

This instrument was prepared by, and after recording return to:

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

PARTIAL RELEASE OF DECLARATION OF USE

WHEREAS, CC Doral, LLC (the "Owner") is the owner of the Property legally described in the attached Exhibit "A" (the "Marriott Property");

WHEREAS, a Declaration of Use dated July 10, 1986, and recorded in Official Records Book 13011 at Page 1238 in the Public Records of Miami-Dade County, Florida (the "Declaration") was entered into in favor of Miami-Dade County, Florida;

WHEREAS, the Declaration encompasses the property more specifically described in the attached Exhibit "B" and made a part hereof (the "Declaration Property") and which includes the Marriott Property;

WHEREAS, the Declaration was entered into and recorded in connection with a previous zoning approval for the Declaration Property;

WHEREAS, the Declaration Property was located within un-incorporated Miami-Dade County at the time the Declaration was executed;

WHEREAS, the City of Doral incorporated on June 24, 2003, subsequent to the date of the execution of the Declaration;

WHEREAS, the Declaration Property is now located within the boundaries of the City of Doral;

WHEREAS, a public hearing for the rezoning of the Marriott Property to Downtown Doral Downtown Mixed Use was held before the City Council on March 28, 2012, at which hearing the City Council adopted Ordinance No. 2012-08 (the "Ordinance");

WHEREAS, the Ordinance approved a rezoning and development program that superseded all previous zoning approvals on the Marriott Property;

WHEREAS, the Director of the City Planning and Zoning Department (the "Director") is authorized to execute this partial release on behalf of the City of Doral, as successor-in-interest to the Dade County Building and Zoning Department; and

WHEREAS, the Owner has affirmed that it has abandoned said previous zoning approvals and all rights thereunder and the Director desires to terminate the Declaration with respect to the Marriott Property.

NOW, THEREFORE, in consideration of the foregoing and along with other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City of Doral agrees as follows:

1. **Recitals**. The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Partial Release are hereby deemed a part hereof.
2. **Release**. The Declaration of Use recorded in Official Records Book 13011 at Page 1238 in the Public Records of Miami-Dade County, Florida is hereby released as it applies to the Marriott Property and such Declaration shall hereinafter be of no further force or effect with respect thereto. The Clerk of the Circuit Court of Miami-Dade County, Florida, is hereby directed to note the same upon the records.

[Execution Page Follows]

EXHIBIT "A"

Legal Description of Marriott Property:

A portion of Tract "A", WHITE VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 157, at Page 18, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

COMMENCE at the Southwest corner of Section 22, Township 53 South, Range 40 East, Miami-Dade County, Florida; thence North 00° 00' 00" East as a basis of bearing along the West line of said Section 22, a distance of 418.30 feet; thence South 85° 39' 00" East, a distance of 43.07 feet to the POINT OF BEGINNING of the following described parcel of land and the beginning of a curve to the right (the following three (3) courses are along the East Right-of-Way line of NW 87th Avenue), a radial line to that point bears North 86° 46' 51" West;

THENCE 78.48 feet along the arc of said curve, said curve having a radius of 1869.86 feet, and a central angle of 02° 24' 17", to the point of intersection with a tangent line;

THENCE North 05° 37' 30" East along said line, a distance of 300.00 feet to the point of intersection with a tangent curve to the left;

THENCE 326.91 feet along the arc of said curve, said curve having a radius of 1949.86 feet and a central angle of 09° 36' 22", to the point of intersection with a non-tangent line, a radial line to that point bears North 86° 01' 08" East;

THENCE North 87° 45' 36" East along said line, a distance of 134.24 feet;

THENCE South 53° 14' 24" East, a distance of 200.00 feet;

THENCE South 01° 45' 36" West, a distance of 389.07 feet;

THENCE South 85° 38' 10" West, a distance of 104.38 feet;

THENCE South 07° 00' 00" West, a distance of 209.17 feet;

THENCE North 84° 22' 30" West, a distance of 40.66 feet;

THENCE North 85° 39' 00" West, a distance of 152.90 feet to the POINT OF BEGINNING.

EXHIBIT "B"

Legal Description of Declaration Property:

A parcel of land lying in the S.W. 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of said Section 22; thence run NORTH, along the West Line of the S.W. 1/4 of said Section 22 and along the centerline of N.W. 87th Avenue as shown on the plat of DCRAL RIGHT OF WAY, as recorded in Plat Book 104, at Page 93 of the Public Records of Dade County, Florida, for a distance of 103.05 feet to a point; thence run EAST for a distance of 40.00 feet to a point on the East Right-of-Way Line of said N.W. 87th Avenue and the Point of Beginning of the following described parcel of land; thence run NORTH, along said East Right-of-Way Line of N.W. 87th Avenue, for a distance of 206.95 feet to the point of curvature of a circular curve to the right having a radius of 1869.86 feet; thence run Northeasterly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 183.57 feet, through a central angle of $5^{\circ}37'30''$ to the point of tangency; thence run N $5^{\circ}37'30''$ E, along said East Right-of-Way line of N.W. 87th Avenue, for a distance of 300.00 feet to the point of curvature of a circular curve to the left having a radius of 1949.86 feet; thence run Northerly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 370.15 feet, through a central angle of $10^{\circ}52'36''$ to a point; thence run N $84^{\circ}44'54''$ E, along a line radial to the last mentioned curve, for a distance of 10.00 feet to a point; thence run S $75^{\circ}36'20''$ E for a distance of 1206.67 feet to a point; thence run S $87^{\circ}25'23''$ E for a distance of 335.10 feet to a point, thence run S $8^{\circ}05'33''$ W for a distance of 216.10 feet to a point, thence run S $87^{\circ}22'30''$ W for a distance of 401.82 feet to a point; thence run S $23^{\circ}33'50''$ E for a distance of 325.00 feet to a point; thence run S $9^{\circ}04'47''$ E for a distance of 274.75 feet to a point on the North Right-of-Way Line of N.W. 41st Street; thence run N $88^{\circ}14'03''$ W, along the North Right-of-Way Line of N.W. 41st Street and along a line parallel to and 80.00 feet North of the South Line of the S.W. 1/4 of said Section 22, for a distance of 1269.20 feet to the point of curvature of a circular curve to the right having a radius of 25.00 feet; thence run Northwesterly, along the East Right-of-Way line of the aforementioned N.W. 87th Avenue and along the arc of said curve, for a distance of 38.50 feet through a central angle of $88^{\circ}14'03''$ to the point of tangency and the Point of beginning.

In consideration of rezoning to IU-C, as hereinafter outlined, I, or we, as owner(s) of the property herein designated, hereby agree and bind myself, or ourselves, and my, or our, heirs, assignees, and successors as follows:

The uses permitted shall be auditoriums, banks, private clubs, hotels, motels, offices, parking lots, radio and television transmission towers and studios, police and fire stations, restaurant schools, telephone exchanges, sales rooms and storage rooms or other uses as may be deemed similar in the opinion of the Dade County Building and Zoning Department Director.

On Lot _____ Block _____ of _____, P.B. _____ Pg. _____ of the Public Records of Dade County, Florida. SEE EXHIBIT A

also known as _____, Dade County, Florida.

This agreement is hereby made and accepted as a condition of the rezoning to IU-Industrial District, Conditional.

It is further understood and agreed that this agreement shall be deemed a covenant running with the land and shall remain in full force and effect and be binding upon the undersigned, their heirs, and assigns until such time as the same may be released in writing by the Director of Dade County, Building and Zoning Department, or the executive director or executive officer, by his assistant in charge of the office in his absence.

As further part of this agreement, it is hereby understood and agreed that any official inspector of the Dade County Planning, Building and Zoning Department or its agents duly authorized, may have the privilege at any time of entering and investigating 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.

Signed, sealed, executed and acknowledged on this 10th day of July A.D. 19 86, at Miami, Florida.

WITNESSES:

[Signature]
[Signature]

[Signature]
Executive Vice President
Carol Management Corporation

(For Corporation).

IN WITNESS WHEREOF, CAROL MANAGEMENT CORPORATION, a New York corporation,

has caused these presents to be signed in its name by its proper officials, and its corporate seal to be affixed.



CAROL MANAGEMENT CORPORATION, a New York corporation: (Corporate Name)

By

[Signature]
Salvatore J. Branciforte, Executive Vice President

STATE OF FLORIDA)
) SS:
COUNTY OF DADE .)

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgements, personally appeared Salvatore J. Branciforte to me known to be the persons described as Executive Vice President

who executed the foregoing instrument, and acknowledged before me that corporation, affixing the corporate seal of that corporation thereto; that as such corporate officers such persons are duly authorized by that corporation to do so; and that the foregoing instrument is the act of that corporation.

Witness my hand and official seal in the county and state named above this 10th day of July 19 86 My Commission Expires AUG. 3, 1988 *[Signature]* (Notary Public)

86R305353

EXHIBIT "A"LEGAL DESCRIPTION

A parcel of land lying in the S.W. 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of said Section 22; thence run NORTH, along the West Line of the S.W. 1/4 of said Section 22 and along the centerline of N.W. 87th Avenue as shown on the plat of CORAL RIGHT OF WAY, as recorded in Plat Book 104, at Page 93 of the Public Records of Dade County, Florida, for a distance of 103.05 feet to a point; thence run EAST for a distance of 40.00 feet to a point on the East Right-of-way line of said N.W. 87th Avenue and the Point of Beginning of the following described parcel of land; thence run NORTH, along said East Right-of-Way Line of N.W. 87th Avenue, for a distance of 206.95 feet to the point of curvature of a circular curve to the right having a radius of 1869.86 feet; thence run Northeasterly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 183.57 feet, through a central angle of $5^{\circ}37'30''$ to the point of tangency; thence run $N 5^{\circ}37'30'' E$, along said East Right-of-way line of N.W. 87th Avenue, for a distance of 300.00 feet to the point of curvature of a circular curve to the left having a radius of 1949.86 feet; thence run Northerly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 370.15 feet, through a central angle of $10^{\circ}52'36''$ to a point; thence run $N 84^{\circ}44'54'' E$, along a line radial to the last mentioned curve, for a distance of 10.00 feet to a point; thence run $S 75^{\circ}16'20'' E$ for a distance of 1206.67 feet to a point; thence run $S 87^{\circ}25'23'' E$ for a distance of 335.10 feet to a point, thence run $S 8^{\circ}05'33'' W$ for a distance of 216.10 feet to a point, thence run $S 87^{\circ}22'30'' W$ for a distance of 401.82 feet to a point; thence run $S 23^{\circ}33'50'' E$ for a distance of 325.00 feet to a point; thence run $S 9^{\circ}04'47'' E$ for a distance of 274.75 feet to a point on the North Right-of-Way Line of N.W. 41st Street; thence run $N 88^{\circ}14'03'' W$, along the North Right-of-way Line of N.W. 41st Street and along a line parallel to and 80.00 feet North of the South Line of the S.W. 1/4 of said Section 22, for a distance of 1269.20 feet to the point of curvature of a circular curve to the right having a radius of 25.00 feet; thence run Northwesterly, along the East Right-of-way Line of the aforementioned N.W. 87th Avenue and along the arc of said curve, for a distance of 38.50 feet through a central angle of $88^{\circ}14'03''$ to the point of tangency and the Point of Beginning.

REC: 1301181240

The undersigned THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey Corporation, Mortgagee, under that certain mortgage from See Exhibit "B" which is attached hereto and made a part hereof by reference,

dated the day -- of --, 19 --, and recorded in Official Records Book --, Page --, of the Public Records of Dade County, Florida, in the original amount of \$ --

covering all/or a portion of the property described in the foregoing agreement, do hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

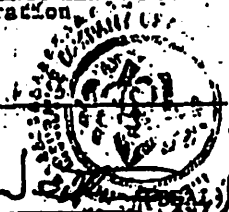
IN WITNESS WHEREOF, these presents have been executed this 29th day of July A.D., 19 86.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

Name of Corporation

By M. L. Westney
Vice President

Attest: John L. Westney Jr.
ASST. Secretary



STATE OF GEORGIA
COUNTY OF DeKALB

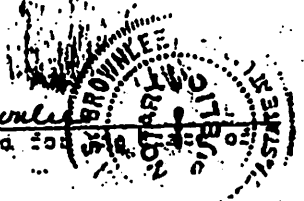
BEFORE ME, the undersigned authority, this day appeared N.W. BURT and JOHN L. WESTNEY JR., both being to me well known and known by me to be the VICIE PRESIDENT and ASSISTANT SECRETARY of The Prudential Insurance Company of America under the laws of the State of New Jersey

and which said Corporation is known by me to be the persons described in and which executed the foregoing instrument, the said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said Corporation executed, signed and delivered the said instrument as the act and deed of said Corporation, and the said officers of said Corporation then and there severally acknowledged to and before me that they executed the said instrument, acting in their said official capacities, for and as to the act and deed of said Corporation and in its name, and impressed thereon its Corporate Seal for the uses and purposes therein mentioned, and after being duly authorized and directed.

WITNESS my hand and official Seal at Atlanta in the County and State aforesaid, on this, the 29th day of July A.D. 19 86.

My Commission expires:

Virginia S. Brownlee
Notary Public in and for
Georgia at Large.



Notary Public, Georgia, State at Large
My Commission Expires Nov. 12, 1987

EXHIBIT "B"

SPECIAL EXCEPTIONS

1. That certain Mortgage recorded September 14, 1976 in Official Records Book 9441, at Page 1577, and those certain consolidated, modified, extended, and spread mortgages identified and set forth in that Consolidation, Modification, Extension and Spreading Agreement, dated January 23, 1974, and recorded in Official Records Book 8574, at Page 1659, all of the Public Records of Dade County, Florida, all of which are more particularly described in that certain Modification and Extension Agreement, dated January 17, 1977, and recorded January 20, 1977 in Official Records Book 9563, at Page 1596, of the Public Records of Dade County, Florida, as the same may have been modified by that Mortgage and Option Agreement, Modification and Release dated September 22, 1981, recorded in Official Records Book 11249, at Page 1608, that certain Partial Release of Mortgage and Option Agreement and Grant of Easement dated September 29, 1982, recorded in Official Records Book 11607, at Page 1857, and that Partial Release of Mortgage and Option Agreement and Spreader Agreement, dated September 6, 1983, and recorded September 28, 1983 in Official Records Book 11920, at page 3262, and Spreader Agreement modifying Mortgage and Option Agreement dated September 18, 1984, and recorded October 5, 1984, in Official Records Book 12290, at Page 893, of the Public Records of Dade County, Florida.

2. Uniform Commercial Code Financing Statements recorded in connection with the instruments described in Item 1 hereof.

3. That certain Option Agreement from Doris Kaskel, Howard Kaskel, Anita Blum and Carole Schragis, as Ancillary Co-Executors of the Estate of Alfred L. Kaskel, Deceased, dated January 17, 1977, filed January 20, 1977, and recorded in Official Records Book 9563, at Page 1580, of the Public Records of Dade County, Florida, and that certain Option Agreement from Doris Kaskel, Howard Kaskel, Anita Blum and Carole Schragis, as Ancillary Co-Executors and Co-Executors of the Estate of Alfred L. Kaskel, Deceased, dated January 23, 1974 and recorded in Official Records Book 8574, at Page 1685, of the Public Records of Dade County, Florida.

*This document prepared by Jules Arkin
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Miami Beach, FL 33139
Tel. 672-1921*