

**DEVELOPMENT OF REGIONAL IMPACT
APPLICATION FOR DEVELOPMENT APPROVAL
UNDER SECTION 380.06, FLORIDA STATUTES**

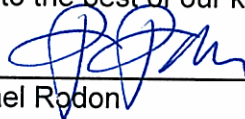
PART I. APPLICATION INFORMATION

1. Statement of Intent

I, **Rafael Rodon**, the undersigned authorized agent of Flagler Development Group (the "Applicant"), hereby propose to undertake a Development of Regional Impact as defined in Section 380.06, Florida Statutes (F.S.), and Chapter 28-24.028, Florida Administrative Code (F.A.C.). In support thereof we submit the following information concerning Beacon Countyline, which information is true and correct to the best of our knowledge.

20NOV07

(Date)



Rafael Rodon

2. Owner/Developer (name, address, phone). State whether or not the owner or developer is authorized to do business in the State of Florida pursuant to the provisions of Chapter 407, F.S.

The Owners of the Property and Applicants are:

FDG Beacon Countyline, LLC
c/o Flagler Development Group
2855 S. LeJeune Road, 4th Floor
Coral Gables, Florida 33134

FDG BN Expansion, LLC
c/o Flagler Development Group
2855 S. LeJeune Road, 4th Floor
Coral Gables, Florida 33134

Attention: Kolleen Cobb, Vice President and General Counsel

Telephone: (305) 520-2300
Email: kolleen.cobb@flaglerdev.com

The Owners are authorized to do business in the State of Florida.

The Developer is:

Flagler Development Group, Inc.
2855 S. LeJeune Road, 4th Floor
Coral Gables, Florida 33134

Attention: Rafael Rodon, Executive Vice President, Authorized Agent

Telephone: (305) 520-2300
Email: Rafael.Rodon@flaglerdev.com

The Developer is authorized to do business in the State of Florida.

3. Authorized Agent and Consultants (name, address, phone)

Authorized Agent:

Flagler Development Group, Inc.
2855 S. LeJeune Road, 4th Floor
Coral Gables, Florida 33134

Attention: Rafael Rodon, Executive Vice President, Authorized Agent

Telephone: (305) 520-2300

Email: Rafael.Rodon@flaglerdev.com

Alternate Authorized Agent / Legal Counsel:

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

Telephone: (305) 789-7782

Email: Joseph.Goldstein@hklaw.com

Consultants:

Planning

Rob Curtis, AICP
The Curtis Group
7520 Red Road, Suite M
South Miami, Florida 33143
Telephone: (305) 663-5800
Email: rob@curtisplanning.com

Transportation Planning

Tim Plummer, PE
David Plummer & Associates
1750 Ponce de Leon Boulevard
Coral Gables, Florida 33134
Telephone: (954) 463-8878
Email: Tim.Plummer@dplummer.com

Environmental

Rainer Schael
RS Environment Consultants, Inc.
12207 SW 132nd Court
Miami, FL 33186
Telephone: (305) 383-3404
Email: Rainer@rs-env.com

Economic

Andrew Dolkart
Miami Economic Associates
6861 SW 89th Terrace
Miami, FL 33156
Telephone: (305) 669-0229
Email: meaink@bellsouth.net

Archaeology

Bob Carr
Archaeological & Historical Conservancy, Inc.
4800 SW 64th Avenue, Suite 107
Davie, FL 33314
Telephone: (954) 792-9776
Email: archlgcl@bellsouth.net

Civil Engineer

Michael Lee, PE
PBS&J
2001 NW 107th Avenue
Miami, Florida 33172
Telephone: (305) 520-2510
Email: mlee@pbsj.com

Landfill

Eddie Smith
ES Consultants, Inc.
7700 North Kendall Drive, Suite 607
Miami, Florida 33156
Telephone: (305) 412-8185
Email: esmith@esconsultants.net

4. **Attach a notarized authorization from all persons or corporations (or authorized agents of said persons or corporations) having fee simple or lesser estate in the site indicating that each of these parties is aware of, and concurs with, the development of this property as described in this Application for Development Approval. Include the names and addresses of all parties with an interest in the property. In addition, include descriptions of any other properties within one-half mile radius of the DRI site in which any of the parties with an interest in the DRI site hold a fee simple or lesser interest.**

Notarized authorization forms from all private companies and private entities having a fee simple or lesser estate in the Property is attached in **Exhibit 4.1**. There are no properties within one-half mile radius of the DRI Property in which any of the parties with an interest in the DRI site hold a fee simple or lesser interest.

Please note this application includes portions of the residual right-of-way (ROW) for the Golden Glades Parkway, which ROW is currently retained by Miami-Dade County. The Applicant understands that the City of Hialeah has held discussions with Miami-Dade County regarding the potential conveyance of this surplus ROW

segment to the City for use as a City roadway, NW 166th Street. The Applicant is in the process of obtaining a signed authorization from Miami-Dade County which consents for the inclusion of this ROW into the Project Site.

5. **Attach a legal description of the development site. Include section, township and range.**

A legal description of the Property is included in **Exhibit 5.1**.

6. **Have you requested a binding letter of interpretation of DRI status or vested rights, clearance letter, agreement or preliminary development agreement from the Department of Community Affairs? If so, what is the current status of this determination?**

No binding letters of interpretation of DRI status or vested rights, clearance letter, agreement or preliminary development agreement from the Department of Community Affairs have been requested.

7. **List all local governments with jurisdiction over the proposed development.**

The City of Hialeah has jurisdiction over the processing of changes to the City of Hialeah Comprehensive Plan and Development of Regional Impact applications.

8. **List all agencies (local, state and federal) from which approval and/or a permit must be obtained prior to initiation of development. Indicate the permit or approval for each agency and its status. Indicate whether the development is registered or whether registration will be required with the Division of Florida Land Sales, Condominiums and Mobile Homes under Chapter 478, Florida Statutes. Indicate whether the development will be registered with the H.U.D., Division of Interstate Land Sales Registration or with other states.**

The project will obtain any and all necessary permits. Currently, the Applicant anticipates obtaining the following permits, which will be obtained prior to the initiation of the development, as required.

**TABLE 1-8.1
Required Permits & Status**

| Agency | Permits/Approval | Status |
|--|---|---|
| City of Hialeah | | |
| | ADA/DRI Development Order | Pending |
| | Zoning | Future Action |
| | Comprehensive Plan Amendments | Pending |
| | Site Plan Approval | Future Action |
| | Building Permit(s) | Future Action |
| | Water & Sewer Agreement | Future Action |
| | Wastewater Collection System Permit | Future Action |
| | Hydrant Location & Fire Protection | Future Action |
| | Roadway Improvement Plans | Future Action |
| | Traffic Concurrency | Future Action |
| | Tree Removal Permit | Future Action |
| | Subdivision Approval | Future Action |
| Miami-Dade County | | |
| | Complex Source Permit | If Required |
| | Wetland Jurisdictional Determination | If Required |
| | Class IV (Freshwater Wetland Dredge & Fill) | Future Action |
| | Water Distribution System Permit | Future Action |
| | Surface Water Management Permit | Future Action (If not issued by SFWMD) |
| | Paving, Grading & Drainage Permit | Future Action |
| | Landfill Closure Permit | Future Action |
| | Landfill Closure Permit | Future Action |
| | Wetland Impact Permit | Future Action |
| | Stormwater System Permit | Future Action |
| | Roadway Approval | Future Action |
| State of Florida | | |
| South Florida Regional Planning Council | | |
| | DRI Review | In Process |
| South Florida Water Management District | | |
| | Wetland Jurisdictional Determination | If Required |
| | Environmental Resource Permit (Storm Water and Water Quality Certification) | Future Action (If not issued by DERM) |
| | Water Use Permit | If Required |
| Department of Community Affairs | | |
| | DRI Review | In Process |
| Department of Environmental Protection | | |
| | Wastewater Collection System Permit | Future Action |
| | Water Distribution System Permit | Future Action |
| | Landfill Closure Permit | Future Action |
| | Air Quality | If Required |
| Department of Transportation | | |
| | Roadway Improvement Plans | Future Action |
| | Traffic Concurrency | Future Action |

| | | |
|---------------------------------------|--|---------------|
| | Signalization | Future Action |
| | Driveway Permit | Future Action |
| Turnpike Enterprise Agency | | |
| | Interchange Justification and Approval | Future Action |
| Federal Government | | |
| United States Army Corps of Engineers | | |
| | Wetland Jurisdictional Determination | If Required |
| | Dredge & Fill Permit | If Required |
| Source: The Curtis Group | | |

Registration of the development with the Division of Florida Land Sales, Condominiums, and Mobile Homes under Chapter 498, Florida Statutes, is not required. The development will not be registered with H.U.D. Division of Interstate Land Sales registration.

Exhibit 4.1
Notarized Authorization Forms

**AUTHORIZATION OF PERSONS OR CORPORATIONS HAVING
FEE SIMPLE OR LESSER ESTATE IN THE SITE**

BEACON COUNTYLINE

FDG Beacon Countyline, LLC, as applicant and owner in fee simple of the property described within Exhibit A, which is included in the Application for Development Approval, and in conjunction with Flagler Development Group, Inc. (as the Developer of the property described within Exhibit A), hereby states that the parties are aware of and concur with the filing of the attached application for approval of the development of the Project Site as described in the Application for Development Approval. FDG Beacon Countyline, LLC, further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact site.

WITNESSES

FDG BEACON COUNTYLINE, LLC,
a Delaware limited liability company

Donna Wright
Signature

DONNA WRIGHT
Print Name

By: *Kolleen Cobb*
Kolleen Cobb, Vice President

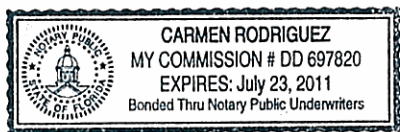
Ruth M Lugo
Signature

Ruth M Lugo
Print Name

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

The foregoing instrument was acknowledged before me this 20th day of November, 2007, by Kolleen Cobb, Vice President of FDG Beacon Countyline, LLC, a Delaware limited liability company, who is personally known to me or has produced _____ as identification.

(SEAL)



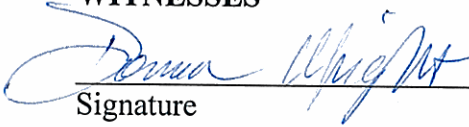
Carmen Rodriguez
Notary Public-State of Florida
Commission Number: July 23, 2011

**AUTHORIZATION OF PERSONS OR CORPORATIONS HAVING
FEE SIMPLE OR LESSER ESTATE IN THE SITE**

BEACON COUNTYLINE

FDG BN Expansion, LLC, as applicant and owner in fee simple of the property described within Exhibit A, which is included in the Application for Development Approval, and in conjunction with Flagler Development Group, Inc. (as the Developer of the property described within Exhibit A), hereby states that the parties are aware of and concur with the filing of the attached application for approval of the development of the Project Site as described in the Application for Development Approval. FDG BN Expansion, LLC, further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact site.

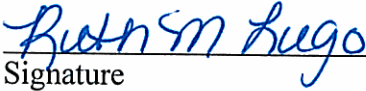
WITNESSES



Signature

 DONNA WRIGHT

Print Name




Signature

 Ruth M Lago

Print Name

FDG BN EXPANSION, LLC,
a Delaware limited liability company

By: 

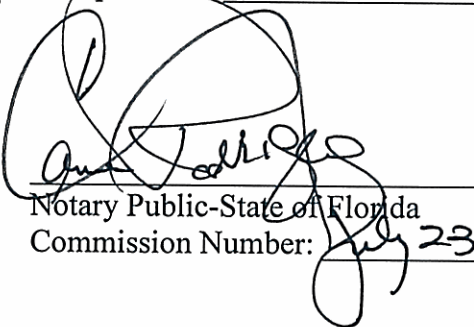
Kolleen Cobb, Vice President

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

The foregoing instrument was acknowledged before me this 20th day of November, 2007, by Kolleen Cobb, Vice President of FDG BN Expansion, LLC, a Delaware limited liability company, who is personally known to me or has produced _____ as identification.

(SEAL)





Notary Public-State of Florida
Commission Number: July 23, 2011

**AUTHORIZATION OF PERSONS OR CORPORATIONS HAVING
FEE SIMPLE OR LESSER ESTATE IN THE SITE**

MIAMI-DADE COUNTY

Miami-Dade County, owner of the right of way legally described within Exhibit A (the "Right of Way"), which is included in the Application for Development Approval, hereby states that it is aware of, authorizes and concurs with the inclusion of the Right of Way into the Project Site described in the Application for Development Approval for the Beacon Countyline DRI.

WITNESSES

MIAMI-DADE COUNTY

Signature

Print Name

Signature

Print Name

By: _____

Name: _____

Title: _____

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2007, by _____, _____ of Miami-Dade County is personally known to me or has produced _____ as identification.

(SEAL)

Notary Public-State of _____
Commission Number: _____

Exhibit 5.1
Legal Description

Portions of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", in Section 17, Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Dade County, Florida, being described as follows:

The West½ of Tracts 18, 19, 20 and 21, less the South 100 feet of Tract 20, and less the North 100 feet of Tract 21, and Tracts 22, 23, 24, 33, 34, 35, 36, 37, 38, and 39, less the South 75 feet of Tract 39, and less that portion of Tract 33 that lies within the North 35 feet of the SW¼ of said Section 17, and less the area bounded by the South line of the North 35 feet of the SW¼ of said Section 17, bounded by the West line of the East 35 feet of the SW¼ of said Section 17, and bounded by a 25 foot radius arc concave to the Southwest, said arc being tangent to both or the last described lines, and less those portions of said Tracts 22, 23, 33, 34, and 37 that lies within the East 35 feet of the SW¼ of said Section 17.

AND

Tracts 25, 26, 27, 28, 29, 30, 31 and 32, less the North 100 feet of Tract 28, less the South 100 feet of Tract 29, and less those portions of Tracts 29, 30, 31, and 32, that lies within the West 40 feet of the NW¼ of said Section 17, and less that portion of Tract 32 that lies within the North 80.00 feet of the NW¼ of said Section 17, and less the area bounded by the South line of the North 80.00 feet of the NW¼ of said Section 17, bounded by the East line of the West 40.00 feet of the NW¼ of said Section 17, and bounded by a 25 foot radius arc concave to the Southeast, said arc being tangent to both of the last described lines.

AND

Tract 42 less the South 75 feet thereof, Tracts 43, 44, 45, 46, 47, and 48, less those portions of Tracts 44, 45, 46 and 46 that lies with in the West 40 feet of the SW¼ of said Section 17.

AND

Tracts 49, 50, 51, 52, 53 and 54 less the East 400 feet thereof, and Tract 55 less the East 400 feet and less the South 75 feet thereof, and Tract 58 less the West 35 feet and less the South 75 feet thereof, and Tracts 59, 60, 61, 62, and 63, and the South½ of Tract 64, and less those portions of Tracts 62 and 63 that lie within the West 35 feet of the SE¼ of said Section 17.

AND

Tracts 40, 41, 56 and 57, the South 75.00 feet of Tracts 39, 42, 55 and 58, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", in Section 17, Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records or Miami-Dade County, Florida, less that portion of the South 75.00 feet of said Tract 55 lying within the East 400.00 feet of the SE¼ of said Section 17.

Tracts 2, 3, 14, and 4, less the South 100.00 feet of Tract 4, of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", in Section 17, Township 52 South, Range 40 East according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Dade County, Florida.

That portion of Tracts 49, 50, 51, 52, 53, 54 and 55 lying within the East 400.00 feet of the SE¼ of Section 17, Township 52 South, Range 40 East, less the East 40 feet of Tract 55, all of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida.

AND

Tract 35, less the East 35.00 feet thereof, and the East 1/3 of Tract 43, and Tract 47, of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1", in Section 17, Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida.

AND

Tracts 15, 16 and 17, of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1", Section 17, Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

AND

The East ½ of Tracts 18 and 19, in Section 17, Township 52 South, Range 40 East, of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida.

AND

A portion of Tracts 4, 5, 12, 13, 20, 21, 28, and 29 of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, at Page 17, in Section 17, Township 52 South, Range 40 East, of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:

The South 100 feet of said Tracts 4, 13, 20, and 29, and the North 100 feet of said Tracts 5, 12, 21, and 28.

Containing ±520.17 Acres