

Holland & Knight

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Brian D. Kenyon
305.789.7536
brian.kenyon@hklaw.com

February 7, 2014

VIA ELECTRONIC MAIL

Mr. Nathan Kogon, AICP, Director
City of Doral Planning and Zoning
Department
8401 NW 53rd Terrace
Doral, Florida 33166

Mr. Jose Olivo, P.E., Director
City of Doral Public Works Department
8401 NW 53rd Terrace
Doral, Florida 33166

Re: Downtown Doral Release Instruments

Dear Mr. Kogon and Mr. Olivo:

This letter is sent on behalf of the developers of Downtown Doral, who have requested the release of the following instruments (attached for your reference), which were executed pursuant to the development of the former Koger Office Park:

1. Unity of Title recorded in Official Records Book 8403 at Page 1868 of the Public Records of Miami-Dade County, Florida; and
2. Covenant of Construction Within Right of Way recorded in Official Records Book 11096 at Page 1193 of the Public Records of Miami Dade County, Florida.

As you are aware, the subject properties of these instruments are currently being developed in accordance with the Downtown Doral DMU project approvals, and therefore, these instruments are no longer applicable. In support of our previous correspondence requesting the release, enclosed please find a release form for each of these instruments for your review and execution.

Thank you for your attention to this request. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

HOLLAND & KNIGHT LLP

Brian D. Kenyon

Enclosures
#27635565_v1

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73 AUG 2 PM 4:16

OFF REC 8403 PG 1868
UNITY OF TITLE

22-53-40
D-9093

WHEREAS, the undersigned is the owner of that property described as

East 448.28 feet of Tract 5 and the North 11.27 feet
of West 201 feet of East 448.28 feet of Tract 5 and
North 21.27 feet of East 237.28 feet of Tract 5
Koger Executive Center, (91-38)

also known as Tract # 8

Dade County, Florida, and

The undersigned recognizes and acknowledges that for the public health, welfare,
safety or morals, the herein-described property should not be divided into separate
parcels owned by several owners as long as the same is put to the hereinafter
use, and

In consideration of the issuance of a permit Office Building at 1
8400 North West 53rd Street, Miami Florida 33166

and for other good and valuable considerations, the undersigned hereby agrees to
restrict the use of the subject property in the following manner:

1. That said property shall be considered as one plot and parcel of land and
that no portion of said plot and parcel of land shall be sold, transferred,
devised or assigned separately, except in its entirety as one plot or parcel
of land.
2. The undersigned further agrees that this condition, restriction and limitation
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 the Dade
County Building and Zoning Department or the executive officer of the successor
of such Department or, in the absence of such director or executive officer,
by his assistant in charge of the office in his absence,

provided, however, that a release will be executed when the premises are made to
conform with applicable zoning regulations or the use or structure is removed from
the premises and there is no further reason to maintain the Unity of Title on the
public records.

Signed, sealed, executed and acknowledged on this 1 st day of
August, 19 73, at Miami, Florida.

WITNESSES:
[Signature]

[Signature]
[Signature]
Koger Properties
Ames M. [Signature]



602

501 MAY -8 PM 12:19

81R123966

REF 11096 vs 1193

COVENANT OF CONSTRUCTION WITHIN RIGHT OF WAY

WHEREAS,

KOGER PROPERTIES, Inc

, hereinafter referred to as the OWNER of the

following described property: FOUR STORY OFFICE BUILDING ON TRACT 4, "KOGER EXECUTIVE CENTER" AS RECORDED IN PLAT BOOK 91 AT PAGE 38 OF THE PUBLIC RECORDS OF DADE COUNTY, FLA., AND UNIMPROVED PROPERTY TRACT 1, "KOGER EXECUTIVE CENTER" AS RECORDED IN PLAT BOOK 91 AT PAGE 38 OF THE PUBLIC RECORDS OF DADE COUNTY, FLA.

requests permission to install A 100 PAIR COMMUNICATIONS CABLE IN A 2" PVC RACEWAY.

within the public road right of way of N.W. 52 ST. WEST EAST OF CENTERLINE OF 87 AVE.

IN CONSIDERATION of the approval of this permit by the Dade County Public Works Department, the Owner agrees as follows:

1. To maintain and repair, when necessary, the above mentioned item installed within the dedicated right of way. If it becomes necessary for the County to make repairs or maintain said items within public right of way including restoration of street by reason of the Owner's failure to do so, such expense shall be paid by the Owner or shall constitute a lien against the above described property until paid.
2. The Owner does hereby agree to indemnify and hold Dade County harmless from any and all liability which may arise by virtue of Dade County permitting the installation of these items within the public right of way.
3. The undersigned further agrees that these conditions shall be deemed a covenant running with the land and shall remain in full force and effect and be binding on the undersigned, their heirs and assigns, until such time as this obligation has been cancelled by an affidavit filed in the Public Records of Dade County, Florida by the Director of the Public Works Department (or his fully authorized representative).

Signed, sealed, executed and acknowledge on the 7th day of May 1981, at Miami, Florida.

Signed, sealed and delivered in the presence of

[Signature] VICE-PRESIDENT (SEAL)

[Signature] ASST. SGT. (SEAL)



700

NOT RECORDED 11095 1194

(ACKNOWLEDGMENT - INDIVIDUAL)

STATE OF FLORIDA)
) SS.
COUNTY OF DADE)

I HEREBY CERTIFY, that on this _____ day of _____, A.D. 19____, before me personally appeared, _____

_____ to me known to be the person described in and who executed the foregoing Covenant to the County of Dade, a body Corporate, and a political subdivision of the State of Florida, and _____ acknowledged to me the execution thereof to be _____ free act and deed for the uses and purposes therein mentioned.

WITNESS my signature and official seal at _____, in the County and State aforesaid, the day and year last aforesaid.

Notary Public, State of _____
My commission expires : _____

(ACKNOWLEDGMENT - CORPORATION)

STATE OF FLORIDA)
) SS.
COUNTY OF DADE)

RECORDED IN OFFICIAL RECORD BOOK
OF DADE COUNTY, FLORIDA
BY LAW REFERRED
RICHARD P. BRUNER,
CLERK CIRCUIT COURT

BEFORE ME, the undersigned authority, this day personally appeared MURRAY A. LEWIS and JAMES M. LAURENCE both being to me well known and known by me to be the VICE President and ASST Secretary of the KOSER PROPERTIES, INC a Corporation under the laws of the State of DELAWARE and which said Corporation is known by me to be the person described in and which executed the foregoing Covenant, 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 Covenant 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 Covenant, acting in their said official capacities, for and as the act and deed of the said Corporation and in its name, and impressed thereon its Corporate Seal, for the uses and purposes therein mentioned, and after being thereunto by the said Corporation duly authorized and directed.

WITNESS my hand and official Seal at Miami, in the County and State aforesaid, on this, the TH day of May, A.D. 1981.

Judith Jones
Notary Public, State of Florida
My Commission expires : _____

RECORDED IN OFFICIAL RECORD BOOK
OF DADE COUNTY, FLORIDA
BY LAW REFERRED
RICHARD P. BRUNER,
CLERK CIRCUIT COURT

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

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

(Space reserved for Clerk of Court)

RELEASE OF UNITY OF TITLE

This Release of Unity of Title is made and entered into as of this 14th day of MARCH, 2014 by the City of Doral, Florida, a municipal corporation existing under the laws of the State of Florida (the "City of Doral").

RECITALS

WHEREAS, a Unity of Title dated August 1, 1973, and recorded in Official Records Book 8403 at Page 1868 in the Public Records of Miami-Dade County, Florida (the "Unity of Title") was entered into in favor of Miami-Dade County, Florida with respect to the real property legally described in the attached Exhibit "A" (the "Property");

WHEREAS, the Unity of Title was entered into and recorded in connection with a previously issued permit for the construction of an office building on the Property;

WHEREAS, said office building has since been demolished and the Unity of Title is therefore no longer applicable to the Property;

WHEREAS, the Property was located within the jurisdiction of unincorporated Miami-Dade County at the time the Unity of Title was executed;

WHEREAS, the Unity of Title provides that it may be released by the "Director of the Dade County Building and Zoning Department or the executive officer of the successor of such Department" when "the premises are made to conform with applicable zoning regulations or the

use or structure is removed from the premises and there is no further reason to maintain the Unity of Title on the Public Records" (collectively, the "Release Requirements");

WHEREAS, the City of Doral was incorporated on June 24, 2003, which date is subsequent to the date of the execution and recordation of the Unity of Title;

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

WHEREAS, the City of Doral Planning and Zoning Department is the successor of the Dade County Building and Zoning Department and its Director, Julian H. Perez, is its executive officer; and

WHEREAS, the City of Doral acknowledges that the Release Requirements have been met and, as such, has agreed to release the Unity of Title in accordance with the terms thereof.

AGREEMENT

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 hereby acknowledges and agrees that as of the date hereof:

1. Recitals. The foregoing Recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Release are hereby incorporated herein by reference and deemed to be a part hereof.

2. Release. The Unity of Title recorded in Official Records Book 8403 at Page 1868 in the Public Records of Miami-Dade County, Florida is hereby released, declared to be of no further legal force or effect, and null and void. The Clerk of the Circuit Court of Miami-Dade County, Florida, is hereby directed to note the same upon the records.

[Execution Page Follows]

Signed, witnessed, executed and acknowledged in Miami-Dade County, Florida, on this -
14 day of MARCH, 2014.

Witnesses:

[Signature]
Signature
JOSE OLIVIO
Print Name

CITY OF DORAL, FLORIDA

By: [Signature]
Julian H. Perez, Director of the City
of Doral Planning and Zoning
Department

[Signature]
Signature

[Signature]
Print Name

Approved as to legal sufficiency:

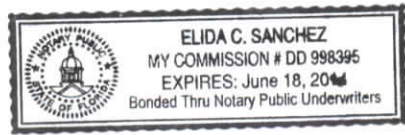
[Signature]
City Attorney

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this 14 day of MARCH, 2014, before me personally appeared Julian H. Perez, personally known to me as the Director of the City of Doral Planning and Zoning Department, who is described herein and who executed the foregoing instrument, and he did acknowledge to me the execution thereof for the uses and purpose mentioned and his capacity as Director of the City of Doral Planning and Zoning Department.

[Signature]
Notary Public
ELIDA SANCHEZ
Print Name

My Commission Expires:



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

Name: Joseph G. Goldstein, Esq.
Address: Holland & Knight
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

(Space reserved for Clerk of Court)

**RELEASE OF COVENANT OF
CONSTRUCTION WITHIN RIGHT OF WAY**

This Release of Covenant of Construction Within Right Of Way is made and entered into as of this 14th day of March, 2014 by the City of Doral, Florida, a municipal corporation existing under the laws of the State of Florida (the "City of Doral").

RECITALS

WHEREAS, a Covenant of Construction Within Right Of Way dated May 7, 1981, and recorded in Official Records Book 11096 at Page 1193 in the Public Records of Miami-Dade County, Florida (the "Covenant") was entered into in favor of Miami-Dade County, Florida with respect to the real property legally described in the attached Exhibit "A" (the "Property");

WHEREAS, the Covenant was entered into and recorded in connection with the installation of communication cables within the public right of way of NW 52 Street just east of NW 87 Avenue (the "Cables");

WHEREAS, the Cables are no longer installed as specified in the Covenant;

WHEREAS, the Property was located within the jurisdiction of unincorporated Miami-Dade County at the time the Covenant was executed;

WHEREAS, the Covenant provides that it may be "cancelled by an affidavit filed in the Public Records of Dade County, Florida, by the Director of the Public Works Department" or "his fully authorized representative" (collectively, the "Release Requirements");

WHEREAS, the City of Doral was incorporated on June 24, 2003, which date is subsequent to the date of the execution and recordation of the Covenant;

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

WHEREAS, the City of Doral Public Works Department is the successor of the Dade County Public Works Department and its Director, Jose Olivo, is its executive officer;

WHEREAS, this Release constitutes the requisite affidavit as set forth by the Release Requirements; and

WHEREAS, the City of Doral acknowledges that the Release Requirements have been met and, as such, has agreed to release the Covenant in accordance with the terms thereof.

AGREEMENT

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 hereby acknowledges and agrees that as of the date hereof:

1. Recitals. The foregoing Recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Release are hereby incorporated herein by reference and deemed to be a part hereof.
2. Release. The Covenant recorded in Official Records Book 11096 at Page 1193 in the Public Records of Miami-Dade County, Florida is hereby released, declared to be of no further legal force or effect, and null and void. The Clerk of the Circuit Court of Miami-Dade County, Florida, is hereby directed to note the same upon the records.

[Execution Page Follows]

Signed, witnessed, executed and acknowledged in Miami-Dade County, Florida, on this -
14 day of MARCH, 2014.

Witnesses:

[Signature]
Signature

Julian H. Perez
Print Name

CITY OF DORAL, FLORIDA

By: [Signature]
Jose Olivo, Director of the City
of Doral Public Works
Department

[Signature]
Signature

Carlos Arroyo
Print Name

Approved as to legal sufficiency:

[Signature]
City Attorney

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this 14 day of March, 2014, before me personally appeared Jose Olivo, personally known to me as the Director of the City of Doral Public Works Department, who is described herein and who executed the foregoing instrument, and he did acknowledge to me the execution thereof for the uses and purpose mentioned and his capacity as Director of the City of Doral Public Works Department.

[Signature]
Notary Public
Elida Sanchez
Print Name

My Commission Expires:

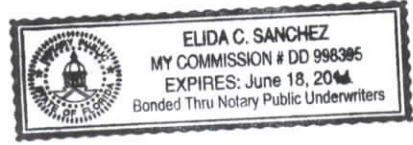


EXHIBIT "A"

Legal Description of Property:

Four Story Office Building on Tract 4, Koger Executive Center as recorded in Plat Book 91 at Page 38 of the Public Records of Miami-Dade County, Florida, and unimproved property Tract 1, Koger Executive Center as recorded in Plat Book 91 at Page 38 of the Public Records of Miami-Dade County, Florida.

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