The "Authorization for Miami-Dade County (or successor municipal corporation) to Withhold Permits and Inspections" Paragraph currently reads as follows:

FROM:

**Authorization for Miami-Dade County (or successor municipal corporation) 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 (or any successor municipal corporation) 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.

The Applicant is proposing to amend the language to the following:

TO:

**Authorization for Miami-Dade County (or successor municipal corporation) 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 (or any successor municipal corporation) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, as to the parcel or portion of the parcel in which the violative activity or conduct has occurred, upon a finding by the Director of the Regulatory and Economic Resources Department finding that such violation has occurred. If such a finding is made, then the County may withhold further permits and/or inspections for the parcel or portion of the parcel in which the violative activity or conduct has occurred, until such time as this Declaration is complied with.

Approval of this final Declaration provision will prevent a potential future property owner or developer from being adversely affected by Miami-Dade County withholding permits and/or inspections due to another property owner or developer violating the Declaration. Approval of this modification will provide that Miami-Dade County is authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, as to the parcel or portion thereof in which the violative activity or conduct has occurred, upon a finding by the Director of the Regulatory and Economic Resources Department finding that such a violation has occurred. In the event such a finding is made, Miami-Dade County may withhold further permits and/or inspections for the parcel or portion thereof in which the violative activity or conduct occurred, until such time as there is full compliance with the Declaration.

G. The Recitals currently read as follows:

FROM:

**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**, approximately 95.5 gross acres of the Property is located to the north of State Road 924, also known as NW 119 Street or Gratigny Drive, and approximately 98.3 gross acres are located to the south of State Road 924;

**WHEREAS**, the Property is the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the October 2011-2012 CDMP Cycle ("CDMP Amendment Application");

**WHEREAS**, the CDMP Amendment Application seeks to change the Property's land use designation from "Park and Recreation" use to "Business and Office" and "Industrial and Office" use;

The Applicant is proposing to amend the language to the following:

TO:

**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**, approximately 95.5 gross acres of the Property is located to the north of State Road 924, also known as NW 119 Street or Gratigny Drive, and approximately 98.3 gross acres are located to the south of State Road 924;

**WHEREAS**, the Property ~~is~~was the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the October 2011-2012 CDMP Cycle ("CDMP Amendment Application");

**WHEREAS**, the CDMP Amendment Application ~~seek~~sought to change the Property's land use designation from "Park and Recreation" use to "Business and Office" and "Industrial and Office" use;

**WHEREAS**, Miami-Dade County approved the CDMP Amendment Application, adopted the changes to the CDMP requested by Owner, and accepted the Declaration of Restrictions proffered by Owner and recorded in Official Records Book 28896, at Page 1971, of the Public Records of Miami-Dade County, Florida ("First Declaration");

**WHEREAS**, the Owner and Miami-Dade County, after public hearing, agree to modify and restate the restrictions encumbering the Property, and Miami-Dade County agrees to accept this Declaration of Restrictions which shall limit development of the Property, and further agrees to release the First Declaration;

Approval of these revisions will provide language reflecting the two CDMP Amendment Applications filed for the Property. Approval of these amendments will also provide for release of the Declaration by Miami-Dade County after public hearing. Further, the revised provisions provide that the Owner and Miami-Dade County agree to modify and restate the restrictions encumbering the Property through the proffered Declaration of Restrictions which is the subject of the current CDMP Application. These amendments are requested in order to provide for the release of the Declaration and the acceptance of the proffered Declarations of Restrictions

Approval of this application is consistent with the following Goals, Objectives and Policies of the CDMP:

- **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.**

CDMP Land Use Element Policy LU-1C requires the County to give priority to infill development on vacant sites in currently urbanized areas. Approval of this application will serve to give priority to infill development on vacant sites in currently urbanized areas as the application provides for infill development and the Application Area is comprised of vacant parcels in a currently urbanized area.

- **LU-1D. In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic.**



CDMP Land Use Element Policy LU-1D requires the County to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic. Approval of this application will enhance neighborhood traffic circulation in the vicinity of the Application Area by providing supplementary means of vehicular access into the Application Area on NW 24<sup>th</sup> Avenue, as well as a driveway on Golf Drive West at NW 118<sup>th</sup> Street to be used in order to access the B&O-S parcel.

- **LU-1G. 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.**

CDMP Land Use Element Policy LU-1G requires the County to locate business developments 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. CDMP Land Use Element Policy LU-1G further requires the County to design business developments to relate to adjacent development. Approval of this application will implement the location and development of the B&O-S parcel in the vicinity of major roadway intersections, since it is located on NW 119<sup>th</sup> Street, a major roadway, and is 0.1 mile from the intersection of NW 119<sup>th</sup> Street and NW 27<sup>th</sup> Avenue, another major roadway. Approval of this application will also serve to improve the design of the B&O-S parcel as it relates to adjacent residential development, as well as major industrial and institutional uses that are located just west of the Application Area, across N.W. 27<sup>th</sup> Avenue, in an area known as the "N.W. 27<sup>th</sup> – 37<sup>th</sup> Avenue Industrial Corridor."

- **LU-1S. The Miami-Dade County Strategic Plan shall be consistent with the Comprehensive Development Master Plan (CDMP). The Miami-Dade County Strategic Plan includes Countywide community goals, strategies and key outcomes for Miami-Dade County government. Key outcomes of the Strategic Plan that are relevant to the Land Use element of the CDMP include increased urban infill development and urban center development, protection of viable agriculture and environmentally-sensitive land, reduced flooding, improved infrastructure and redevelopment to attract businesses, availability of high quality green space throughout the County, and development of mixed-use, multi-modal, well designed, and sustainable communities.**

CDMP Land Use Element Policy LU-1S requires the County to ensure the Miami-Dade County Strategic Plan is consistent with the CDMP. Key outcomes of the Strategic Plan that are relevant to the Land Use element of the CDMP include increased urban infill development and urban center development, and improved infrastructure and redevelopment to attract businesses. Approval of this application will provide for increased urban infill development, and will serve to improve infrastructure and provide redevelopment that will attract businesses to locations in the vicinity of the Application Area.

- **LU-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.**

CDMP Land Use Element Policy LU-4C requires the County to protect residential neighborhoods 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 noise, light, odor, vibration, dust or traffic. Approval of this application will serve to protect the neighborhood from noise, light, odor, vibration and dust through the implementation of the landscape buffer for the Industrial and Office parcels. Approval of this application will also serve to protect the neighborhood from traffic intrusions by implementing additional means of access.

- **LU-4D. Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.**

CDMP Land Use Element Policy LU-4D requires the County to permit uses which are supportive but potentially incompatible on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. Approval of this application will serve to advance proper design solutions, and to integrate the compatible and complementary elements of the proposed development with the surrounding development while buffering any potentially incompatible element through the implementation of the landscape buffer for the Industrial and Office parcels.

- **LU-9B. Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:**
  - i) **Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;**
  - ii) **Subdivision of land;**
  - iii) **Protection of potable water wellfields;**
  - iv) **Areas subject to seasonal or periodic flooding;**
  - v) **Stormwater management;**
  - vi) **Protection of environmentally sensitive lands;**
  - vii) **Signage; and**
  - viii) **On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development. The provisions of Policy TC-3A of the Traffic Circulation Subelement, which address access management, shall apply.**

CDMP Land Use Element Policy LU-9B requires the County to continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate the subdivision of land and on-site traffic flow to ensure safety and convenience. Approval of this application will improve on-site traffic and avoid off-site traffic flow impediments by providing additional non-intrusive means of access into the Application Area.

- **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.**

CDMP Land Use Element Policy LU-9D requires the County to continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities. Approval of this application will facilitate the application and enforcement of the Declaration, which allows for the sound, compatible mixing of uses in the Application Area with the surrounding residential community. In particular, approval of this will facilitate installation and maintenance of the perimeter buffer surrounding the Industrial and Office parcels, and will allow for additional, non-intrusive project entrances, thereby reducing traffic impacts and trip lengths.

- **LU-9E. Miami-Dade County shall enhance and formalize its standards for defining and ensuring compatibility among proximate uses, and requirements for buffering.**

CDMP Land Use Element Policy LU-9E requires the County to enhance and formalize its standards for defining and ensuring compatibility among proximate uses, and requirements for buffering. Approval of this application will serve to ensure compatibility among the proximate uses in the neighborhood and requirements for buffering through the implementation of the perimeter buffer along the boundaries of the Industrial and Office parcels.

## **5. ADDITIONAL MATERIAL SUBMITTED**

- 1) Proposed amended Declaration, with changes noted in strike through/underline format.
- 2) Proposed Release of Declaration.

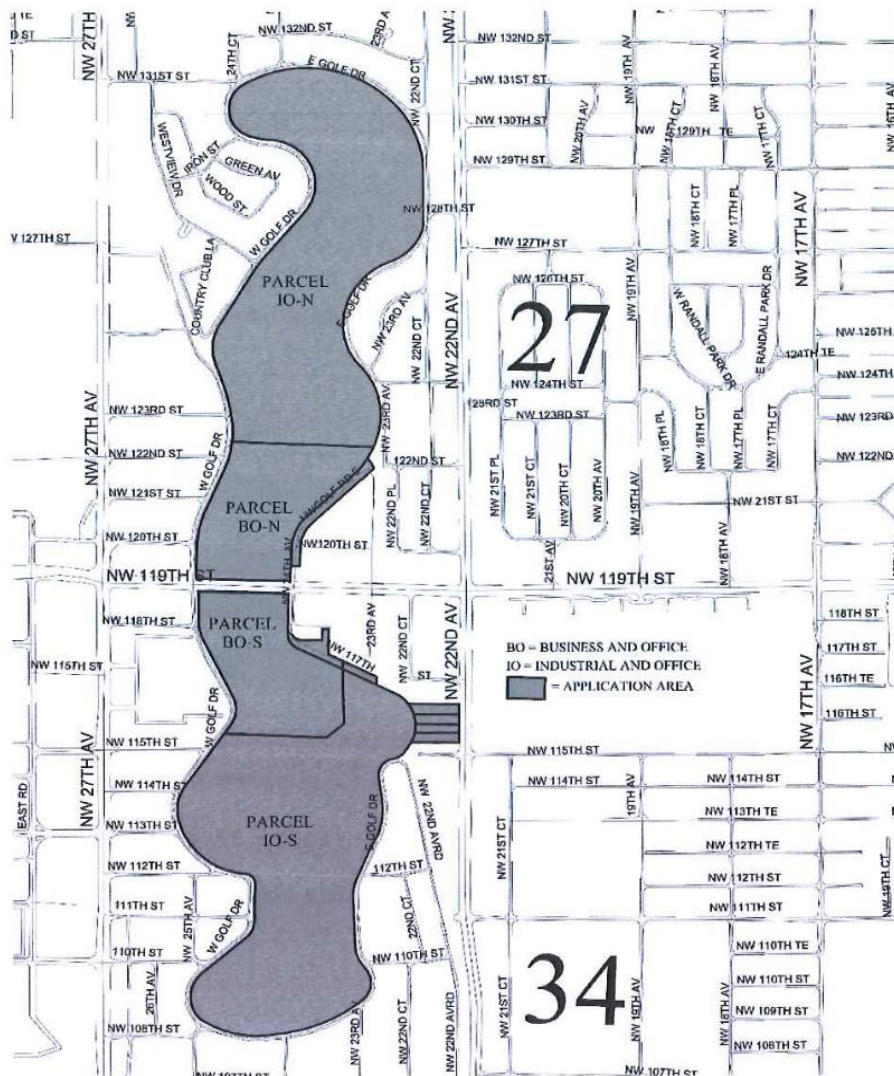
The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

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

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

Rosal Westview, LLC/  
Jeffrey Bercow, Esq.  
Gianeli Mestre, Esq.

The Application Area consists of approximately 194 acres located in Sections 27 and 34, Township 52 South, Range 41 East.



## 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 NAME AND ADDRESS:

APPLICANT: Rosal Westview, LLC  
3050 Biscayne Boulevard  
Suite 300  
Miami, Florida 33137

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 (net)</u>
Rosal Westview, LLC	Rosal Westview, LLC	30-2134-001-0621	
		30-2134-001-0620	
		30-2134-003-0290	
		30-2134-003-0270	
		30-2127-010-1110	
		30-2127-032-0020	
		30-2134-003-0260	
		30-2134-021-0021	
		30-2134-003-0280	
		Total:	180.4 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>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
X	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:** Rosal Westview, LLC, a Florida limited liability company

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Francisco Rojo, 3050 Biscayne Blvd, Suite 300, Miami, FL 33137</u>	<u>50%</u>
<u>Robert Saland, 3050 Biscayne Blvd, Suite 300, Miami, FL 33137</u>	<u>50%</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:** 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 (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'S NAME:** N/A

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

Date of Contract: N/A

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:** Rosal Westview, LLC, a Florida limited liability company

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Francisco Rojo, 3050 Biscayne Blvd, Suite 300, Miami, FL 33137</u>	<u>50%</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>
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 identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP'S NAME: N/A

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

- 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].

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

Date of Contract: N/A



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



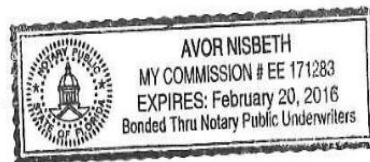
Rosal Westview, LLC  
Robert Saland

Sworn to and subscribed before me

this 25<sup>th</sup> day of November, 2014



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.



**BERCOW RADELL & FERNANDEZ**  
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6220  
E-Mail: jbercow@brzoninglaw.com

2015 MAR -9 P 1:30  
PLANNING  
METROPLANNING SECT

VIA HAND-DELIVERY

March 9, 2015

Garett Rowe  
Section Supervisor  
Department of Regulatory and Economic Resources  
111 NW 1st Street, 12<sup>th</sup> Floor  
Miami, FL 33128

Re: Rosal Westview, LLC - CDMP Application No. 6 of the November 2014 Cycle

Dear Mr. Rowe:

This law firm represents Rosal Westview, LLC ("Applicant"), in connection with Application No. 6 of the November 2014-2015 Cycle of Applications to Amend the Miami-Dade County Comprehensive Development Master Plan (the "CDMP Application"). Enclosed, as discussed, please find two (2) copies of the revised proposed amended Declaration of Restrictions to be included as Exhibit 1 to the CDMP Application.

The language in subparagraph 6(d) has been modified. In order to mitigate any potential impact on the multi-family development to the east, additional language states the Owner will provide landscaping and buffering adjacent to the access road/driveway that connects the Industrial and Office North parcel to NW 119<sup>th</sup> Street. Further, the language permitting an additional means of vehicular access via a driveway on Golf Drive West at NW 118<sup>th</sup> Street has been removed.

Should you have any questions, please do not hesitate to contact me at (305) 374-5300. Thank you.

Sincerely,

  
Jeffrey Bercow

Enclosures

SOUTHEAST FINANCIAL CENTER • 200 SOUTH BISCAYNE BOULEVARD, SUITE 850 • MIAMI, FLORIDA 33131  
PHONE. 305.374.5300 • FAX. 305.377.6222 • WWW.BRZONINGLAW.COM

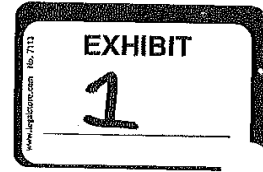
This instrument was prepared by:

Name: Jeffrey Bercow, Esq.

Address: Bercow Radell & Fernandez, PA

200 South Biscayne Boulevard, Suite 850

Miami, Florida 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 hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

**WHEREAS**, approximately 95.5 gross acres of the Property is located to the north of State Road 924, also known as NW 119 Street or Gratigny Drive, and approximately 98.3 gross acres are located to the south of State Road 924;

**WHEREAS**, the Property ~~is~~was the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the October 2011-2012 CDMP Cycle ("CDMP Amendment Application");

**WHEREAS**, the CDMP Amendment Application ~~seek~~sought to change the Property's land use designation from "Park and Recreation" use to "Business and Office" and "Industrial and Office" use;

**WHEREAS**, Miami-Dade County approved the CDMP Amendment Application, adopted the changes to the CDMP requested by Owner, and accepted the Declaration of Restrictions proffered by Owner and recorded in Official Records Book 28896, at Page 1971, of the Public Records of Miami-Dade County, Florida ("First Declaration");

**WHEREAS**, the Owner and Miami-Dade County, after public hearing, agree to modify and restate the restrictions encumbering the Property, and Miami-Dade County agrees to accept this Declaration of Restrictions which shall limit development of the Property, and further agrees to release the First Declaration;

**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 covering and running with the Property:

**1. Property.** The Property shall consist of the following four parcels (each individually referenced as a "parcel" and collectively referenced as the "parcels") and their respective land use designations: (1) approximately 73.2 gross acres hereinafter called "Industrial and Office North", described in Exhibit "B", attached hereto; (2) approximately 23.5 gross acres hereinafter called "Business and Office North", described in Exhibit "C", attached hereto; (3) approximately 74.9 gross acres hereinafter called "Industrial and Office South", described as Exhibit "D", attached hereto; and (4) approximately 22.9 gross acres hereinafter called "Business and Office South", described as Exhibit "E", attached hereto.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

**2. Permitted Uses.** (a) Development of the Business and Office North and Business and Office South parcels shall not exceed a total of 400,000 square feet of total development, which may include retail, service and office uses. The Industrial and Office North and Industrial and Office South parcels shall not exceed a total of 1,600,000 square feet of total development, which may include office, light industrial, warehouse and flex space uses. Warehouse/distribution space shall be limited to 700,000 square feet of the total 1,600,000 square feet of total development within the Industrial and Office North and Industrial and Office South parcels. (Warehouse/distribution space is primarily devoted to the storage of materials, goods and merchandise prior to their distribution to retail outlets, distribution centers or other warehouses.) Notwithstanding the foregoing, residential uses on the Property shall be permitted on the Business and Office North and Business and Office South parcels subject to the limitations set forth in subparagraph 2 (b) below, but in no instance shall the residential density exceed a maximum of 2,000 dwelling units.

(b) Notwithstanding the foregoing limitations, the Owner may simultaneously increase and decrease the intensity of uses of the aforementioned parcels provided that the total vehicle trip generation of the Property shall not exceed a total of 3,297 net external PM peak hour trips. If the Owner submits a development order application that would exceed or modify the intensity limitations set forth in subparagraph 2(a), then Owner shall provide a trip generation analysis with such application demonstrating that approval of the application will not result in a trip generation for the Property that exceeds 3,297 net external PM peak hour trips, subject to the approval of the reviewing agency.

(c) The Owner shall not commence construction of more than 800,000 s.f. of floor area within the Industrial and Office parcels (of which no more than 400,000 s.f. of floor area may be warehouse/distribution space), prior to the issuance of the first Certificate of Occupancy within one of the Business and Office parcels. Prior to, concurrently with, or subsequent to an application for rezoning and site plan approval of one of the Industrial and Office parcels, the Owner shall make and diligently pursue an application for rezoning and site plan approval of one of the Business and Office parcels; in no event shall Owner pursue an application for rezoning and site plan approval for the other Industrial and Office parcel unless Owner has applied for rezoning and site plan approval for one of the Business and Office parcels. In the event that such an application is not approved, and provided the Owner has exhausted all administrative remedies, the requirements of this Subparagraph 2(c) shall be deemed satisfied and the Director of the Regulatory and Economic Resources Department shall provide a written confirmation to that effect upon the request of the Owner, which confirmation may be recorded as evidence that this condition has been satisfied. The limitations of this Subparagraph 2(c) shall not apply if the Owner submits an application for, and obtains approval of rezoning and site plan approval for development of one or both of the Industrial and Office parcels as a motion picture or television production facility with more than 400,000 square feet of space. In the event that such an application is approved, the requirements of this Subparagraph 2(c) shall be deemed satisfied and the Director of the Regulatory and Economic Resources Department shall provide a written confirmation to that effect upon the request of the Owner, which confirmation may be recorded as evidence that this condition has been satisfied.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

---

**3. Drainage/Stormwater.** Prior to the issuance of any building permit on the Property, or any portion thereof, the Owner shall obtain (a) conceptual surface water management permit(s) (Environmental Resource Permit/ "ERP") from Regulatory and Economic Resources or its successor agency for construction and operation of a required surface water management system, and (b) approval of a master paving and drainage plan(s).

**4. NW 119 Street Roadway Improvement(s).** (a) The Owner shall work with Miami-Dade County, the Miami-Dade Expressway Authority and the Florida Department of Transportation to incorporate eastbound right turn lane(s) into the site plan for the portion of the property located south of N.W. 119 Street between West Golf Drive and East Golf Drive.

(b) Prior to issuance of the first Certificate of Occupancy, the Owner shall construct or cause to be constructed the eastbound right turn lane(s) described in subparagraph 4(a), along with an extension to the existing fourth westbound travel lane on NW 119 Street extending from East Golf Drive to West Golf Drive for a distance of approximately 775 feet. This fourth westbound travel lane shall connect to the fourth westbound travel lane which currently exists on NW 119 Street from West Golf Drive to NW 27 Avenue.

(c) Should any of the improvements described in subparagraph 4(b) not be approved or permitted by Miami-Dade County, Miami-Dade Expressway Authority or the Florida Department of Transportation, the Owner's obligation under this paragraph shall terminate.

**5. TDM Strategy.** The Owner shall promote a reduction in peak hour traffic and a reduction in the single occupant vehicle by advocating and implementing Transportation Demand Management (TDM) strategies which increase auto occupancy, transit ridership and pedestrian access and mobility through the implementation of one or more of the following measures:

- Employer based parking management and ridesharing programs to promote carpooling, vanpooling, car sharing and the use of hybrid vehicles;
- The installation of electric vehicle charging stations into project parking facilities;
- Employer sponsored programs such as transit discounts, fare subsidies and transit fare tax incentives;
- Employer sponsored programs such as staggered work schedules, flexible work hours, compressed work weeks and telecommuting programs;

In addition, the Owner shall implement the following two measures:

- Incorporate pedestrian access and connectivity into the design of Business and Office North and Business and Office South to provide pedestrian access to neighboring (Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021



(Space reserved for Clerk)

properties, pedestrian access to adjacent transit stops, the construction of transit shelters, transit drop-off locations or pull-out bays and the construction of on-site bicycle storage facilities. The design shall also include pedestrian access (such as pedestrian crosswalks or pedestrian signal phases) across NW 119 Street between the Business and Office parcels; and

- Construct bus pull-out bays and/or bus shelters on both the westbound (Business and Office North) and eastbound (Business and Office South) portions of NW 119<sup>th</sup> Street, if approved as appropriate by Miami-Dade County, Florida Department of Transportation and Miami-Dade Expressway Authority.

**6. Compatibility with Adjacent Uses.** (a) The Owner shall provide and maintain an adequate perimeter buffer (the "Landscape Buffer") along the Property boundary, and within the Industrial and Office North and Industrial and Office South parcels. At a minimum, the Landscape Buffer shall be at least 60 (sixty) feet in width and shall include a decorative masonry wall, opaque fence, or a landscaped berm at least seven (7) feet in height, as well as landscaping to include a row of trees, of such species as may be approved by County staff, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center. In lieu of erecting a decorative masonry wall or opaque fence, the Owner shall seek approval to permit a berm at least seven (7) feet in height to satisfy Section 18A-6(H) of the Code of Miami-Dade County. The Landscaped Buffer may include pedestrian walkways, water features and water bodies, but may not include any habitable buildings. Furthermore, no parking, loading, or vehicular access areas may be included within the Landscape Buffer, except for emergency access required by Miami-Dade County Fire Rescue, Police and/or Public Works. Notwithstanding the foregoing, these restrictions shall not apply to the public recreational facility, as provided in Paragraph 9 herein. Where any such public recreational facility is located within the Landscape Buffer, the measurement of the 60 (sixty) foot width for the Landscape Buffer shall include land used for the public recreational facility, regardless of how the public recreational facility is improved.

(b) A landscape plan, accompanied by a line of sight exhibit, depicting the exact height, size and type of landscaping materials within the Landscape Buffer shall be submitted to the Golf Park Homeowner's Association for review and comment not less than 30 days prior to public hearing on any application for zoning relief on the Industrial and Office North and Industrial and Office South parcels. The final proposed landscape plan shall be submitted to RER- DERM for approval not less than 10 days prior to any public hearing for zoning. The berm, wall or fence, and the required landscaping, within the respective parcel's Landscape Buffer shall be installed prior to the issuance of a certificate of occupancy for any building within such parcel.

(c) All lighting shall be directed away from the adjacent single family residences. Sound deadeners shall be used for any metal work and/or welding-related uses. All air compressors shall be of radial (silenced) design. All outdoor or speaker systems shall be prohibited within the Industrial and Office North and Industrial and Office South parcels.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

---

(d) Other than as set forth in this Paragraph 6, there shall be no direct vehicular access between the Property and the surrounding residential neighborhood. Vehicular access to and from the Property will be provided exclusively: (i) to and from NW 119 Street, (ii) to and from the roadway segment of NW 24<sup>th</sup> Avenue abutting NW 119<sup>th</sup> Street and the Business and Office South parcel, (iii) to and from the roadway segment of NW 24<sup>th</sup> Avenue (formerly East Golf Drive) abutting NW 119<sup>th</sup> Street and the Business and Office North parcel (and the extension thereof into the Industrial and Office North Parcel), except that and (iv) the Industrial and Office South parcel may have access directly to and from NW 22 Avenue at theoretical NW 116<sup>th</sup> Street. Owner shall provide landscaping and buffering adjacent to the access road/driveway connecting the Industrial and Office North parcel to NW 119th Street, in order to mitigate any impact on the multi-family development to the east. Notwithstanding the foregoing, additional emergency access points may be permitted if required by Miami-Dade County Fire Rescue, Police and/or Public Works.

(e) The maximum building height of any hotel or motel use situated in the Industrial and Office North and Industrial and Office South parcels shall be limited to fifty (50) feet.

(f) The Owner shall provide street trees of an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting along all roadways abutting the Property at a spacing of twenty-five (25) feet on center.

(g) At the time of rezoning the Industrial and Office North and Industrial and Office South parcels the Owner shall prepare and submit site and elevation plans that endeavor to utilize site planning techniques to minimize noise impacts on the surrounding residential areas. Such site planning techniques may include but not be limited to traffic calming devices for internal access drives, parking areas, and service drives; attention to orientation of buildings; design devices such as wing walls surrounding loading courts of distribution buildings; and water features within the landscape buffer.

**7. Prohibited Uses.** (a) Neither the Industrial and Office North parcel nor the Industrial and Office South parcel shall be rezoned to the IU-3 zoning district, nor shall the Industrial and Office North and Industrial and Office South parcels be used for any of the specified, listed uses in Section 33-264 (3) of the Miami-Dade County Code, as amended, listing permitted uses in the IU-3 district.

(b) Neither the Industrial and Office North nor the Industrial and Office South parcel shall be used for any of the following uses listed in Section 33-262 of the Miami-Dade County Code, as amended, listing permitted uses in the IU-2 district:

(1) Asphalt drum mixing plants which produce less than one hundred fifty (150) tons per hour in self-contained drum mixers.

(2) Rock and sand yards.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

---

- (3) Soap manufacturing, vegetable byproducts, only.
- (4) Railroad shops.
- (5) Sawmills.
- (6) Petroleum products storage tank not exceeding 30,000-gallon capacity or a group of such tanks with an aggregate capacity not in excess of thirty thousand (30,000) gallons.
- (7) Petroleum products storage tank with a capacity of over thirty thousand (30,000) gallons or a group of such tanks with an aggregate capacity in excess of thirty thousand (30,000) gallons if approved after public hearing or if placed below the surface of the ground or in a rockpit.
- (8) Dynamite storage.
- (9) Construction debris materials recovery transfer facility, provided such use shall be conducted entirely within an enclosed building consisting of a minimum of 15,000 square feet. Counted toward this minimum floor area shall be areas set aside for office shop space and equipment storage associated with the construction debris materials recovery transfer facility.
- (10) Manufacturing of cement and clay products, such as concrete blocks, pipe, etc., except that storage and distribution of cement and clay products will be permitted.

(c) Exhibit "F" attached hereto identifies certain uses that are permitted uses in the IU-1 zoning district in accordance with Section 33-259 of the Miami-Dade County Code. Neither the Industrial and Office North nor the Industrial and Office South parcel shall be used for any of the uses listed on Exhibit "F".

**8. Golf Drive Multi-Purpose Track Improvements.** Subject to the review and approval of the County Public Works Department, the Owner shall design, permit and construct a multi-purpose jogging, bicycle, and pedestrian track (the "Track") within the County rights of way of West Golf Drive and East Golf Drive adjacent to the Property. The Track shall be permitted in the same manner as a sidewalk. The Owner shall create a special taxing district, community development district or other entity (the "Funding Mechanism") that will be responsible for maintenance of the Track, the public recreational facility described in Paragraph 9, and (at Owner's option) other areas within the Property such as the landscape buffer, water features, and other similar facilities. The portion of the Track north of NW 119 Street shall be designed and installed prior to the issuance of the first certificate of occupancy for any use in the Industrial and Office North parcel described in Exhibit "B," and the Funding Mechanism for

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021



(Space reserved for Clerk)

---

such portion of the Track shall be established. The portion of the Track south of NW 119 Street shall be designed and installed prior to the issuance of the first certificate of occupancy for any use in the "Industrial and Office South" parcel described in Exhibit "D," and the Funding Mechanism for such portion of the Track shall be established.

**9. Public Recreational Facility.** The Owner shall offer to improve and dedicate five (5) acres of vacant, undeveloped land within the Property to Miami-Dade County for a public recreational facility. This land for a public recreational facility shall be offered for dedication prior to the issuance of the first certificate of occupancy for any use on the Property. The Owner shall be responsible for improvements associated with developing the vacant, undeveloped land into a 5-acre neighborhood park with the following recreation facilities: playground with shade structure; non-illuminated 8' wide concrete walkway (+/-3,500'); fitness zone (outdoor gym); site furniture; shelter 30' x 30', unlighted; multipurpose court, unlighted; access control fence, 2-rails wood fence; access road; signage and wayfinding, neighborhood-parks. The restrictions contained in Paragraph 6(a) shall not apply to the public recreational facility. Furthermore, where any such public recreational facility is located within the Landscape Buffer, as provided in Paragraph 6(a), the measurement of the 60 (sixty) foot width for the Landscape Buffer shall include land used for the public recreational facility, regardless of how the public recreational facility is improved.

**10. Police Facility Site.** The Owner shall offer to dedicate vacant land within a portion of the Property designated for Business and Office use to Miami-Dade County for a police substation or similar police use, subject to the approval and acceptance of the Miami-Dade County Police Department. In the alternative, at the Owner's option, the Owner may offer a long-term 99 year lease for \$1 per year to Miami-Dade County for a police substation or similar use within the proposed commercial development. The vacant land or leased space for a police facility shall be offered for dedication prior to the issuance of the first certificate of occupancy for any use within the "Business and Office North" parcel described in Exhibit "C" or "Business and Office South" parcel described in Exhibit "E."

**11. Neighborhood Identification and Traffic Calming Measures.** Prior to approval of the first final plat for the Property, the Owner shall work with County Public Works and the Golf Park Homeowner's Association, Inc. in good faith to identify traffic calming infrastructure and/or neighborhood identification signage for the residential neighborhood that immediately abuts the Property. The traffic calming infrastructure and/or neighborhood identification signage will be located within the existing public right of way, and Owner agrees to work with County on the funding and construction of such improvements. This paragraph shall not require any modifications to a recorded final plat for the Property. If no agreement is reached with the Golf Park Homeowner's Association, Inc. and the County prior to the Miami-Dade County Plat Committee scheduling the final plat approval before the Board of County Commissioners, then the Owner shall be relieved of all obligations under this Paragraph 11. Nothing in this Paragraph 11 shall require Owner to fund construction of any of the aforementioned requirements.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41  
Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

**12. First Source and Local Workforce Hiring.** (a) Prior to the issuance of the first building permit for the development of the Property, the Owner shall notify the South Florida Workforce Investment Board, or successor agency recognized as the "Referral Agency" under the County's First Source Hiring Referral Program established under Section 2-2092 et seq. of the Miami-Dade County Code, of all vacancies and make a good faith effort to employ candidates from the Referral Agency with priority to applicants who are residents of the zip code in which the Property is located (33167).

(b) The Owner shall use all commercially reasonable efforts to (i) utilize the local business community as well as the local workforce in the construction of the Project, (ii) recruit and retain qualified community based small businesses, including Community Small Business Enterprises ("CSBEs"), Community Based Enterprises ("CBEs") and Small Business Enterprises ("SBEs") certified under the applicable provisions of the Code of Miami-Dade County; (iii) hire and ensure the retention of qualified employees regardless of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status or sexual orientation, and (iv) achieve an aspirational goal of awarding at least 10% of the construction contracts (based on the total construction costs of the project) to minority businesses to the extent permitted by law. The Owner agrees to hire a consulting firm with expertise in this area to manage and assist with the development and administration of the ongoing programming, as a good a faith effort to guarantee its overall success.

**13. Maintenance.** Within 60 days of the approval of the CDMP Amendment Application becoming final and non-appealable, the Owner shall (a) secure the Property with appropriate fencing and thereafter, regularly maintain the swale adjacent to the Property in good condition by cleaning the swale adjacent to the Property, trimming trees on the swale, and cutting the lawn on the swale in 30-day cycles, and (b) apply to FDOT's "Adopt A Highway" program for the segment of NW 27 Avenue between NW 103 Street and NW 135 Street and maintain its commitment to such roadway segment and be in good standing for 20 (twenty) years; provided, however, at the Owner's option, it may replace the FDOT "Adopt a Highway" program commitment with an alternative program acceptable to the Golf Park Homeowner's Association, Inc.

**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

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

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 parcel or portion thereof, by a written instrument executed by the then owner(s) of all of the property such parcel affected by such modification, amendment or release, 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 and provided that such modification, amendment or release applies solely to the parcel and the proposed development thereon. This Declaration of Restrictions may be modified, amended or released as to more than one parcel, or any portion thereof, by a written instrument executed by the then owner(s) of all of the parcels affected by such modification, amendment or release, 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 and provided that such modification, amendment or release applies solely to the parcels which are the subject of the written instrument, and the proposed development thereon. It is expressly understood that in instances where a modification, amendment or release applies to a specific parcel(s) within the Property, or portion thereof, the consent of owner(s) of parcel not affected by the said modification, amendment or release shall not be required. By way of example, in the event a modification of this Declaration of Restrictions only applies to the Business and Office North parcel, the owners of (i) Industrial and Office North parcel, (ii) the Business and Office South parcel and (iii) Industrial and Office South parcel shall not be required to consent to said modification.

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 shall be subject

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

(Space reserved for Clerk)

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. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality 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. In the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources 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 (or successor municipal corporation) 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 (or any successor municipal corporation) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, as to the parcel or portion of the parcel in which the violative activity or conduct has occurred, upon a finding by the Director of the Regulatory and Economic Resources Department finding that such violation has occurred. If such a finding is made, then the County may withhold further permits and/or inspections for the parcel or portion of the parcel in which the violative activity or conduct has occurred, 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.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41  
Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021



(Space reserved for Clerk)

---

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

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280, and 30-2134-021-0021

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

Rosal Westview, LLC/  
Jeffrey Bercow, Esq.  
Gianeli Mestre, Esq.

The Application Area consists of approximately 194 acres located in Sections 27 and 34, Township 52 South, Range 41 East.



**This instrument was prepared by:**

**Name:** Jeffrey Bercow, Esq.  
**Address:** Bercow Radell & Fernandez, PA  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

(Space reserved for Clerk)

---

**RELEASE OF DECLARATION OF RESTRICTIONS**

This RELEASE OF DECLARATION OF RESTRICTIONS ("Release") is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between ROSAL WESTVIEW, LLC, a limited liability company, and MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida, to release the property described in Exhibit "A" attached hereto ("Property") from the Declaration of Restrictions, recorded in Official Records Book 28896, at Page 1971, of the Public Records of Miami-Dade County, Florida ("First Declaration").

**WHEREAS**, the undersigned Owner holds the fee simple title to the Property, which is supported by the attorney's opinion, and

**WHEREAS**, the Property was the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the October 2011-2012 CDMP Cycle ("CDMP Amendment Application No. 1");

**WHEREAS**, CDMP Amendment Application No. 1 sought to change the Property's land use designation from "Park and Recreation" use to "Business and Office" and "Industrial and Office" use;

**WHEREAS**, Miami-Dade County approved CDMP Amendment Application No. 1, adopted the changes to the CDMP requested by Owner, and accepted the First Declaration proffered by Owner;

**WHEREAS**, the Property is the subject of CDMP Amendment Application No. 6 of the November 2014-2015 CDMP Cycle ("CDMP Amendment Application No. 2") which seeks to modify the First Declaration;

**WHEREAS**, the Owner and Miami-Dade County ("Parties"), after public hearing, agree to modify and restate the restrictions encumbering the Property, and Miami-Dade County agrees to accept the amended Declaration of Restrictions ("Second Declaration") which shall limit development of the Property, and further agrees to release the First Declaration;

**NOW, THEREFORE**, in consideration of their mutual promises made herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged by each party, the Parties, intending to be legally bound, hereby agree as follows:



**Release of Declaration of Restrictions**  
**Page 2 of 4**

1. The Parties agree that the foregoing recitals are true and correct and incorporated herein by this reference.
2. Miami-Dade County hereby approves of the release of the First Declaration.
3. The First Declaration is hereby released and declared of no further legal effect, null and void.
4. This Release may be signed in more than one counterpart and/or by facsimile, in which case each counterpart shall constitute an original of this Termination and Release. Paragraph headings are for convenience only and are not intended to expand or restrict the scope or substance of the provisions of the Release. Wherever used herein, the singular shall include the plural, the plural shall include the singular, and pronouns shall be read as masculine, feminine or neuter as the context requires.

[SIGNATURE PAGES FOLLOW]

Release of Declaration of Restrictions  
Page 3 of 4

**IN WITNESS WHEREOF**, the undersigned has caused this Release to be executed this \_\_\_\_ day of \_\_\_\_\_, 2015.

**Witnesses:**

**ROSAL WESTVIEW, LLC**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
By: Robert Saland, President  
Rosal Westview, LLC  
3050 Biscayne Boulevard, Suite 300  
Miami, Florida 33137

**STATE OF FLORIDA  
MIAMI-DADE COUNTY**

The foregoing instrument was acknowledged before me by Robert Saland, President of Rosal Westview, LLC. He is personally known to me or has produced \_\_\_\_\_, as identification.

WITNESS my signature and official seal this \_\_\_\_ day of \_\_\_\_\_, 2015, in the County and State aforesaid.

\_\_\_\_\_  
*Signature*  
Notary Public

\_\_\_\_\_  
*Print Name*

MY COMMISSION EXPIRES:

**IN WITNESS WHEREOF**, the undersigned has caused this Release to be executed this \_\_\_\_ day of \_\_\_\_\_, 2015.

**Witnesses:**

**MIAMI-DADE COUNTY**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
By: Jack Osterholt, Director  
Department of Regulatory and Economic  
Resources  
Miami-Dade County  
State of Florida  
111 NW 1<sup>st</sup> Street  
Miami, Florida 33128

**STATE OF FLORIDA**  
**MIAMI-DADE COUNTY**

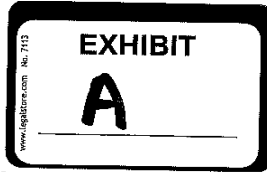
The foregoing instrument was acknowledged before me by Jack Osterholt, Director of the Department of Regulatory and Economic Resources, on behalf of Miami-Dade County. He is personally known to me or has produced \_\_\_\_\_, as identification.

WITNESS my signature and official seal this \_\_\_\_ day of \_\_\_\_\_, 2015, in the County and State aforesaid.

\_\_\_\_\_  
*Signature*  
Notary Public

\_\_\_\_\_  
*Print Name*

MY COMMISSION EXPIRES:



This instrument was prepared by:

**Nam :** Jeffrey Bercow, Esq.

**Address:** Bercow Radell & Fernandez, PA  
200 South Biscayne Boulevard, Suite 850  
Miami, Florida 33131

CFN 2013R0875152  
DR Bk 28896 Pgs 1971 - 2007; (3)  
RECORDED 11/04/2013 11:12:39  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

A/20

(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**, approximately 95.5 gross acres of the Property is located to the north of State Road 924, also known as NW 119 Street or Gratigny Drive, and approximately 98.3 gross acres are located to the south of State Road 924;

**WHEREAS**, the Property is the subject of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 1 of the October 2011-2012 CDMP Cycle ("CDMP Amendment Application");

**WHEREAS**, the CDMP Amendment Application seeks to change the Property's land use designation from "Park and Recreation" use to "Business and Office" and "Industrial and Office" use;

**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 covering and running with the Property:

**1. Property.** The Property shall consist of the following four land use designations: (1) approximately 73.2 gross acres hereinafter called 'Industrial and Office North', described in Exhibit "B", attached hereto; (2) approximately 23.5 gross acres hereinafter called "Business and Office North", described in Exhibit "C", attached hereto; (3) approximately 74.9 gross acres hereinafter called "Industrial and Office South", described as Exhibit "D", attached hereto; and (4) approximately 22.9 gross acres hereinafter called "Business and Office South", described as Exhibit "E", attached hereto.

**2. Permitted Uses.** (a) Development of the Business and Office North and Business and Office South parcels shall not exceed a total of 400,000 square feet of total development, which may include retail, service and office uses. The Industrial and Office North and Industrial and Office South parcels shall not exceed a total of 1,600,000 square feet of total development, which may include office, light industrial, warehouse and flex space uses. Warehouse/distribution space shall be limited to 700,000 square feet of the total 1,600,000 square feet of total development within the Industrial and Office North and Industrial and Office South parcels. (Warehouse/distribution space is primarily devoted to the storage of materials, goods and merchandise prior to their distribution to retail outlets, distribution centers or other warehouses.) Notwithstanding the foregoing, residential uses on the Property shall be permitted on the Business and Office North and Business and Office South parcels subject to

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio numbers: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134003-0280

*[Handwritten signature]*

(Space reserved for Clerk)

the limitations set forth in subparagraph 2 (b) below, but in no instance shall the residential density exceed a maximum of 2,000 dwelling units.

(b) Notwithstanding the foregoing limitations, the Owner may simultaneously increase and decrease the intensity of uses of the aforementioned parcels provided that the total vehicle trip generation of the Property shall not exceed a total of 3,297 net external PM peak hour trips. If the Owner submits a development order application that would exceed or modify the intensity limitations set forth in subparagraph 2(a), then Owner shall provide a trip generation analysis with such application demonstrating that approval of the application will not result in a trip generation for the Property that exceeds 3,297 net external PM peak hour trips, subject to the approval of the reviewing agency.

(c) The Owner shall not commence construction of more than 800,000 s.f. of floor area within the Industrial and Office parcels (of which no more than 400,000 s.f. of floor area may be warehouse/distribution space), prior to the issuance of the first Certificate of Occupancy within one of the Business and Office parcels. Prior to, concurrently with, or subsequent to an application for rezoning and site plan approval of one of the Industrial and Office parcels, the Owner shall make and diligently pursue an application for rezoning and site plan approval of one of the Business and Office parcels; in no event shall Owner pursue an application for rezoning and site plan approval for the other Industrial and Office parcel unless Owner has applied for rezoning and site plan approval for one of the Business and Office parcels. In the event that such an application is not approved, and provided the Owner has exhausted all administrative remedies, the requirements of this Subparagraph 2(c) shall be deemed satisfied and the Director of the Regulatory and Economic Resources Department shall provide a written confirmation to that effect upon the request of the Owner, which confirmation may be recorded as evidence that this condition has been satisfied. The limitations of this Subparagraph 2(c) shall not apply if the Owner submits an application for, and obtains approval of rezoning and site plan approval for development of one or both of the Industrial and Office parcels as a motion picture or television production facility with more than 400,000 square feet of space. In the event that such an application is approved, the requirements of this Subparagraph 2(c) shall be deemed satisfied and the Director of the Regulatory and Economic Resources Department shall provide a written confirmation to that effect upon the request of the Owner, which confirmation may be recorded as evidence that this condition has been satisfied.

**3. Drainage/Stormwater.** Prior to the issuance of any building permit on the Property, or any portion thereof, the Owner shall obtain (a) conceptual surface water management permit(s) (Environmental Resource Permit/ "ERP") from Regulatory and Economic Resources or its successor agency for construction and operation of a required surface water management system, and (b) approval of a master paving and drainage plan(s).

**4. NW 119 Street Roadway Improvement(s).** (a) The Owner shall work with Miami-Dade County, the Miami-Dade Expressway Authority and the Florida Department of Transportation to incorporate eastbound right turn lane(s) into the site plan for the portion of the property located south of N.W. 119 Street between West Golf Drive and East Golf Drive.

(Public Hearing)

Secti n-T wnship-Range: 27-52-41 and 34-52-41

F II number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

(Space reserved for Clerk)

---

(b) Prior to issuance of the first Certificate of Occupancy, the Owner shall construct or cause to be constructed the eastbound right turn lane(s) described in subparagraph 4(a), along with an extension to the existing fourth westbound travel lane on NW 119 Street extending from East Golf Drive to West Golf Drive for a distance of approximately 775 feet. This fourth westbound travel lane shall connect to the fourth westbound travel lane which currently exists on NW 119 Street from West Golf Drive to NW 27 Avenue.

(c) Should any of the improvements described in subparagraph 4(b) not be approved or permitted by Miami-Dade County, Miami-Dade Expressway Authority or the Florida Department of Transportation, the Owner's obligation under this paragraph shall terminate.

**5. TDM Strategy.** The Owner shall promote a reduction in peak hour traffic and a reduction in the single occupant vehicle by advocating and implementing Transportation Demand Management (TDM) strategies which increase auto occupancy, transit ridership and pedestrian access and mobility through the implementation of one or more of the following measures:

- Employer based parking management and ridesharing programs to promote carpooling, vanpooling, car sharing and the use of hybrid vehicles;
- The installation of electric vehicle charging stations into project parking facilities;
- Employer sponsored programs such as transit discounts, fare subsidies and transit fare tax incentives;
- Employer sponsored programs such as staggered work schedules, flexible work hours, compressed work weeks and telecommuting programs;

In addition, the Owner shall implement the following two measures:

- Incorporate pedestrian access and connectivity into the design of Business and Office North and Business and Office South to provide pedestrian access to neighboring properties, pedestrian access to adjacent transit stops, the construction of transit shelters, transit drop-off locations or pull-out bays and the construction of on-site bicycle storage facilities. The design shall also include pedestrian access (such as pedestrian crosswalks or pedestrian signal phases) across NW 119 Street between the Business and Office parcels; and
- Construct bus pull-out bays and/or bus shelters on both the westbound (Business and Office North) and eastbound (Business and Office South) portions of NW 119<sup>th</sup> Street, if approved as appropriate by Miami-Dade County, Florida Department of Transportation and Miami-Dade Expressway Authority.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

(Space reserved for Clerk)

**6. Compatibility with Adjacent Uses.** (a) The Owner shall provide and maintain an adequate perimeter buffer (the "Landscape Buffer") along the Property boundary, and within the Industrial and Office North and Industrial and Office South parcels. At a minimum, the Landscape Buffer shall be at least 60 (sixty) feet in width and shall include a decorative masonry wall, opaque fence, or a landscaped berm at least seven (7) feet in height, as well as landscaping to include a row of trees, of such species as may be approved by County staff, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center. In lieu of erecting a decorative masonry wall or opaque fence, the Owner shall seek approval to permit a berm at least seven (7) feet in height to satisfy Section 18A-6(H) of the Code of Miami-Dade County. The Landscaped Buffer may include pedestrian walkways, water features and water bodies, but may not include any habitable buildings. Furthermore, no parking, loading, or vehicular access areas may be included within the Landscape Buffer, except for emergency access required by Miami-Dade County Fire Rescue, Police and/or Public Works. Notwithstanding the foregoing, these restrictions shall not apply to the public recreational facility, as provided in Paragraph 9 herein. Where any such public recreational facility is located within the Landscape Buffer, the measurement of the 60 (sixty) foot width for the Landscape Buffer shall include land used for the public recreational facility, regardless of how the public recreational facility is improved.

(b) A landscape plan, accompanied by a line of sight exhibit, depicting the exact height, size and type of landscaping materials within the Landscape Buffer shall be submitted to the Golf Park Homeowner's Association for review and comment not less than 30 days prior to public hearing on any application for zoning relief on the Industrial and Office North and Industrial and Office South parcels. The final proposed landscape plan shall be submitted to RER- DERM for approval not less than 10 days prior to any public hearing for zoning. The berm, wall or fence, and the required landscaping, within the respective parcel's Landscape Buffer shall be installed prior to the issuance of a certificate of occupancy for any building within such parcel.

(c) All lighting shall be directed away from the adjacent single family residences. Sound deadeners shall be used for any metal work and/or welding-related uses. All air compressors shall be of radial (silenced) design. All outdoor or speaker systems shall be prohibited within the Industrial and Office North and Industrial and Office South parcels.

(d) Other than as set forth in this Paragraph 6, there shall be no direct vehicular access between the Property and the surrounding residential neighborhood. Vehicular access to and from the Property will be provided exclusively to and from NW 119 Street, except that the Industrial and Office South parcel may have access directly to and from NW 22 Avenue at theoretical NW 116<sup>th</sup> Street. Notwithstanding the foregoing, additional emergency access points may be permitted if required by Miami-Dade County Fire Rescue, Police and/or Public Works.

(e) The maximum building height of any hotel or motel use situated in the Industrial and Office North and Industrial and Office South parcels shall be limited to fifty (50) feet.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio numbers: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280



(Space reserved for Clerk)

(f) The Owner shall provide street trees of an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting along all roadways abutting the Property at a spacing of twenty-five (25) feet on center.

(g) At the time of rezoning the Industrial and Office North and Industrial and Office South parcels the Owner shall prepare and submit site and elevation plans that endeavor to utilize site planning techniques to minimize noise impacts on the surrounding residential areas. Such site planning techniques may include but not be limited to traffic calming devices for internal access drives, parking areas, and service drives; attention to orientation of buildings; design devices such as wing walls surrounding loading courts of distribution buildings; and water features within the landscape buffer.

**7. Prohibited Uses.** (a) Neither the Industrial and Office North parcel nor the Industrial and Office South parcel shall be rezoned to the IU-3 zoning district, nor shall the Industrial and Office North and Industrial and Office South parcels be used for any of the specified, listed uses in Section 33-264 (3) of the Miami-Dade County Code, as amended, listing permitted uses in the IU-3 district.

(b) Neither the Industrial and Office North nor the Industrial and Office South parcel shall be used for any of the following uses listed in Section 33-262 of the Miami-Dade County Code, as amended, listing permitted uses in the IU-2 district:

- (1) Asphalt drum mixing plants which produce less than one hundred fifty (150) tons per hour in self-contained drum mixers.
- (2) Rock and sand yards.
- (3) Soap manufacturing, vegetable byproducts, only.
- (4) Railroad shops.
- (5) Sawmills.
- (6) Petroleum products storage tank not exceeding 30,000-gallon capacity or a group of such tanks with an aggregate capacity not in excess of thirty thousand (30,000) gallons.
- (7) Petroleum products storage tank with a capacity of over thirty thousand (30,000) gallons or a group of such tanks with an aggregate capacity in excess of thirty thousand (30,000) gallons if approved after public hearing or if placed below the surface of the ground or in a rockpit.
- (8) Dynamite storage.

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41  
Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

(Space reserved for Clerk)

(9) Construction debris materials recovery transfer facility, provided such use shall be conducted entirely within an enclosed building consisting of a minimum of 15,000 square feet. Counted toward this minimum floor area shall be areas set aside for office shop space and equipment storage associated with the construction debris materials recovery transfer facility.

(10) Manufacturing of cement and clay products, such as concrete blocks, pipe, etc., except that storage and distribution of cement and clay products will be permitted.

(c) Exhibit "F" attached hereto identifies certain uses that are permitted uses in the IU-1 zoning district in accordance with Section 33-259 of the Miami-Dade County Code. Neither the Industrial and Office North nor the Industrial and Office South parcel shall be used for any of the uses listed on Exhibit "F".

**8. Golf Drive Multi-Purpose Track Improvements.** Subject to the review and approval of the County Public Works Department, the Owner shall design, permit and construct a multi-purpose jogging, bicycle, and pedestrian track (the "Track") within the County rights of way of West Golf Drive and East Golf Drive adjacent to the Property. The Track shall be permitted in the same manner as a sidewalk. The Owner shall create a special taxing district, community development district or other entity (the "Funding Mechanism") that will be responsible for maintenance of the Track, the public recreational facility described in Paragraph 9, and (at Owner's option) other areas within the Property such as the landscape buffer, water features, and other similar facilities. The portion of the Track north of NW 119 Street shall be designed and installed prior to the issuance of the first certificate of occupancy for any use in the Industrial and Office North parcel described in Exhibit "B," and the Funding Mechanism for such portion of the Track shall be established. The portion of the Track south of NW 119 Street shall be designed and installed prior to the issuance of the first certificate of occupancy for any use in the "Industrial and Office South" parcel described in Exhibit "D," and the Funding Mechanism for such portion of the Track shall be established.

**9. Public Recreational Facility.** The Owner shall offer to improve and dedicate five (5) acres of vacant, undeveloped land within the Property to Miami-Dade County for a public recreational facility. This land for a public recreational facility shall be offered for dedication prior to the issuance of the first certificate of occupancy for any use on the Property. The Owner shall be responsible for improvements associated with developing the vacant, undeveloped land into a 5-acre neighborhood park with the following recreation facilities: playground with shade structure; non-Illuminated 8' wide concrete walkway (+/-3,500'); fitness zone (outdoor gym); site furniture; shelter 30' x 30', unlighted; multipurpose court, unlighted; access control fence, 2-rails wood fence; access road; signage and wayfinding, neighborhood-parks. The restrictions contained in Paragraph 6(a) shall not apply to the public recreational facility. Furthermore, where any such public recreational facility is located within the Landscape Buffer, as provided in Paragraph 6(a), the measurement of the 60 (sixty) foot width for the Landscape Buffer shall

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

File number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

(Space reserved for Clerk)

include land used for the public recreational facility, regardless of how the public recreational facility is improved.

**10. Police Facility Site.** The Owner shall offer to dedicate vacant land within a portion of the Property designated for Business and Office use to Miami-Dade County for a police substation or similar police use, subject to the approval and acceptance of the Miami-Dade County Police Department. In the alternative, at the Owner's option, the Owner may offer a long-term 99 year lease for \$1 per year to Miami-Dade County for a police substation or similar use within the proposed commercial development. The vacant land or leased space for a police facility shall be offered for dedication prior to the issuance of the first certificate of occupancy for any use within the "Business and Office North" parcel described in Exhibit "C" or "Business and Office South" parcel described in Exhibit "E."

**11. Neighborhood Identification and Traffic Calming Measures.** Prior to approval of the first final plat for the Property, the Owner shall work with County Public Works and the Golf Park Homeowner's Association, Inc. in good faith to identify traffic calming infrastructure and/or neighborhood identification signage for the residential neighborhood that immediately abuts the Property. The traffic calming infrastructure and/or neighborhood identification signage will be located within the existing public right of way, and Owner agrees to work with County on the funding and construction of such improvements. This paragraph shall not require any modifications to a recorded final plat for the Property. If no agreement is reached with the Golf Park Homeowner's Association, Inc. and the County prior to the Miami-Dade County Plat Committee scheduling the final plat approval before the Board of County Commissioners, then the Owner shall be relieved of all obligations under this Paragraph 11. Nothing in this Paragraph 11 shall require Owner to fund construction of any of the aforementioned requirements.

**12. First Source and Local Workforce Hiring.** (a) Prior to the issuance of the first building permit for the development of the Property, the Owner shall notify the South Florida Workforce Investment Board, or successor agency recognized as the "Referral Agency" under the County's First Source Hiring Referral Program established under Section 2-2092 et seq. of the Miami-Dade County Code, of all vacancies and make a good faith effort to employ candidates from the Referral Agency with priority to applicants who are residents of the zip code in which the Property is located (33167).

(b) The Owner shall use all commercially reasonable efforts to (i) utilize the local business community as well as the local workforce in the construction of the Project, (ii) recruit and retain qualified community based small businesses, including Community Small Business Enterprises ("CSBEs"), Community Based Enterprises ("CBEs") and Small Business Enterprises ("SBEs") certified under the applicable provisions of the Code of Miami-Dade County; (iii) hire and ensure the retention of qualified employees regardless of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status or sexual orientation, and (iv) achieve an aspirational goal of awarding at least 10% of the construction contracts (based on the total construction costs of the project) to minority businesses to the

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

File number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

(Space reserved for Clerk)

extent permitted by law. The Owner agrees to hire a consulting firm with expertise in this area to manage and assist with the development and administration of the ongoing programming, as a good a faith effort to guarantee its overall success.

**13. Maintenance.** Within 60 days of the approval of the CDMP Amendment Application becoming final and non-appealable, the Owner shall (a) secure the Property with appropriate fencing and thereafter, regularly maintain the swale adjacent to the Property in good condition by cleaning the swale adjacent to the Property, trimming trees on the swale, and cutting the lawn on the swale in 30-day cycles, and (b) apply to FDOT's "Adopt A Highway" program for the segment of NW 27 Avenue between NW 103 Street and NW 135 Street and maintain its commitment to such roadway segment and be in good standing for 20 (twenty) years.

**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, 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

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134-003-0280

RS

(Space reserved for Clerk)

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 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.

**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 (or successor municipal corporation) 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 (or any successor municipal corporation) 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 (or any successor municipal corporation), and inspections made and approval of occupancy given by the County (or any successor municipal corporation), 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 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.

(Public Hearing)

Section-T wnship-Range: 27-52-41 and 34-52-41

File number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280

RD

(Space reserved for Clerk)

---

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]

(Public Hearing)

Section-Township-Range: 27-52-41 and 34-52-41

Folio number: 30-2134-001-0621, 30-2134-001-0620, 30-2134-003-0290, 30-2134-003-0270, 30-2127-010-1110, 30-2127-032-0020, 30-2134-003-0260, 30-2134-021-0020, 30-2134003-0280



(Space reserved for Clerk)

**LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on this 3<sup>rd</sup> day of December, 2012.

IN WITNESS WHEREOF, Rosal Westview, LLC has caused these presents to be signed in its name by its proper officials.

**Witnesses:**

Oliver Pfeffer

Signature

OLIVER PFEFFER

Print Name

Wesley Geyer

Signature

Wesley Geyer

Print Name

[Signature]

Rosal Westview, LLC

Address:

1666 Kennedy Causeway

Suite 505

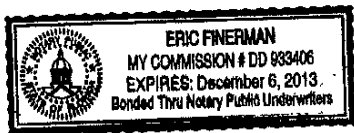
North Bay Village, FL 33141

By: Francisco Rojo, Vice President

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Francisco Rojo, the Vice President of Rosal Westview, LLC, on behalf of the LLC. He is personally known to me or has produced \_\_\_\_\_ as identification.

Witness my signature and official seal this 3<sup>rd</sup> day of December, 2012, in the County and State aforesaid.



[Signature]

Signature

Notary Public-State of Florida

Eric Finerman

Print Name

My Commission Expires: December 6, 2013





(Space reserved for Clerk)


**LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on this 3<sup>rd</sup> day of December, 2012.

IN WITNESS WHEREOF, Rosal Westview, LLC has caused these presents to be signed in its name by its proper officials.

**Witnesses:**

  
Signature  
OLIVER PFEFFER  
Print Name  
  
Signature  
Wesley Guy  
Print Name


  
Rosal Westview, LLC  
Address:  
1666 Kennedy Causeway  
Suite 505  
North Bay Village, FL 33141  
By: Robert Saland, President

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Robert Saland, the President of Rosal Westview, LLC, on behalf of the LLC. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 3<sup>rd</sup> day of December, 2012, in the County and State aforesaid.



  
Signature  
Notary Public-State of Florida  
ERIC FINERMAN  
Print Name

My Commission Expires: December 6, 2013

**EXHIBIT A**  
**PROPERTY**

**Parcel 1:**

Commence at the Southwest corner of Section twenty-seven (Sec.27), Township Fifty-Two (Twp. 52 So.) South, Range Forty-one (R-41-E) East, and running thence Easterly along the South line of said Section Twenty-seven (Sec.27) six hundred ninety-nine and one-tenth (699.1) feet to a point on the East line of Golf Drive West, which point is the Beginning Point of the land herein described, thence on an angle of ninety-one (91) degrees forty-two (42) minutes to the left Two Hundred Eight-two and one-tenth (282.1) feet to the beginning of a curve to the right whose radius is Eight Hundred (800) feet and whose central angle is Twenty-five (25) degrees, thence along said curve Three Hundred Forty-nine and six hundredths (349.06) feet to its point of tangent, thence along said tangent Two Hundred Fifty-nine and two hundredths (259.02) feet to the beginning of a curve to the left whose radius is Nine Hundred (900 ft.) feet and whose central angle is forty-four (44) degrees, thence along said curve Six Hundred Ninety-one and fifteen hundredths (691.15) feet to its point of tangent, thence along said tangent Two Hundred Twelve and fifty-three hundredths (212.53) feet to the beginning of a curve to the right whose radius is Three Hundred Ninety-Five (395 ft.) feet and central angle forty-nine (49) degrees and fifty five (55) minutes, thence along said curve Three Hundred Forty-four and twelve hundredths (344.12) feet to the point of tangent, thence along said tangent Five Hundred Six and Eighteen hundredths (506.18 ft.) feet to the beginning of a curve to the right whose radius is Four Hundred (400 ft.) feet and a central angle Eight (8) degrees and Thirty-five (35) minutes, thence along said curve Fifty-nine and seventeen hundredths (59.17) feet to its point of tangent, thence along said tangent Five Hundred Twenty-three and one hundredths (523.01) feet to the beginning of a curve to the left, whose radius is Three Hundred Fifty (350) feet and central angle One Hundred Thirty-one (131) degrees and thirty (30) minutes, thence along said curve Eight Hundred Three and twenty-nine hundredths (803.29) feet to its point of tangent, thence along said tangent Eleven and six tenths (11.6) feet to the beginning of a curve to the right whose radius is Two Hundred Fifty (250 ft.) and central angle One Hundred fifty-five (155) degrees and Thirty (30) minutes, thence along said curve Six Hundred Seventy-eight and fifty-five hundredths (678.55) feet to its point of tangent, thence along said tangent Three and six hundredths (3.06) feet to the beginning of a curve to the right whose radius is Nine Hundred (900) feet, and central angle thirty-seven (37) degrees and thirty (30) minutes, thence along said curve five hundred Eighty-nine and Five Hundredths (589.05) feet to its point of tangent, thence along said tangent Fifty-two and twenty-eight hundredths (52.28 ft.) feet to the beginning of a curve to the right, whose radius is Eight Hundred Fifty (850 ft.) feet and central angle Seventy-eight (78) degrees and nineteen (19) minutes; thence along said curve Eleven Hundred Sixty-two and one-tenth (1162.1) feet to its point of tangent, thence along said tangent Two Hundred Seventy-six and forty-four hundredths (276.44) feet to the beginning of a curve to the right whose radius is Four Hundred Sixty (460) feet and central angle sixty-eight (68) degrees and eleven (11) minutes, thence along said curve Five Hundred Forty-seven and Fifty-four hundredths (547.54) feet to its point of tangent, thence along said tangent Twenty-five and sixty-eight hundredths (25.68 ft.) feet to the beginning of a curve to the left whose radius is Five Hundred Five (505 ft.) feet and central angle One Hundred Thirteen (113) degrees, thence along said curve Nine Hundred Ninety-five and ninety-seven

#1265573 v1  
33867-0105

hundredths (995.97 ft.) feet to its point of tangent, thence along said tangent Ten and two tenths (10.2) feet to the beginning of a curve to the right whose radius is Four Hundred (400) feet and central angle of forty-four (44) degrees and forty-nine (49) minutes, thence along said curve Three Hundred Thirteen and Seven Thousandths (313.007) feet to its point of tangent, thence along said tangent Thirty-nine and one hundredth (39.01) feet to the beginning of a curve to the right whose radius is Five Hundred Ninety-five (595 ft.) feet and central angle forty-eight (48) degrees, and eleven (11) minutes, thence along said curve Five Hundred and Fifty-six hundredths (500.56) feet to its point of tangent, thence along said tangent Five Hundred Twenty-two and ninety-four hundredths (522.94 ft.) feet to the beginning of a curve to the left whose radius is Three Hundred Fifty (350 ft.) feet and central angle forty-seven (47) degrees and thirty (30) minutes, thence along said curve Two Hundred Ninety and Sixteen hundredths (290.16) feet to its point of tangent, thence along said tangent Three Hundred Thirty-one and thirty-seven hundredths (331.37 ft.) feet to a point on the West line of Golf Drive East, and on the South line of said Section Twenty-seven (Sec. 27) thence from said point on an angle of ninety-one (91) degrees and forty-two (42) minutes, to the right, Six Hundred Eighty-three and eighty-five hundredths (683.85) feet to the Point of Beginning.

**LESS:**

All that part of the SW 1/4 of Section 27, Township 52 South, Range 41 East, Miami-Dade County, Florida, which lies within the *external* area formed by a 25.00 foot radius arc concave to the Northeast tangent to the North line of the South 50.00 feet of the SW 1/4 of said Section 27, and tangent to the Easterly right-of-way line of West Golf Drive as said right-of-way is shown in SECTION 1 OF GOLF PARK, according to the Plat thereof, recorded in Plat Book 20, Page 35, of the Public Records of Miami-Dade County, Florida.

**LESS:**

The South 50 feet of that part of the SW 1/4 of Section 27, Township 52 South, Range 41 East, lying between Golf Drive West and Golf Drive East, as shown on the Plat of GOLF PARK, SECTION 1, recorded in Plat Book 20, Page 35, of the Public Records of Miami-Dade County, Florida.

**TOGETHER WITH:**

Tract B of Westview Gardens Apartments, according to the plat thereof, as recorded in Plat Book 155 at Page 84 of the Public Records of Miami-Dade County, Florida.

**TOGETHER WITH:**

**PARCEL 2:**

Beginning at the Northwest corner of Section Thirty-Four (Sec. 34), Township Fifty-two (52S) South, Range Forty-one (R 41 E) East, and running; thence Easterly along North line of said Section Thirty-four, (Sec. 34), Six Hundred ninety-nine and one-tenths (699.1)

#1265575 v1  
33867-0105

feet to a point on the East line of Golf Drive West which point is the Beginning Point of the land herein described and running thence at an angle of eighty-eight (88) degrees and eighteen (18) minutes to the right One Hundred Seventy-eight and seven hundredths (178.07) feet to the beginning of a curve to the left whose radius is Eight Hundred Fifty (850 ft.), feet and whose central angle is twenty-eight (28) degrees, thence along said curve Four Hundred Fifteen and thirty-nine hundredths (415.39 ft.) feet to its point of tangent, thence along said tangent Three Hundred and Sixty-two and sixty-nine hundredths (362.69 ft.) feet to the beginning of a curve to the right whose radius is Two Hundred (200 ft.) feet and a central angle sixty- four degrees (64 deg.) and ten (10) minutes, thence along said curve Two Hundred Twenty-three and ninety-eight hundredths (223.98) feet to its point of tangent, thence along said tangent Five Hundred Sixty-one and thirty-one hundredths (561.31 ft.) feet to the beginning of a curve to the left whose radius is Four Hundred (400 ft.) feet and central angle seventy-six (76) degrees and eight (08) minutes and thirty (30) seconds, thence along said curve Five Hundred thirty-one and fifty-seven hundredths (531.57) feet to its point of tangent, thence along said tangent Sixty-seven and eight-tenths (67.8) feet to the beginning of a curve to left whose radius is Four Hundred Fifty (450 ft.) feet and central angle thirty-nine (39) degrees, one (01) minute and thirty (30) seconds, thence along said curve Three Hundred Six and five-tenths (306.5) feet to its point of tangent, thence along said tangent Ninety-eight and one-tenth (98.1) feet to the beginning of a curve to the right whose radius is One Hundred (100 ft.) feet and central angle Seventy-nine (79) degrees, thence along said curve One Hundred Thirty-seven and eighty-eight hundredths (137.88) feet to its point of tangency thence along said tangent Two Hundred Seventy-four and forty-two hundredths (274.42) feet to the beginning of a curve to the right whose radius is Two hundred (200 ft.) feet and central angle forty-nine (49) degrees, thence along said curve One Hundred Seventy-one and four hundredths (171.04) feet to its point of tangent, thence along said tangent Four Hundred Twenty-one and ninety-five (421.95) hundredths feet to the beginning of a curve to the left, whose radius is Two Hundred Fifty (250 ft.) feet and central angle One Hundred Twenty-three (123) degrees and forty (40) minutes, thence along said curve Five Hundred Thirty-nine and six-tenths (539.6 ft.) feet to its point of tangent, thence along said tangent Fifty-eight and six hundredths (58.06 ft.) feet to the beginning of a curve to the left whose radius is Eleven Hundred Fifty (1150) feet and central angle fifty-two (52) degrees and twenty (20) minutes, thence along said curve Ten Hundred Fifty and four-tenths (1050.4) feet to its point of tangent, thence along said tangent thirty-seven and forty-seven hundredths (37.47) feet to the beginning of a curve to the left whose radius is Two Hundred (200 ft.) feet and central angle eight-nine (89) degrees sixteen (16) minutes and thirty (30) seconds, thence along said curve Three Hundred Eleven and sixty-three hundredths (311.63) feet to its point of tangent, thence along said tangent Sixty and eight hundredths (60.08 ft.) feet to the beginning of a curve to the right whose radius is Two Hundred (200 ft.) feet and central angle Thirty-three (33) degrees, fifty-six (56) minutes, and thirty (30) seconds, thence along said curve One Hundred Eighteen and forty-eight hundredths (118.48 ft.) feet to its point of tangent, thence along said tangent Four Hundred Twelve and fifteen hundredths (412.15 ft.) feet to the beginning of a curve to the right whose radius is Three Hundred Five (305 ft.) feet and

#1265575 v1  
33867-0105

central angle Twenty-six (26) degrees and thirty (30) Minutes, thence along said curve One Hundred Forty-one and seven hundredths (141.07 ft.) feet to its point of tangent, thence along said tangent Three Hundred Five and thirty-nine hundredths (305.39 ft.) feet to the beginning of a curve to the left whose radius is Seven Hundred (700 ft.) feet and central angle thirty-six (36) degrees, forty-seven (47) minutes and twenty (20) seconds, thence along said curve Four Hundred forty-nine and forty-six hundredths (449.46 ft.) feet to its point of tangent, thence along said tangent fifty-six and seventy-six hundredths (56.76 ft.) feet to the beginning of a curve to the right whose radius is One Hundred Fifty (150 ft.) feet and central angle Eighty-four (84) degrees, seventeen (17) minutes and twenty (20) seconds, thence along said curve Two Hundred Twenty and sixty-seven hundredths (220.67 ft.) feet to its point of tangent thence along said tangent sixty-three and ninety-eight hundredths (63.98 ft.) feet to the beginning of a curve to the left whose radius is One Hundred Fifty (150 ft.) and central angle fifty-six (56) degrees, eighteen (18) minutes and thirty (30) seconds, thence along said curve One Hundred Forty-seven and forty-one hundredths (147.41 ft.) feet to its point of tangent, thence along said tangent fifty-four and fifteen hundredths (54.15 ft.) feet to the beginning of a curve to the left whose radius is Three Hundred (300 ft.) feet and a central angle seventy-eight (78) degrees, forty-one (41) minutes and thirty (30) seconds, thence along curve Four Hundred Twelve and three hundredths (412.03 ft.) feet to its point of tangent, along said tangent Seven Hundred Seventy-nine and six-tenths (779.6) feet to the beginning of a curve to the right whose radius is One Hundred Fifty (150 ft.) and central angle of sixty-three (63) degrees and twenty (20) minutes, thence along said curve One Hundred Sixty-five and eighty-one hundredths (165.81) feet to its point of tangent, thence along said tangent Three Hundred Forty-nine and eighty-five hundredths (349.85 ft.) feet to a point on the North line of said Section thirty-four (Sec. 34) and on the West line of Golf Drive East, thence from said point on an angle to the left of eighty-eight (88) degrees, eighteen (18) minutes, six hundred eighty-three and eighty-five hundredths (683.85) feet to the Point of Beginning.

LESS:

The North 50 feet of that part of NW 1/4 of Section 34, Township 52 South, Range 41, East, lying between Golf Drive West and Golf Drive East, as *shown* on Plat of GOLF PARK, SECTION 2, recorded in Plat Book 23, Page 46, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

PARCEL 3:

Tract B, of REDI DATA SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 127, Page 84, of the Public Records of Miami-Dade County, Florida.

LESS:

A PORTION OF TRACT "B" REDI DATA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK T27,PAGE 84 OF THE PUBLIC

RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "B"; THENCE SOUTH 89°26'05" WEST, ALONG THE NORTHERLY BOUNDARY OF SAID TRACT "B", A DISTANCE OF 56.20 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°57'22" EAST A DISTANCE OF 120.44 FEET; THENCE SOUTH 89°26'05" WEST A DISTANCE OF 174.81 FEET TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 31°58'39" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 37°11'16" AND AN ARC DISTANCE OF 77.89 FEET TO AN INTERSECTION WITH THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 13°41'30" WEST; THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG A BOUNDARY OF SAID TRACT "B" SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 118°34'20" AND AN ARC DISTANCE OF 103.47 TO A CORNER ON THE NORTHERLY BOUNDARY OF SAID TRACT "B"; THENCE NORTH 89°26'05" EAST, ALONG THE NORTHERLY BOUNDARY OF SAID TRACT "B" A DISTANCE OF 159.35 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 4:

Lots 6 through 9, LESS the East 15 feet of Lots 6 through 9 for right-of-way, Block 3, of HALOCK NO. 2, according to the Plat thereof, as recorded in Plat Book 46, Page 25, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

All road and canal rights-of-way abutting Parcels 1-4, to the centerline.



**EXHIBIT B**  
**LEGAL AND SKETCH**  
**INDUSTRIAL AND OFFICE NORTH**

**LEGAL DESCRIPTION:**

A PORTION OF SECTION 27, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 27 FOR A DISTANCE OF 699.10 FEET; THENCE NORTHERLY ON AN ANGLE OF 88°18' TO THE RIGHT FOR A DISTANCE OF 282.10 FEET TO A POINT OF CURVATURE; THENCE 349.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 800.00 FEET AND A CENTRAL ANGLE OF 25°00' TO A POINT OF TANGENCY; THENCE 259.02 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 289.93 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 900 FEET AND A CENTRAL ANGLE OF 18°27'27" TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE 401.22 FEET ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 900.00 FEET AND A CENTRAL ANGLE OF 25°32'33" TO A POINT OF TANGENCY; THENCE 212.53 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 344.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 395.00 FEET AND A CENTRAL ANGLE OF 49°55' TO A POINT OF TANGENCY; THENCE 506.18 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 59.17 FEET (RECORDED, 59.92 FEET CALCULATED) ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 8°35' TO A POINT OF TANGENCY; THENCE 523.01 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 803.29 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF 131°30' TO A POINT OF TANGENCY; THENCE 11.60 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 678.55 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 155°30' TO A POINT OF TANGENCY; THENCE 3.06 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 589.05 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 900.00 FEET, AND A CENTRAL ANGLE OF 37°30' TO A POINT OF TANGENCY; THENCE 52.28 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 1162.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF 78°19' TO A POINT OF TANGENCY; THENCE 276.44 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 547.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 68°11'; THENCE 25.68 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 995.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 505.00 FEET AND A CENTRAL ANGLE OF 113°00' TO A POINT OF TANGENCY; THENCE 10.2 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 313.007 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 44°49' TO A POINT OF TANGENCY; THENCE 39.01 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 286.95 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET AND A CENTRAL ANGLE OF 27°37'58" TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE WESTERLY ON AN ANGLE OF 100°52' TO THE LEFT FROM THE CHORD OF SAID CURVE FOR A DISTANCE OF 1049.00 FEET TO THE POINT OF BEGINNING.

AND

ALL ABUTTING ROAD AND CANAL RIGHTS-OF-WAY TO THE CENTERLINE.

PROJ. NO: 2011 39 | DATE: 02-03-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

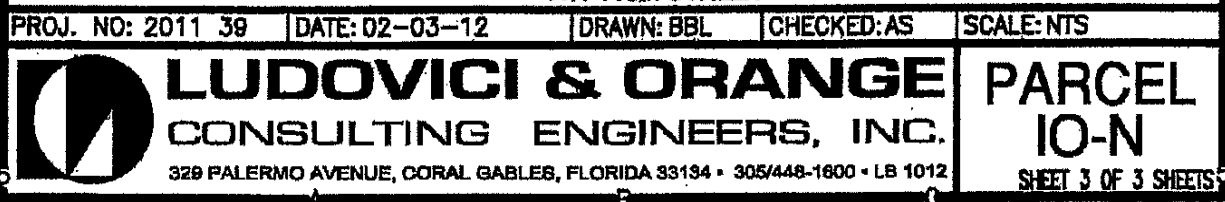
**PARCEL**  
**10-N**

SHEET 2 OF 3 SHEETS

\\Server\Bofa\SURVEY\Projects\2011\2011 39 WESTVIEW\fig\2011 39 WESTVIEW.dwg 8/6/2012 6:33:42 AM EST



**North**



**EXHIBIT C**  
**LEGAL AND SKETCH**  
**BUSINESS AND OFFICE NORTH**

**SURVEYOR'S NOTES:**

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.

**LEGEND:**

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
		L	Length		

**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 5J-17.051, 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: 2011 39 | DATE: 02-03-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
**CONSULTING ENGINEERS, INC.**

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

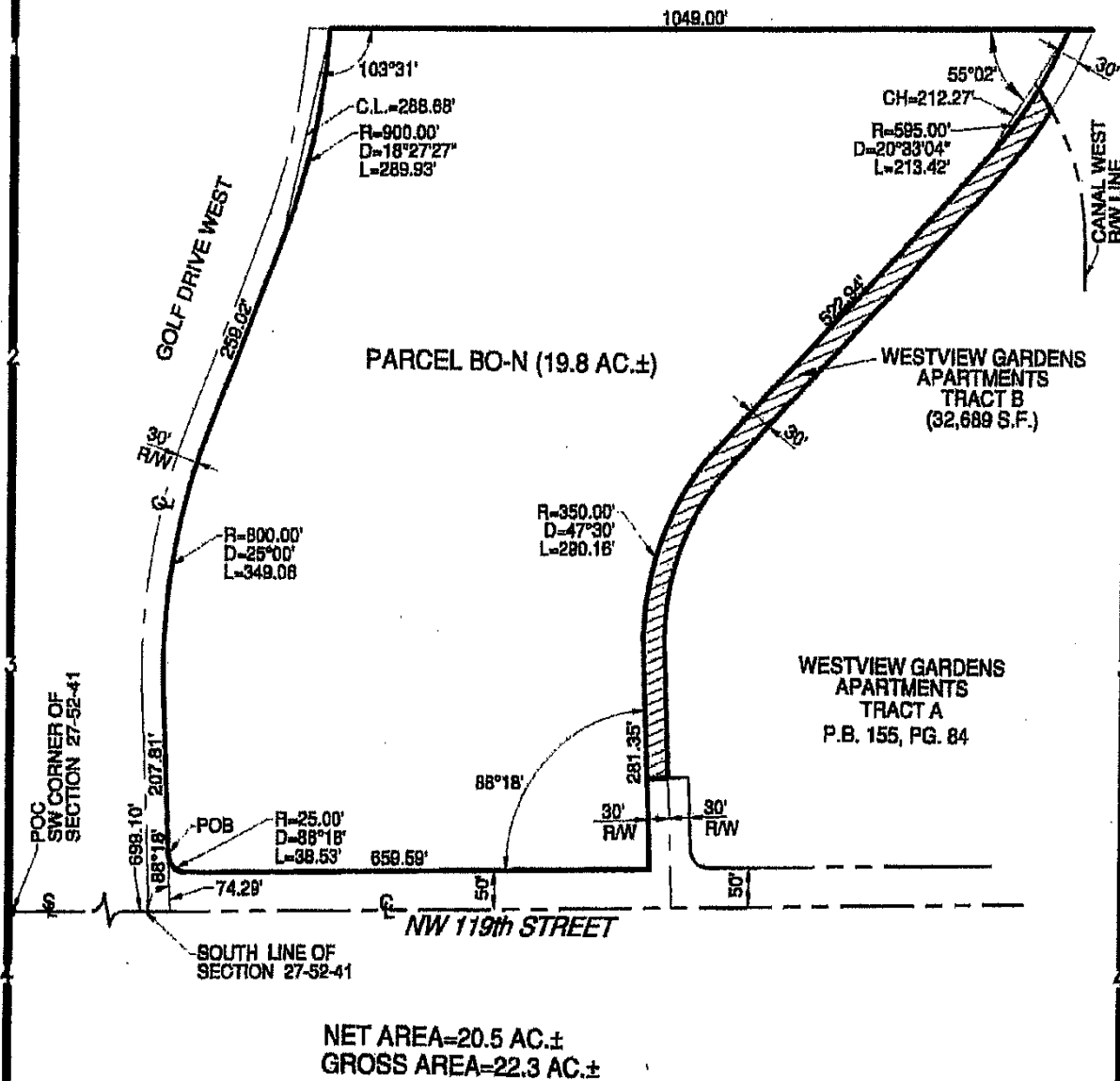
**PARCEL**  
**BO-N**

SHEET 1 OF 3 SHEETS

\\Server\\Data\\SURVEY\\Projects\\2011\\2011 39 VESTVIEW.dwg 2011 39 VESTVIEW.dwg 8/6/2012 6:33:42 AM EST



**EXHIBIT C**  
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
**BUSINESS AND OFFICE NORTH**



PROJ. NO: 2011 39

DATE: 02-03-12

DRAWN: BBL

CHECKED: AS

SCALE: NTS



**LUDOVICI & ORANGE**  
**CONSULTING ENGINEERS, INC.**

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

**PARCEL**  
**BO-N**

SHEET 3 OF 3 SHEETS

\\Server\B\16\SURVEY\Projects\2011\2011 39 WESTVIEW.dwg 2011 39 WESTVIEW.dwg 8/6/2012 6:33:42 AM EST

**EXHIBIT D**  
**LEGAL AND SKETCH**  
**INDUSTRIAL AND OFFICE SOUTH**

**SURVEYOR'S NOTES:**

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.


**LEGEND:**

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
		L	Length		

**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 5J-17.051, 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: 2011 39	DATE: 02-03-12	DRAWN: BBL	CHECKED: AS	SCALE: AS NOTED
 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012				<b>PARCEL</b> <b>IO-S</b> SHEET 1 OF 4 SHEETS

\\Server\Bldg\1\SURVEY\Proj\2011\B011 39 WESTVIEW.dwg 2011 39 WESTVIEW.dwg 2/6/2012 6:23:42 AM EST

# EXHIBIT D

## LEGAL AND SKETCH

### INDUSTRIAL AND OFFICE SOUTH

#### LEGAL DESCRIPTION:

A PORTION OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 34 FOR A DISTANCE OF 699.10 FEET; THENCE SOUTHERLY ON AN ANGLE OF 91°42' TO THE LEFT FOR A DISTANCE OF 178.07 FEET TO A POINT OF CURVATURE; THENCE 415.39 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF 28°00' TO A POINT OF TANGENCY; THENCE 362.89 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 223.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 64°10' TO A POINT OF TANGENCY; THENCE 86.26 FEET ALONG SAID TANGENT TO THE POINT OF BEGINNING; THENCE EASTERLY ON AN ANGLE OF 56°06' TO THE RIGHT FOR A DISTANCE OF 762.58 FEET; THENCE NORTHEASTERLY ON AN ANGLE OF 222°44' TO THE LEFT FOR A DISTANCE OF 166.80 FEET; THENCE NORTHERLY ON AN ANGLE OF 230°22' TO THE LEFT FOR A DISTANCE OF 435.87 FEET; THENCE SOUTHEASTERLY ON AN ANGLE OF 62°30' TO THE LEFT FOR A DISTANCE OF 421.45 FEET TO A POINT OF CURVATURE; THENCE 412.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 78°41'30" TO A POINT OF TANGENCY; THENCE 54.15 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 147.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 56°18'30" TO A POINT OF TANGENCY; THENCE 63.98 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 220.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 84°17'20" TO A POINT OF TANGENCY; THENCE 56.76 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 449.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 700.00 FEET AND A CENTRAL ANGLE OF 36°47'20" TO A POINT OF TANGENCY; THENCE 305.39 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 141.07 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 305.00 FEET AND A CENTRAL ANGLE OF 26°30' TO A POINT OF TANGENCY; THENCE 412.15 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 118.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 33°58'30" TO A POINT OF TANGENCY; THENCE 60.08 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 311.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 89°16'30" TO A POINT OF TANGENCY; THENCE 37.47 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 1050.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 52°20' TO A POINT OF TANGENCY; THENCE 58.06 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 538.80 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 123°40' TO A POINT OF TANGENCY; THENCE 421.95 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 171.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 49°00' TO A POINT OF TANGENCY; THENCE 274.42 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 137.88 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 79°00' TO A POINT OF TANGENCY; THENCE 98.10 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 306.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF 39°01'30" TO A POINT OF TANGENCY; THENCE 67.80 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 531.57 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 76°08'30" TO A POINT OF TANGENCY; THENCE 475.05 FEET ALONG SAID TANGENT TO THE POINT OF BEGINNING.

PROJ. NO: 2011 39 | DATE: 02-03-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**10-S**

SHEET 2 OF 4 SHEETS

\\Server\Data\SURVEY\Projects\2011\BELL 39 WESTVIEW.dwg 2011 WESTVIEW.dwg 2/6/2012 6:34:48 AM EST

**EXHIBIT D**  
**LEGAL AND SKETCH**  
**INDUSTRIAL AND OFFICE SOUTH**

LEGAL DESCRIPTION:

AND

A PORTION OF TRACT B (TRACT B EAST) OF REDI DATA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127 AT PAGE 84 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT B; THENCE N84°01'16"W ALONG THE SOUTH LINE OF SAID TRACT B FOR A DISTANCE OF 302.41 FEET; THENCE N01°32'09"W FOR A DISTANCE OF 87.66 FEET; THENCE S84°01'16"E ALONG THE NORTH LINE OF SAID TRACT B FOR A DISTANCE OF 304.08 FEET TO A POINT ON THE EAST LINE OF SAID TRACT B; THENCE S00°17'07"E FOR A DISTANCE OF 66.91 FEET TO THE POINT OF BEGINNING.

AND

LOTS 6 THROUGH 9, LESS THE EAST 15 FEET FOR RIGHT-OF-WAY, BLOCK 3, OF HALOCK No. 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, AT PAGE 25 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

ALL ABUTTING ROAD AND CANAL RIGHTS-OF-WAY TO THE CENTERLINE.

PROJ. NO: 2011 39 | DATE: 02-03-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

328 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012

**PARCEL**  
**IO-S**

SHEET 3 OF 4 SHEETS

\\ServerF\Boto\SURVEY\Projects\2011\2011 39 WESTVIEW\Bldg\2011 39 WESTVIEW.dwg 2/6/2012 6:53:42 AM EST



**North**



**SCALE: NTS**

SHEET 4 OF 4 SHEETS

## LEGAL AND SKETCH

### SURVEYOR'S NOTES:

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.

### LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
P.B.	Plat Book	L	Length		
PG.	Page				

### 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 5J-17.051, 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

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHERS.

By: \_\_\_\_\_  
Arturo A. Sosa  
Surveyor and Mapper 2629  
State of Florida

PROJ. NO: 2011 39 | DATE: 09-21-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**BO-S**

SHEET 1 OF 4 SHEETS

\\Server\Bata\SURVEY\Projects\2011\2011 39 WESTVIEW.dwg 9/25/2012 11:58:46 AM EDT

## LEGAL AND SKETCH

### LEGAL DESCRIPTION:

A PORTION OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 34 FOR A DISTANCE OF 699.10 FEET; THENCE SOUTHERLY ON AN ANGLE OF 91°42' TO THE LEFT FOR A DISTANCE OF 50.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE EASTERLY ON AN ANGLE OF 91°42' TO THE RIGHT ALONG A LINE 50.00 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID SECTION 34 FOR A DISTANCE OF 683.82 FEET; THENCE SOUTHERLY ON AN ANGLE OF 91°42' TO THE LEFT FOR A DISTANCE OF 299.83 FEET TO A POINT OF CURVATURE; THENCE 165.81 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 63°20' TO A POINT OF TANGENCY; THENCE 358.15 FEET ALONG SAID TANGENT; THENCE SOUTHERLY ON AN ANGLE OF 117°30' TO THE LEFT FOR A DISTANCE OF 435.87 FEET; THENCE SOUTHWESTERLY ON AN ANGLE OF 129°38' TO THE LEFT FOR A DISTANCE OF 166.80 FEET; THENCE WESTERLY ON AN ANGLE OF 137°16' TO THE LEFT FOR A DISTANCE OF 762.58 FEET; THENCE NORTHEASTERLY ON AN ANGLE OF 56°06' TO THE LEFT FOR A DISTANCE OF 86.26 FEET TO A POINT OF CURVATURE; THENCE 223.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 64°10' TO A POINT OF TANGENCY; THENCE 362.69 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 415.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF 28°00' TO A POINT OF TANGENCY; THENCE 128.05 FEET ALONG SAID TANGENT TO THE POINT OF BEGINNING.

AND

A PORTION OF TRACT B (TRACT B WEST) OF REDI DATA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127 AT PAGE 84 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID TRACT B LESS THE FOLLOWING DESCRIBED TWO PARCELS:

#### PARCEL A:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT B; THENCE N64°01'16"W ALONG THE SOUTH LINE OF SAID TRACT B FOR A DISTANCE OF 302.41 FEET; THENCE N01°32'09"W FOR A DISTANCE OF 67.66 FEET; THENCE S64°01'16"E ALONG THE NORTH LINE OF SAID TRACT B FOR A DISTANCE OF 304.06 FEET TO A POINT ON THE EAST LINE OF SAID TRACT B; THENCE S00°17'07"E FOR A DISTANCE OF 66.91 FEET TO THE POINT OF BEGINNING.

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2011 39

DATE: 09-21-12

DRAWN: BBL

CHECKED: AS

SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**BO-S**

SHEET 2 OF 4 SHEETS

\\Server\Data\SURVEY\Projects\2011\2011 39 VESTVIEW\dwg\2011 39 VESTVIEW.dwg 9/23/2012 11:52:40 AM EDT

## LEGAL AND SKETCH

### PARCEL B:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "B"; THENCE S89°26'05"W, ALONG THE NORTHERLY BOUNDARY OF SAID TRACT "B", A DISTANCE OF 56.20 FEET TO THE POINT OF BEGINNING; THENCE S01°51'22"E A DISTANCE OF 120.44 FEET; THENCE S89°26'05"W A DISTANCE OF 174.81 FEET TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, A RADIAL LINE THROUGH SAID POINT BEARS S31°58'39"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 37°11'16" AND AN ARC DISTANCE OF 77.89 FEET TO AN INTERSECTION WITH THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE THROUGH SAID POINT BEARS S13°41'30"W; THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG A BOUNDARY OF SAID TRACT "B", SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 118°34'20" AND AN ARC DISTANCE OF 103.47 TO A CORNER ON THE NORTHERLY BOUNDARY OF SAID TRACT "B"; THENCE N89°26'05"E, ALONG THE NORTHERLY BOUNDARY OF SAID TRACT "B", A DISTANCE OF 159.35 FEET TO THE POINT OF BEGINNING.

AND

ALL ABUTTING ROAD AND CANAL RIGHTS-OF-WAY TO THE CENTERLINE.

THIS DOCUMENT CONSISTS OF FOUR (4)  
SHEETS AND EACH SHEET NOT BE  
CONSIDERED FULL, VALID AND COMPLETE  
UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2011-39 | DATE: 09-21-12 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

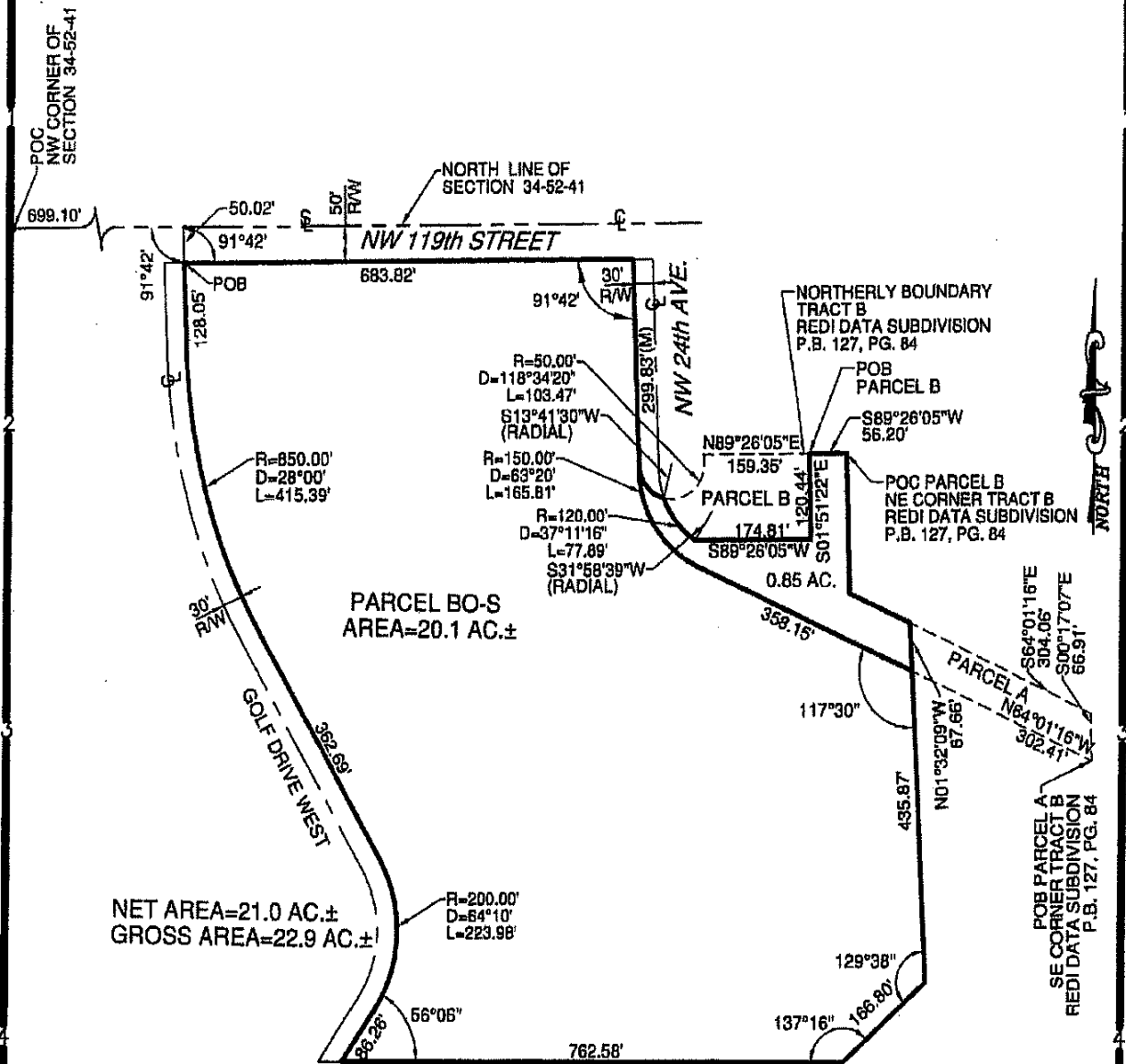
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012

**PARCEL**  
**BO-S**

SHEET 3 OF 4 SHEETS

\\Server\\Data\\SURVEY\\Projects\\2011\\2011-39 VESTVIEW.dwg\\2011-39 VESTVIEW.dwg 9/25/2012 11:52:40 AM EDT

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2011 39 | DATE: 09-21-12 | DRAWN: BBL | CHECKED: AS | SCALE: NTS

**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.  
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**PARCEL BO-S**  
SHEET 4 OF 4 SHEETS

\\Server\Bata\SURVEY\Projects\2011\2011 39 WESTVIEW\dwg\2011 39 WESTVIEW.dwg 9/23/2012 11:52:40 AM EDT

**EXHIBIT "F"**  
**PROHIBITED IU-1 USES**

- (2)<sup>1</sup> Adult entertainment as defined in Section 33-259.1, subject to all the restrictions and spacing requirements contained in said Section 33-259.1.
- (3) Aircraft hangars and repair shops, aircraft assemblies and manufacturing.
- (4) Animal hospitals within soundproof, air conditioned buildings.
- (5) Armories, arsenals.
- (7) Auto painting, top and body work.
- (7.2) Automobile self-service gas stations shall be permitted only on major access roads, including major roadways (three or more lanes) and frontage roadways serving limited access expressways, and shall be subject to the conditions enumerated in Section 33-247(6) of this code.
- (7.3) Automobile service stations shall be permitted only on major access roads, including major roadways (three or more lanes) and frontage roadways serving limited access expressways, and shall be subject to the conditions enumerated in Section 33-247(5) of this code.
- (8) Automobile and truck sales for new and/or used vehicles including as ancillary uses automobile and truck rentals, wholesale distribution and automobile repairs, provided that no more than fifteen (15) percent of the total gross building area is devoted to repair/service bays, subject to the following conditions:
  - (a) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Directors of the Planning and Zoning and Public Works Departments for ingress and egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2½) inches at time of planting.
  - (b) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.

---

<sup>1</sup> The parentheticals identifying uses in this document correspond to the subsections of Section 33-259, Miami-Dade County Code, listing the permitted uses in the IU-1 zoning district.

- (c) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
  - (d) That such uses on sites of ten (10) acres or more shall be approved only after public hearing.
  - (e) That such uses be conducted on sites consisting of at least two (2) acres.
  - (f) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations, or as approved at public hearing.
  - (g) That outdoor loudspeakers are prohibited.
  - (h) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
  - (i) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
- (9) Automotive repairs.
- (10) Truck rentals [automobile rentals (including associated automobile storage) and wholesale distribution would be permitted\*]
- (13) Blacksmith, gas steam fitting shops.
- (14) Boat or yacht repairing or overhauling, or boat building.
- (15) Boat slips used for the tying up of boats for the purpose of overhauling or repairing.
- (17) Brewery.
- (18) Cabinet shops.
- (19) Canning factories.
- (20) Carpet cleaning.
- (22) Clubs, private.
- (24) Commercial chicken hatcheries.

- (25) Concrete, clay or ceramic products manufacturing, hand manufacture, or involving only small mixer where all such manufacturing and equipment is within an approved building and storage and drying areas are enclosed as provided in this chapter [Storage, wholesale sales and distribution would be permitted\*].
- (26) Contractors' yards [offices would be permitted\*]
- (27) Day nursery, kindergarten, schools and after school care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the requirements of Article XA.
  - (27.1) Dog kennels, as an exception to Section 33-260, subject to the following conditions:
    - (a) All outdoor exercise runs shall be set back fifty (50) feet from property lines and shall not be located closer than five hundred (500) feet from residentially zoned or residentially developed property. Where outside exercise runs are provided, a landscaped buffer or decorative masonry wall shall enclose the runs, and use of the runs shall be restricted to use during daylight hours.
    - (b) Where outside exercise runs are not provided, an outside area shall be designated for dogs (or cats) to relieve themselves, and that area shall be enclosed by a landscape buffer or masonry wall. Additionally such area shall be set back fifty (50) feet from property lines and shall not be located closer than five hundred (500) feet from residentially zoned or residentially developed property.
    - (c) All kennel buildings shall be soundproofed and air-conditioned.
    - (d) An administrative site plan review (ASPR) shall be required. The site plan shall show all fencing, berms, and soundproofing designed to mitigate the noise impact of the kennel on the surrounding properties.
- (28) Dredging base or place where dredging supplies are kept and where dredges or boats or machinery are stored, repaired or rebuilt.
- (29) Dry cleaning and dyeing plants.
  - (29.1) Electric substation.
- (30) Engine service (gas, oil, steam, etc.) [Engine sales (gas, oil, steam, etc.) would be allowed\*].
- (31) Fertilizer storage.



- (33) Fruit packing and fruit preserving.
- (34) Furniture manufacturing.
- (35) Furniture refinishing.
- (36) Garages—storage mechanical, including trucks, buses, heavy equipment.
- (37) Glass installations.
- (38) Grinding shops.
- (40) Ice manufacturing.
- (41) Insecticide, mixing, packaging and storage.
- (44) Livery stables, for riding clubs, or a stable for sheltering horses, not closer than three hundred (300) feet to an RU or EU District.
- (46) Lumberyards.
- (47) Machine shops.
- (48) Marine warehouses.
- (49) Mattress manufacturing and renovating.
- (50) Metalizing processes.
- (51) Milk or ice distributing station from which extensive truck or wagon deliveries are customarily made.
- (52) Millwork shops.
- (54) Novelty works manufacturing [Storage, wholesale sales and distribution would be permitted\*].
- (56) Ornamental metal workshops.
- (57) Oxygen storage and filling of cylinders.

- (58) Parking lots – commercial and noncommercial.
- (59) Passenger and freight—stations and terminals—boats, and railroads. [Truck and bus stations and terminals would be permitted.\*]
- (63) Power or steam laundries.
- (64) Printing shops.
- (66) Religious facilities located inside the Urban Development Boundary. Religious facilities outside the Urban Development Boundary will be permitted only upon approval after public hearing.
- (70) School – technical trade school for mechanics [Aviation, electronic, and other trade schools, as well as physical training schools, such as, but not limited to gymnastics and karate, would be permitted\*]
- (72) Shipyards and dry docks.
- (73) Sign painting shops.
- (74) Steel fabrication.
- (75) Storage warehouse for fodder [Storage warehouse for food would be permitted.\*]
- (76) Taxidermy. Use will be permitted only within a fully enclosed, air conditioned building.
- (79) Telephone service unit yards.
- (80) Textile, hosiery and weaving mills not closer than two hundred (200) feet to an RU or EU District.
- (81) Upholstery shops.
- (82) Utility work centers – power and telephone, etc.
- (84) Veterinarians.
- (85) Vulcanizing.

(88) Welding shops.

(89) Welding supplies.

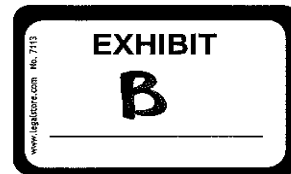
(89.1) Plant nurseries are authorized in utility easements and railroad rights-of-way, with the consent of the property owner, subject to the following conditions:

- (a) The nursery use shall be conducted by a not-for-profit corporation and shall be incidental to an on-site educational program that provides career training or medical or educational therapy programs.
- (b) No on-site sales shall be permitted;
- (c) The use shall be conducted on sites with a minimum of one (1) acre net lot area;
- (d) A Certificate of Use shall be obtained, and shall be renewed annually subject to the conditions contained in this subsection; and
- (e) The use shall not be permitted on property abutting residentially zoned properties or properties designated on the Land Use Plan (LUP) map for residential use.

(90) Wood and coal yards.

(91) The operation of an equipment and appliance center for the testing, repairing, overhauling and reconditioning of any and all equipment, appliances, and machinery sold by the operator/occupant; provided such may be manufactured at the location of the operation and in connection therewith individual customers bringing equipment to the site for such repairing, overhauling or reconditioning, may purchase parts for such equipment, appliances, or machinery.

**\*Uses provided in [...\*] will be permitted.**



## CDMP LEGAL AND SKETCH

### SURVEYOR'S NOTES:

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.

### LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
		L	Length		

### 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 5J-17.051, 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: 2011 39    DATE: 10-20-11    DRAWN: BBL    CHECKED: AS    SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**10-N**

SHEET 1 OF 3 SHEETS

\\Server\Data\SURVEY\Projects\2011\2011 39 WESTVIEW\DWG\2011 39 WESTVIEW.dwg 10/25/2011 11:00:37 AM EDT

## CDMP LEGAL AND SKETCH


### LEGAL DESCRIPTION:

A PORTION OF SECTION 27, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

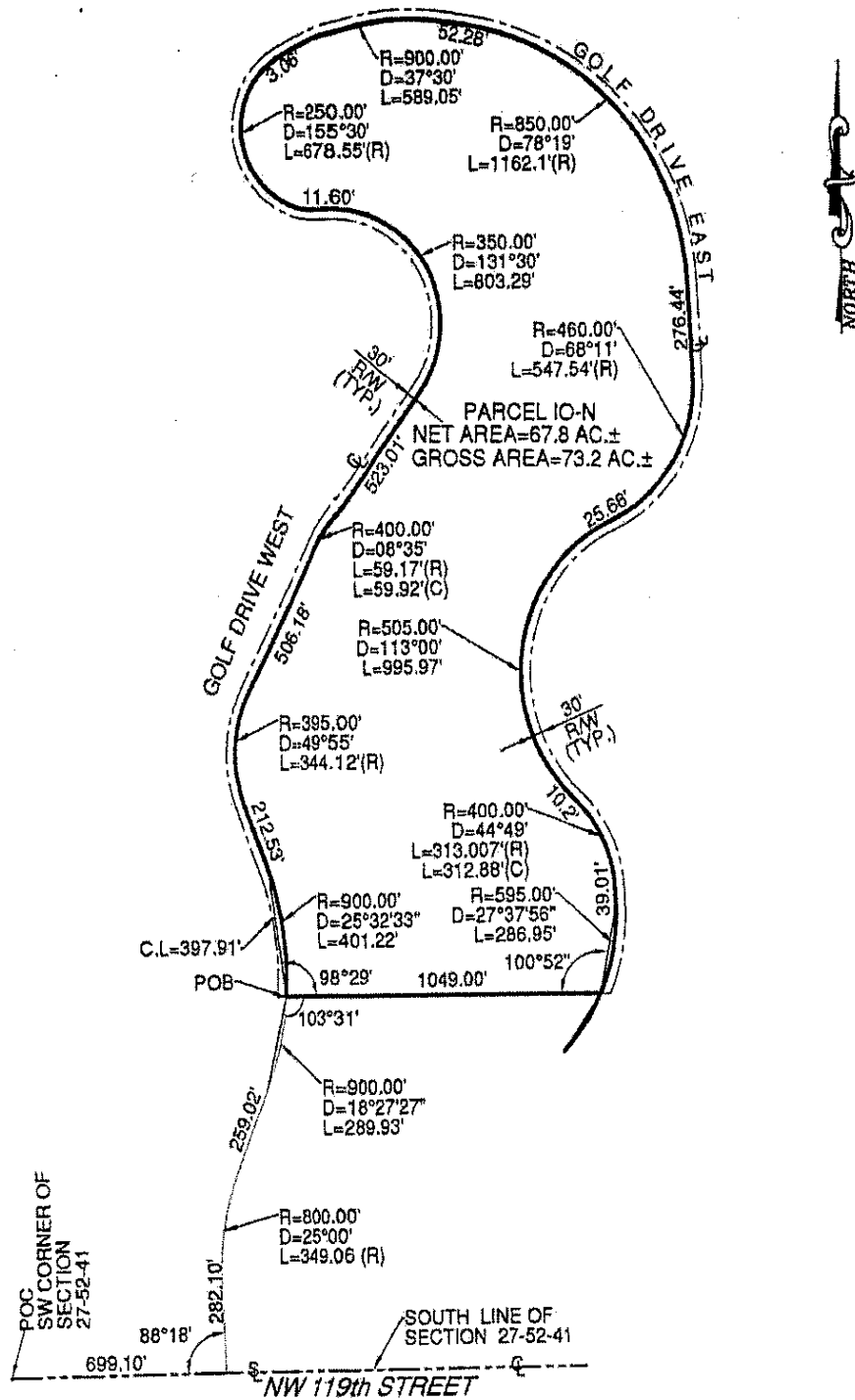
COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 27 FOR A DISTANCE OF 699.10 FEET; THENCE NORTHERLY ON AN ANGLE OF  $88^{\circ}18'$  TO THE RIGHT FOR A DISTANCE OF 282.10 FEET TO A POINT OF CURVATURE; THENCE 349.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 800.00 FEET AND A CENTRAL ANGLE OF  $25^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 259.02 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 289.93 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 900 FEET AND A CENTRAL ANGLE OF  $18^{\circ}27'27''$  TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE 401.22 FEET ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 900.00 FEET AND A CENTRAL ANGLE OF  $25^{\circ}32'33''$  TO A POINT OF TANGENCY; THENCE 212.53 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 344.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 395.00 FEET AND A CENTRAL ANGLE OF  $49^{\circ}55'$  TO A POINT OF TANGENCY; THENCE 506.18 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 59.17 FEET (RECORDED, 59.92 FEET CALCULATED) ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF  $8^{\circ}35'$  TO A POINT OF TANGENCY; THENCE 523.01 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 803.29 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF  $131^{\circ}30'$  TO A POINT OF TANGENCY; THENCE 11.60 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 678.55 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF  $155^{\circ}30'$  TO A POINT OF TANGENCY; THENCE 3.06 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 589.05 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 900.00 FEET, AND A CENTRAL ANGLE OF  $37^{\circ}30'$  TO A POINT OF TANGENCY; THENCE 52.28 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 1162.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF  $78^{\circ}19'$  TO A POINT OF TANGENCY; THENCE 276.44 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 547.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF  $68^{\circ}11'$ ; THENCE 25.68 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 995.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 505.00 FEET AND A CENTRAL ANGLE OF  $113^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 10.2 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 313.007 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF  $44^{\circ}49'$  TO A POINT OF TANGENCY; THENCE 39.01 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 286.95 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET AND A CENTRAL ANGLE OF  $27^{\circ}37'56''$  TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE WESTERLY ON AN ANGLE OF  $100^{\circ}52'$  TO THE LEFT FROM THE CHORD OF SAID CURVE FOR A DISTANCE OF 1049.00 FEET TO THE POINT OF BEGINNING.


AND

ALL ABUTTING ROAD AND CANAL RIGHTS-OF-WAY TO THE CENTERLINE.

PROJ. NO: 2011 39	DATE: 10-20-11	DRAWN: BBL	CHECKED: AS	SCALE: AS NOTED
 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012				<b>PARCEL</b> <b>10-N</b> SHEET 2 OF 3 SHEETS

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



PROJ. NO: 2011 39	DATE: 10-20-11	DRAWN: BBL	CHECKED: AS	SCALE: NTS
 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012				<b>PARCEL 10-N</b> SHEET 3 OF 3 SHEETS

## CDMP LEGAL AND SKETCH

### SURVEYOR'S NOTES:

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.

### LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
		L	Length		

### 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 5J-17.051, 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: 2011 39

DATE: 10-20-11

DRAWN: BBL

CHECKED: AS

SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**BO-N**

SHEET 1 OF 3 SHEETS

\\Server\Data\SURVEY\Projects\2011\2011 39 WESTVIEW\DWG\2011 39 WESTVIEW.dwg 10/25/2011 11:03:37 AM EDI

## CDMP LEGAL AND SKETCH

### LEGAL DESCRIPTION:

A PORTION OF SECTION 27, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 27 FOR A DISTANCE OF 699.10 FEET; THENCE NORTHERLY ON AN ANGLE OF  $88^{\circ}18'$  TO THE RIGHT FOR A DISTANCE OF 74.29 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE ALONG SAID LINE FOR A DISTANCE OF 207.81 FEET TO A POINT OF CURVATURE; THENCE 349.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 800.00 FEET AND A CENTRAL ANGLE OF  $25^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 259.02 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 289.93 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 900 FEET, A CENTRAL ANGLE OF  $18^{\circ}27'27''$  AND A CHORD LENGTH OF 288.68' TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE EASTERLY ON AN ANGLE OF  $103^{\circ}31'$  TO THE LEFT FROM THE CHORD OF SAID CURVE FOR A DISTANCE OF 1049.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ON AN ANGLE OF  $55^{\circ}02'$  TO THE LEFT TO THE CHORD OF SAID CURVE; THENCE 213.42 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF  $20^{\circ}33'04''$  AND A CHORD LENGTH OF 212.27 FEET TO A POINT OF TANGENCY; THENCE 522.94 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 290.16 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF  $47^{\circ}30'$  TO A POINT OF TANGENCY; THENCE 281.35 FEET ALONG SAID TANGENT; THENCE WESTERLY ON AN ANGLE OF  $88^{\circ}18'$  TO THE LEFT FOR A DISTANCE OF 659.59 FEET TO A POINT OF CURVATURE; THENCE 38.53 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF  $88^{\circ}18'$  TO THE POINT OF BEGINNING.

AND

TRACT B OF WESTVIEW GARDENS APARTMENTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 155 AT PAGE 84 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

ALL ABUTTING ROAD AND CANAL RIGHTS-OF-WAY TO THE CENTERLINE.

PROJ. NO: 2011 39

DATE: 10-20-11

DRAWN: BBL

CHECKED: AS

SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

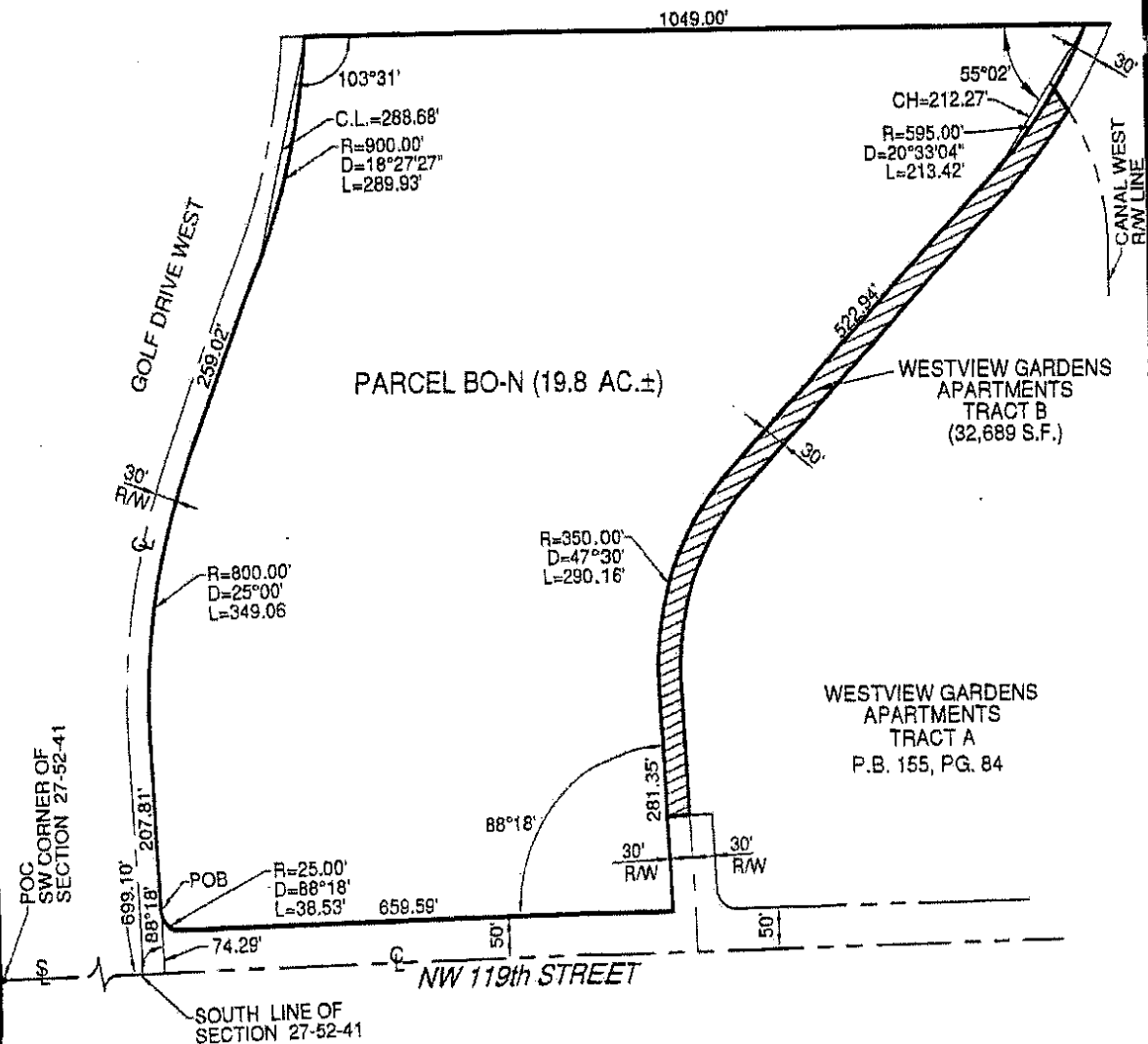
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**PARCEL**  
**BO-N**

SHEET 2 OF 3 SHEETS



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



NET AREA=20.5 AC.±  
GROSS AREA=22.3 AC.±

PROJ. NO: 2011 39 | DATE: 10-20-11 | DRAWN: BBL | CHECKED: AS | SCALE: NTS



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL  
BO-N**

SHEET 3 OF 3 SHEETS

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

### LEGAL DESCRIPTION:

A portion of Section 34, Township 52 South, Range 41 East in Miami-Dade County, Florida, being more particularly described as follows:

Commence (P.O.C. 1) at the Northwest corner of said Section 34; thence Easterly along the North line of said Section 34 for a distance of 699.10 feet; thence Southerly on an angle of 91 degrees 42 minutes to the left for a distance of 50.02 feet to the POINT OF BEGINNING (P.O.B. 1) of the following described parcel of land; thence Easterly on an angle of 91 degrees 42 minutes to the right along a line 50.00 feet South and parallel to the North line of said Section 34 for a distance of 683.82 feet; thence Southerly on an angle of 91 degrees 42 minutes to the left for a distance of 299.83 feet to a Point of Curvature; thence 165.81 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet and a central angle of 63 degrees 20 minutes to a Point of Tangency; thence 358.15 feet along said tangent; thence Southerly on an angle of 117 degrees 30 minutes to the left for a distance of 435.87 feet; thence Southwesterly on an angle of 129 degrees 38 minutes to the left for a distance of 166.80 feet; thence Westerly on an angle of 137 degrees 16 minutes to the left for a distance of 762.58 feet; thence Northeasterly on an angle of 56 degrees 06 minutes to the left for a distance of 86.26 feet to a Point of Curvature; thence 223.98 feet along the arc of a curve to the left, said curve having a radius of 200.00 feet and a central angle of 64 degrees 10 minutes to a Point of Tangency; thence 362.69 feet along said tangent to a Point of Curvature; thence 415.39 feet along the arc of a curve to the right, said curve having a radius of 850.00 feet and a central angle of 28 degrees 00 minutes to a Point of Tangency; thence 128.05 along said tangent to the POINT OF BEGINNING (P.O.B. 1).

AND

A portion of Tract B (Tract B West) OF REDI DATA SUBDIVISION, according to the plat thereof as recorded in Plat Book 127 at Page 84 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

SAID TRACT B LESS THE FOLLOWING DESCRIBED PARCEL:

Begin (P.O.B. 2) at the Southeast corner of said Tract B; thence North 64 degrees 01 minutes 16 seconds West along the South line of said Tract B for a distance of 302.41 feet; thence North 01 degrees 32 minutes 09 seconds West for a distance of 67.66 feet; thence South 64 degrees 01 minutes 16 seconds East along the North line of said Tract B for a distance of 304.06 feet to a point on the East line of said Tract B; thence South 00 degrees 17 minutes 07 seconds East for a distance of 66.91 feet to the POINT OF BEGINNING.

AND ALSO LESS:

Continued....

*Schwebke-Shiskin & Associates, Inc.*

(LB-87)

LAND SURVEYORS • ENGINEERS • LAND PLANNERS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE: (305) 652-7010 BROWARD: (954) 435-7010 FAX: (305) 652-8284



THIS IS NOT A "LAND SURVEY."

ORDER NO.: 203758

DATE: Feb 3, 2015

SHEET 2 OF 3 SHEET(S)

F.B.: N.A.

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Continued....

A portion of Tract "B", REDI DATA SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 127, Page 84 of the Public Records of Miami-Dade County, Florida, described as follows:

Commence (P.O.C. 3) at the Northeast corner of said Tract "B"; thence South 89 degrees 26 minutes 05 seconds West, along the Northerly boundary of said Tract "B", a distance of 56.20 feet to the POINT OF BEGINNING (P.O.B. 3); thence South 01 degrees 51 minutes 22 seconds East a distance of 120.44 feet; thence South 89 degrees 26 minutes 05 seconds West a distance of 174.81 feet to a Point of Intersection with a curve concave to the Northeast, a radial line through said point bears South 31 degrees 58 minutes 39 seconds West; thence Northwesterly along the arc of said curve, having a radius of 120.00 feet, a central angle of 37 degrees 11 minutes 16 seconds and an arc distance of 77.89 feet to an intersection with the arc of a curve concave to the Northwest, a radial line through said point bears South 13 degrees 41 minutes 30 seconds West; thence Easterly, Northeasterly and Northerly along the arc of said curve and along a boundary of said Tract "B", said curve having a radius of 50.00 feet, a central angle of 118 degrees 34 minutes 20 seconds and an arc distance of 103.47 feet to a corner on the Northerly boundary of said Tract "B"; thence North 89 degrees 26 minutes 05 seconds East, along the Northerly boundary of said Tract "B", a distance of 159.35 feet to the POINT OF BEGINNING (P.O.B. 3).

AND

All abutting Road and Canal Rights-of-Way to the centerline.

### NOTE:

Bearings shown hereon relate to an assumed bearing (N64°01'16"W) along the South line of Tract "B" of "REDI DATA SUBDIVISION," Plat Book 127 at Page 84, of the Public Records of Miami-Dade County, Florida. See Sheet 1 for Sketch To Accompany Legal Description.

Prepared For: Rosal Westview, LLC

*Schwebke-Shiskin & Associates, Inc.*  
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE: (305) 652-7010 BROWARD: (954) 435-7010 FAX: (305) 652-8284

(LB-87)



THIS IS NOT A "LAND SURVEY."

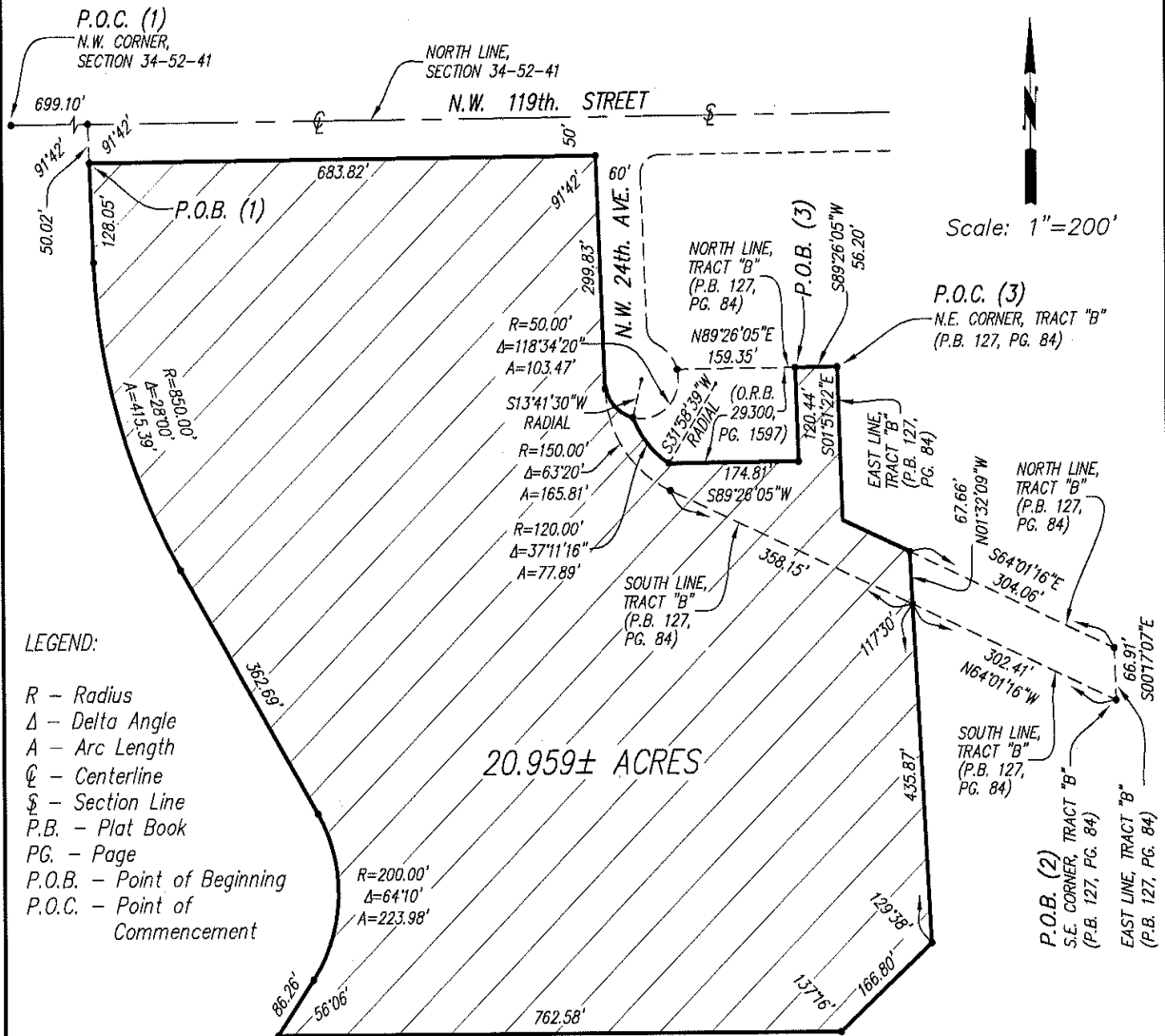
ORDER NO.: 203758

DATE: Feb 3, 2015

SHEET 3 OF 3 SHEET(S)

F.B.: N.A.

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



*Schwabke-Shiskin & Associates, Inc.*

(LB-87)

LAND SURVEYORS • ENGINEERS • LAND PLANNERS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE: (305) 652-7010 BROWARD: (954) 435-7010 FAX: (305) 652-8284



THIS IS NOT A "LAND SURVEY."

ORDER NO.: 203758

DATE: Feb 3, 2015

SHEET 1 OF 3 SHEET(S)

F.B.: N.A.

## CDMP LEGAL AND SKETCH

### SURVEYOR'S NOTES:

1. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. This sketch does not represent a land survey.
3. Based on Boundary Survey of Westview Country Club Golf Course by Robayna & Associates dated 4/28/11.
4. Not valid without accompanying sketch.
5. All angles are turned from the backsight.
6. Gross acres are to the centerline of abutting rights-of-way.

### LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	SF	Square Feet
		L	Length		

### 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 5J-17.051, 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: 2011 39

DATE: 10-20-11

DRAWN: BBL

CHECKED: AS

SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

**PARCEL**  
**10-S**

SHEET 1 OF 4 SHEETS


## CDMP LEGAL AND SKETCH

### LEGAL DESCRIPTION:

A PORTION OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

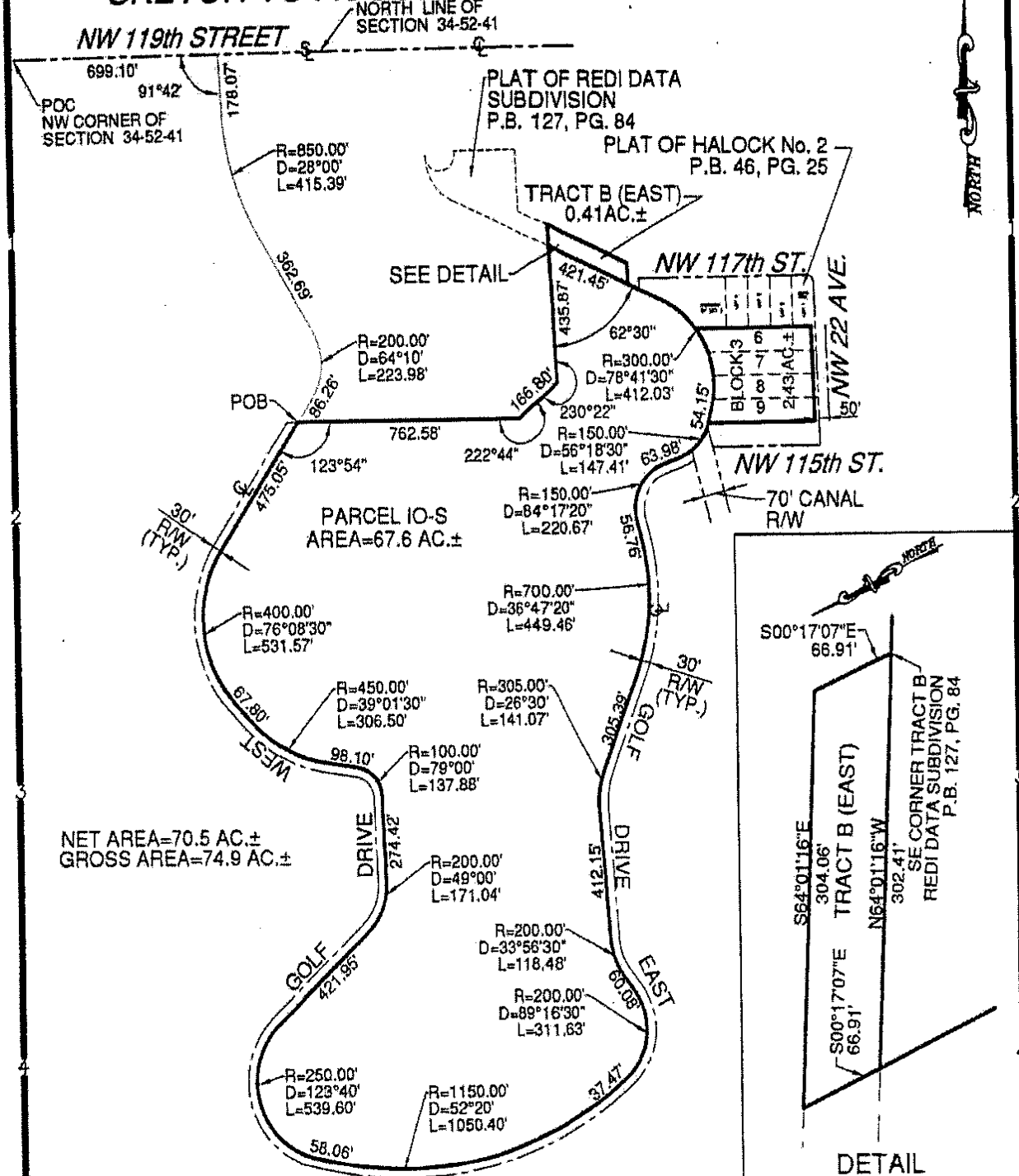
COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 34 FOR A DISTANCE OF 699.10 FEET; THENCE SOUTHERLY ON AN ANGLE OF  $91^{\circ}42'$  TO THE LEFT FOR A DISTANCE OF 178.07 FEET TO A POINT OF CURVATURE; THENCE 415.39 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF  $28^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 362.69 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 223.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF  $64^{\circ}10'$  TO A POINT OF TANGENCY; THENCE 86.26 FEET ALONG SAID TANGENT TO THE POINT OF BEGINNING; THENCE EASTERLY ON AN ANGLE OF  $56^{\circ}06'$  TO THE RIGHT FOR A DISTANCE OF 762.58 FEET; THENCE NORTHEASTERLY ON AN ANGLE OF  $222^{\circ}44'$  TO THE LEFT FOR A DISTANCE OF 166.80 FEET; THENCE NORTHERLY ON AN ANGLE OF  $230^{\circ}22'$  TO THE LEFT FOR A DISTANCE OF 435.87 FEET; THENCE SOUTHEASTERLY ON AN ANGLE OF  $62^{\circ}30'$  TO THE LEFT FOR A DISTANCE OF 421.45 FEET TO A POINT OF CURVATURE; THENCE 412.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF  $78^{\circ}41'30''$  TO A POINT OF TANGENCY; THENCE 54.15 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 147.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF  $56^{\circ}18'30''$  TO A POINT OF TANGENCY; THENCE 63.98 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 220.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF  $84^{\circ}17'20''$  TO A POINT OF TANGENCY; THENCE 56.76 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 449.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 700.00 FEET AND A CENTRAL ANGLE OF  $36^{\circ}47'20''$  TO A POINT OF TANGENCY; THENCE 305.39 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 141.07 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 305.00 FEET AND A CENTRAL ANGLE OF  $26^{\circ}30'$  TO A POINT OF TANGENCY; THENCE 412.15 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 118.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF  $33^{\circ}56'30''$  TO A POINT OF TANGENCY; THENCE 60.08 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 311.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF  $89^{\circ}16'30''$  TO A POINT OF TANGENCY; THENCE 37.47 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 1050.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF  $52^{\circ}20'$  TO A POINT OF TANGENCY; THENCE 58.06 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 539.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF  $123^{\circ}40'$  TO A POINT OF TANGENCY; THENCE 421.95 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 171.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF  $49^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 274.42 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 137.88 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF  $79^{\circ}00'$  TO A POINT OF TANGENCY; THENCE 98.10 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 306.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF  $39^{\circ}01'30''$  TO A POINT OF TANGENCY; THENCE 67.80 FEET ALONG SAID TANGENT TO A POINT OF CURVATURE; THENCE 531.57 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF  $76^{\circ}08'30''$  TO A POINT OF TANGENCY; THENCE 475.05 FEET ALONG SAID TANGENT TO THE POINT OF BEGINNING.

AND

PROJ. NO: 2011 39	DATE: 10-20-11	DRAWN: BBL	CHECKED: AS	SCALE: AS NOTED
 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012				<b>PARCEL</b> <b>10-S</b> SHEET 2 OF 4 SHEETS

\\Server\Info\SURVEY\Projects\2011\2011 39 WESTVIEW.dwg 10/24/2011 12:45:1 PM EDT

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



PROJ. NO: 2011 39	DATE: 10-20-11	DRAWN: BBL	CHECKED: AS	SCALE: NTS
<b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012				<b>PARCEL 10-S</b> SHEET 4 OF 4 SHEETS

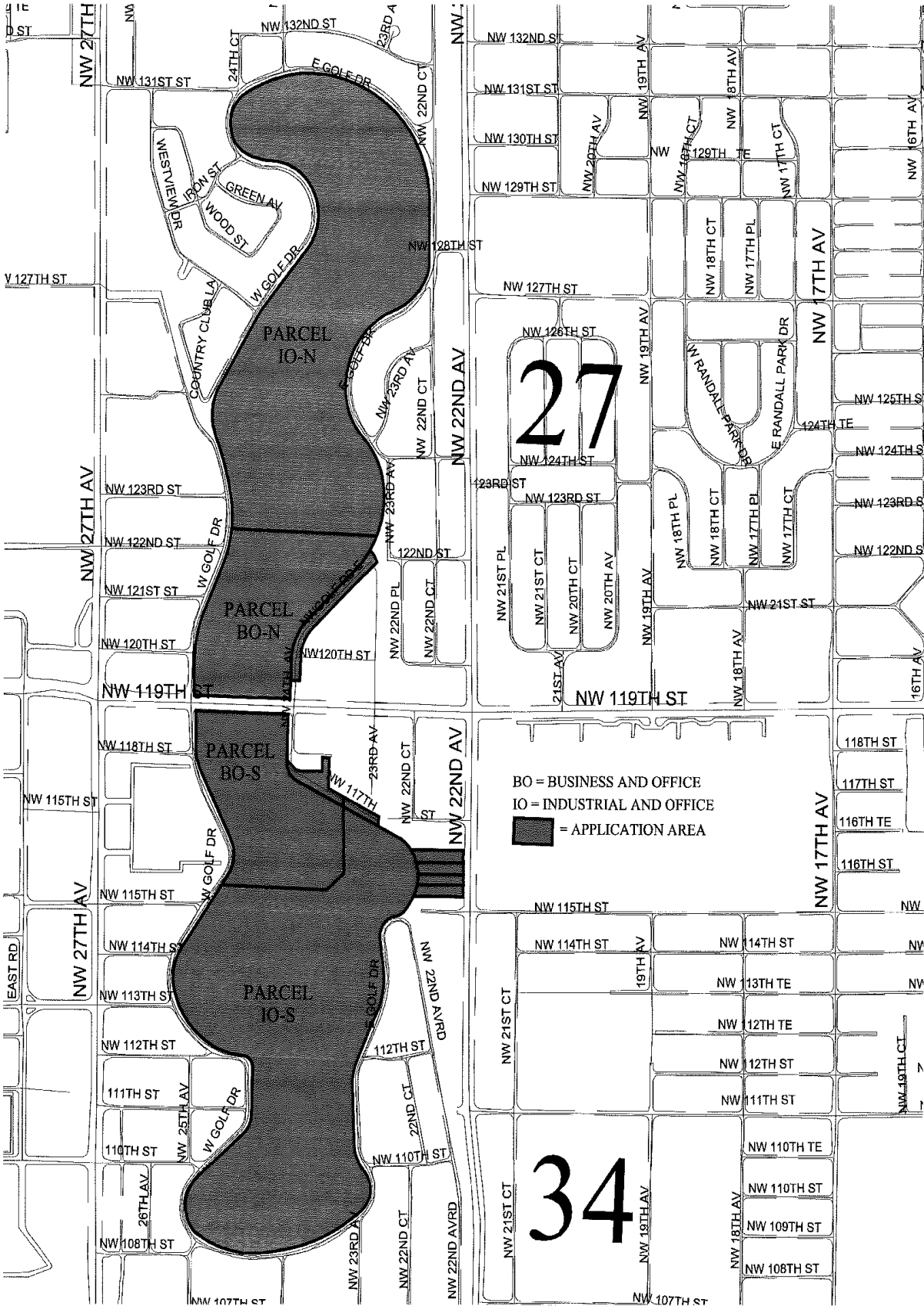
C



 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 320 PALMCREST AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1001 • LE 1912		COMP		WESTVIEW COUNTRY CLUB		1/2" = 1'	2
		AERIAL EXHIBIT		SECTIONS 27, 34-52-41		22' x 33'	2







# **APPENDIX B**

## **Applicant's Traffic Impact Report**

THIS PAGE INTENTIONALLY LEFT BLANK

---


# CDMP AMENDMENT TRANSPORTATION ANALYSIS

---

November 2014/2015  
Amendment to the  
Declaration of Restrictions

Westview Business Park  
and Shopping Center

Prepared for:  
Rosal Westview, LLC

  
Lisa S. Bernstein, P.E. 2/12/15  
Florida Registration Number 54770

CATHY SWEETAPPLE & ASSOCIATES  
TRANSPORTATION AND MOBILITY PLANNING

---

101 North Gordon Road, Fort Lauderdale, Florida 33301  
954-463-8878 office 954-525-4303 fax Email: csweet@bellsouth.net

**Rosal Westview, LLC**  
**CDMP Amendment Transportation Analysis**

**Evaluation of Proposed Covenant Modifications Pertaining to Vehicular Access Locations  
Serving the Amendment Site**

**Overview of the Covenant Modification**

Rosal Westview, LLC has submitted a request to amend the previously approved Declaration of Restrictions recorded in the Official Records Book 28896, Pages 1971 through 2007 in the Public Records of Miami-Dade County, contained in the CDMP Land Use Element Table titled "Restrictions accepted by the Board of County Commissioners in Association with Land Use Plan Amendments". The CDMP Amendment for Rosal Westview, LLC was approved as part of the October 2011 CDMP Amendment Cycle. The Applicant seeks to amend the Declaration of Restrictions to clarify following: that the Application Area consists of four distinct development parcels; that the implementation of the perimeter buffer is required for the Industrial and Office North and South Parcels; that additional and specific vehicular access locations can be provided to serve the site; that the owner can satisfy alternative mitigation options to FDOT's adopt a highway program; that the covenant can specify rules on modifying, amending or releasing the Declarations when they are satisfied; and providing a means for Miami-Dade County to withhold permits on a specific parcel if a violation occurs, without affecting other parcels who are in compliance with the terms of the Declaration of Restrictions.

**Approved Vehicular Access Language**

This evaluation has been provided specifically to address the proposed Covenant Modification language related to the vehicular access locations. The covenant currently specifies that *"vehicular access from the Property will be provided exclusively to and from NW 119 Street, except that the Industrial and Office South parcel may have access directly to and from NW 22 Avenue at theoretical NW 116 Street."*

Ironically, the 2011/2012 CDMP Amendment Transportation Analysis analyzed the vehicular access to and from NW 119 Street to be aligned with NW 24 Avenue/East Golf Drive. The traffic study exhibits (see attached **Figures 1E and 6**) demonstrated how the access was always intended to align with NW 24 Avenue/East Golf Drive. Unfortunately, the approved declaration language rendered that approach to providing site access to be inconsistent, therefore creating a need for a covenant modification.

**Proposed Vehicular Access Language**

The proposed vehicular access language spells out in detail how vehicular access may be provided to and from the site.

*"Vehicular access to and from the Property will be provided exclusively: (i) to and from NW 119 Street, (ii) to and from the roadway segment of NW 24<sup>th</sup> Avenue abutting NW 119<sup>th</sup> Street and the Business and Office South Parcel, (iii) to and from the roadway segment of NW 24<sup>th</sup> Avenue abutting NW 119<sup>th</sup> Street and the Business and Office North Parcel, and (iv) to and from NW 22 Avenue at theoretical NW 116<sup>th</sup> Street. The Business and Office South Parcel is permitted to have a driveway on Golf Drive West at NW 118<sup>th</sup> Street to serve as an additional means of vehicular access. Notwithstanding the foregoing, additional emergency access points may be permitted if required by Miami-Dade County Fire Rescue, Police and/or Public Works."*

To evaluate the proposed Covenant Modification related to the Vehicular Access locations, the Applicant has collected and assembled updated traffic data on the roadway network adjacent to the site and adjacent to the vehicular access locations. The Applicant has provided a link analysis to evaluate existing and projected traffic conditions through the year 2025 consistent with the CDMP Amendment Transportation Analysis prepared for the site in 2011/2012. The analysis is provided to ensure that acceptable levels of service will be maintained at the project access locations and on the roadway network adjacent to the site given the updated traffic data and the Year 2025 long range planning horizon. The analysis maintains the development program and trip generation from the approved CDMP Amendment as outlined below.

### Westview Business Park and Shopping Center Approved CDMP Amendment Development Program

As part of the CDMP Amendment process, the Applicant received approval of 1,600,000 square feet of Business Park and 400,000 square feet of Retail and Business use. The 1,600,000 square feet of Business Park was intended to be shared between the Industrial and Office North and South Parcels. The 400,000 square feet of retail and business use was intended to be shared between the Business and Office North and South Parcels as outlined in Table 1 below.

Table 1 – Approved Land Use Designations for the Subject Property			
Gross Acres	Net Acres	Approved Land Use Designation	Approved Uses for the CDMP
73.2	67.8	1- Industrial and Office – North Parcel	Business Park – 800,000 SF
23.5	20.6	2 - Business and Office – North Parcel	Retail Shopping Center – 200,000 SF
24.6	21.5	3 - Business and Office – South Parcel	Retail Shopping Center – 200,000 SF
74.9	70.5	4- Industrial and Office – South Parcel	Business Park – 800,000 SF
196.2	180.4	Industrial and Office – 148.1 gross acres Business and Office – 48.1 gross acres	Business Park – 1,600,000 SF Retail Shopping Center – 400,000 SF

### Transportation Analysis

The transportation analysis evaluated the impacts resulting from the proposed change in land use based upon a limited development program permitting up to 1,600,000 square feet of Business Park and 400,000 square feet of retail and business use, and evaluated the transportation impacts for the short term and long term planning horizons. Table 2 was provided (see below) to summarize the net external AM and PM peak hour trips generated by the prior existing land use and the net external AM and PM peak hour trips generated by the development program approved by this Amendment and the net change in AM and PM peak hour trips.

Table 2 – Permitted and Proposed Development for the Amendment Site		
Development Program Permitted by the Prior Existing Land Use [1]	Development Program Proposed by the CDMP Amendment [2]	Net New Trip Impacts Resulting from the Proposed Change
634 SF attached residential units 502 SF detached residential units 600 MF residential units 1736 Total Residential Units	Business Park – 1,600,000 SF Retail Shopping Center – 400,000 SF	
Net External AM Trips = 961	Net External AM Trips = 2,555	Net New External Trips = 1,594
Net External PM Trips = 1,209	Net External PM Trips = 3,297	Net New External Trips = 2,088

Table 3 - Trip Generation Summary					
Timeframe	Net External Trips for the Uses Proposed by the Change in Land Use to Industrial and Office	Net External Trips for the Uses Proposed by the Change in Land Use to Business and Office	Net External Trips for the Subject Property	Net External Trips for the Uses Permitted by the Existing Land Use	Net New External Trips Resulting from the Change in Land Use
	Business Park	Retail Shopping Center	Total	Residential Uses	Net New Trips
Daily	20,416	12,809	33,225	12,478	20,747
AM Peak Hour	2,288	267	2,555	961	1,594
PM Peak Hour	2,064	1,233	3,297	1,209	2,088

### Existing Miami-Dade Transit Service

Miami-Dade Transit Service provides local and regional transit access to the Amendment site as outlined in **Table 4**. MDT Routes 22, 27 and 297 operate with 15 to 20 minute peak hour headways adjacent to the Amendment Site, with Route 19 operating with 24 minute headways.

Table 4 – Existing Transit Service in the Study Area			
Transit Routes Serving the Amendment	Major Roadways Served By MDT Routes	AM and PM Peak Hour Service Headways – Dec. 2013	Saturday/Sunday Service Headway – Dec. 2013
Route 19	NW 119 Street	24 minutes	n/a
Route 22	NW 22 Avenue	15 minutes	30-30 minutes
Route 27	NW 27 Avenue	15 minutes	20-30 minutes
Route 297 – 27 Avenue Max	NW 27 Avenue	15 minutes	n/a

### CDMP Amendment Transportation Analysis

To evaluate the Covenant Modification related to the access locations, each of the roadways adjacent to the site and those which have the potential to provide access to the site were evaluated under existing and projected traffic conditions for the long term Year 2025 planning horizon. The following analyses have been provided in **Tables 5A through 5F**.

- **Table 5A** – Project Distribution for the Roadways Providing Access to the Site
- **Table 5B** - Existing Peak Hour Period Traffic Conditions on Study Area Roadways
- **Table 5C** – Year 2025 Future Background and Committed Development Traffic Conditions
- **Table 5D** – Traffic Growth Rate Calculations
- **Table 5E** – Assignment of Unbuilt Committed Development
- **Table 5F** – Year 2025 Total Traffic Conditions on Study Area Roadways

### Access and Network Improvements to Support the Amendment – Already in the Existing Covenant

The Applicant has proposed improvements to NW 119 Street by extending the fourth westbound travel lane on NW 119 Street from East Golf Drive to West Golf Drive for distance of approximately 775 feet, along with improved site access at directional median openings and a proposed signal for the intersection of NW 119 Street and NW 24 Avenue/East Golf Drive. The Applicant will also provide one or more eastbound right turn lanes to serve site access off of NW 119 Street as permitted by reviewing agencies. Each of these proposed improvements enhance both capacity and mobility for the NW 119 Street corridor. The proposed roadway and intersection improvements ensure that the regionally significant roadways serving the Amendment site will operate within the adopted level of service standards as defined by the CDMP.

### Year 2025 Traffic Conditions – Long Term Planning Horizon

An evaluation of the Year 2025 traffic conditions has been updated as part of this Covenant Modification to reconfirm the adequacy of the roadway infrastructure to meet adopted LOS standards through the Year 2025 Long Term Planning Horizon. Year 2025 traffic conditions incorporate growth in background traffic and traffic from approved committed developments, the traffic impact from the Amendment site and the improvements proposed by the Applicant to enhance the network and offset transportation impacts. A significance determination analysis was provided to ensure that those roadways carrying significant Amendment traffic would not impact any state or regionally significant roadway found to be operating below the adopted level of service standard in the year 2025 without providing mitigation to offset such impacts.



Table 5A  
Project Distribution for the Roadways Providing Access to the Site  
Two-Way PM Peak Hour

2/12/2015

ROADWAY SEGMENTS	[1]	[2]	Rosal Westview, LLC		[4]	PROJECT AS A PERCENT OF MSV	[5]
	YEAR 2025 LANES	CDMP ADOPTED LOS STANDARD	Business Park and Retail Use		TWO-WAY PEAK HOUR MAX CAPACITY		PROJECT TRIPS ≥ 5% YES / NO
			PROJECT DISTRIBUTION % [3]	NET NEW PM PK HR AMENDMENT TRIPS 2088			
SR 817 / NW 27 Avenue							
NW 135 Street to NW 119 Street	6LD	E+50	11.00%	230	8,085	2.84%	NO
NW 119 Street to NW 118 Street	6LD	E+50	13.73%	287	8,085	3.55%	NO
NW 118 Street to NW 103 Street	6LD	E+50	13.73%	287	8,085	3.55%	NO
NW 22 Avenue							
NW 135 Street to NW 119 Street	4LD	E+50	13.14%	274	4,833	5.68%	YES
NW 119 Street to NW 116 Street	4LD	E+50	46.39%	969	4,833	20.04%	YES
NW 116 Street to NW 103 Street	4LD	E+50	15.37%	321	4,833	6.64%	YES
SR 924 / Gratiigny / NW 119 Street							
NW 32 Avenue to NW 27 Avenue	8LD	E	28.88%	603	7,210	8.36%	YES
NW 27 Avenue to West Golf Dr	7LD	E	39.88%	833	6,288	13.24%	YES
West Golf Dr to East Golf DrNW 24 Ave	[4] Add WB lane to 7LD	E	28.88%	603	6,288	9.59%	YES
East Golf DrNW 24 Ave to NW 22 Ave	6LD	E	15.37%	321	5,390	5.95%	YES
NW 22 Avenue to NW 17 Avenue	6LD	E	17.88%	373	5,390	6.93%	YES
NW 118 Street							
NW 27 Avenue to West Golf Dr	2LU	E	13.73%	287	1,269	22.59%	YES
West Golf Drive							
NW 120 St to NW 119 St	2LU	E	11.00%	230	1,269	18.10%	YES
NW 119 St to NW 118 St	2LU	E	11.00%	230	1,269	18.10%	YES
NW 118 St to NW 115 St	2LU	E	10.00%	209	1,269	16.45%	YES
East Golf Drive/NW 24 Avenue							
NW 120 St to NW 119 St	2LU	E	22.13%	462	1,269	36.41%	YES
NW 119 St to NW 118 St	4LD by Applicant	E	22.12%	462	1,269	36.40%	YES

[1] Lane geometry reflects projects under construction, funded projects from TIP 2015 and planned projects from the LRTP 2040 that will be built by 2025.

[2] The adopted LOS standards are consistent with the Transportation Element from the Miami-Dade County CDMP.

[3] The Net New Amendment Trips reflect the 3297 Total PM Trips for Uses Proposed, less the 1209 PM Trips from Uses Permitted by the existing land use.

[4] The two-way peak hour roadway capacities have been obtained from the 2012 FDOT Quality/LOS Handbook updated 12/18/2012.

**Table 5B**  
**Existing Peak Hour Period Traffic Conditions on Study Area Roadways**  
**Two-Way Peak Hour Period**

2/12/2015

ROADWAY SEGMENTS	[1] 2014 EXISTING LANES	[2] ROADWAY FUNCTIONAL CLASSIFICATION	COUNT STATION	COUNT DATE	FDOT PSCF	FDOT AXLE FACTOR	[3] CDMP ADOPTED LOS STANDARD	[4] 2012-13-14-15 EXISTING PHP VOLUMES	[5] EXISTING PHP PEAK SEASON VOLUME	[6] [7] ART PLAN OR FDOT TWO WAY PK HR MSV	EXISTING PEAK HOUR PERIOD LOS	V/C
<b>SR 817 / NW 27 Avenue</b>												
NW 135 Street to NW 119 Street	6LD	State Principal Arterial	FDOT-0519	4/17-19/12	1.03	0.98	E+50	2,986	3,014	8,085	C	0.37
NW 119 Street to NW 118 Street	6LD	State Principal Arterial	MD-9412	4/01-03/14	1.00	0.98	E+50	3,280	3,214	8,085	C	0.40
NW 118 Street to NW 103 Street	6LD	State Principal Arterial	FDOT-0023	8/13-15/13	1.05	0.98	E+50	2,771	2,851	8,085	C	0.35
<b>NW 22 Avenue</b>												
NW 135 Street to NW 119 Street	4LD	County Minor Arterial	MD-9394	3/18-20/14	1.00	1.00	E+50	1,874	1,874	3,690	D	0.51
NW 119 Street to NW 118 Street	4LD	County Minor Arterial	MD-9394	3/18-20/14	1.00	1.00	E+50	1,874	1,874	3,690	D	0.51
NW 118 Street to NW 103 Street	4LD	County Minor Arterial	MD-9394	3/18-20/14	1.00	1.00	E+50	1,874	1,874	3,690	D	0.51
<b>SR 924 / Gratigny / NW 119 Street</b>												
NW 32 Avenue to NW 27 Avenue	8LD	State Principal Arterial	MD-9517	4/01-03/14	1.00	0.97	E	3,613	3,505	7,210	C	0.49
NW 27 Avenue to West Golf Dr	7LD	State Principal Arterial	FDOT-1220	11/05-07/13	1.04	0.97	E	3,894	3,928	6,288	C	0.62
West Golf Dr to East Golf Dr/NW 24 Ave	6LD	State Principal Arterial	FDOT-1220	11/05-07/13	1.04	0.97	E	3,894	3,928	5,390	C	0.73
East Golf Dr/NW 24 Ave to NW 22 Ave	6LD	State Principal Arterial	FDOT-1220	11/05-07/13	1.04	0.97	E	3,894	3,928	5,390	C	0.73
NW 22 Avenue to NW 17 Avenue	6LD	State Principal Arterial	FDOT-1220	11/05-07/13	1.04	0.97	E	3,894	3,928	5,390	C	0.73
<b>NW 118 Street</b>												
NW 27 Avenue to West Golf Dr	2LU	Local Road	Link Counts	1/13-15/15	1.06	1.00	E	22	23	1,269	C	0.02
<b>West Golf Drive</b>												
NW 120 St to NW 119 St	2LU	Local Road	TM Counts	1/13/15	1.06	1.00	E	142	151	1,269	C	0.12
NW 119 St to NW 118 St	2LU	Local Road	TM Counts	1/13/15	1.06	1.00	E	106	112	1,269	C	0.09
NW 118 St to NW 115 St	2LU	Local Road	TM Counts	1/13/15	1.06	1.00	E	102	108	1,269	C	0.09
<b>East Golf Drive/NW 24 Avenue</b>												
NW 120 St to NW 119 St	2LU	Local Road	TM Counts	1/13/15	1.06	1.00	E	30	32	1,269	C	0.03
NW 119 St to NW 118 St	2LU	Local Road	TM Counts	1/13/15	1.06	1.00	E	12	13	1,269	C	0.01

[1] Existing lane geometry is documented for Existing Conditions.

[2] The roadway functional classification is based on the 2013 FDOT Florida Transportation DVD.

[3] The adopted LOS standards are consistent with the Transportation Element from the Miami-Dade County CDMP.

[4] Updated PHP volumes have been obtained from Applicant Counts, Miami-Dade County and FDOT Traffic Count Station Databases as available for the years 2012, 2013, 2014 and 2015.

[5] The PHP volumes have been adjusted using the 2012 and 2013 PSCF where appropriate and Axle Factors provided by FDOT from the 2013 Florida Transportation Information DVD.

[6] The two-way peak hour MSV for county roads are consistent with ART PLAN (where available) as established by MDC Public Works in the Traffic Count Station Database.

Where ART PLAN runs are not available, the MSV is based on Table 4 from the 2012 FDOT QualityLOS Handbook dated 12/18/2012.

[7] The two-way peak hour roadway capacities for State Roads have been obtained from the 2012 FDOT QualityLOS Handbook dated 12/18/2012.

**Table 5C**  
**Year 2025 Future Background and Committed Development Traffic Conditions on Study Area Roadways - Long Term Planning Horizon**  
**Two-Way Peak Hour Period without the Amendment Trips**

2/12/2015

ROADWAY SEGMENTS	[1] YEAR 2025 LANES	[2] CDMP ADOPTED LOS STANDARD	EXISTING PHP PEAK SEASON VOLUMES [See Table 5B]	[3] MODEL GROWTH RATES [See Table 5D]	2025 FUTURE BACKGROUND PHP VOLUME	[4] COMMITTED DEVELOPMENT TRIPS [See Table 5E]	2025 BACKGROUND PLUS COMMITTED VOLUMES	[5] TWO-WAY PEAK HOUR MAX CAPACITY	2025 PHP LOS	2025 PHP V/C
<b>SR 817 / NW 27 Avenue</b>										
NW 135 Street to NW 119 Street	6LD	E+50	3,014	1.27%	3,551	150	3,701	8,085	C	0.46
NW 119 Street to NW 118 Street	6LD	E+50	3,214	1.27%	3,693	183	3,876	8,085	C	0.48
NW 118 Street to NW 103 Street	6LD	E+50	2,851	1.27%	3,318	183	3,501	8,085	C	0.43
<b>NW 22 Avenue</b>										
NW 135 Street to NW 119 Street	4LD	E+50	1,874	1.27%	2,153	565	2,718	4,833	C	0.56
NW 119 Street to NW 116 Street	4LD	E+50	1,874	1.27%	2,153	163	2,316	4,833	C	0.48
NW 116 Street to NW 103 Street	4LD	E+50	1,874	1.27%	2,153	190	2,343	4,833	C	0.48
<b>SR 924 / Gratiigny / NW 119 Street</b>										
NW 32 Avenue to NW 27 Avenue	8LD	E	3,505	1.27%	4,027	418	4,445	7,210	C	0.62
NW 27 Avenue to West Golf Dr	7LD	E	3,928	1.27%	4,571	546	5,117	6,288	C	0.81
West Golf Dr to East Golf Dr/NW 24 Ave	6LD	E	3,928	1.27%	4,571	413	4,984	5,390	C	0.92
East Golf Dr/NW 24 Ave to NW 22 Ave	6LD	E	3,928	1.27%	4,571	250	4,820	5,390	C	0.89
NW 22 Avenue to NW 17 Avenue	6LD	E	3,928	1.27%	4,571	280	4,851	5,390	C	0.90
<b>NW 118 Street</b>										
NW 27 Avenue to West Golf Dr	2LU	E	23	1.27%	26	0	26	1,269	C	0.02
<b>West Golf Drive</b>										
NW 120 St to NW 119 St	2LU	E	112	1.27%	127	0	127	1,269	C	0.10
NW 119 St to NW 118 St	2LU	E	151	1.27%	171	0	171	1,269	C	0.13
NW 118 St to NW 115 St	2LU	E	112	1.27%	127	0	127	1,269	C	0.10
<b>East Golf Drive/NW 24 Avenue</b>										
NW 120 St to NW 119 St	2LU	E	32	1.27%	36	0	36	1,269	C	0.03
NW 119 St to NW 118 St	2LU	E	13	1.27%	14	0	14	1,269	C	0.01

[1] Lane geometry for Year 2025 Long Term Planning Horizon reflects projects under construction, funded projects from TIP 2015 and planned projects from the LRTP 2040.

[2] The adopted LOS standards are consistent with the Transportation Element from the Miami-Dade County CDMP.

[3] The growth rate calculations are provided on Table 5D and are based upon linear growth rates established using the 2005 and 2035 model forecasts from the 2035 LRTP.

[4] Committed development traffic estimates are provided in Table 5E based on the Concurrency Database with adjustments made for segments without DO trip assignments.

[5] The two-way peak hour roadway capacities have been obtained from the 2012 FDOT QualityLOS Handbook updated 12/18/2012.

Table 5D  
Traffic Growth Rate Calculations using the 2005 and 2035 LRTP Model Output Files

2/12/2015

ROADWAY	DIR	2005 Model Volumes	2035 Model Volumes	Growth Rate
<b>NW 37 AVENUE</b>				
SR 826 to NW 135 Street	N/S	40,290	47,214	0.53%
NW 135 Street to SR 924	N/S	42,131	40,528	-0.13%
<b>AVERAGE:</b>		<b>82,421</b>	<b>87,742</b>	<b>0.21%</b>
<b>NW 32 AVENUE</b>				
NW 135 Street to NW 119 Street	N/S	14,669	23,310	1.56%
NW 119 Street to NW 103 Street	N/S	30,406	28,168	-0.25%
NW 103 Street to NW 79 Street	N/S	20,267	29,200	1.22%
<b>AVERAGE:</b>		<b>65,342</b>	<b>80,678</b>	<b>0.71%</b>
<b>SR 817 / NW 27 AVENUE</b>				
SR 826 to NW 135 Street	N/S	50,412	64,297	0.81%
NW 135 Street to NW 119 Street	N/S	51,878	56,296	0.27%
NW 119 Street to NW 103 Street	N/S	52,922	64,441	0.66%
NW 103 Street to NW 95 Street	N/S	35,768	43,441	0.65%
NW 95 Street to NW 87 Street	N/S	33,014	42,623	0.86%
NW 87 Street to NW 79 Street	N/S	35,859	43,897	0.68%
<b>AVERAGE:</b>		<b>259,853</b>	<b>314,995</b>	<b>0.64%</b>
<b>NW 22 AVENUE</b>				
SR 826 to SR 9	N/S	20,798	30,168	1.25%
SR 9 to NW 135 Street	N/S	21,640	29,934	1.09%
NW 135 Street to NW 119 Street	N/S	11,185	22,433	2.35%
NW 119 Street to NW 103 Street	N/S	10,222	29,062	3.54%
NW 103 Street to NW 95 Street	N/S	11,733	33,494	3.56%
NW 95 Street to NW 87 Street	N/S	17,160	35,644	2.47%
NW 87 Street to NW 79 Street	N/S	17,160	36,497	2.55%
<b>AVERAGE:</b>		<b>109,898</b>	<b>217,232</b>	<b>2.30%</b>
<b>NW 17 AVENUE</b>				
NW 135 Street to NW 119 Street	N/S	4,059	17,407	4.97%
NW 119 Street to NW 103 Street	N/S	4,048	11,484	3.54%
NW 103 Street to NW 95 Street	N/S	8,821	20,291	2.82%
NW 95 Street to NW 87 Street	N/S	15,651	23,282	1.33%
NW 87 Street to NW 79 Street	N/S	15,228	24,339	1.58%
<b>AVERAGE:</b>		<b>47,807</b>	<b>96,803</b>	<b>2.38%</b>
<b>SR 924 / GRATIGNY / NW 119 STREET</b>				
NW 57 Avenue to NW 37 Avenue	E/W	12,141	62,392	5.61%
NW 37 Avenue to NW 32 Avenue	E/W	24,517	66,490	3.38%
NW 32 Avenue to NW 27 Avenue	E/W	34,795	79,849	2.81%
NW 27 Avenue to NW 22 Avenue	E/W	27,132	53,463	2.29%
NW 22 Avenue to NW 17 Avenue	E/W	26,220	53,463	2.40%
NW 17 Avenue to I-95	E/W	27,713	54,157	2.26%
<b>AVERAGE:</b>		<b>152,518</b>	<b>369,814</b>	<b>3.00%</b>
<b>SR 932 / NW 103 STREET</b>				
NW 57 Avenue to NW 42 Avenue	E/W	42,940	46,420	0.26%
NW 42 Avenue to NW 32 Avenue	E/W	41,168	48,495	0.55%
NW 32 Avenue to NW 27 Avenue	E/W	34,345	51,158	1.34%
NW 27 Avenue to NW 22 Avenue	E/W	39,207	53,103	1.02%
NW 22 Avenue to NW 17 Avenue	E/W	37,491	47,473	0.79%
NW 17 Avenue to NW 12 Avenue	E/W	33,028	40,512	0.68%
NW 12 Avenue to I-95	E/W	36,798	43,349	0.55%
<b>TOTAL FOR ALL STATIONS:</b>		<b>264,977</b>	<b>330,510</b>	<b>0.74%</b>
<b>NW 95 STREET</b>				
NW 27 Avenue to NW 22 Avenue	E/W	30,930	27,962	-0.34%
NW 22 Avenue to NW 17 Avenue	E/W	30,930	34,516	0.37%
NW 17 Avenue to NW 12 Avenue	E/W	30,930	33,321	0.25%
NW 12 Avenue to I-95	E/W	28,825	31,704	0.32%
<b>TOTAL FOR ALL STATIONS:</b>		<b>121,615</b>	<b>127,503</b>	<b>0.16%</b>
<b>AVERAGE GROWTH RATE:</b>				Model Rate:
<b>AVERAGE GROWTH RATE / 2 TO ADJUST FOR COMMITTEDS:</b>				<b>1.27%</b>
				<b>0.63%</b>

Table 5E  
Assignment of Unbuilt Committed Development Traffic  
Two-Way PM Peak Hour

2/12/2015

ROADWAY SEGMENTS	YEAR 2025 LANES	COUNT STATION	[1] 9/16/2014 MIAMI-DADE CONCURRENCY DATABASE COMMITTED TRIPS	Westview Development Allowed Pursuant to the Existing Land Use		TOTAL COMMITTED TRAFFIC
				Project Distribution Percent	Net External PM Trips [2] 1209	
<b>SR 817 / NW 27 Avenue</b>						
NW 135 Street to NW 119 Street	6LD	FDOT-0519	17	11.00%	133	150
NW 119 Street to NW 118 Street	6LD	MD-9412	17	13.73%	166	183
NW 118 Street to NW 103 Street	6LD	FDOT-0023	17	13.73%	166	183
<b>NW 22 Avenue</b>						
NW 135 Street to NW 119 Street	4LD	MD-9394	4	13.14%	159	163
NW 119 Street to NW 116 Street	4LD	MD-9394	4	46.39%	561	565
NW 116 Street to NW 103 Street	4LD	MD-9394	4	15.37%	186	190
<b>SR 924 / Gragny / NW 119 Street</b>						
NW 32 Avenue to NW 27 Avenue	8LD	MD-9517	69	28.88%	349	418
NW 27 Avenue to West Golf Dr	7LD	FDOT-1220	64	39.88%	482	546
West Golf Dr to East Golf Dr/NW 24 Ave	6LD	FDOT-1220	64	28.88%	349	413
East Golf Dr/NW 24 Ave to NW 22 Ave	6LD	FDOT-1220	64	15.37%	186	250
NW 22 Avenue to NW 17 Avenue	6LD	FDOT-1220	64	17.88%	216	280
<b>NW 118 Street</b>						
NW 27 Avenue to West Golf Dr	2LU	Link Counts	0	13.73%	166	0
<b>West Golf Drive</b>						
NW 120 St to NW 119 St	2LU	TM Counts	0	11.00%	133	0
NW 119 St to NW 118 St	2LU	TM Counts	0	11.00%	133	0
NW 118 St to NW 115 St	2LU	TM Counts	0	10.00%	121	0
<b>East Golf Drive/NW 24 Avenue</b>						
NW 120 St to NW 119 St	2LU	TM Counts	0	22.13%	268	0
NW 119 St to NW 118 St	2LU	TM Counts	0	22.12%	267	0

[1] Includes the two-way peak hour committed project traffic from the 9-16-2014 MDC Traffic Concurrency Database.

[2] This Table includes the trip assignment for the residential units permitted by the Underlying Land use which equates to 1209 PM Peak Hour trips.

Table 5F  
Year 2025 Total Traffic Conditions on Study Area Roadways - Long Term Planning Horizon  
Two-Way Peak Hour Period with the Amendment Trips

2/12/2015

ROADWAY SEGMENTS	[1]	[2]	2025 PHP	Rosal Westview, LLC		2025	[3]	2025	2025	PROJECT	PROJECT	PROJECT		
	YEAR	CDMP	VOLUMES	Business Park and Retail Use			TWO-WAY							
				WITHOUT	NET NEW PM PK HR								VOLUMES	PEAK HOUR
2025	LOS	ADOPTED	AMENDMENT	[3]	2088	AMENDMENT	CAPACITY	PHP	PHP	AS A	TRIPS	≥ 5% AND		
LANES	STANDARD	LOS	[See Table 5C]					LOS	V/C	PERCENT	YES / NO	ROADWAY		
SR 817 / NW 27 Avenue														
NW 135 Street to NW 119 Street	6LD	E+50	3,701	11.00%	230	3,931	8,085	C	0.49	2.84%	NO	NO		
NW 119 Street to NW 118 Street	6LD	E+50	3,876	13.73%	287	4,163	8,085	C	0.51	3.55%	NO	NO		
NW 118 Street to NW 103 Street	6LD	E+50	3,501	13.73%	287	3,787	8,085	C	0.47	3.55%	NO	NO		
NW 22 Avenue														
NW 135 Street to NW 119 Street	4LD	E+50	2,718	13.14%	274	2,992	4,833	C	0.62	5.68%	YES	NO		
NW 119 Street to NW 116 Street	4LD	E+50	2,316	46.39%	969	3,285	4,833	E+ 02	0.68	20.04%	YES	NO		
NW 116 Street to NW 103 Street	4LD	E+50	2,343	15.37%	321	2,664	4,833	C	0.55	6.64%	YES	NO		
SR 924 / Gratiigny / NW 119 Street														
NW 32 Avenue to NW 27 Avenue	8LD	E	4,445	28.88%	603	5,048	7,210	C	0.70	8.36%	YES	NO		
NW 27 Avenue to West Golf Dr	7LD	E	5,117	39.88%	833	5,949	6,288	C	0.95	13.24%	YES	NO		
West Golf Dr to East Golf Dr/NW 24 Ave	[4] Add lane to 7LD	E	4,984	28.88%	603	5,587	6,288	C	0.89	9.59%	YES	YES		
East Golf Dr/NW 24 Ave to NW 22 Ave	6LD	E	4,820	15.37%	321	5,141	5,390	C	0.95	5.95%	YES	NO		
NW 22 Avenue to NW 17 Avenue	6LD	E	4,851	17.88%	373	5,224	5,390	C	0.97	6.93%	YES	NO		
NW 118 Street														
NW 27 Avenue to West Golf Dr	2LU	E	26	13.73%	287	313	1,269	C	0.25	22.59%	YES	NO		
West Golf Drive														
NW 120 St to NW 119 St	2LU	E	127	11.00%	230	357	1,269	C	0.28	18.10%	YES	NO		
NW 119 St to NW 118 St	2LU	E	171	11.00%	230	400	1,269	C	0.32	18.10%	YES	NO		
NW 118 St to NW 115 St	2LU	E	127	10.00%	209	336	1,269	C	0.26	16.45%	YES	NO		
East Golf Drive/NW 24 Avenue														
NW 120 St to NW 119 St	2LU	E	36	22.13%	462	498	1,269	C	0.39	36.41%	YES	NO		
NW 119 St to NW 118 St	4LD by Applicant	E	14	22.12%	462	476	2,736	C	0.17	16.88%	YES	NO		

[1] The lane geometry for the Year 2025 Long Term Planning Horizon reflects projects currently under construction, the funded projects from TIP 2015 and the planned projects from LRTP 2040.

[2] The adopted LOS standards are consistent with the Transportation Element from the Miami-Dade County CDMP.

[3] The two-way peak hour roadway capacities have been obtained from the 2012 FDOT Quality/LOS Handbook updated 12/18/2012.

[4] To mitigate project impacts and to improve the capacity on NW 119 Street, extend the fourth westbound travel lane for +775 feet from its origin at West Golf Drive back to East Golf Drive.

This improvement is already part of the existing commitments by the Applicant pursuant to the CDMP Amendment Approved in 2012.







Figure 6 - Prepared for the 2011-2012 CDMP Amendment

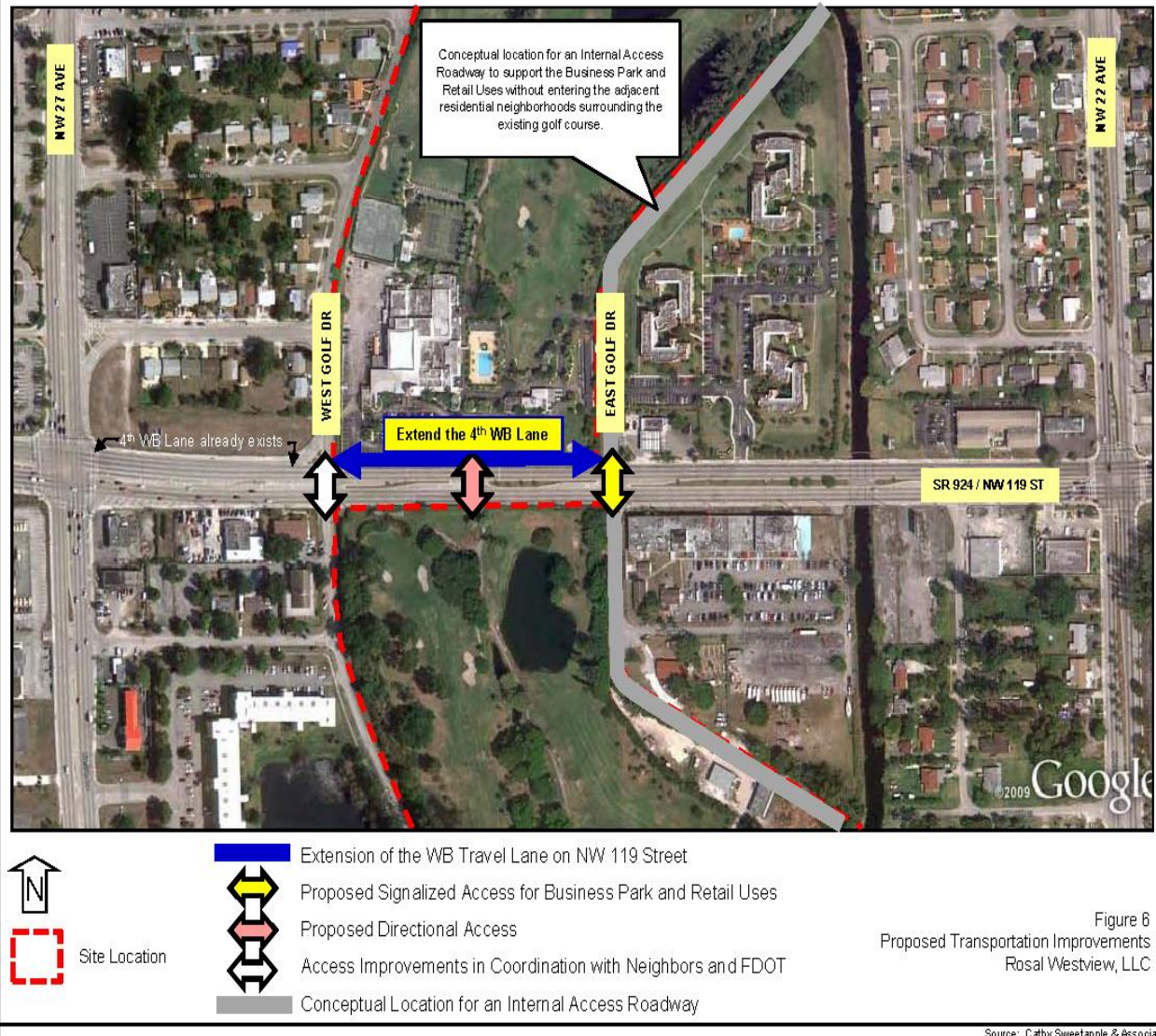
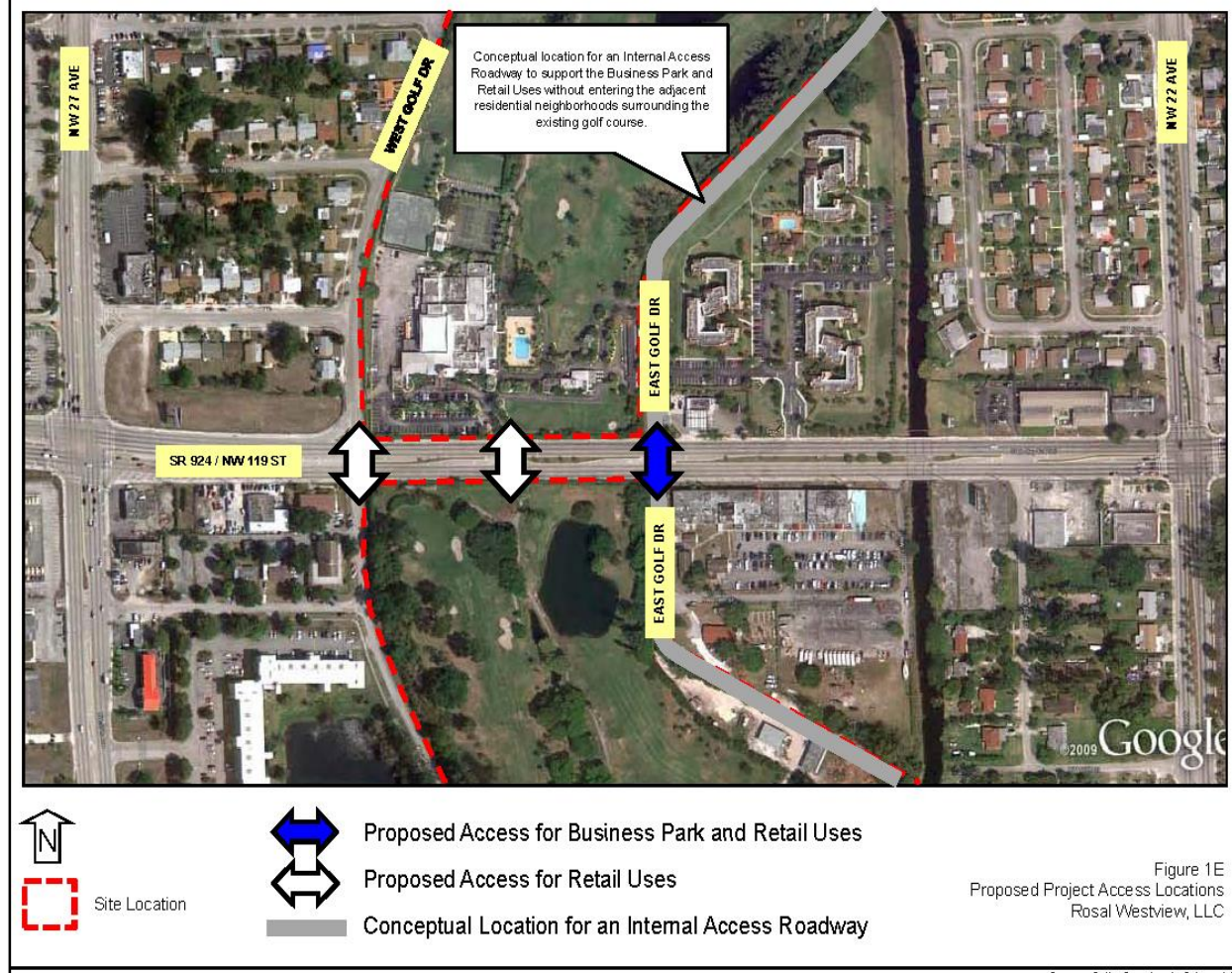




Figure 1E - Prepared for the 2011-2012 CDMP Amendment



THIS PAGE INTENTIONALLY LEFT BLANK

# **APPENDIX C**

## **Photos of Site and Surroundings**

THIS PAGE INTENTIONALLY LEFT BLANK





Application site



Westview Gardens Apartments north side of NW 119 Street between  
NW 24 and NW 23 Avenues east of the application site





Small retail operations along NW 119 Street



Institutional facilities and apartment buildings on  
West Golf Drive and NW 119 Street