

**This instrument was prepared by:**

Name: Steven J. Vainder, Esq.  
Address: White & Case, LLP  
Southeast Financial Center  
200 South Biscayne Boulevard, #4900  
Miami, FL 33131

(Space reserved for Clerk)

**COVENANT RUNNING WITH THE LAND**  
**IN LIEU OF UNITY OF TITLE**

(Mixed Use)

This Covenant Running with the Land in Lieu of Unity of Title ("**Covenant**") is made and entered into this 22 day of April, 2014, by PARCEL C2 PROPERTY, LLC, a Florida limited liability company, with an address of 135 San Lorenzo Avenue, Suite 750, Coral Gables, Florida 33146 ("**C2 Owner**"), PARCEL B2 PROPERTY, LLC, a Florida limited liability company, with an address of 135 San Lorenzo Avenue, Suite 750, Coral Gables, Florida 33146 ("**B2 Owner**"), and DOWNTOWN DORAL RETAIL HOLDINGS, LLC, a Delaware limited liability company, with an address of 135 San Lorenzo Avenue, Suite 750, Coral Gables, Florida 33146 ("**Downtown Doral Owner**") (C2 Owner, B2 Owner and Downtown Doral Owner are collectively referred to as "**Owners**").

A. C2 Owner owns the Property legally described on **Exhibit "A-1"** (the "**C2 Property**").

B. B2 Owner owns the Property legally described on **Exhibit "A-2"** (the "**B2 Property**").

C. Downtown Doral Owner owns the Property legally described on **Exhibit "A-3"** (the "**Downtown Doral Property**").

D. The C2 Property, B2 Property and Downtown Doral Property collectively constitute the entire property (the "**Property**"), as legally described on **Exhibit "B"**.

E. Owners intend to develop the Property with a mixed-use project and want to assure the City of Doral that the integrity of the development will be built in accordance with proffered plans consistent with the City of Doral Land Development Code.

F. Owners may wish to further convey portions of the Property from time to time, and may wish to develop the same in phases or stages, or may wish to offer units as condominiums and are executing this instrument to assure the City of Doral that the development will not violate the City of Doral Land Development Code when it is so developed.

*NOW THEREFORE*, in consideration of the premises, Owners hereby freely, voluntarily, and without duress agree as follows:

1. This Covenant on the part of the Owners shall constitute a covenant running with the land and will be recorded, at the Owners' expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the heirs, successors, and assigns of the respective parties hereto, until such time as the same is released in writing as hereinafter provided.
2. The Property will be developed in substantial conformity with the site plan entitled, "*MDX Downtown Doral*": plans by Finrock dated 10/9/2013, plans by The Sieger Suarez Architectural Partnership dated 10/11/2013 , Sheets A2.03; A2.04; A2.05; A2.06; A2.07; A2.08; A2.09; A2.10; A2.11; A2.12; A2.13; A4.01; A4.02; A4.03; and A4.04 by Sieger Suarez Architectural Firm dated 2/27/2014 and plans by Beame Architectural Partnership dated 10/11/2013 (the "**Plan**"). No modification shall be effected in said Plan except in accordance with paragraphs 5 and 6 of this Covenant provided the same is also approved by the Director of the City of Doral Planning and Zoning Department or her/his successor.
3. Owners, their mortgagees, and, in the event additional multiple ownerships exist or are created subsequent to the Plan approval, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this Covenant. Owners further agree that they will execute and mutually deliver in recordable form, an instrument to be known as an "Easement and Operating Agreement" which shall, unless waived by the City of Doral, contain, among other things:
  - (i) easements in the common area of each parcel for ingress to and egress from other parcels;
  - (ii) easements in the common area of each parcel for the passage and parking of vehicles;
  - (iii) easements in the common area of each parcel for the passage and accommodation of pedestrians;
  - (iv) easements for access roads across the common area of each parcel to public and private roadways;
  - (v) easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
  - (vi) easements on each such parcel for construction of buildings and improvements in favor of each such other parcel;

- (vii) easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footings, supports and foundations;
- (viii) easements on each parcel for attachment of buildings;
- (ix) easements on each such parcel for building overhangs, other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- (x) appropriate reservation of rights to grant easements to utility companies;
- (xi) appropriate reservation of rights to dedicate road rights-of-way and curb cuts;
- (xii) easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- (xiii) appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.

The above easement provisions or portions thereof may be waived by the Director of the City of Doral Planning and Zoning Department or his/her successor, if they are not applicable to the subject development. When executed, the Easement and Operating Agreement shall not be amended without the prior written approval of the City Attorney of the City of Doral. Such Easement and Operating Agreement may contain such other provisions with respect to the operation, maintenance and development of the Property as to which the parties thereto may agree, all to the end that although the Property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

4. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then Owners of the Property, and the Director of the City of Doral Planning and Zoning Department, acting for and on behalf of the City of Doral, Florida, or his/her successor, upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the Property for the purposes herein intended.
5. The provisions of this instrument may be released, amended, or modified from time to time by recorded instrument executed by the then Owners of the Property, or, failing that, the written consent of the then owners, and so long as the same is also approved by the Director of the City of Doral Planning and Zoning Department or her/his successor. Should this Covenant be so released, amended or modified, the Director of the City of Doral Planning and Zoning Department or her/his successor, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Notwithstanding anything herein to the contrary, in the event that any portion of the Property is (i) submitted to a condominium form of ownership (the condominium association governing such property, a “**Condominium Association**”) or (ii) conveyed to a master association, (such association, a “**Master Association**”), any consent or approval required for either modification of the plan or modification amendment or release of this Covenant, by the Owners of the portions of the Property which (x) have been submitted to the condominium form of ownership or (y) conveyed to a Master Association, shall be granted or withheld by the Condominium Association or Master Association, as applicable. For the avoidance of doubt, persons or entities who own units within a portion of the Property which has been submitted to the condominium or property owner form of ownership and members of a Master Association, shall not be Owners for purposes of this Covenant.

6. Enforcement shall be by action against any parties or persons violating or attempting to violate any covenants. The prevailing party to any action or suit pertaining to or arising out of this Covenant 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, including on appeal. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
7. Invalidation of any of these covenants by judgment of Court shall not affect any of the other provisions, which shall remain in full force and effect.
8. 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.
9. In the event of a violation of this Covenant, in addition to any other remedies available, the City of Doral is hereby authorized to withhold any future permits, and refuse to make any inspections or grant any approval, until such time as this Covenant is complied with.

**[Execution Pages Follow]**

IN WITNESS whereof, the parties have signed this Agreement as of the day and year first above written.

**WITNESSES:**

**PARCEL C2 PROPERTY, LLC, a Florida limited liability company**

[Signature]  
Signature  
Stephanie Gonzalez  
Print Name

By: [Signature]  
Name: K. LAWRENCE GRAGG  
Title: VP

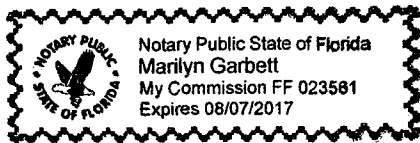
[Signature]  
Signature  
MARILYN GARBETT  
Print Name

STATE OF FLORIDA        )  
  )        SS:  
COUNTY OF MIAM-DADE )

The foregoing instrument was acknowledged before me this 2nd day of April, 2014, by K. Lawrence Gragg, as Vice President of PARCEL C2 PROPERTY, LLC, on behalf of the said limited liability company and for the purposes stated above. He personally appeared before me is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARIAL SEAL]

Notary: [Signature]  
Print Name: MARILYN GARBETT



IN WITNESS whereof, the parties have signed this Agreement as of the day and year first above written.

**WITNESSES:**

**PARCEL B2 PROPERTY, LLC, a Florida limited liability company**

*Stephanie Gonzalez*  
Signature  
Stephanie Gonzalez  
Print Name

By: *K. Lawrence Gragg*  
Name: K. LAWRENCE GRAGG  
Title: VP

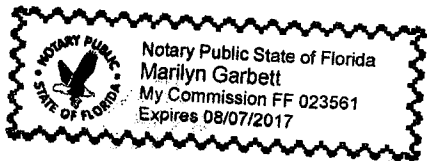
*Marilyn Garbett*  
Signature  
MARILYN GARBETT  
Print Name

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

The foregoing instrument was acknowledged before me this 2nd day of April, 2014, by K. Lawrence Gragg, as Vice President of PARCEL B2 PROPERTY, LLC, on behalf of the said limited liability company and for the purposes stated above. He personally appeared before me is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

Notary: *Marilyn Garbett*  
Print Name: MARILYN GARBETT

[NOTARIAL SEAL]



IN WITNESS whereof, the parties have signed this Covenant as of the day and year first above written.

**WITNESSES:**

**DOWNTOWN DORAL RETAIL HOLDINGS, LLC, a Florida limited liability company**

[Signature]  
Signature  
Stephanie Coonale?  
Print Name

By: [Signature]  
Name: K. LAWRENCE GRAGG  
Title: VP

[Signature]  
Signature  
MARILYN GARBETT  
Print Name

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

The foregoing instrument was acknowledged before me this 2nd day of April, 2014, by K. Lawrence Gragg, as Vice President of DOWNTOWN DORAL RETAIL HOLDINGS, LLC, on behalf of the said limited liability company and for the purposes stated above. (He/she personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.



Notary: [Signature]  
Print Name: MARILYN GARBETT

**Approved as to Form and Accepted by City of Doral:**

[Signature]  
Julian Perez  
Planning and Zoning Director

**EXHIBIT "A-1"**

**LEGAL DESCRIPTION OF C2 PROPERTY**



## LEGAL AND SKETCH

**SURVEYOR'S NOTES:**

1. Bearings are based on an assumed value of N89°37'21"E along the centerline of Northwest 53rd Street in Miami-Dade County, Florida.
2. The survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
3. This sketch does not represent a land survey.
4. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

**LEGEND:**

P.B.	Plat Book	RW	Right of Way
PG.	Page	POC	Point of Commencement
POB	Point of Beginning	⊙	Centerline
AC.	Acres		

**LEGAL DESCRIPTION:**

A portion of Tracts 4, 5, 7, and 8 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

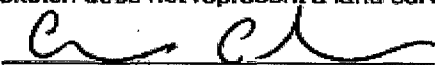
COMMENCE at the northeast corner of Tract 7, said point being on the southerly right-of-way line of N.W. 53rd Street as shown on said plat; thence N89°37'21"E along said right-of-way line for 107.85 feet; thence S00°22'36"E for 64.86 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue S00°22'36"E for 321.06 feet; thence S89°37'24"W for 114.71 feet; thence N00°22'36"W for 24.00 feet; thence S89°37'24"W for 179.50 feet; thence N00°22'36"W for 36.80 feet; thence N89°37'24"E for 1.83 feet; thence N00°22'36"W for 240.92 feet; thence N89°37'24"E for 177.67 feet; thence S00°22'36"E for 4.25 feet; thence N89°37'24"E for 90.71 feet; thence N00°22'36"W for 23.59 feet; thence N89°37'24"E for 24.00 feet to the POINT OF BEGINNING, containing 1.93 acres, more or less. *(Continued on Sheet 2)*

**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

THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 3-20-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
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	<h3 style="margin: 0;">LUDOVICI &amp; ORANGE</h3> <h4 style="margin: 0;">CONSULTING ENGINEERS, INC.</h4> <p style="font-size: small; margin: 0;">329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012</p>	<h2 style="margin: 0;">Parcel C2B</h2> <p style="margin: 0;">SHEET 1 OF 3 SHEETS</p>
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March 20, 2014 8:14:17 a.m.

## LEGAL DESCRIPTION

*(Continued from Sheet 1)*

**LESS AND EXCEPT** the following described property below an elevation of 25.77 feet (NGVD 1929):

A portion of Tracts 4 and 7 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Northeast corner of Tract 7, said point being on the south right-of-way line of N.W. 53rd Street as shown on said plat; thence **S00°22'39"E** for 84.20 feet; thence **S89°37'24"W** for 6.85 feet to the **POINT OF BEGINNING** of the following described parcel of land: thence **S00°22'36"E** for 47.87 feet; thence **S89°37'24"W** for 118.80 feet; thence **S00°22'36"E** for 229.85 feet; thence **S89°37'24"W** for 60.70 feet; thence **N00°22'36"W** for 36.80 feet; thence **N89°37'24"E** for 1.83 feet; thence **N00°22'36"W** for 240.92 feet; thence **N89°37'24"E** for 177.67 feet to the **POINT OF BEGINNING**, containing 0.51 acres, more or less.

**LESS AND EXCEPT** the following described property below an elevation of 15.27 feet (NGVD 1929):

A portion of Tracts 4 and 7 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Northeast corner of Tract 7, said point being on the south right-of-way line of N.W. 53rd Street as shown on said plat; thence **S00°22'39"E** for 132.07 feet; thence **S89°37'24"W** for 6.85 feet to the **POINT OF BEGINNING** of the following described parcel of land: thence **S00°22'36"E** for 229.85 feet; thence **S89°37'24"W** for 118.80 feet; thence **N00°22'36"W** for 229.85 feet; thence **N89°37'24"E** for 118.80 feet to the **POINT OF BEGINNING**, containing 0.63 acres, more or less.

THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 3-20-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
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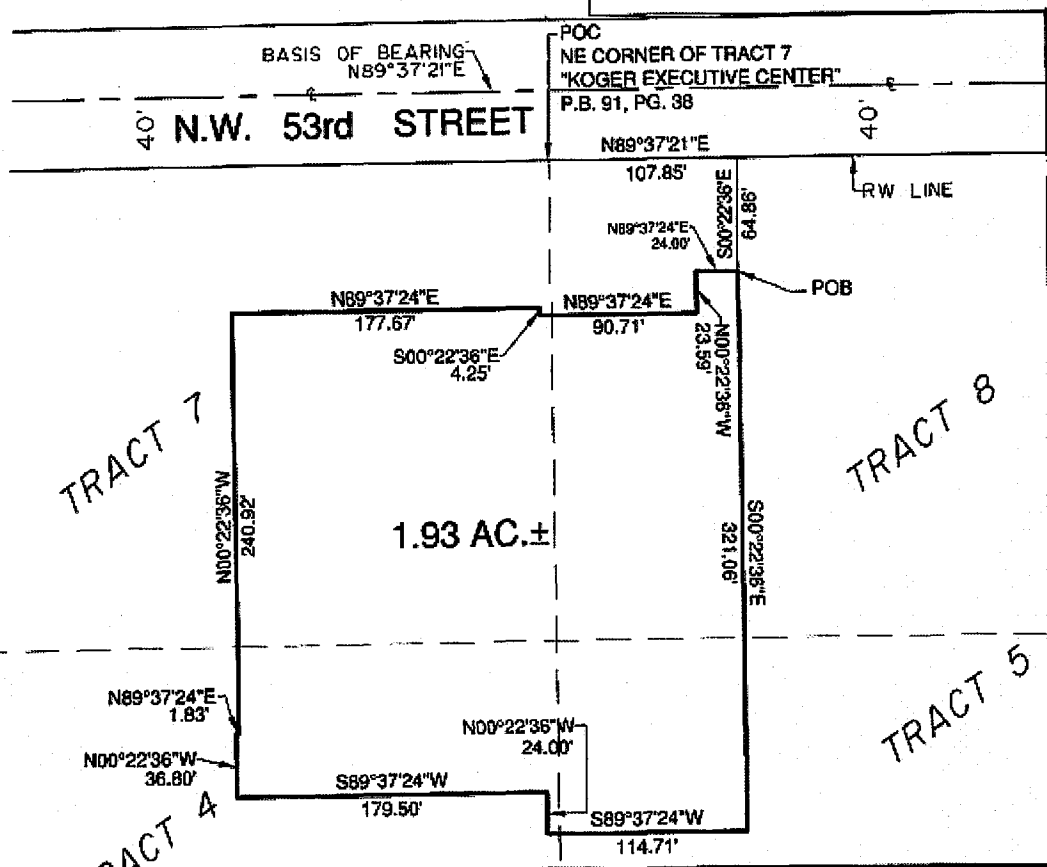
**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

*Parcel C2B*

SHEET 2 OF 3 SHEETS

**SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION**



THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 3-20-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
<p><b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012</p>				<p><i>Parcel C2B</i></p> <p>SHEET 3 OF 3 SHEETS</p>

March 20, 2014 @ 14:17 a.m.  
 FILE: \\SERVER\DATA\SURVEY\PROJECTS\2004\2004\_38 MXD LEGALS AND SKETCHES\DWG\2004 38 MXD LEGALS-SKETCHES-4.DWG

**EXHIBIT "A-2"**

**LEGAL DESCRIPTION OF B2 PROPERTY**

## LEGAL AND SKETCH

**SURVEYOR'S NOTES:**

1. Bearings are based on an assumed value of S89°37'21"W along the centerline of Northwest 52nd Street in Miami-Dade County, Florida.
2. The survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
3. This sketch does not represent a land survey.
4. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

**LEGEND:**

P.B.	Plat Book	RW	Right of Way
PG.	Page	POC	Point of Commencement
POB	Point of Beginning	Ⓢ	Centerline
AC.	Acres	RAD	Raidial Line

**LEGAL DESCRIPTION:**

A portion of Tract 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of Tract 4, said point being on the northerly right-of-way line of N.W. 52nd Street as shown on said plat; thence S89°37'21"W along said right-of-way line for 6.86 feet to the POINT OF BEGINNING of the following described parcel of land: thence S89°37'21"W along said right-of-way line for 291.98 feet to a point of curvature; thence 38.71 feet along the arc of a curve to the right, having a radius of 25.00 feet and a central angle of 88°42'22 to a point of tangency on the easterly right-of-way line of N.W. 87th Avenue; thence N01°40'17"W along the right-of-way of N.W. 87th Avenue for 217.68 feet; thence N89°37'24"E for 142.40 feet; thence S00°22'36"E for 31.43 feet; thence N89°37'24"E for 179.50 feet; thence S00°22'36"E for 210.62 feet to a point on the northerly right-of-way line of N.W. 52nd Street, said point also being the POINT OF BEGINNING, containing 1.64 acres, more or less. *(Continued on Page 2)*

**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*  
Arturo A. Sosa  
Surveyor and Mapper 2629  
State of Florida

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 2-5-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
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**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.  
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

*Parcel B2*

SHEET 1 OF 3 SHEETS

February 05, 2014 10:57:37 AM

# LEGAL DESCRIPTION

*(Continued from Page 1)*

**LESS AND EXCEPT** the following described property below an elevation of 25.77 feet (NGVD 1929):

A portion of Tract 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Southeast corner of Tract 4, said point being on the north right-of-way of N.W. 52nd Street as shown on said plat; thence  $N00^{\circ}22'39"W$  for 186.62 feet; thence  $S89^{\circ}37'24"W$  for 125.66 feet to the **POINT OF BEGINNING** of the following described parcel of land; thence  $S89^{\circ}37'24"W$  for 58.87 feet; thence  $N00^{\circ}22'36"W$  for 24.00 feet; thence  $N89^{\circ}37'24"E$  for 58.87 feet; thence  $S00^{\circ}22'36"E$  for 24.00 feet to the **POINT OF BEGINNING**, containing 0.03 acres, more or less.

**LESS AND EXCEPT** the following described property below an elevation of 15.27 feet (NGVD 1929):

A portion of Tract 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Southeast corner of Tract 4, said point being on the north right-of-way of N.W. 52nd Street as shown on said plat; thence  $N00^{\circ}22'39"W$  for 186.62 feet; thence  $S89^{\circ}37'24"W$  for 6.86 feet to the **POINT OF BEGINNING** of the following described parcel of land; thence continue  $S89^{\circ}37'24"W$  for 118.80 feet; thence  $N00^{\circ}22'36"W$  for 24.00 feet; thence  $N89^{\circ}37'24"E$  for 118.80 feet; thence  $S00^{\circ}22'36"E$  for 24.00 feet to the **POINT OF BEGINNING**, containing 0.07 acres, more or less.

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD | DATE: 2-5-14 | DRAWN: GB | CHECKED: AS | SCALE: NTS

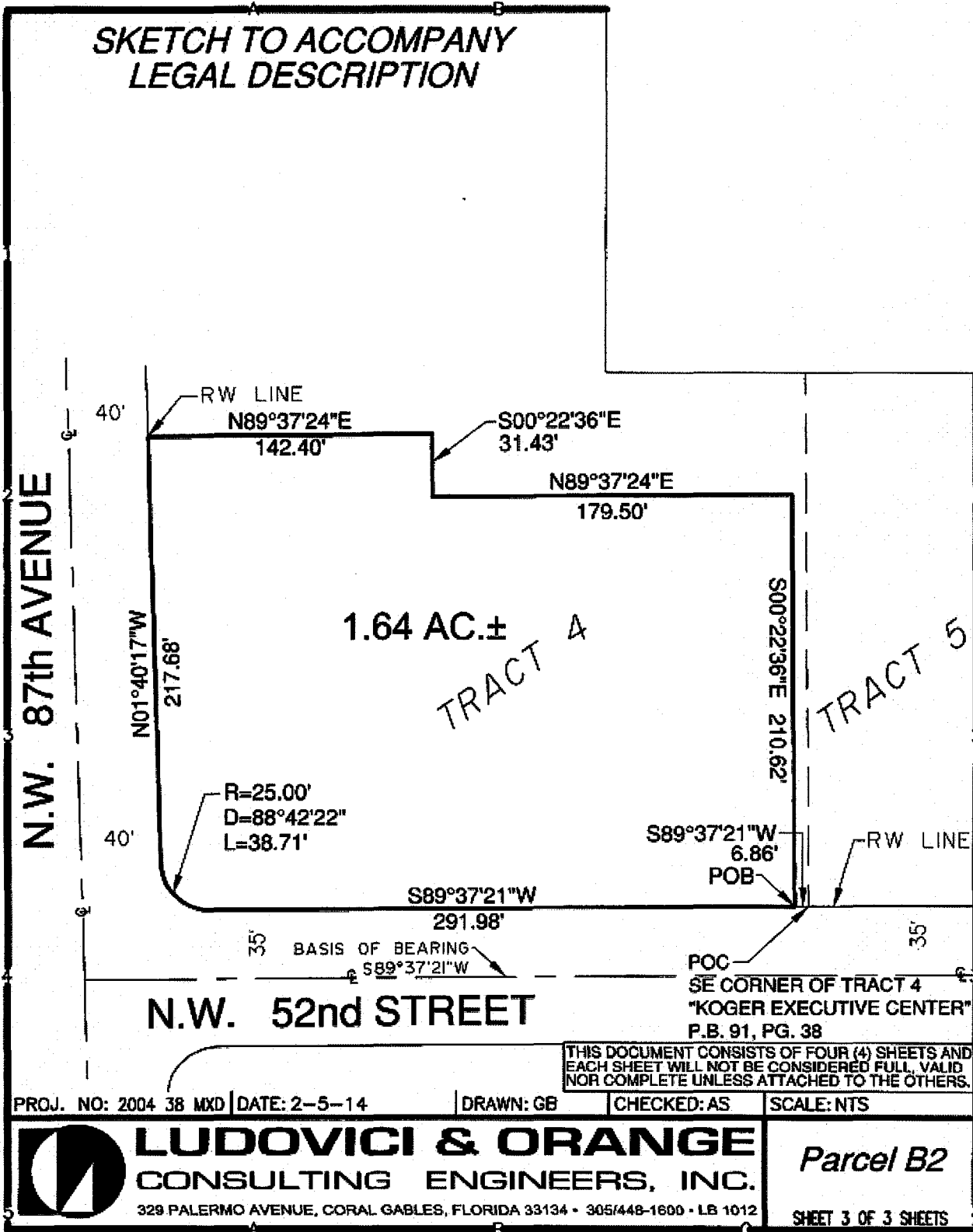


**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

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

*Parcel B2*

SHEET 2 OF 3 SHEETS



**EXHIBIT "A-3"**

**LEGAL DESCRIPTION OF DOWNTOWN DORAL PROPERTY**



## LEGAL AND SKETCH

**SURVEYOR'S NOTES:**

1. Bearings are based on an assumed value of N89°37'21"E along the centerline of Northwest 53rd Street in Miami-Dade County, Florida.
2. The survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
3. This sketch does not represent a land survey.
4. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

**LEGEND:**

P.B.	Plat Book	RW	Right of Way
RAD	Radial Line	POC	Point of Commencement
POB	Point of Beginning	☉	Centerline
AC.	Acres	RAD	Radial Line

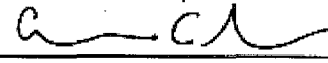
**LEGAL DESCRIPTION:**

A portion of Tracts 7, 8, and 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

BEGIN at the Northeast corner of Tract 7, said point being on the southerly right-of-way line of N.W. 53rd Street as shown on said plat; thence N89°37'21"E along said right-of-way line for 123.86 feet; thence S00°22'36"E for 64.86 feet; thence S89°37'24"W for 40.00 feet; thence S00°22'36"E for 23.59 feet; thence S89°37'24"W for 90.71 feet; thence S00°22'36"E for 297.47 feet; thence S89°37'24"W for 177.67 feet; thence N00°22'36"W for 24.00 feet; thence S89°37'24"W for 1.83 feet; thence N00°22'36"W for 31.43 feet; thence S89°37'24"W for 142.40 feet to a point on the easterly right-of-way line of N.W. 87th Avenue; thence N01°40'17"W along said east right-of-way line for 56.41 feet; thence N01°42'56"W along said east right-of-way line for 248.57 feet to a point of curvature; thence 39.85 feet along the arc of the curve to the right having a radius of 25.00 and a central angle of 91°20'17" to a point of tangency on the southerly right-of-way line of N.W. 53rd Street; thence N89°37'21"E along said southerly right-of-way line for 9.00 feet to a point of curvature, a radial to said point bears N00°22'39"W; thence 6.32 feet, along the arc of a curve to the left, having a radius of 25.00 feet and central angle of 14°28'31" to a of intersection with a non-tangent line, a radial line to said point bears N14°51'10"W; thence S00°22'39"E for 24.21 feet; thence N89°37'21"E for 25.00 feet; thence N00°22'39"W for 25.00 feet to a point on said southerly right-of-way line of N.W. 53rd Street; thence N89°37'21"E, along said southerly right-of-way line for 283.09 feet to the POINT OF BEGINNING, containing 2.92 acres, more or less. *(Continued on Page 2)*

**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

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 2-5-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
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	<h3 style="margin: 0;">LUDOVICI &amp; ORANGE</h3> <p style="margin: 0;">CONSULTING ENGINEERS, INC.</p> <p style="font-size: small; margin: 0;">329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012</p>	<p style="font-size: large; font-weight: bold; margin: 0;">Retail</p> <p style="margin: 0;">SHEET 1 OF 4 SHEETS</p>
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## LEGAL DESCRIPTION

*(Continued from Page 1)*

**LESS AND EXCEPT** the air rights above the following described property commencing at an elevation of 25.77 feet (NGVD 1929):

A portion of Tracts 4 and 7 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Northeast corner of Tract 7, said point being on the south right-of-way of N.W. 53rd Street as shown on said plat; thence S00°22'39"E for 84.20 feet; thence S89°37'24"W for 6.85 feet to the POINT OF BEGINNING of the following described parcel of land: thence S00°22'36"E for 47.87 feet; thence S89°37'24"W for 118.80 feet; thence S00°22'36"E for 229.85 feet; thence S89°37'24"W for 60.70 feet; thence N00°22'36"W for 36.80 feet; thence N89°37'24"E for 1.83 feet; thence N00°22'36"W for 240.92 feet; thence N89°37'24"E for 177.67 feet to the POINT OF BEGINNING, containing 0.51 acres, more or less.

**LESS AND EXCEPT** the air rights above the following described property commencing at an elevation of 15.27 feet (NGVD 1929):

A portion of Tracts 4 and 7 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:


**COMMENCE** at the Northeast corner of Tract 7, said point being on the south right-of-way of N.W. 53rd Street as shown on said plat; thence S00°22'39"E for 132.07 feet; thence S89°37'24"W for 6.85 feet to the POINT OF BEGINNING of the following described parcel of land: thence S00°22'36"E for 229.85 feet; thence S89°37'24"W for 118.80 feet; thence N00°22'36"W for 229.85 feet; thence N89°37'24"E for 118.80 feet to the POINT OF BEGINNING, containing 0.63 acres, more or less.

**LESS AND EXCEPT** the air rights above the following described property commencing at an elevation of 25.77 feet (NGVD 1929):

A portion of Tract 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Southeast corner of Tract 4, said point being on the north right-of-way of N.W. 52nd Street as shown on said plat; thence N00°22'39"W for 186.62 feet; thence S89°37'24"W for 125.66 feet to the POINT OF BEGINNING of the following described parcel of land; thence S89°37'24"W for 58.87 feet; thence N00°22'36"W for 24.00 feet; thence N89°37'24"E for 58.87 feet; thence S00°22'36"E for 24.00 feet to the POINT OF BEGINNING, containing 0.03 acres, more or less. *(Continued on Page 3)*

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 2-5-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
 <b>LUDOVICI &amp; ORANGE</b> CONSULTING ENGINEERS, INC. 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012				<i>Retail</i>  SHEET 2 OF 4 SHEETS

# LEGAL DESCRIPTION

*(Continued from Page 2)*

**LESS AND EXCEPT** the air rights above the following described property commencing at an elevation of 15.27 feet (NGVD 1929):

A portion of Tract 4 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of Tract 4, said point being on the north right-of-way of N.W. 52nd Street as shown on said plat; thence N00°22'39"W for 186.62 feet; thence S89°37'24"W for 6.86 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue S89°37'24"W for 118.80 feet; thence N00°22'36"W for 24.00 feet; thence N89°37'24"E for 118.80 feet; thence S00°22'36"E for 24.00 feet to THE POINT OF BEGINNING, containing 0.07 acres, more or less.

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD	DATE: 2-5-14	DRAWN: GB	CHECKED: AS	SCALE: NTS
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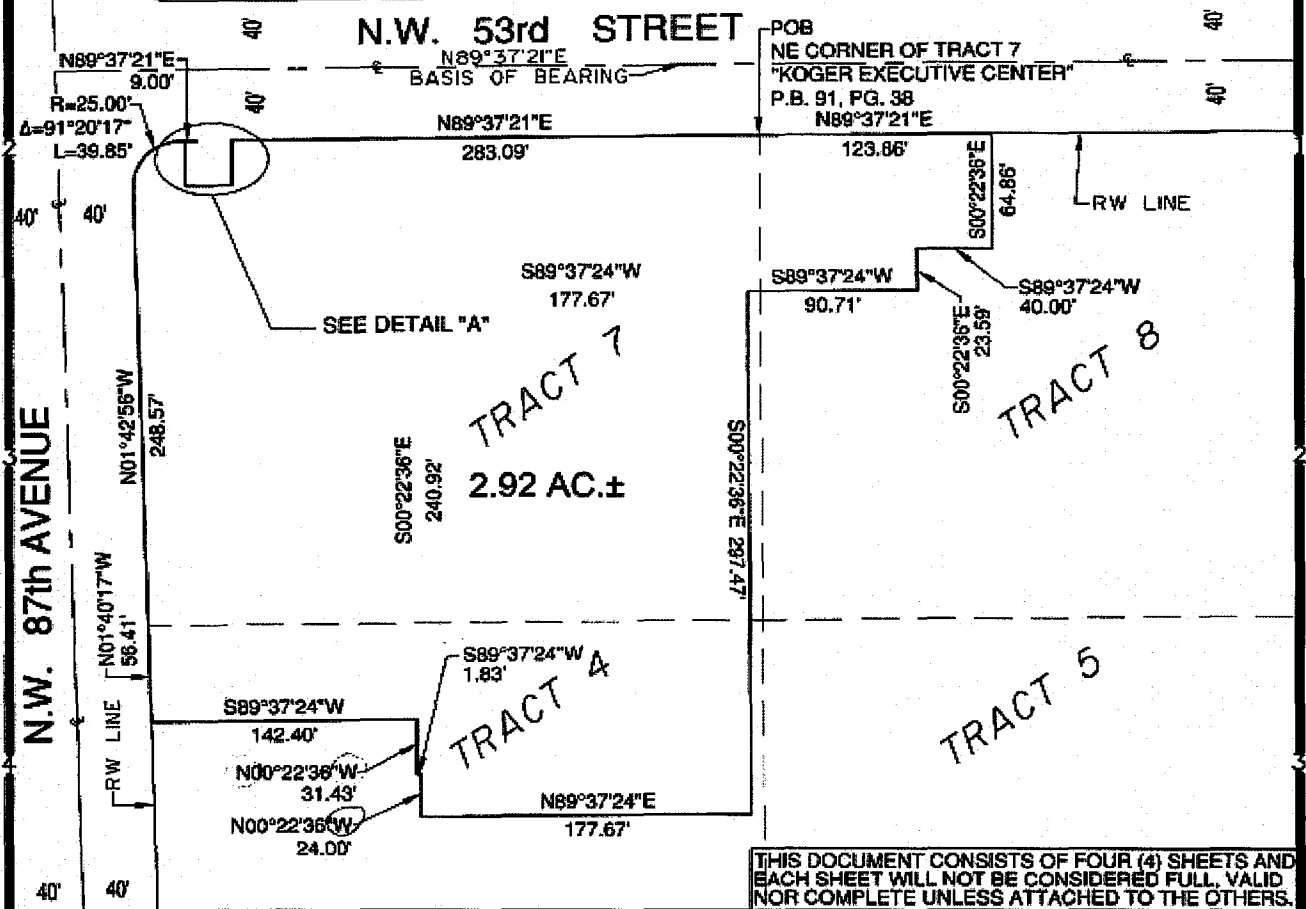
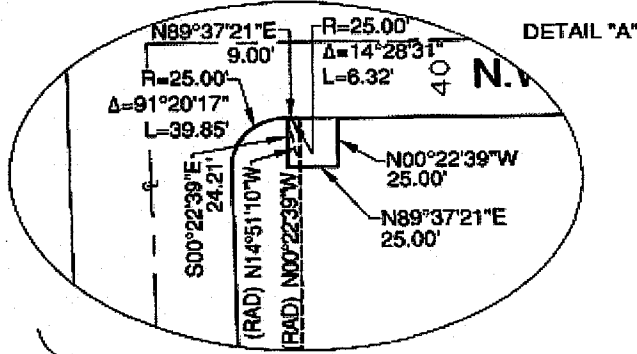
**LUDOVICI & ORANGE**  
**CONSULTING ENGINEERS, INC.**

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*Retail*

SHEET 3 OF 4 SHEETS

### SKETCH TO ACCOMPANY LEGAL DESCRIPTION



THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 MXD | DATE: 2-5-14 | DRAWN: GB | CHECKED: AS | SCALE: NTS

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*Retail*  
SHEET 4 OF 4 SHEETS

February 05, 2014 10:57:37 a.m. ...

**EXHIBIT "B"**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY:**

## LEGAL AND SKETCH

### SURVEYOR'S NOTES:

1. Bearings are based on an assumed value of N89°37'21"E along the centerline of Northwest 53rd Street in Miami-Dade County, Florida.
2. The survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
3. This sketch does not represent a land survey.
4. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

### LEGEND:

P.B.	Plat Book	AC.	Acres
PG.	Page	RW	Right of Way
POB	Point of Beginning	Ⓢ	Centerline

### LEGAL DESCRIPTION:

A portion of Tracts 4, 5, 7, and 8 of "KOGER EXECUTIVE CENTER", according to the plat thereof recorded in Plat Book 91 at page 38 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:


BEGIN at the Northeast corner of Tract 7, said point being on the southerly right-of-way line of N.W. 53rd Street as shown on said plat; thence N89°37'21"E along said right-of-way line for 123.86 feet; thence S00°22'36"E for 64.86 feet; thence S89°37'24"W for 16.00 feet; thence S00°22'36"E for 321.06 feet; thence S89°37'24"W for 114.71 feet; thence S00°22'36"E for 186.62 feet to a point on the northerly right-of-way line of N.W. 52nd Street; thence S89°37'21"W along said northerly right-of-way line for 291.98 feet to a point of curvature; thence 38.71 feet along the arc of said curve, having a radius of 25.00 feet and a central angle of 88°42'22" to a point of tangency on the easterly right-of-way line of N.W. 87th Avenue; thence N01°40'17"W along said easterly right-of-way line for 274.09 feet; thence N01°42'56"W along said easterly right-of-way line for 248.57 feet to a point of curvature; thence 39.85 feet along the arc of said curve to the right, having a radius of 25.00 and a central angle of 91°20'17" to a point of tangency on the southerly right-of-way line of N.W. 53rd Street; thence N89°37'21"E along said southerly right-of-way line for 9.00 feet to a point of curvature, a radial to said point bearing N00°22'39"W; thence 6.32 feet, along the arc of said curve to the left, having a radius of 25.00 feet and central angle of 14°28'31" to a point on a non-tangent line, a radial line to said point bearing N14°51'10"W; thence S00°22'39"E for 24.21 feet; thence N89°37'21"E for 25.00 feet; thence N00°22'39"W for 25.00 feet to a point on the southerly right-of-way line of N.W. 53rd Street; thence N89°37'21"E, along said southerly right-of-way line for 283.09 feet to the POINT OF BEGINNING, containing 5.26 acres, more or less.

### 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

THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID NOR COMPLETE UNLESS ATTACHED TO THE OTHERS.

PROJ. NO: 2004 38 M&D | DATE: 1-22-14 | DRAWN: GB | CHECKED: AS | SCALE: NTS



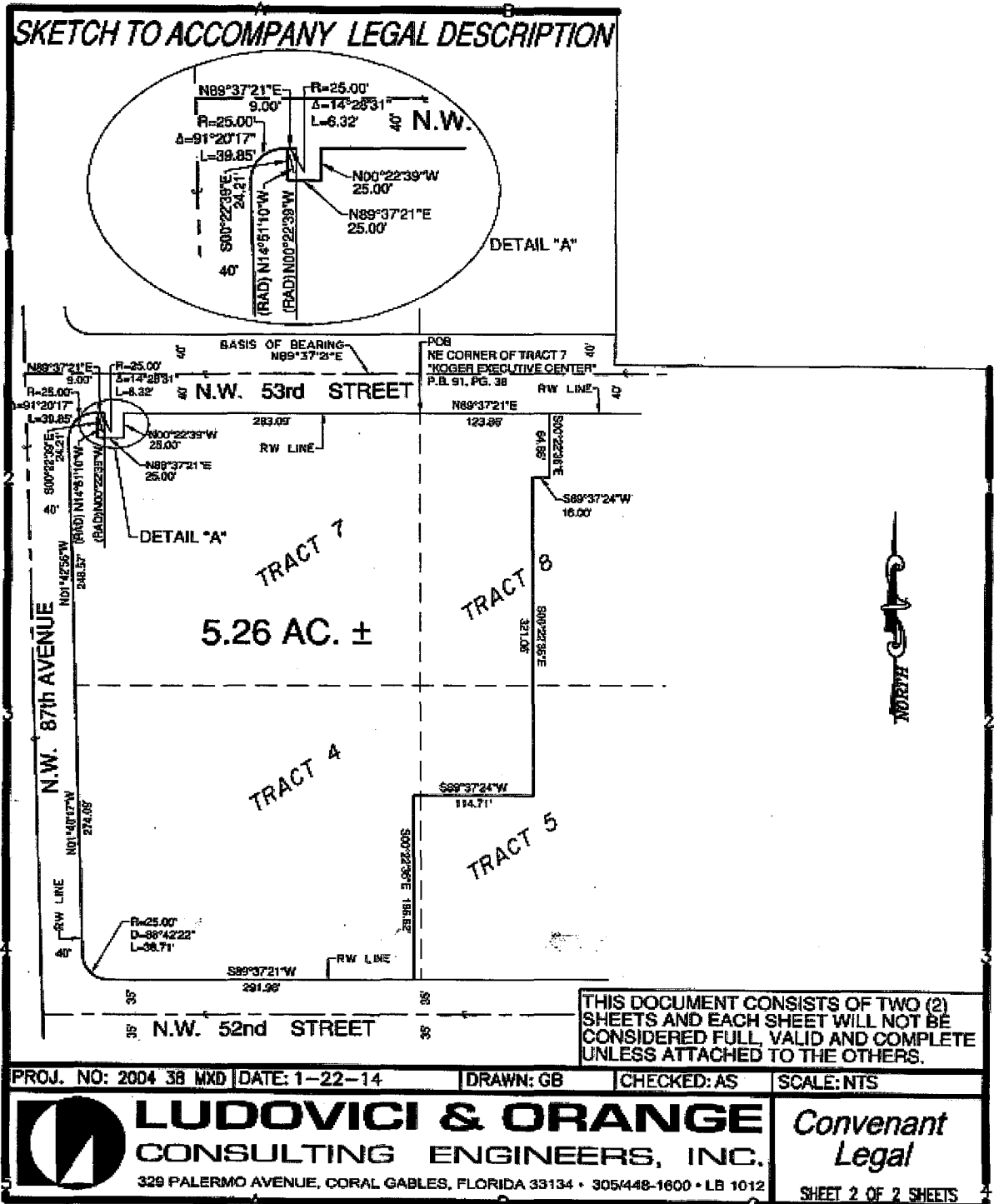
**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

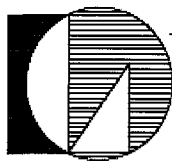
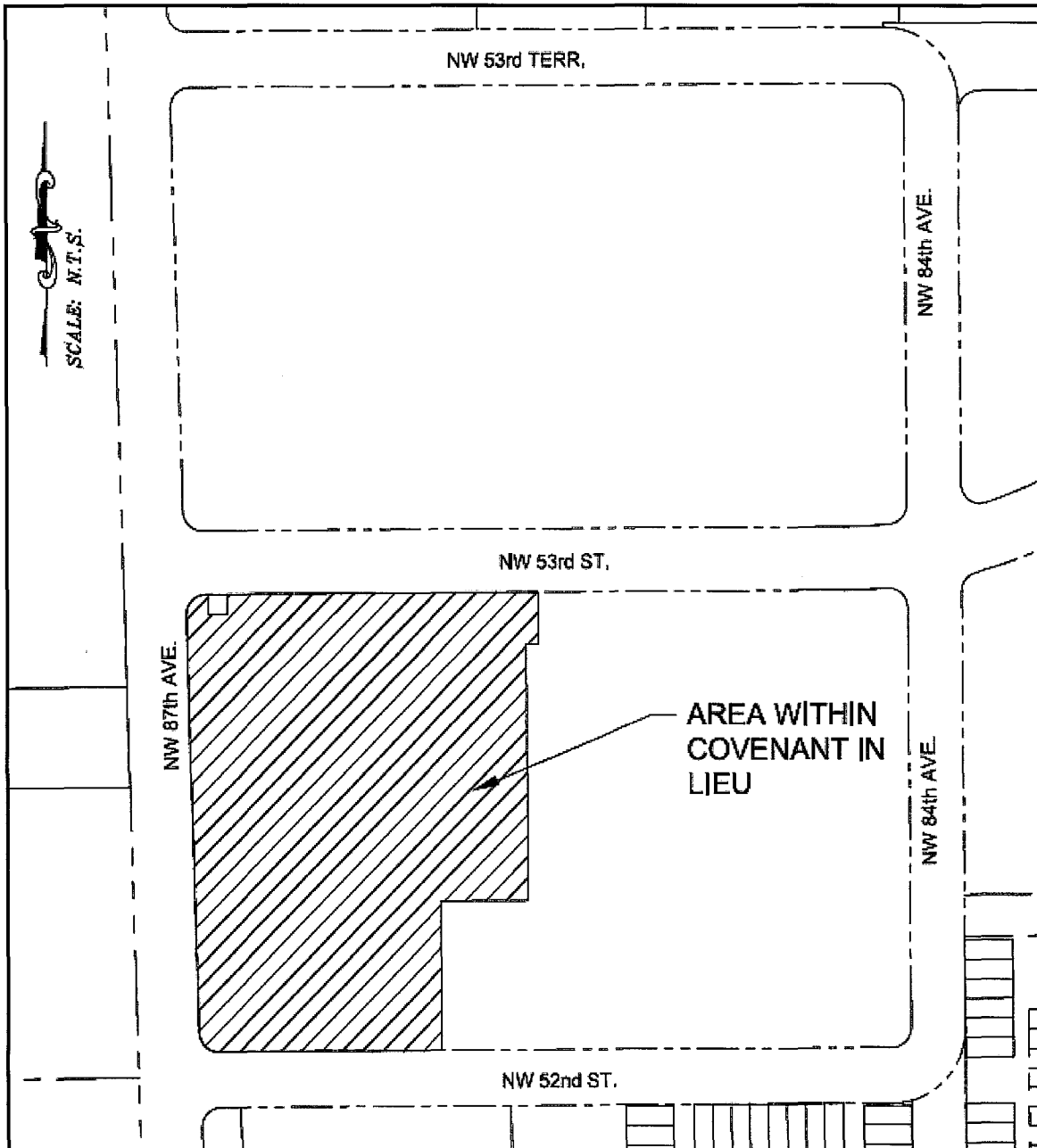
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*Convenant  
Legal*

SHEET 1 OF 2 SHEETS

January 22, 2014 2:25:52 p.m.  
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**LUDOVICI & ORANGE**  
**CONSULTING ENGINEERS INC.**  
 329 PALERMO AVENUE, CORAL GABLES  
 FLORIDA 33134  
 TEL (305) 448-1600 FAX (305) 446-3876

Date: 01/22/2014	Drawn: AWA
Proj.No: 0438MXD	Checked: AWA
Proj.Name: DOWNTOWN DORAL - MXD	
<b>EXHIBIT</b>	
<b>'A'</b>	
SHEET 1 OF 1	

January 22, 2014 2:55:04 p.m.  
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