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Sent Via Federal Express



MEMORANDUM

Date: October 25, 2012

To: Mr. William Pable, AICP (Department of Economic Opportunity)
Mr. Robert Cambric, AICP (South Florida Regional Planning Council)

From: Joseph G. Goldstein *JA*
Tracy R. Slavens *TS*

Cc: Mr. Nathan Kogon, AICP (City of Doral)

Re: Park Square at Doral / Westside Corporate Center Development of Regional Impact
(Park Square) / Modification of Development Program

Enclosed please find a Notification of Proposed Change (NOPC) seeking, primarily, to amend the development program for the Park Square at Doral / Westside Corporate Center Development of Regional Impact (DRI). This change contemplates the reduction of commercial/retail use by 371,400 sf and office use by 77,859 sf and increases residential use by up to 1,200 dwelling units. This NOPC also requests that available automatic buildout date extensions that have been authorized by Florida Statutes be formally inserted into the appropriate DRI conditions.

We submit that this change qualifies as "not a substantial deviation" pursuant to section 380.06(19)(e)2, Florida Statutes. In that regard, the attached NOPC includes arguments and documentation in support of this position. Please review the attached and advise if we need to proceed through full NOPC review as a result. If no further review is required, please advise us accordingly. If you do require further review, we will send copies to other agencies as you see fit.

Please feel free to contact me if you have any questions or require additional information and thank you.

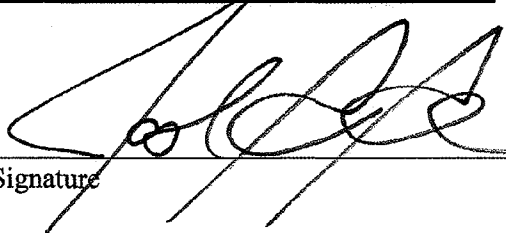
STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
DIVISION OF COMMUNITY PLANNING & DEVELOPMENT
The Caldwell Building, MSC 160
107 East Madison Street
Tallahassee, Florida 32399

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

I, **Joseph G. Goldstein, Esq.**, the undersigned owner/authorized representative of **City National Bank of Florida as Trustee, pursuant to Land Trust Agreement dated March 22, 2012 and known as Trust Number 2401-3185-00**, hereby give amended notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the **Westside Corporate Center / Increment II Corporate Office Park a/k/a Park Square at Doral Development of Regional Impact** development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the **City of Doral, Florida**, to the **South Florida Regional Planning Council**, and to the **Bureau of Community Planning & Development, Department of Economic Opportunity**.

10/24/12
Date


Signature

1. Applicant / Developer:

City National Bank of Florida as Trustee, pursuant to Land Trust Agreement
dated March 22, 2012 and known as Trust Number 2401-3185-00
c/o Joseph G. Goldstein, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
(305) 789-7782

2. Authorized Agent:

**Joseph G. Goldstein, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
(305) 789-7782**

3. Location (City, County, Township/Range/Section) of approved DRI and proposed change:

**City of Doral, Miami-Dade County, Florida
Township 53 South, Range 40 East, Section 27**

4. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

The Applicant is proposing a change to the DRI development program that would result in a simultaneous increase and decrease of uses. The Applicant is seeking an amendment of the DRI Development Order in order to develop the property in accordance with the following development program:

| DRI Land Uses | Proposed Development Program |
|----------------------------|-------------------------------------|
| Office – Vested (pre-1973) | 212,000 s.f. [1] |
| Office – Increment I | 393,210 s.f. |
| Office – Increment II | 1,510,704 s.f. |
| Restaurant/ Commercial | 740 Seats/ Bank |
| Retail | 330,000 s.f. |
| Hotel [2] | 480 Rooms |
| Residential | 1,600 d.u. |

[1] Original Ryder System Corporate Headquarters building, located within the boundaries of Increment II, was vested.

[2] The hotel use was previously approved for 300 rooms totaling 300,000 s.f. pursuant to Miami-Dade County Resolution No. Z-15-98. The two hotels built on site actually contain a total of 216 rooms and 120,080 s.f. The intent of this application is to provide for 180 hotel rooms within Park Square at Doral.

The proposed DRI development program contemplates 1,510,704 square feet of office use, 330,000 square feet of retail use, 740 restaurant seats and a bank, 1,600 residential dwelling units, and 480 hotel rooms.

The total revised net new development for the site will result in an overall reduction of traffic volumes for the project. The two-way daily vehicle trips generated by the proposed development program is equivalent to 19,379 vehicle trips, which is a 12% reduction from the two-way vehicle trips generated by the approved development program. Similarly, the proposed development program generates 2,605 weekday PM peak hour trips, a 13% reduction from the approved development program. The Applicant has prepared a traffic analysis to determine the trip generation resulting from the proposed change. This analysis indicates that the simultaneous increase and decrease proposed will generate a meaningful reduction in traffic generated by the project. A copy of the traffic analysis, prepared by David Plummer and Associates and dated October 9, 2012, is attached hereto as Exhibit A.

The Applicant has also analyzed the estimated water, sewer, and solid waste generation rates resulting from the proposed change to the development program. The proposed change would result in a decrease in water and sewer gallonage and an increase in solid waste generation. However, the Miami-Dade Solid Waste Department has previously advised that the current system has a level of service availability for a minimum of five years for adequate disposal capacity on a systemwide basis. The following charts provide an analysis of the generation rates based on the approved development program and the proposed development program uses:

Table 1-A
Park Square at Doral DRI
Current & Projected Water and Sewer Gallonage*

| Land Use | Generation Rate (gal per day/unit) | Current Approved Intensity | Proposed Maximum Intensity |
|-------------------------------|---------------------------------------|-------------------------------|-------------------------------|
| Residential - Multi-Family | 150 gpd/unit | 400 units | 1,600 units |
| | | 60,000 gpd | 240,000 gpd |
| Hotel | 100 gpd/room | 180 rooms | 180 rooms |
| | | 18,000 gpd | 18,000 gpd |
| Retail | 10 gpd/100 sq. ft. | 671,400 sq. ft. | 330,000 sq. ft. |
| | | 67,140 gpd | 33,000 gpd |
| Restaurant/ Bank | 50 gpd/seat | 740 seats | 740 seats |
| | | 37,000 gpd | 37,000 gpd |
| Office | 5 gpd/100 sq. ft. | 417,859 sq. ft. | 340,000 sq. ft. |
| | | 20,893 gpd | 17,000 gpd |
| Total | | 203,033 gpd | 345,000 gpd |

*Generation Rates pursuant to Section 24-43.1(5), Miami-Dade County Code

**Table 1-B
Park Square at Doral DRI
Current & Projected Solid Waste Generation***

| Land Use | Generation Rate (lbs/unit) | Current Intensity | Proposed Minimum Intensity |
|---------------------------------------|---------------------------------------|--------------------------|---------------------------------------|
| Residential - Multi-Family | 0.71 tons/unit | 400 units | 1,600 units |
| | | 284 tons/yr | 1,136 tons/yr |
| Hotel | 4.28 lbs/room⁺ | 180 rooms | 180 rooms |
| | | 92.5 tons/yr | 92.5 tons/yr |
| Retail | 7.47 lb/sq. ft. | 671,400 sq. ft. | 330,000 sq. ft. |
| | | 2,508 tons/yr | 1,232.5 tons/yr |
| Restaurant/ Bank | 25.58 lb/day/unit | 740 seats | 740 seats |
| | | 9.5 tons/day | 9.5 tons/day |
| Office | 2.52 lb/sq. ft. | 417,859 sq. ft. | 340,000 sq. ft. |
| | | 526.5 tons/yr | 428.4 tons/yr |
| Total | | 3,420.5 tons/yr | 2,899 tons/yr |

*Generation Rates pursuant to SWA of Palm Beach County 1997 Residential Study and 1995 Commercial Study

⁺Based on an average room size of 240 square feet

The Applicant is also seeking to modify the development order, as amended, to reflect the approved four (4) year automatic extension of the buildout and termination date to December 31, 2018, pursuant to Sec. 380.06(19)(c), F.S. (2011). The Notice of Adoption for the four (4) year extension was recorded in Official Records Book 27744, Page 3349, in the Public Records of Miami-Dade County, Florida. A copy of the recorded Notice of Adoption is attached hereto as Exhibit B. In addition, the Applicant intends to seek extensions pursuant to Section 252.363, Florida Statutes, in connection with the states of emergency declared for the State of Florida by Governor Scott for Tropical Storm Debby (Executive Order 12-140) and Tropical Storm Isaac (Executive Order 12-199). The Applicant is entitled to development order extensions of 60 days plus six months in recognition of each of these states of emergency. The Applicant will provide notice of its exercising of these extensions under separate cover. In anticipation of these combined extensions, the Applicant has estimated a development order buildout and termination date of May 30, 2020.

5. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

Please see the attached Exhibit C for the land use types approved and proposed in the development.

6. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the attached Exhibit D).

Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

A complete list of all dates and resolution numbers of all modifications and amendments to the originally approved DRI development order is attached as Exhibit D.

7. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

No lands have been purchased or optioned subsequent to the original approval or issuance of the DRI Development Order.

8. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

The proposed change involves a simultaneous increase and decrease of uses. While the proposed change seeks to increase the Residential Uses, it also seeks a simultaneous decrease the Retail and Office uses.

The proposed change results in an increase of water and sewer usage and a decrease in solid waste generation rates. A brief analysis of the effects of the simultaneous increase and decrease in uses on the water, sewer, and solid waste usage and generation rates is provided in Tables 1A and 1B of Response No. 5.

The traffic analysis provides that the proposed changes results in an overall reduction in the number of two-way daily vehicle trips and weekdays PM peak hour vehicle trips. Therefore, the proposed change is not a substantial deviation in accordance with Subparagraph 380.06(19)(e)2.k., Florida Statutes. This subparagraph states that a change that does not increase the number of external peak hour trips and does not reduce open space and conserved areas within the project except as otherwise permitted by Subparagraph j. is not a substantial deviation.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES ☒ NO ☐

9. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

As mentioned above, the Applicant is seeking to modify the development order, as amended, to reflect a previously approved extension and two forthcoming extensions. The previously approved extension was a four (4) year automatic

extension of the buildout and termination date from December 31, 2014 to December 31, 2018, pursuant to Sec. 380.06(19)(c), F.S. (2011). The Notice of Adoption for the four (4) year extension was recorded in Official Records Book 27744, Page 3349, in the Public Records of Miami-Dade County, Florida. The two forthcoming extensions of the development order are in connection with the states of emergency pursuant to Section 252.363, Florida Statutes, for Tropical Storm Debby (Executive Order 12-140) and Tropical Storm Isaac (Executive Order 12-199). Each tolls the buildout date for the 60 day duration of the state of emergency applicable to Miami-Dade County and grants a six month extension. Therefore, the development order extension of the buildout and termination date under the Tropical Storm Debby state of emergency is from December 31, 2018 to September 1, 2019 and the subsequent extension under the Tropical Storm Isaac state of emergency is from September 1, 2019 to May 30, 2020. The combined extensions will result in a buildout and termination date of May 30, 2020. As noted above, the Applicant will provide notice of its exercising of the state of emergency extensions under separate cover during the course of the NOPC process but is seeking to modify the development order to reflect these extensions in anticipation of the notification.

10. Will the proposed change require an amendment to the local government comprehensive plan?

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

The proposed change will not require an amendment to the local government comprehensive plan.

11. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

The proposed change will not require an amendment to the DRI master plan.

12. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;
- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.

The proposed change to the DRI Development Order modifies Condition Nos. 10, 11, and 12 of Resolution No. Z-258-88, passed and adopted by the Board of County Commissioners of Miami-Dade County on October 20, 1988, as amended by Resolution No. Z-15-98, passed and adopted by the Board of County Commissioners of Miami-Dade County on July 7, 1998, as amended by Resolution No. Z-9-03, passed and adopted by the Board of County Commissioners of Miami-Dade County on June 19, 2003, as amended by Ordinance No. 2006-17, passed and adopted by the City Council of the City of Doral on September 27, 2006, as amended by Ordinance No. 2006-30, passed and adopted by the City Council of the City of Doral on May 23, 2007, as amended by Resolution No. Z07-16, passed and adopted by the City Council of the City of Doral on September 26, 2007, as further amended by Ordinance No. 10-01, passed and adopted by the City Council of the City of Doral on February 10, 2010, as follows:

With respect to the modification of the Condition No. 10, which sets forth the DRI development program:

FROM:

- "10. Limit development to those land uses authorized by City of Doral provided, however, that the overall development shall have 1,588,563 square feet of office use, 671,400 square feet of retail use, 740 restaurant seats and a bank, 400 residential dwelling units, and 480 hotel rooms or a combination of uses as provided for in the Equivalency Matrix contained in the attached Exhibit _____. Subsequent plan approval will require compliance with all City of Doral Comprehensive Plan and Land Development Regulations standards, as may be amended from time to time in accordance with the City of Doral Code, and subject to substantial deviation determination, if applicable."

TO:

- "10. Limit development to those land uses authorized by City of Doral provided, however, that the overall development shall have 1,510,704 square feet of office use, 330,000 square feet of retail use, 740 restaurant seats and a bank, 1,600

residential dwelling units, and 480 hotel rooms. Subsequent plan approval will require compliance with all City of Doral Comprehensive Plan and Land Development Regulations standards, as may be amended from time to time in accordance with the City of Doral Code, and subject to substantial deviation determination, if applicable."

A chart detailing the approved DRI land uses and the magnitude of the proposed change is attached as Exhibit C hereto for your reference.

With respect to the modification of the Condition Nos. 11 and 12, which set forth the DRI downzoning and termination dates, to reflect the automatic four (4) year extension of dates pursuant to 380.06(19)(c), Florida Statutes (2011) and the extensions of the development order in connection with the states of emergency pursuant to Section 252.363, Florida Statutes, for Tropical Storm Debby (Executive Order 12-140) and Tropical Storm Isaac (Executive Order 12-199):

FROM:

- "11. December 31, 2014 is hereby established as the date until which the City of Doral agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare.
- "12. (For purposes of this paragraph, physical development means that development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination date for completing development shall be December 31, 2014, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

TO:

- "11. May 30, 2020 is hereby established as the date until which the City of Doral agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare.
- "12. (For purposes of this paragraph, physical development means that development as defined in §380.04, Florida Statutes.) The commencement of physical

development shall be 1 year from the effective date of the Development Order. The termination date for completing development shall be May 30, 2020, provided that the Applicant, its successors, and/or assigns comply with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

EXHIBIT A

EXHIBIT A

Traffic Analysis, as prepared by David Plummer and Associates dated October 9, 2012.

DAVID PLUMMER & ASSOCIATES

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

1750 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA 33134
305 447-0900 • FAX: 305 444-4986 • EMAIL: DPA@DPLUMMER.COM

October 9, 2012

Mr. Uri Man
VP of Development
Related Development LLC
315 S. Biscayne Blvd.
Miami, FL 33131
Phone: 305 460 9900
Mobile: 561 213 9696
E-mail: uman@relatedgroup.com

RE: Park Square at Doral Traffic Engineering Services - #12122

Dear Uri,

The Park Square at Doral project is located on a parcel bounded by NW 36th Street on the north, NW 33rd Street on the south, NW 82nd Avenue on the east, and theoretical NW 85th Avenue on the west in the city of Doral, Florida. The project was approved by the city in 2009. Exhibit 1 shows the approved development program.

**Exhibit 1
Approved Development Program**

| Land Use | Proposed Park Square Parcel |
|-------------------------|--|
| Office | 417,859 Square Feet |
| Hotel | 180 Rooms |
| Residential Condominium | 400 Dwelling Units |
| Retail | 671,400 Square Feet |

Currently, Park Square at Doral is seeking to change the development plan. The proposed development program is shown in Exhibit 2.



Exhibit 2
Proposed Development Program

| Land Use | Proposed Park Square Parcel |
|--------------------|--------------------------------|
| Retail | 330,000 Square Feet |
| Office | 340,000 Square Feet |
| Midrise Apartments | 1,600 Dwelling Units |
| Hotel | 180 Rooms |

A trip generation analysis was conducted to determine the trips generated by the previous development program compared to the proposed project. The trip generation analysis was based on rates and/or equations from the Institute of Transportation Engineers (ITE) *Trip Generation*, 8th Edition.

ITE recognizes that data obtained to establish trip generation rates and/or equations is collected at single-use, free-standing sites, and that mixed-use developments provide a potential for interaction of trips within the site, which must be accounted for separately. This will be a mixed-use project and the design will incorporate an internal road system to serve both automobiles and pedestrian and facilitate interaction of trips within the site, resulting in some satisfied on-site (*internal trips*). Internalization between the proposed uses in the Park Square NOPC parcel was established based on the guidelines in ITE's *Trip Generation Handbook*, March 2001. Internalization worksheets are included in *Attachment A*.

Research shows that a percentage of retail trips to and from a site are "*pass-by*" trips. ITE describes *pass-by* as trips "*attracted from traffic passing the site on an adjacent street*". *Pass-by* trips are already using the existing roadway network. *Pass-by* trips were established based on the guidelines in the FDOT *Site Impact Handbook*. Additionally, due to the existing traffic patterns in this area a deduction was not taken for diverted linked trips in this analysis. Diverted linked trips are trips attracted from the traffic volume on roadways within the vicinity of the generator but which require a diversion from that roadway to another roadway to gain access to the site.

A review of transit availability in the vicinity of the project site indicates that several transit routes serve the area within 1 mile of the site. Consistent with other studies within Miami-Dade County and the traffic

study for the approved Park Square, for this analysis, a 1.5% mode split was used to consider existing (regional Metrobus) transit service, the Tri-Rail Shuttle and the Doral Trolley.

Adjustments made to the trip generation estimates obtained from ITE trip generation rates and/or equations are consistent with the adjustments taken in the traffic study performed for the previously approved land uses. Exhibit 3 provides the trip generation summary for the approved and proposed site plans. Trip generation worksheets are also included in *Attachment A*.

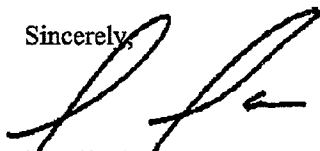
Exhibit 3
Project Trip Generation Summary

| Scenario | Two-Way Daily Vehicle Trips | Weekday PM Peak Hour Vehicle Trips |
|-------------------|-----------------------------|------------------------------------|
| Approved Uses | 22,029 | 2,234 |
| Proposed Uses | 19,379 | 1,904 |
| Trip Difference | -2,650 | -330 |
| % Trips Reduction | -12% | -15% |

The results of the trip generation analysis show a decrease in gross and net new external vehicular traffic for PM peak hour from the traffic projected in the Notice of Proposed Change (NOPC) traffic study. Based on this, it can be concluded that the proposed uses will have a lower impact to the adjacent roadway network than those identified and mitigated through improvements identified in the previous traffic study.

We stand ready to provide any support needed for this project. Should you have any questions or comments, please call me at (305) 447-0900.

Sincerely,


Juan Espinosa, PE
Vice-President – Transportation

Attachments

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Attachment A

Trip Generation & Internalization

PARK SQUARE AT DORAL TRIP GENERATION COMPARISON

APPROVED USES

| ITE Land Use Designation ⁽¹⁾ | Size/Units | Two-Way Daily Vehicle Trips | Weekday | | |
|--|------------|-----------------------------|----------------------------|--------------|--------------|
| | | | PM Peak Hour Vehicle Trips | | |
| | | | In | Out | Total |
| Trip Generation Based on ITE Trip Generation Rates and/or Equations | | | | | |
| Office (LU 710) | 417,859 SF | 4,012 | 93 | 454 | 547 |
| Retail (LU 820) | 671,400 SF | 23,414 | 1,056 | 1,144 | 2,200 |
| Hotel (LU 310) | 180 Rooms | 1,471 | 56 | 50 | 106 |
| Condominium (LU 222) | 400 Dus | 1,760 | 86 | 55 | 141 |
| Gross Trips | | 30,657 | 1,291 | 1,703 | 2,994 |
| Net New External Trips | | | | | |
| Transit | | -460 | -18 | -26 | -44 |
| Internal | | -2,732 | -99 | -99 | -198 |
| Pass-by | | -5,436 | -259 | -259 | -518 |
| Net New External Trips | | 22,029 | 915 | 1,319 | 2,234 |

PROPOSED USES

| ITE Land Use Designation ⁽¹⁾ | Size/Units | Two-Way Daily Vehicle Trips | Weekday | | |
|--|------------|-----------------------------|----------------------------|--------------|--------------|
| | | | PM Peak Hour Vehicle Trips | | |
| | | | In | Out | Total |
| Trip Generation Based on ITE Trip Generation Rates and/or Equations | | | | | |
| Office (LU 710) | 340,000 SF | 3,423 | 78 | 381 | 459 |
| Retail (LU 820) | 330,000 SF | 14,756 | 694 | 722 | 1,416 |
| Hotel (LU 310) | 180 Rooms | 1,471 | 56 | 50 | 106 |
| Midrise Apartments (LU 223) ⁽¹⁾ | 1,600 Dus | 7,789 | 368 | 256 | 624 |
| Gross Trips | | 27,439 | 1,196 | 1,409 | 2,605 |
| Difference | | -10% | | -13% | |
| Net New External Trips | | | | | |
| Transit | | -412 | -18 | -22 | -40 |
| Internal | | -4,572 | -177 | -177 | -354 |
| Pass-by | | -3,076 | -153 | -153 | -306 |
| Net New External Trips | | 19,379 | 848 | 1,057 | 1,905 |
| Net New External Trips | | -12% | | -15% | |

Note:

(1) ITE does not provide a daily trip generation rate for Land Use 223 - Midrise Apartment. The PM Peak hour to Daily Ratio for the approved Condominium was used to obtain the daily trip generation

Approved Development Program

Park Square 2009 NOPC

| Land | Use | 24 Hour | | AM Pk Hour | PM Pk Hour | Enter | Exit | Enter | Exit |
|-------------------------------------|--------------|------------|------|------------|------------|-------|------|-------|------|
| | | Two-Way | Size | Volume | Enter | | | | |
| Residential Condominium / Townhouse | | | | | | | | | |
| | 400 Dwelling | Units | | 2344 | | 28 | 148 | 140 | 68 |
| Hotel | 180 Rooms | | | 1471 | | 61 | 40 | 56 | 50 |
| General Office Building | | | | | | | | | |
| | 417.859 | Th.Gr.Sq.F | | 4012 | | 518 | 71 | 93 | 454 |
| Shopping Center | | | | | | | | | |
| | 671.4 | T.G.L.A. | | 23414 | | 299 | 191 | 1056 | 1144 |
| Total | | | | 31241 | | 906 | 450 | 1345 | 1716 |

Trip Generation and Internalization (Daily)
Park Square (2009)

Revised May 2009

| Resid Condo | | Hotel | | Office | | Retail | | | |
|--------------------|-----|--------------|-----|----------------|-------|----------------|--------|----------------------|--|
| Land Use 222 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | | |
| 400 Dwelling Units | | 180 Rooms | | 417,859 SF GFA | | 671,400 SF GLA | | | |
| In | Out | In | Out | In | Out | In | Out | | |
| 880 | 880 | 736 | 736 | 2,006 | 2,006 | 11,707 | 11,707 | 30,657 ITE Trips | |
| -13 | -13 | -11 | -11 | -30 | -30 | -176 | -176 | -460 -1.5% Transit | |
| 867 | 867 | 725 | 725 | 1,976 | 1,976 | 11,531 | 11,531 | 30,197 Vehicle Trips | |
| 0% | | 0% | | 0% | | | | | |
| 0 | | 0 | | 0 | | | | | |
| 3% | | | | 2% | | | | | |
| 26 | | 26 | | 40 | | | | | |
| 38% | | 38% | | 9% | | | | | |
| 329 | | 329 | | 1038 | | | | | |
| 33% | | 286 | | | | 11% | | | |
| 286 | | 286 | | | | 1268 | | | |
| 0% | | 0% | | 0% | | | | | |
| 0 | | 0 | | 0 | | | | | |
| 3% | | 22 | | 2% | | | | | |
| 22 | | 22 | | 40 | | | | | |
| 38% | | 38% | | 9% | | | | | |
| 275 | | 275 | | 1038 | | | | | |
| 33% | | 239 | | | | 11% | | | |
| 239 | | 239 | | | | 1268 | | | |
| | | | | 22% | | 4% | | | |
| | | | | 435 | | 435 | 461 | | |
| | | | | 15% | | | 3% | | |
| | | | | 296 | | 296 | 346 | | |

| Resid Condo | | Hotel | | Office | | Retail | | | |
|--------------------|--------------|--------------|--------------|----------------|----------------|----------------|----------------|--|--|
| Land Use 222 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | | |
| 400 Dwelling Units | | 180 Rooms | | 417,859 SF GFA | | 671,400 SF GLA | | | |
| In | Out | In | Out | In | Out | In | Out | | |
| 880 | 880 | 736 | 736 | 2,006 | 2,006 | 11,707 | 11,707 | 30,657 ITE Trips | |
| -13 | -13 | -11 | -11 | -30 | -30 | -176 | -176 | -460 -1.5% Transit | |
| 867 | 867 | 725 | 725 | 1,976 | 1,976 | 11,531 | 11,531 | 30,197 Vehicle Trips | |
| 0 | | 0 | | 0 | | | | Adjustment Factors | |
| -26 | | | | -26 | | | | | |
| -171 | | | | -171 | | | | | |
| -149 | | | | | | | -149 | | |
| | | 0 | | 0 | | | | | |
| | | -22 | | -22 | | | | | |
| | | -143 | | -143 | | | | | |
| -124 | | | | | | -124 | | | |
| | | | | -435 | | -435 | | | |
| | | -296 | | | | -296 | | | |
| 692 | 696 19.9% | 578 | 582 20.0% | 1,680 | 1,493 19.7% | 10,782 | 10,962 5.7% | 27,465 External Trips 9.0% % Internal | |
| | | | | | | -2,718 | -2,718 | 25.0% Pass-by | |
| 692 | 696 | 578 | 582 | 1,680 | 1,493 | 8,064 | 8,244 | 22,029 Net New External Trips | |

Trip Generation and Internalization (PM Peak Hour)
Park Square (2009)

Revised May 2009

| Resid Condo | | Hotel | | Office | | Retail | | |
|--------------------|-------|--------------|-------|----------------|------|----------------|-------|------------------------------|
| Land Use 222 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | |
| 400 Dwelling Units | | 180 Rooms | | 417,859 SF GFA | | 671,400 SF GLA | | |
| In | Out | In | Out | In | Out | In | Out | |
| 86 | 55 | 56 | 50 | 93 | 454 | 1,056 | 1,144 | 2,994 ITE Trips |
| -1 | -1 | -1 | -1 | -1 | -7 | -16 | -17 | -45 -1.5% Transit |
| 85 | 54 | 55 | 49 | 92 | 447 | 1,040 | 1,127 | 2,949 Vehicle Trips |
| 0% | | 0% | | 0% | | | | |
| 0 | | 0 | | 0 | | | | |
| 2% | | | | 2% | | | | |
| 2 | | 2 | | 9 | | | | |
| 53% | | | | 9% | | | | |
| 29 | | 29 | | 94 | | | | |
| 31% | | | | | | 12% | | |
| 26 | | 26 | | | | 135 | | |
| 0% | | 0% | | 0% | | | | |
| 0 | | 0 | | 0 | | | | |
| 2% | | | | 2% | | | | |
| 1 | | 1 | | 9 | | | | |
| 53% | | | | 9% | | | | |
| 26 | | 26 | | 94 | | | | |
| 31% | | | | | | 12% | | |
| 17 | | 17 | | | | 135 | | |
| | | | | 23% | | 2% | | |
| | | | | 103 | | 21 21 | | |
| | | 31% | | | | 3% | | |
| | | 29 | | | | 29 34 | | |
| Resid Condo | | Hotel | | Office | | Retail | | |
| Land Use 222 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | |
| 400 Dwelling Units | | 350 Rooms | | 417,859 SF GFA | | 671,400 SF GLA | | |
| In | Out | In | Out | In | Out | In | Out | |
| 86 | 55 | 56 | 50 | 93 | 454 | 1,056 | 1,144 | 2,994 ITE Trips |
| -1 | -1 | -1 | -1 | -1 | -7 | -16 | -17 | -45 -1.5% Transit |
| 85 | 54 | 55 | 49 | 92 | 447 | 1,040 | 1,127 | 2,949 Vehicle Trips |
| 0 | | 0 | | | | | | Adjustment Factors |
| -2 | | | | -2 | | | | |
| -14 | | | | -14 | | | | |
| -12 | | | | | | -12 | | |
| 0 | | 0 | | | | | | |
| -1 | | -1 | | -1 | | | | |
| -12 | | -12 | | -12 | | | | |
| -8 | | | | -8 | | | | |
| | | | | -21 | | -21 | | |
| | | -29 | | | | -29 | | |
| 71 | 40 | 46 | 37 | 63 | 423 | 993 | 1,078 | 2,752 External Trips |
| | 20.0% | | 20.0% | | 9.8% | | 4.4% | 6.7% % Internal |
| | | | | | | -259 | -259 | 25.0% Pass-by |
| 71 | 40 | 46 | 37 | 63 | 423 | 734 | 819 | 2,234 Net New External Trips |

Proposed Development Program

Park Square - October 2012
Summary of Multi-Use Trip Generation
Average Weekday Driveway Volumes
October 09, 2012

| Land Use | Size | 24 Hour | AM Pk Hour | | PM Pk Hour | |
|--|---------------------|-------------------|------------|------|------------|------|
| | | Two-Way Volume | Enter | Exit | Enter | Exit |
| Shopping Center | 330 Th.Sq.Ft. GLA | 14756 | 190 | 121 | 694 | 722 |
| General Office Building | 340 Th.Sq.Ft. GFA | 3423 | 439 | 60 | 78 | 381 |
| Mid-Rise Apartment | 1600 Dwelling Units | 0 | 144 | 336 | 368 | 256 |
| Hotel | 180 Rooms | 1471 | 61 | 40 | 56 | 50 |
| Total Driveway Volume | | 19650 | 834 | 557 | 1196 | 1409 |
| Total Peak Hour Pass-By Trips | | | 0 | 0 | 192 | 199 |
| Total Peak Hour Vol. Added to Adjacent Streets | | | 834 | 557 | 1004 | 1210 |

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

Trip Generation and Internalization (Daily)
Park Square (2012)

February 2012

February 20

| Midrise Apartment | | Hotel | | Office | | Retail | | | |
|----------------------|-------|--------------|-------|----------------|-------|----------------|--------|-------------------------------|--|
| Land Use 223 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | | |
| 1,600 Dwelling Units | | 180 Rooms | | 340,000 SF GFA | | 330,000 SF GLA | | | |
| In | Out | In | Out | In | Out | In | Out | | |
| 3,895 | 3,894 | 735 | 736 | 1,711 | 1,712 | 7,378 | 7,378 | 27,439 ITE Trips | |
| -58 | -58 | -11 | -11 | -26 | -26 | -111 | -111 | -412 -1.5% Transit | |
| 3,837 | 3,836 | 724 | 725 | 1,685 | 1,686 | 7,267 | 7,267 | 27,027 Vehicle Trips | |
| 0% | | 0% | | 0% | | | | | |
| 0 | | 0 | | 0 | | | | | |
| 3% | | | | 2% | | | | | |
| 115 | | 34 | | 34 | | | | | |
| 38% | | 654 | | 9% | | | | | |
| 1458 | | | | 654 | | | | | |
| 33% | | 799 | | 11% | | | | | |
| 1266 | | | | 799 | | | | | |
| 0% | | 0% | | 0% | | | | | |
| 0 | | 0 | | 0 | | | | | |
| 3% | | 2% | | | | | | | |
| 22 | | 34 | | | | | | | |
| 38% | | 654 | | 9% | | | | | |
| 276 | | 276 | | 654 | | | | | |
| 33% | | 799 | | 11% | | | | | |
| 239 | | | | 799 | | | | | |
| 22% | | 4% | | | | | | | |
| 371 | | 291 | | 291 | | | | | |
| 15% | | 3% | | | | | | | |
| 253 | | 218 | | 218 | | | | | |
| Midrise Apartment | | Hotel | | Office | | Retail | | | |
| Land Use 223 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | | |
| 1,600 Dwelling Units | | 180 Rooms | | 340,000 SF GFA | | 330,000 SF GLA | | | |
| In | Out | In | Out | In | Out | In | Out | | |
| 3,895 | 3,894 | 735 | 736 | 1,711 | 1,712 | 7,378 | 7,378 | 27,439 ITE Trips | |
| -58 | -58 | -11 | -11 | -26 | -26 | -111 | -111 | -412 -1.5% Transit | |
| 3,837 | 3,836 | 724 | 725 | 1,685 | 1,686 | 7,267 | 7,267 | 27,027 Vehicle Trips | |
| 0 | | 0 | | | | | | Adjustment Factors | |
| -34 | | | | -34 | | | | | |
| -654 | | | | -654 | | | | | |
| -799 | | | | -799 | | | | | |
| 0 | | 0 | | | | | | | |
| -22 | | -22 | | | | | | | |
| -144 | | -144 | | -144 | | | | 48% | |
| -124 | | | | -124 | | | | | |
| -291 | | -291 | | -291 | | | | | |
| -218 | | -218 | | -218 | | | | | |
| 3,004 | 3,182 | 578 | 581 | 1,467 | 1,339 | 6,178 | 6,126 | 22,455 External Trips | |
| | 19.4% | | 20.0% | | 16.8% | | 15.3% | 16.9% % Internal | |
| | | | | | | -1,538 | -1,538 | 25.0% Pass-by | |
| 3,004 | 3,182 | 578 | 581 | 1,467 | 1,339 | 4,640 | 4,588 | 19,379 Net New External Trips | |

Trip Generation and Internalization (PM Peak Hour)
Park Square (2012)

February 2012

| Midrise Apartment | | Hotel | | Office | | Retail | | |
|----------------------|-----|--------------|-----|----------------|-----|----------------|-----|---------------------|
| Land Use 223 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | |
| 1,600 Dwelling Units | | 180 Rooms | | 340,000 SF GFA | | 330,000 SF GLA | | |
| In | Out | In | Out | In | Out | In | Out | |
| 368 | 256 | 56 | 50 | 78 | 381 | 694 | 722 | 2,605 ITE Trips |
| -6 | -4 | -1 | -1 | -1 | -6 | -10 | -11 | -40 -1.5% Transit |
| 362 | 252 | 55 | 49 | 77 | 375 | 684 | 711 | 2,565 Vehicle Trips |
| 0% | | 0% | | 0% | | | | |
| 0 | | 0 | | 0 | | | | |
| 2% | | 7 | | 2% | 8 | | | |
| 7 | | | | | | | | |
| 53% | | 62 | | 9% | | 62 | | |
| 31% | | 85 | | 12% | | 85 | | |
| 112 | | | | | | | | |
| 0% | | 0% | | 0% | | | | |
| 0 | | 0 | | 0 | | | | |
| 2% | | 1 | | 2% | 8 | | | |
| 1 | | | | | | | | |
| 53% | | 26 | | 9% | | 62 | | |
| 31% | | 17 | | 12% | | 85 | | |
| 17 | | 17 | | | | | | |
| | | | | 23% | | 2% | | |
| | | | | 86 | | 14 14 | | |
| | | 31% | | 24 | | 3% | | |
| | | | | 21 | | 21 | | |

| Midrise Apartment | | Hotel | | Office | | Retail | | |
|----------------------|-----|--------------|-----|----------------|-----|----------------|-----|---------------------|
| Land Use 223 | | Land Use 310 | | Land Use 710 | | Land Use 820 | | |
| 1,600 Dwelling Units | | 180 Rooms | | 340,000 SF GFA | | 330,000 SF GLA | | |
| In | Out | In | Out | In | Out | In | Out | |
| 368 | 256 | 56 | 50 | 78 | 381 | 694 | 722 | 2,605 ITE Trips |
| -6 | -4 | -1 | -1 | -1 | -6 | -10 | -11 | -40 -1.5% Transit |
| 362 | 252 | 55 | 49 | 77 | 375 | 684 | 711 | 2,565 Vehicle Trips |
| 0 | | 0 | | | | | | Adjustment Factors |
| -7 | | | | -7 | | | | |
| -48 | | | | -48 | | | | |
| -66 | | | | | | -66 | | |
| | | 0 | | 0 | | | | |
| | | -1 | | -1 | | | | |
| | | -12 | | -12 | | | | |
| | | -8 | | | | -8 | | |
| | | | | -14 | | -14 | | |
| | | -21 | | | | -21 | | |

| | | | | | | | | |
|-----|-------|----|-------|----|------|------|-------|------------------------------|
| 289 | 204 | 46 | 37 | 56 | 353 | 610 | 616 | 2,210 External Trips |
| | 19.8% | | 20.0% | | 9.5% | | 12.1% | 13.8% % Internal |
| | | | | | | -153 | -153 | 25.0% Pass-by |
| 289 | 204 | 46 | 37 | 56 | 353 | 456 | 463 | 1,904 Net New External Trips |

Analyst: DPA
Date: March 2012

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY

Name of Development: Park
Square NOPC

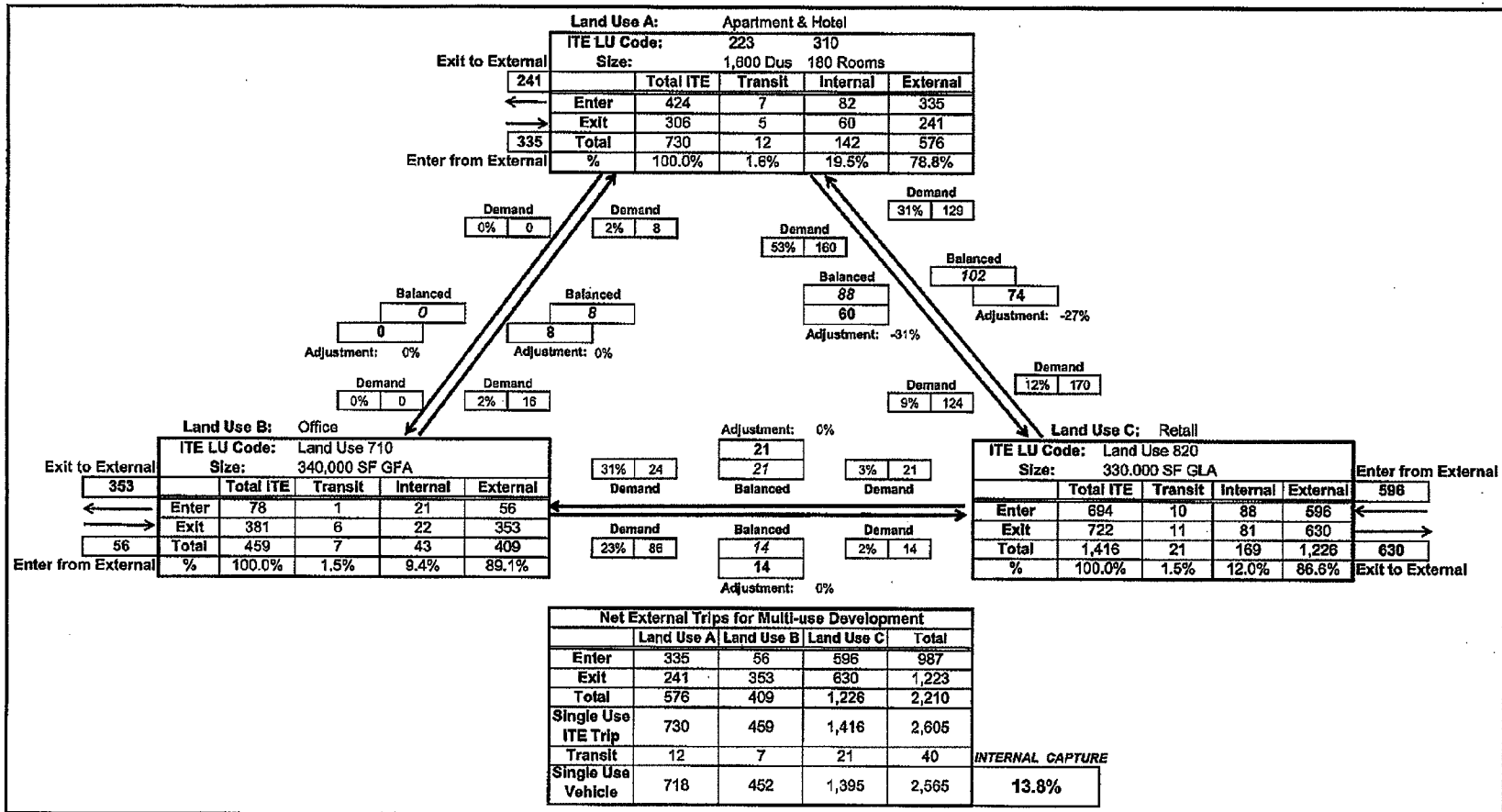


EXHIBIT B

EXHIBIT B

Notice of Adoption for the four (4) year extension recorded in Official Records Book 27744, Page 3349, in the Public Records of Miami-Dade County, Florida.



CFN 2011R0439376
DR BK 27744 Pgs 3349 - 33541 (6pgs)
RECORDED 07/05/2011 15:42:45
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by:

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

**NOTICE OF COMMENCEMENT, PHASE, BUILDOUT, AND EXPIRATION
DATE EXTENSION TO THE WESTSIDE CORPORATE
CENTER / INCREMENT II CORPORATE OFFICE PARK / PARK SQUARE AT
DORAL DEVELOPMENT OF REGIONAL IMPACT
PURSUANT TO SUBSECTION 380.06(19)(c), FLORIDA STATUTES**

Consistent with Section 380.06(15)(f), Florida Statutes, Notice is hereby given of the automatic extension of the Development Order for the Development of Regional Impact known as Westside Corporate Center / Increment II Corporate Office Park / Park Square at Doral DRI (the "DRI") for the real property within the City of Doral, Florida in Township 53 South, Range 40 East, Section 27, which is more specifically described in the attached Exhibit "A."

Chapter 2011-139, Laws of Florida, as codified in Subsection 380.06(19)(c), Florida Statutes (2011), provides:

In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.

On June 13, 2011, the Authorized Agent of the Developer of the DRI notified the City of Doral in writing of its intent to avail itself of the four-year extension. On June 14, 2011, the City of Doral accepted, acknowledged and returned a copy of said notice, a copy of which is attached hereto as Exhibit "B", thus effectuating the four-year extension of the DRI.

The original DRI Development Order was adopted pursuant to Miami-Dade County Resolution No. Z-258-88, passed and adopted by the Board of County Commissioners of Miami-Dade County on October 20, 1988. The original DRI Development Order was subsequently amended as follows:

1. Resolution No. Z-15-98, passed and adopted by the Board of County Commissioners of Miami-Dade County on July 7, 1998;

Per custom
6

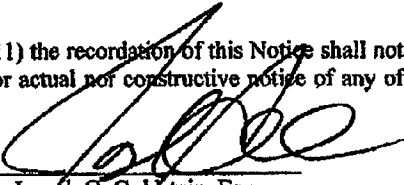
2. Resolution No. Z-9-03, passed and adopted by the Board of County Commissioners of Miami-Dade County on June 19, 2003;
3. Ordinance No. 2006-17, passed and adopted by the City Council of the City of Doral on September 27, 2006;
4. Ordinance No. 2006-30, passed and adopted by the City Council of the City of Doral on May 30, 2007;
5. Resolution No. Z07-16, passed and adopted by the City Council of the City of Doral on September 26, 2007; and
6. Ordinance No. 2010-01, passed and adopted by the City Council of the City of Doral on February 10, 2010.

Notice is hereby given that the DRI has received an extension of four years for all relevant dates and/or requirements for which an extension is available pursuant to Subsection 380.06(19)(c), Florida Statutes (2011)/Chapter 2011-139, Laws of Florida. A copy of the Developer's written notification of this extension, which was sent to and accepted by the City of Doral is attached hereto as Exhibit "B."

A copy of the Developer's written notification of this extension, which was sent to and accepted by the City of Doral is attached hereto as Exhibit "B."

Pursuant to Section 380.06(15)(f), Florida Statutes (2011) the recordation of this Notice shall not constitute a lien, cloud or encumbrance on any real property, or actual or constructive notice of any of the same.

Prepared by:


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

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

BEFORE ME, Tia Williams, a Notary Public in and for the State and County aforesaid, personally appeared JOSEPH G. GOLDSTEIN, to me personally known, who executed the foregoing instrument for the purposes therein contained and who did ☐ did not ☒ take an oath on this 21st day of June, 2011.


Name: Tia Williams
Notary Public State of Florida at Large

My commission expires:



EXHIBIT "A"

Legal description of the DRI subject property:

The plat of Park Square at Doral, in Section 27, Township 53 South, Range 40 East according to the plat thereof and recorded in Plat Book 167 at Page 26 of the Public Records of Miami-Dade County, Florida.

EXHIBIT "B"

Copy of Developer's written notification of extension sent to and accepted by the City of Doral:

#10410208_v1

Holland & Knight

701 Brickell Avenue, Suite 3000 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Joseph G. Goldstein
305 789 7782
joseph.goldstein@hklaw.com

June 13, 2011

VIA HAND DELIVERY

Mr. Nathan Kogon
Director, Planning and Zoning Department
City of Doral
8300 NW 53 Street, 2nd Floor
Doral, Florida 33166

RE: Westside Corporate Center (Park Square at Doral)
Development of Regional Impact Extension of Commencement, Phase,
Buildout and Expiration Dates

Dear Nathan:

On behalf of the Westside Corporate Center (Park Square at Doral) Development of Regional Impact (the "DRI"), this letter shall serve as formal notice of the Developer's intent to extend the DRI commencement, phase, buildout, and expiration dates for four (4) years, as permitted by Laws of Florida Chapter 2011-139 (House Bill 7207; the "Bill"). The DRI downzoning and buildout dates are both currently December 31, 2014 as provided in Condition Nos. 11 and 12 of the DRI Amended Development Order pursuant to Section 2 of City Ordinance No. 2010-01. Under Laws of Florida Chapter 2011-139, the new DRI buildout date is now December 31, 2018. In accordance with the Bill, all other appropriate dates have been similarly extended for four years.

As you know, the Bill made numerous changes to the legislation that governs local comprehensive plans and developments of regional impact. Section 54 of the Bill, which will be codified at § 380.06(19), F.S., provides:

In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when

Mr. Nathan Kogon
June 13, 2011
Page 2

determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.

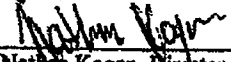
Therefore, this letter shall formally effectuate the extension of the DRI buildout date to December 31, 2018 and similarly extend the commencement, phase, and expiration dates for four years. Since this extension is "automatic" upon our providing you with this notice, we would appreciate it if you could confirm receipt of this letter by signing and dating where indicated below and then providing us with an executed copy for our files.

Thank you for your considerate attention to this matter. If you should have any questions or require additional information, please contact me.

Sincerely yours,


Joseph G. Goldstein

Accepted and Confirmed on this 14 day
of June, 2011

By: 
Nathan Kogon, Director
City of Doral Planning & Zoning Dept.

CC: Hon. Juan Carlos Bermudez
Ms. Yvonne Soler-McKinley
Ms. Barbara Herrera
Jimmy Morales, Esq.
Mr. Bob Cambric
Mr. Bill Pable
Mr. Masoud Shojaee
Ms. Tere Blanca
Stanley B. Price, Esq.
Felix Lasarte, Esq.

EXHIBIT C

EXHIBIT C

Approved DRI Land Uses and the Magnitude of the Proposed Change

| | Vested and Increment I | Resolution Z-258-88 Increment II | Resolution Z-15-98 | Resolution Z-9-03 | Ordinance 2006-17 | Ordinance 10-01 | NOPC 2012 | Change from Last DRI Approval | Change from Original DRI Approval |
|---------------------------|---------------------------|--|------------------------------|------------------------------|------------------------------|------------------------------|---------------------------------------|-------------------------------------|---|
| DRI Land Uses | | | 1 st Amendment | 2 nd Amendment | 3 rd Amendment | 4 th Amendment | Proposed 5 th Amendment | Change | Total Change |
| Office – Vested | 212,000 SF [2] | | | | 0 | 0 | 0 | 0 | -212,000 SF |
| Office – Increment I | 393,210 SF | | | | 225,000 SF | 225,000 SF | 225,000 SF | 0 | -168,210 SF |
| Office – Increment II | | 1,865,000 SF | 1,865,000 SF | 1,735,000 SF | 1,389,584 SF | 1,588,563 SF | 1,510,704 SF | -77,859 SF | -354,296 SF |
| Restaurant/ Commercial | | 2 at 200 Seats | 400 Seats | 740 Seats/Bank | 740 Seats/Bank | 740 Seats/ Bank | No Change | No Change | +340 Seats |
| Retail | | N/A | N/A | N/A | 157,300 SF | 671,400 SF | 330,000 SF | -341,400 SF | +330,000 SF |
| Hotel [1] | | 300 Rooms | 300 Rooms | 300 Rooms | 300 Rooms | 480 Rooms | 480 Rooms | 0 | +180 Rooms |
| Residential | | N/A | N/A | N/A | 927 DU | 400 DU | 1,600 DU | +1,200 DU | +1,600 DU |

[1] The hotel use was approved for 300,000 SF. The two hotels built on site actually contain a total of 216 rooms and 120,080 SF. The intent of this application is to provide for 180 hotel rooms within Park Square at Doral.

[2] Original Ryder System Corporate Headquarters building, located within the boundaries of Increment II, was vested.

EXHIBIT D

EXHIBIT D

Below is a complete list of all dates and resolution numbers of all modifications and amendments to the originally approved DRI development order. Copies of the resolutions and ordinances are attached hereto as indicated.

Resolution No. Z-258-88: Approving Increment II of the Master Development of Regional Impact for Corporate Office Park in the amount of 2,165,000 total square feet, consisting of office space, a 300-unit hotel, and two 200-seat restaurants. Passed and adopted by the Board of County Commissioners of Miami-Dade County on October 20, 1988. (Tab 1)

Resolution No. Z-15-98: Approving a modification of Condition Nos. 10, 11, and 12 of Resolution No. Z-258-88. Condition No. 10 was modified to change the development program to office buildings including restaurant(s) with a maximum total of 400 seats, with a combined total of 1,865,000 gross square feet, and a 300-room hotel totaling 300,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5 – Master Development Plan. Condition Nos. 11 and 12 were modified to extend the date until which the DRI shall not be subject to downzoning and the termination date, respectively, to December 30, 2003. Passed and adopted by the Board of County Commissioners of Miami-Dade County on July 7, 1998. (Tab 2)

Resolution No. Z-9-03: Approving a modification of Condition Nos. 10, 11, and 12 of Resolution No. Z-258-88, as modified by Resolution No. Z-15-98. Condition No. 10 was modified to change the development program to office buildings including restaurant(s) with a maximum total of 740 seats and a bank, with a combined total of 1,735,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5 – Master Development Plan. Condition Nos. 11 and 12 were modified to extend the date until which the DRI shall not be subject to downzoning and the termination date, respectively, to December 31, 2009. Passed and adopted by the Board of County Commissioners of Miami-Dade County on June 19, 2003. (Tab 3)

Ordinance No. 2006-17: Approving an NOPC seeking a change in the development program for the simultaneous increase and decrease of uses; and a public hearing application with the City of Doral to a) rezone that same ±51.4 acre portion of the DRI from IU-2 (Industrial) to PUD (Planned Unit Development) and b) modify Condition No. 10 of the DRI Development Order to limit development to those land uses authorized by City of Doral and consisting of office buildings including restaurants with a maximum total of 740 seats and a bank, 1,389,584 gross square feet of office, 609 residential condominium/loft and 318 townhome units, and 157,300 square feet of specialty retail. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5 – Master Development Plan. Passed and adopted by the City Council of the City of Doral on September 27, 2006. (Tab 4)

Ordinance No. 2006-30: Approving an application to amend the City of Doral Comprehensive Development Master Plan Future Land Use Map from "Industrial and Office" and "Office/Residential" to "Downtown Mixed Use (DMU)" for a ±51.4 acre portion of the DRI. Passed and adopted by the City Council of the City of Doral on May 23, 2007. (Tab 5)

Resolution No. Z07-16: Approving the NOPC previously approved under Ordinance No. 2006-17 and determining that the proposed change does not constitute a substantial deviation and approving the final plat for Park Square at Doral. Passed and adopted by the City Council of the City of Doral on September 26, 2007. (Tab 6)

Ordinance No. 10-01: Approving an NOPC to modify Condition Nos. 10, 11, and 12 of the DRI Development Order, as amended, which amended the development program for the simultaneous increase and decrease of uses within the DRI to limit development to those uses consisting of 1,588,563 square feet of office, 740 restaurant seats and a bank, 671,400 square feet of retail, 480 hotel rooms, and 400 dwelling units or a combination of uses as provided by the Equivalency Matrix as well as an extension of the buildout and termination date to December 31, 2014. This amendment was deemed not to be a substantial deviation. Passed and adopted by the City Council of the City of Doral on February 10, 2010. (Tab 7)

1

RESOLUTION NO. 2-256-88

DEVELOPMENT OF REGIONAL IMPACT ORDER
INCREMENT II DEVELOPMENT ORDER

WHEREAS, RYDER SYSTEM, INC., ET AL, had filed an Application for Development Approval of Regional Impact as follows:

Increment II of the Master Development of Regional Impact for Corporate Office Park in the amount of 2,165,000 total square feet, consisting of office space, a 300-unit hotel and two 200-seat restaurants.

SUBJECT PROPERTY:

Increment Two

All of Tracts 25, 26, 27 and 48 lying in Section 27, Township 53 South, Range 40 East less the West 55.00 feet thereof, of "FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1" according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Dade County, Florida.

AND

All of Tract 23 lying in Section 27, Township 53 South, Range 40 East less the North 100.00 feet thereof and less the East 43.00 feet thereof of "FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1" according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Dade County, Florida.

AND

All of Tract 24 lying in Section 27, Township 53 South, Range 40 East less the East 43.00 feet thereof of "FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1" according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Dade County, Florida.

AND

All of Tracts 33 and 34 lying in Section 27, Township 53 South, Range 40 East of "FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1" according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of Public Records of Dade County, Florida.

AND

Commence at the aforescribed point "A", said point also being the POINT OF BEGINNING; thence along a line parallel to and 50 feet North of the Southerly boundary of said Tract 20, N89°56'47"W for 1281.21 feet; thence along the Westerly boundaries of said Tracts 20 and 19, N01°42'24"W for 554.04 feet to a point lying on the Southerly Right-of-Way line of NW 36th Street; thence along said Right-of-Way line, said line being parallel to and 55 feet South of the Northerly boundary of said Tract 19, S89°55'42"E for 1257.36 feet to a Point of Curvature of a circular curve concave to the Southwest and having for its elements a central angle of 88°15'43" and a radius of 25.00 feet; thence Easterly, Southeasterly and Southerly along said curve for an arc distance of 38.51 feet to a Point of Tangency, said point also lying on the Westerly Right-of-Way line of NW 82nd Avenue; thence along said Westerly Right-of-Way line, S01°39'59"E for 529.38 feet to the POINT OF BEGINNING; containing 16.282 acres, more or less.

Less the following

A portion of Tracts 23, 24, 25, 26, 27, 33, 34 & 48 FLORIDA FRUIT LANDS COMPANY SUBDIVISION 1, according to the plat thereof as recorded in Plat Book 2 at Page 17 of the Public Records of Dade County, Florida, lying in Section 27, Township 53 South, Range 40 East being more particularly described as follows:

BEGIN at the S.E. corner of the N.W. 1/4 of said Section 27; thence run S01°40'58"E, along the East line of the S.W. 1/4 of said Section 27, for a distance of 655.66 feet to a point; thence run S89°56'03"W for a distance of 35.01 feet to a point; thence run N01°40'58"W for a distance of 581.42 feet to a Point of Curvature of a circular curve to the left having for its elements a central angle of 88°17'59" and a radius of 25.00 feet; thence run Northerly and Westerly along the arc of said curve for a distance of 38.53 feet to a Point of Tangency; thence run N89°58'57"W for a distance of 723.80 feet to a Point of Curvature of a circular curve to the right, having for its elements a central angle of 22°48'02" and a radius of 1050.00 feet; thence run Westerly, along the arc of said curve, for a distance of 417.84 feet to a Point of Reverse Curvature of a circular curve to the left, having for its elements a central angle of 86°48'02" and a radius of 25.00 feet; thence run Westerly and Southwesterly along the arc of said curve for a distance of 37.87 feet to a Point of Tangency; thence run S26°01'03"W for a distance of 31.67 feet to a Point of Curvature of a circular curve to the left, having for its elements a central angle of 27°43'50" and a radius of 465.00 feet; thence run Southwesterly and Southerly along the arc of said curve for a distance of 225.06 feet to a Point of Tangency; thence run S01°42'47"E for a distance of 431.05 feet to a point; thence run S89°56'03"W for a distance of 35.01 feet to a point; thence run N01°42'47"W for a distance of 328.80 feet to a point; thence run S89°58'33"W for a distance of 35.02 feet to a point; thence run N01°42'47"W for a distance of 100.21 feet to a Point of Curvature of a circular curve to the right having for its elements a central angle of 27°43'50" and a radius of 535.00 feet; thence run Northerly and Northeasterly along the arc of said curve for a distance of 258.93 feet to a Point of Tangency; thence run N26°01'03"E for a distance of 29.99 feet to a Point of Curvature of a circular curve to the left having for its elements a central angle of 90° and a radius of 25.00 feet; thence run Northeasterly and Northwesterly along the arc of said curve for a distance of 39.27 feet to a Point of Tangency; thence run N63°58'57"W for a distance of 230.22 feet to a Point of Curvature of a circular curve to the left having for its elements a central angle of 26° and a radius of 950.00 feet; thence run Northwesterly and Westerly along the arc of said curve for a distance of 431.10 feet to a Point of Tangency; thence run N89°58'57"W for a distance of 655.09 feet to a Point of Curvature of a circular curve to the left having for its elements a central angle of 91°45'53" and a radius of 25.00 feet; thence run Westerly and Southerly along the arc of said curve for a distance of 40.04 feet to a point of cusp; thence run N01°44'50" along the Easterly right-of-way line of N.W. 87th Avenue as recorded in D.R. Book 9170 at Page 1203 of the Public Records of Dade County, Florida, for a distance of 735.28 feet to a point; thence run S89°57'20"E for a distance of 725.00 feet to a point; thence run S00°02'40"W for a distance of 609.05 feet to a point on a circular curve concave to the Southwest, said point bears N01°13'04"E from the center of the next described curve; thence run Easterly and Southeasterly, through a central angle of 24°47'59" and a radius of 1050.00 feet, along the arc of said curve for a distance of 454.47 feet to a Point of Tangency; thence run S63°58'57"E for a distance of 290.22 feet to a Point of Curvature of a circular curve to the left, having for its elements a central angle of 26° and a radius of 950.00 feet; thence run Southeasterly and Easterly along the arc of said curve for a distance of 431.10 feet to a Point of Tangency; thence run S89°58'57"E for a distance of 719.37 feet to the Point of Curvature of a circular curve to the left, having for its elements a central angle of 91°41'02" and a radius of

25.00 feet; thence run Easterly and Northerly along the arc of said curve for a distance of 40.00 feet to a Point of Tangency; thence run N01°39'59"W for a distance of 482.91 feet to a point; thence run S89°57'52"E for a distance of 35.01 feet to a point; thence run S01°39'59"E, along the East line of the N.W. 1/4 of said Section 27, for a distance of 558.66 feet to the POINT OF BEGINNING.

This Application also includes that portion of Increment One of Corporate Office Park which relates to the existing Ryder Headquarters property, the legal description of which follows. The purpose of including this area is to cover that part of this Application which is for the 135,000 square foot expansion of the Ryder Headquarters facilities.

LEGAL DESCRIPTION OF RYDER HEADQUARTERS SITE

That portion of Tracts 19, 20, 21, 22 and 23 of the plat FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1 as recorded in Plat Book 2 at Page 17 of the Public Records of Dade County, Florida being more particularly described as follows:

Commence at the center of Section 27, Township 53 South, Range 40 East, Dade County, Florida; thence along the East line of the W 1/2 of said Section 27, N01°39'59"W for 559.90 feet; thence along a line perpendicular to the last-described line S88°20'01"W for 43.00 feet to the POINT OF BEGINNING; thence along a line parallel to and 100 feet South of the Northerly boundary of said Tract 23, N89°57'52"W for 1280.62 feet to a point on the Westerly boundary of Tract 23; thence along the Westerly boundaries of said Tracts 23, 22, 21 and 20, N01°42'25"W for 809.16 feet to a point; thence along a line parallel to and 50 feet North of the Southerly boundary of said Tract 20, S89°56'47"E for 281.21 feet to a point, being hereinafter referred to as point "A", said point also lying on the Westerly Right-of-Way line of NW 82nd Avenue; thence along said Right-of-Way line, S01°39'59"E for 808.74 feet to the POINT OF BEGINNING.

LOCATION OF PROJECT SITE: The west side of N.W. 82 Avenue, between N.W. 36 Street Extension and theoretical N.W. 31 Street, Dade County, Florida.

NAME OF DEVELOPMENT: Westside Corporate Center, Inc.

NAME OF DEVELOPER: Ryder System, Inc.

AUTHORIZED AGENT OF DEVELOPERS: Gina S. Russ, Esq., Ryder System, Inc., 3600 N.W. 82nd Avenue, Miami, FL 33166.

FINDINGS OF FACT

WHEREAS, a public hearing of this Board was advertised and held on October 20, 1988, at which time all interested parties concerned in the matter were heard, and at which time the recommendations of the South Florida Regional Planning Council and the recommendations of the County Developmental Impact Committee were reviewed and considered, and it is the finding of this Board that:

1. There is no adopted State Land Development Plan applicable to this area.
2. The development is generally consistent with the report and recommendations of the South Florida Regional Planning Agency.

CONCLUSION OF LAW

WHEREAS, it is the opinion of this Board that this project is in conformance with all applicable State and local land use regulations and the Comprehensive Development Master Plan; does not unreasonably interfere with any of the considerations and objectives set forth in Chapter 380, Florida Statutes, and is in conformance with all other applicable State and local laws.

ACTION TAKEN

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested development approval is hereby granted, and approved, subject to the following conditions:

THE APPLICANT, ITS SUCCESSORS, AND/OR ASSIGNS JOINTLY OR SEVERALLY SHALL:

1. Incorporate the following into the project design and operation to minimize the cumulative adverse regional impact of the Westside Corporate Center/Increment II Corporate Office Park, its traffic, and associated pollutant emissions, on air quality:
 - a. Actively encourage and promote car and van pooling by establishing a car and van pool information program.
 - b. Designate three percent of employee parking spaces, located as close as possible to building entrances, for exclusive car and vanpool use.
 - c. Provide Dade County Transit Agency route and schedule information in convenient locations throughout the project.
 - d. Encourage transit use by provision of bus shelters, development of turnout lanes, or provision of other amenities to increase ridership.
 - e. Mulch, spray, or grass exposed areas to prevent soil erosion and minimize air pollution.
2. Collaborate with the Metro-Dade Police and Fire Departments to incorporate security measures and fire protection and emergency rescue into the design and operation of the project.
3. Construct all development so that it is in conformance with the specifications of the State of Florida Energy Efficiency Code for Building Construction (State Energy Code).
4. Limit primary project vehicle access points to the off-site roadway network to the locations shown in Exhibit 1 herein. Limit secondary or additional project vehicle access points to the offsite roadway network to the locations as agreed upon at the time of County platting.
5. If requested by Dade County, monitor the traffic condition at the intersection at N.W. 33 Street and NW 82 Avenue and provide the monitoring results in the annual report required in Condition 16 herein.

6. Integrate all original and supplemental ADA information into a consolidated Application for Development Approval (CADA) and submit two copies of the CADA to the Council, one copy to Dade County, and one copy to the Florida Department of Community Affairs within thirty (30) days of the effective date of this Development Order. The CADA shall be prepared as follows:
 - a. Where new, clarified, or revised information was prepared subsequent to submittal of the ADA but prior to issuance of the Development Order, whether in response to a formal statement of information needed or otherwise, the original pages of the ADA will be replaced with revised pages.
 - b. Revised pages will have a "Page Number (R) - Date" notation, with "Page Number" being the number of the original page, "(R)" indicating that the page was revised, and "Date" stating the date of the revision.

THE COUNTY SHALL:

7. Limit primary project vehicle access points to the off-site roadway network to the locations shown in Exhibit 1 herein. Limit secondary or additional project vehicle access points to the offsite roadway network to the locations as agreed upon at the time of County platting.
8. Withhold the issuance of certificates of occupancy for land uses generating more than a total of 685 peak-hour trip ends, as estimated based on trip rates identified in Exhibit 2 herein, until road improvements A, B, and C identified in Exhibit 3 herein are completed.
9. Accept and enforce the voluntary proffered Declaration of Restrictions attached as Exhibit 4 herein which provides for public facilities needed to accommodate the impacts of the proposed development.
10. Limit development to those land uses authorized by Dade County Code and consisting of office buildings including two 200 seat restaurants with a combined total of 1,865,000 gross square feet, and a 300-room hotel totaling 300,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5- Master Development Plan.
11. December 31, 1998, is hereby established as the date until which Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety or welfare.
12. (For purposes of this paragraph, physical development means development as defined in s. 380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination date for completing development shall be December 31, 1998, provided that the Applicant, its successors, and/or assigns, complies with Condition 19 herein. The termination date may only be modified in accordance with s. 380.06(19)(c), Florida Statutes.
13. The effective date of the Development Order shall be 45 days from transmittal of the Westside Corporate Center/Increment II Corporate Office Park Development Order to the Florida Department of Community Affairs, Council, and Applicant; provided, however, if the Development Order is appealed, the effective date of the Development Order will not start until the day after all appeals have been withdrawn or resolved pursuant to s. 380.07(2), Florida Statutes.

14. In the event the Applicant, its successors, and/or assigns violates any of the conditions of the DRI Development Order or otherwise fails to act in substantial compliance with the Development Order (hereinafter "violation"), stay the effectiveness of the Development Order as to the tract, or portion of the tract, in which the violative activity or conduct has occurred and withhold further permits, approvals, and services for development in said tract, or portion of the tract, upon passage of any appropriate resolution by the County, adopted in accordance with this section, finding that such violation has occurred. The violator will be given written notice by the County that states: 1) the nature of the purported violation, and 2) that unless the violation is cured within 15 days of said notice, the County will hold a public hearing to consider the matter within 30 days of the date of said notice. In the event the violation is not curable in 15 days, the violator's diligent good faith efforts to cure the violation within that period will obviate the need to hold a public hearing and the Development Order will remain in force and effect unless the violator does not diligently pursue the curative action to completion within a reasonable time, in which event the County will give 15 days notice to the violator of its intention to stay the effectiveness of the Development Order and withhold further permits, approvals, and services as to the tract, or portion of the tract, in which the violation has occurred and until the violation is cured. For purposes of this paragraph, the word "tract" shall be defined to mean any area of development identified on the Westside Corporate Center/Increment II Corporate Office Park Master Plan (Exhibit 5). In addition, the phrase "portion of a tract" means a division of a tract into more than one ownership as created by deed or plat.
15. The Director of the Building and Zoning Department is hereby authorized to monitor compliance with all conditions of the Development Order and specify monitoring procedures that, at a minimum, require Development Order conditions to be viewed by the County prior to issuance of any local development permit.
16. Require that an annual report be submitted to the County, Council and Florida Department of Community Affairs on each anniversary of the effective date of the Development Order, which report shall include, at a minimum:
 - a. A complete response to each question in Exhibit 5.
 - b. Identification and description of any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting year and for the next year.
 - c. A summary comparison of development activity proposed and actually conducted for the year.
 - d. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer.
 - e. Identification and intended use of lands purchased, leased or optioned by the developer adjacent to the project site since the Development Order was issued.
 - f. An assessment of the Applicant's and the local government's compliance with the conditions contained in the Development Order and the commitments which are contained in the Application for Development Approval.
 - g. Specification of any amended DRI Application for Development Approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year.

- h. An indication of change, if any, in local government jurisdiction for any portion of the development since issuance of the Development Order.
 - i. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each.
 - j. A statement that all persons have been sent copies of the annual report in conformance with s. 380.06(18), Florida Statutes.
 - k. A copy of any recorded notice of the adoption of the Development Order of any subsequent modification that was recorded by the Applicant pursuant to s. 380.06(15), Florida Statutes.
 - l. Copies of one of the following documentations of appropriate disposal of all hazardous waste:
 - . a hazardous waste manifest,
 - . a bill of lading from a bonded hazardous waste transporter indicating shipment to a licensed hazardous waste facility, or
 - . a confirmation of receipt of material from a recycler, a waste exchange operation, or other permitted hazardous waste management facility.
 - m. Any other information required by the Florida Department of Community Affairs in accordance with Section 380.06(15) and (18), Florida Statutes.
 - n. Notarized affidavits from the Applicant, its successors, and/or assigns, jointly or severally, assuring compliance with conditions 1, 2, and 3.
17. Incorporate the Consolidated Application for Development Approval, as revised pursuant to Condition 6, by reference into the Development Order for the Westside Corporate Center/Increment II Corporate Office Park development, as follows:
- "The Consolidated Application for Development Approval is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes, and local ordinances. Substantial compliance with the representations contained in the Application for Development Approval is a condition for approval unless waived or modified by agreement among the County, Council, and Applicant, its successors, and/or assigns."
18. Incorporate the Council DRI Assessment by reference into the Development Order.
19. Require, within 30 days of the effective date of the Development Order, recordation of the Westside Corporate Center/Increment II Corporate Office Park Development Order with the Clerk, Dade County Circuit Court, pursuant to s. 380.06(15), Florida Statutes, specifying that the Development Order runs with the land and is binding on the Applicant, its successors, and/or assigns, jointly or severally.

GENERAL

Copies of this Order are to be sent to the South Florida Regional Planning Council; the Bureau of Land and Water Management of the Florida Department of Community Affairs and to Ryder System, Inc.

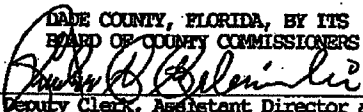
The foregoing resolution was offered by Commissioner Larry Hawkins, seconded by Commissioner Charles Dusseau, and upon poll of members present the vote was as follows:

| | | | |
|-------------------|--------|-----------------------|--------|
| Barbara M. Carey | aye | Barry D. Schreiber | absent |
| Charles Dusseau | aye | Jorge (George) Valdes | aye |
| Joseph M. Gersten | aye | Sherman S. Wirm | absent |
| Larry Hawkins | aye | Stephen P. Clark | absent |
| Harvey Ruvin | absent | | |

The Mayor thereupon declared the resolution duly passed and adopted this 20th day of October, 1988.

CERTIFIED COMPLETE TRUE AND ACCURATE COPY

September, 1988
No. 88-9-CC-16
mc
10/27/88

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
By 
Deputy Clerk, Assistant Director and
Legal Counsel, Dade County Building
and Zoning Department.

This resolution transmitted to the Clerk of the Board of County Commissioners on the 10th NOVEMBER 1988

2

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-15-98

WHEREAS, WESTSIDE CORPORATE CENTER, INC. had applied to Community

Zoning Appeals Board 9 for the following:

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION pursuant to §380.06(19) of the Florida Statutes with respect to the following amendments and requests:
- (2) MODIFICATION of Conditions #10, #11 & #12 of Resolution Z-258-88, passed and adopted by the Board of County Commissioners on the 10th day of November, 1988, reading as follows:

FROM: "10. Limit development to those land uses authorized by Dade County Code and consisting of office buildings including two 200 seat restaurants with a combined total of 1,865,000 gross square feet, and a 300-room hotel totalling 300,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5 - Master Development Plan."

TO: "10. Limit development to those land uses authorized by Miami-Dade County Code and consisting of office buildings including restaurant(s) with a maximum total of 400 seats, with a combined total of 1,865,000 gross square feet, and a 300-room hotel totalling 300,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5 - Master Development Plan."

FROM: "11. December 31, 1998, is hereby established as the date until which Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety or welfare."

TO: "11. December 30, 2003, is hereby established as the date until which Miami-Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions

underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety or welfare."

FROM: "12. (For purposes of this paragraph, physical development means development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination dated for completing development shall be December 31, 1998, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

TO: "12. (For purposes of this paragraph, physical development means development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination dated for completing development shall be December 30, 2003, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

The purpose of the request is to permit the applicant to have more than 2 restaurants, and to extend the downzoning limitation & termination dates.

SUBJECT PROPERTY: That portion of Tracts 19, 20, 21, 22 & 23 of the Plat FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17, being more particularly described as follows:

Commence at the center of Section 27, Township 53 South, Range 40 East; thence along the east line of the west ½ of said Section 27, N1°39'59"W for 559.9'; thence along a line perpendicular to the last described line S88°20'1"W for 43' to the Point of beginning; thence along a line parallel to and 100' south of the N/ly boundary of said Tract 23, N89°57'52"W for 1,280.62' to a point on the W/ly boundary of Tract 23; thence along the W/ly boundaries of said Tracts 23, 22, 21 & 20, N1°42'25"W for 809.16' to a point; thence along a line parallel to and 50' north of the S/ly boundary of said Tract 20, S89°56'47"E for 1,281.21' to a point, being hereafter referred to as Point "A", said point also lying on the W/ly right-of-way line of N.W. 82 Avenue; thence along said right-of-way line, S1°39'59"E for 808.74' to the Point of beginning. AND: All of Tracts 25, 26, 27 & 48 lying in Section 27, Township 53 South, Range 40 East, less the west 55' thereof, of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tract 23 lying in Section 27, Township 53 South, Range 40 East less the north 100' thereof and less the east 43' thereof of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tract 24 lying in Section 27, Township 53 South, Range 40 East, less the east 43' thereof of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tracts 33 & 34 lying in Section 27, Township 53 South, Range 40 East of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: Commence at the aforescribed point "A", said point also being the Point of beginning; thence along a line parallel to and 50' north of the S/ly boundary of

said Tract 20, N89°56'47"W for 1,281.21'; thence along the W/ly boundaries of said Tracts 20 & 19, N1°42'24"W for 554.04' to a point lying on the S/ly right-of-way line of N.W. 36th Street; thence along said right-of-way line, said line being parallel to and 55' south of the N/ly boundary of said Tract 19, S89°55'42"E for 1,257.36' to a Point of curvature of a circular curve concave to the Southwest and having for its elements a central angle of 88°15'43" and a radius of 25'; thence E/ly, SE/ly & S/ly along said curve for an arc distance of 38.51' to a Point of tangency, said point also lying on the W/ly right-of-way line of N.W. 82nd Avenue; thence along said W/ly right-of-way line, S1°39'59"E for 529.38' to the Point of beginning. LESS THE FOLLOWING: A portion of Tracts 23, 24, 25, 26, 27, 33, 34 & 48 FLORIDA FRUIT LANDS COMPANY SUBDIVISION 1, Plat book 2, Page 17, lying in Section 27, Township 53 South, Range 40 East, being more particularly described as follows: Begin at the Southeast corner of the NW ¼ of said Section 27; thence run S1°40'58"E, along the east line of the SW ¼ of said Section 27 for a distance of 655.66' to a point; thence run S89°56'3"W for a distance of 35.01' to a point; thence run N1°40'58"W for a distance of 581.42' to a Point of curvature of a circular curve to the left having for its elements a central angle of 88°17'59" and a radius of 25'; thence run N/ly and W/ly along the arc of said curve for a distance of 38.53' to a Point of tangency; thence run N89°58'57"W for a distance of 723.8' to a Point of curvature of a circular curve to the right, having for its elements a central angle of 22°48'2" and a radius of 1,050'; thence run W/ly along the arc of said curve, for a distance of 417.84' to a Point of Reverse Curvature of a circular curve to the left, having for its elements a central angle of 86°48'2" and a radius of 25'; thence run W/ly and SW/ly along the arc of said curve for a distance of 37.87' to a Point of tangency; thence run S26°1'3"W for a distance of 31.67' to a Point of curvature of a circular curve to the left, having for its elements a central angle of 27°43'50" and a radius of 465'; thence run SW/ly & S/ly along the arc of said curve for a distance of 225.06' to a Point of tangency; thence run S1°42'47"E for a distance of 431.05' to a point; thence run S89°56'3"W for a distance of 35.01' to a point; thence run N1°42'47"W for a distance of 328.8' to a point; thence run S89°58'33"W for a distance of 35.02' to a point; thence run N1°42'47"W for a distance of 100.21' to a Point of curvature of a circular curve to the right having for its elements a central angle of 27°43'50" and a radius of 535'; thence run N/ly & NE/ly along the arc of said curve for a distance of 258.93' to a Point of tangency; thence run N26°1'3"E for a distance of 29.99' to a Point of curvature of a circular curve to the left having for its elements a central angle of 90° and a radius of 25'; thence run NE/ly & NW/ly along the arc of said curve for a distance of 39.27' to a Point of tangency; thence run N63°58'57"W for a distance of 230.22' to a Point of curvature of a circular curve to the left having for its elements a central angle of 26° and a radius of 950'; thence run NW/ly & W/ly along the arc of said curve for a distance of 431.1' to a Point of tangency; thence run N89°58'57"W for a distance of 655.09' to a Point of curvature of a circular curve to the left having for its elements a central angle of 91°45'53" and a radius of 25'; thence run W/ly & S/ly along the arc of said curve for a distance of 40.04' to a Point of cusp; thence run N1°44'50" along the E/ly right-of-way line of N.W. 87th Avenue, O. R. B. 9170, Page 1203, for a distance of 735.28' to a point; thence run S89°57'20"E for a distance of 725' to a point; thence run S0°2'40"W for a distance of 609.05' to a point on a circular curve concave to the Southwest, said point bears N1°13'4"E from the center of the next described curve; thence run E/ly & SE/ly, through a central angle of 24°47'59" and a radius of 1,050', along the arc of said curve for a distance of 454.47' to a Point of tangency; thence run S63°58'57"E for a distance of 290.22' to a Point of curvature of a circular curve to the left, having for its elements a central angle of 26° and a radius of 950'; thence run SE/ly & E/ly along the arc of said curve for a distance of 431.1' to a Point of tangency; thence run S89°58'57"E for a distance of 719.37' to the Point of

curvature of a circular curve to the left, having for its elements a central angle of 91°41'2" and a radius of 25'; thence run E/ly and N/ly along the arc of said curve for a distance of 40' to a Point of tangency; thence run N1°39'59"W for a distance of 482.91' to a point; thence run S89°57'52"E for a distance of 35.01' to a point; thence run S1°39'59"E, along the east line of the NW ¼ of said Section 27, for a distance of 558.66' to the Point of beginning.

LOCATION: The west side of N.W. 82 Avenue, between N.W. 36 Street Extension and theoretical N.W. 31 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 9 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee, it was the opinion of Community Zoning Appeals Board 9 that the amendments to the existing Development Order (i.e. Resolution Z-258-88) do not, when considered individually, or in any combination or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation requiring further development of regional impact review, and that the requested modification (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and Chapter 380 of the Florida Statutes, and said application was recommended for approval to the Board of County Commissioners by Resolution No. CZAB9-20-98, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter and to the recommendations of the Developmental Impact Committee and Community Zoning Appeals Board 9, it was the opinion of this Board that the amendments to the existing Development Order (i.e. Dade County Resolution No. Z-258-88) noted herein as requested Item #1, do not, when considered individually, or in any combination, or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation requiring further Development of Regional Impact (DRI) review, and that the requested modification (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and Chapter 380 Florida Statutes, and should be approved, and

WHEREAS, a motion to approve the application was offered by Commissioner Miriam A. Alonso, seconded by Commissioner Jimmy L. Morales, and upon a poll of the members present the vote was as follows:

| | | | |
|----------------------------|--------|------------------|--------|
| Miriam A. Alonso | aye | Jimmy L. Morales | aye |
| Bruno A. Barreiro | aye | Dennis C. Moss | absent |
| Barbara M. Carey | aye | Pedro Reboredo | aye |
| Miguel Díaz de la Portilla | aye | Dorin D. Rolle | aye |
| Betty T. Ferguson | absent | Katy Sorenson | aye |
| Natacha S. Millan | aye | Javier D. Souto | aye |
| Chairperson Gwen Margolis | absent | | |

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the Miami-Dade County Commission finds that the amendments to the existing Development Order (i.e., Dade County Resolution No. Z-258-88) approved hereby, do not, when considered individually, or in any combination, or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation (Item #1) requiring further Development of Regional Impact (DRI) review, and

BE IT FURTHER RESOLVED, that the requested modification (Item #2) be and the same is hereby approved,

BE IT FURTHER RESOLVED, that the Development Order as amended herein, is subject to the following conditions:

1. That all of the conditions of Resolution Z-258-88 remain in full force and effect as herein modified.
2. That all site plans will be subject to approval by the Fire Rescue Department at time of building permit application.

Additionally, where applicable, the following criteria shall be implemented in the development of drainage plans and shall be included as conditions in the development order:

3. The minimum width of dry detention swales shall be twenty-five feet (25').
4. The minimum width of conveyance swales shall be ten feet (10').
5. The location of either conveyance or detention swales immediately adjacent to property lines, which have a potential of flooding adjacent properties, shall be avoided.
6. Detention swales should be distributed within the project site rather than in one unit which may force long conveyance swales or pipes.
7. The minimum pavement longitudinal slope should be 0.4%. The minimum cross slope could be 1%. Long cross in one direction which create large accumulation of runoff must be avoided.
8. Infiltrometer tests and supporting drainage calculations will be required for all projects proposing dry and/or detention of the first one-half inch (½") in green areas. Seepage tests and calculations will be required for proposing on-site retention.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning, Development and Regulation and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 7th day of July, 1998, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 98-5-CZ-9-1
SW

MIAMI-DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS


by Guillermo E. Olmedillo, Director
Miami-Dade Department of Planning,
Development and Regulation

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22nd DAY OF July, 1998.

METROPOLITAN DADE COUNTY, FLORIDA



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2795

July 22, 1998

Westside Corporate Center, Inc.
3600 N.W. 82 Avenue
Miami, FL 33166

Re: Hearing No. 98-5-CZ9-1
Location: The west side of N.W. 82 Avenue, between N.W. 36 Street
Extension and theoretical N.W. 31 Street

Dear Applicant:

Enclosed, herewith, is a copy of Resolution No. Z-15-98, adopted by the Board of County Commissioners, which found that there was no substantial deviation with respect to the requested modifications to the Development of Regional Impact (DRI) application on the above-described property and approved same. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Miami-Dade County Commission may be appealed within 45 days of the date of the transmittal of the resolution to the Clerk of the County Commission pursuant to Section 380.07(2), Florida Statutes.

Sincerely,

Marcy Gordon
Legal Counsel

MG:sw
Enclosures

cc: Joseph Goldstein, Esq.
Greenberg Traurig
1221 Brickell Avenue
Miami, FL 33131

Enforcement

METROPOLITAN DADE COUNTY, FLORIDA



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2785

July 22, 1998

**State of Florida
Department of Community Affairs
Bureau of Local Planning
2740 Centerview Drive
Tallahassee, FL 32399**

**Re: Hearing No. 98-5-CZ9-1
Location: The west side of N.W. 82 Avenue, between N.W. 36 Street
Extension and theoretical N.W. 31 Street**

Gentlemen:

Enclosed, herewith, is a copy of Resolution No. Z-15-98, adopted by the Board of County Commissioners, which found that there was no substantial deviation with respect to the requested modifications to the Development of Regional Impact (DRI) application by Westside Corporate Center, Inc. and approved the application on the above-described property.

Sincerely,

A handwritten signature in cursive script that reads 'marcy A'.

**Marcy Gordon
Legal Counsel**

**MG:sw
Enclosure**

**cc: South Florida Regional Planning Council
3440 Hollywood Boulevard, Suite 140
Hollywood, Florida 33021**

3

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-9-03

WHEREAS, PAN AMERICAN CARDEL GROUP, L.C., et. al. applied for the following:

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION pursuant to §380.06(19) of the Florida Statutes with respect to the following amendments and requests:
- (2) MODIFICATION of Conditions #10, #11 & #12 of Resolution Z-258-88, passed and adopted by the Board of County Commissioners and modified by Resolution Z-15-98 and reading as follows:

FROM: " 10. Limit development to those land uses authorized by Miami-Dade County Code and consisting of office buildings including restaurant(s) with a maximum total of 400 seats, with a combined total of 1,865,000 gross square feet; and a 300-room hotel totaling 300,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5-Master Development Plan."

TO: " 10. Limit development to those land uses authorized by Miami-Dade County Code and consisting of office buildings including restaurant(s) with a maximum total of 740 seats and a bank, with a combined total of 1,735,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5-Master Development Plan."

FROM: " 11. December 30, 2003 is hereby established as the date until which Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety or welfare."

TO: " 11" December 31, 2009 is hereby established as the date until which Miami-Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial

changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety or welfare."

FROM: " 12. (For purposes of this paragraph, physical development means development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination dated for completing development shall be December 30, 2003, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

TO: " 12. (For purposes of this paragraph, physical development means development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination dated for completing development shall be December 31, 2009, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

The purpose of the requests is to permit the applicant to have a bank, to permit more restaurant seating, to extend the downzoning & termination dates, and to delete the previously approved hotel.

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(a)(17) of the Code of Miami-Dade County. (Ordinance #03-93).

SUBJECT PROPERTY: That portion of Tracts 19, 20, 21, 22 & 23 of the Plat FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, in Section 27, Township 53 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

Commence at the center of Section 27, Township 53 South, Range 40 East; thence along the east line of the west ½ of said Section 27, N1°39' 59"W for 559.9' ; thence along a line perpendicular to the last described line S88°20' 1"W for 43' to the Point of beginning; thence along a line parallel to and 100' south of the N/ly boundary of said Tract 23, N89°57' 52"W for 1,280.62' to a point on the W/ly boundary of Tract 23; thence along the W/ly boundaries of said Tracts 23, 22, 21 & 20, N1°42' 25"W for 809.16' to a point; thence along a line parallel to and 50' north of the S/ly boundary of said Tract 20, S89°56' 47"E for 1,281.21' to a point, being hereafter referred to as Point " A", said point also lying on the W/ly right-of-way line of N.W. 82 Avenue; thence along said right-of-way line, S1°39' 59"E for 808.74' to the Point of beginning. AND: All of Tracts 25, 26, 27 & 48 lying in Section 27, Township 53 South, Range 40 East; less the west 55' thereof, of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tract 23 lying in Section 27, Township 53 South, Range 40 East less the north 100' thereof and less the east 43' thereof of FLORIDA FRUIT LANDS

COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tract 24 lying in Section 27, Township 53 South, Range 40 East, less the east 43' thereof of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: All of Tracts 33 & 34 lying in Section 27, Township 53 South, Range 40 East of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, Plat book 2, Page 17. AND: Commence at the aforescribed point "A", said point also being the Point of beginning; thence along a line parallel to and 50' north of the S/ly boundary of said Tract 20, N89°56' 47"W for 1,281.21'; thence along the W/ly boundaries of said Tracts 20 & 19, N1°42' 24"W for 554.04' to a point lying on the S/ly right-of-way line of N.W. 36th Street; thence along said right-of-way line, said line being parallel to and 55' south of the N/ly boundary of said Tract 19, S89°55' 42"E for 1,257.36' to a Point of curvature of a circular curve concave to the Southwest and having for its elements a central angle of 88°15' 43" and a radius of 25'; thence E/ly, SE/ly & S/ly along said curve for an arc distance of 38.51' to a Point of tangency, said point also lying on the W/ly right-of-way line of N.W. 82nd Avenue; thence along said W/ly right-of-way line, S1°39' 59"E for 529.38' to the Point of beginning. LESS THE FOLLOWING:

A portion of Tracts 23, 24, 25, 26, 27, 33, 34 & 48 FLORIDA FRUIT LANDS COMPANY SUBDIVISION 1, Plat book 2, Page 17, lying in Section 27, Township 53 South, Range 40 East, being more particularly described as follows:

Begin at the Southeast corner of the NW ¼ of said Section 27; thence run S1°40' 58"E, along the east line of the SW ¼ of said Section 27 for a distance of 655.66' to a point; thence run S89°56' 3"W for a distance of 35.01' to a point; thence run N1°40' 58"W for a distance of 581.42' to a Point of curvature of a circular curve to the left having for its elements a central angle of 88°17' 59" and a radius of 25'; thence run N/ly and W/ly along the arc of said curve for a distance of 38.53' to a Point of tangency; thence run N89°58' 57"W for a distance of 723.8' to a Point of curvature of a circular curve to the right, having for its elements a central angle of 22°48' 2" and a radius of 1,050'; thence run W/ly along the arc of said curve, for a distance of 417.84' to a Point of Reverse Curvature of a circular curve to the left, having for its elements a central angle of 86°48' 2" and a radius of 25'; thence run W/ly and SW/ly along the arc of said curve for a distance of 37.87' to a Point of tangency; thence run S26°1' 3"W for a distance of 31.67' to a Point of curvature of a circular curve to the left, having for its elements a central angle of 27°43' 50" and a radius of 465'; thence run SW/ly & S/ly along the arc of said curve for a distance of 225.06' to a Point of tangency; thence run S1°42' 47"E for a distance of 431.05' to a point; thence run S89°56' 3"W for a distance of 35.01' to a point; thence run N1°42' 47"W for a distance of 328.8' to a point; thence run S89°58' 33"W for a distance of 35.02' to a point; thence run N1°42' 47"W for a distance of 100.21' to a Point of curvature of a circular curve to the right having for its elements a central angle of 27°43' 50" and a radius of 535'; thence run N/ly & NE/ly along the arc of said curve for a distance of 258.93' to a Point of tangency; thence run N26°1' 3"E for a distance of 29.99' to a Point of curvature of a circular curve to the left having for its elements a central angle of 90° and a radius of 25'; thence run NE/ly & NW/ly along the arc of said curve for a distance of 39.27' to a Point of tangency; thence run N63°58' 57"W for a distance of 230.22' to a Point of curvature of a circular curve to the left having for its elements a central angle of 26° and a radius of 950'; thence run NW/ly & W/ly along the arc of said curve for a distance of 431.1' to a Point of tangency; thence run N89°58' 57"W for a distance of 655.09' to a Point of curvature of a circular curve to the left having for its

elements a central angle of $91^{\circ}45' 53''$ and a radius of 25' ; thence run W/ly & S/ly along the arc of said curve for a distance of 40.04' to a Point of cusp; thence run $N1^{\circ}44' 50''$ along the E/ly right-of-way line of N.W. 87th Avenue, O. R. B. 9170, Page 1203, for a distance of 735.28' to a point; thence run $S89^{\circ}57' 20''E$ for a distance of 725' to a point; thence run $S0^{\circ}2' 40''W$ for a distance of 609.05' to a point on a circular curve concave to the Southwest, said point bears $N1^{\circ}13' 4''E$ from the center of the next described curve; thence run E/ly & SE/ly, through a central angle of $24^{\circ}47' 59''$ and a radius of 1,050' , along the arc of said curve for a distance of 454.47' to a Point of tangency; thence run $S63^{\circ}58' 57''E$ for a distance of 290.22' to a Point of curvature of a circular curve to the left, having for its elements a central angle of 26° and a radius of 950' ; thence run SE/ly & E/ly along the arc of said curve for a distance of 431.1' to a Point of tangency; thence run $S89^{\circ}58' 57''E$ for a distance of 719.37' to the Point of curvature of a circular curve to the left, having for its elements a central angle of $91^{\circ}41' 2''$ and a radius of 25' ; thence run E/ly and N/ly along the arc of said curve for a distance of 40' to a Point of tangency; thence run $N1^{\circ}39' 59''W$ for a distance of 482.91' to a point; thence run $S89^{\circ}57' 52''E$ for a distance of 35.01' to a point; thence run $S1^{\circ}39' 59''E$, along the east line of the NW 1/4 of said Section 27, for a distance of 558.66' to the Point of beginning.

LOCATION: The west side of N.W. 82 Avenue, between N.W. 36 Street Extension and theoretical N.W. 31 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after due and proper consideration having been given to the matter and to the recommendation of the Development Impact Committee, it is the opinion of this Board that clear and convincing evidence has been established to overcome the presumption of substantial deviation and that the amendment to the existing Development Order (i.e. Miami-Dade County Resolution Z-258-88) noted herein as requested Item #1 does not, when considered individually, or in any combination or cumulatively pursuant to Section 380.06(19) Florida Statutes, constitute a substantial deviation requiring further development of regional impact review, and that the requested modifications of Conditions

#10, 11, and 12 of Resolution Z-258-88 (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion that clear and convincing evidence has been established to overcome the presumption of substantial deviation and to find no substantial deviation (Item #1) and to approve Item #2 was offered by Commissioner Jose "Pepe" Diaz, seconded by Commissioner Rebeca Sosa, and upon a poll of the members present the vote was as follows:

| | | | |
|-------------------|--------|------------------|--------|
| Bruno A. Barreiro | aye | Dennis C. Moss | aye |
| Jose "Pepe" Diaz | aye | Dorrian D. Rolle | aye |
| Betty T. Ferguson | absent | Natacha Seijas | absent |
| Sally A. Heyman | absent | Katy Sorenson | absent |
| Joe A. Martinez | aye | Rebeca Sosa | aye |
| Jimmy L. Morales | absent | Javier D. Souto | aye |

Chairperson Barbara M. Carey-Shuler aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that this Board finds that the amendment to the existing Development Order (i.e. Miami-Dade County Resolution Z-258-88) , does not, when considered individually, or in any combination or cumulatively pursuant to Section 380.06 (19) Florida Statutes, constitute a substantial deviation (Item #1) and does not require further development of regional impact review.

BE IT FURTHER RESOLVED that the requested modifications of Conditions #10, 11, 12 of Resolution Z-258-88 (Item #2) be and the same are hereby approved, subject to the following condition:

1. That all the conditions of Resolutions Z-258-88 and Z-15-98 remain in full force and effect except as modified herein.

BE IT FURTHER RESOLVED that the requested modification of Condition #10 of Resolution Z-258-88, shall read as follows:

10. Limit development to those land uses authorized by Miami-Dade County Code and consisting of office buildings including restaurant(s) with a maximum total of 740 seats and a bank, with a combined total of 1,735,000 gross square feet. This increment consists of 73.45 acres with an internal roadway system as shown in Exhibit 5-Master Development Plan.

BE IT FURTHER RESOLVED that the requested modification of Condition #11 of Resolution Z-258-88, which this Board recommends for approval, shall read as follows:

11. December 31, 2009 is hereby established as the date until which Miami-Dade County agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety or welfare.

BE IT FURTHER RESOLVED that the requested modification of Condition #12 of Resolution Z-258-88, which this Board recommends for approval, shall read as follows:

12. (For purposes of this paragraph, physical development means development as defined in §380.04, Florida Statutes.) The commencement of physical development shall be 1 year from the effective date of the Development Order. The termination dated for completing development shall be December 31, 2009, provided that the Applicant, its successors, and/or assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)[c], Florida Statutes.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

2003

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of June, 2002, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 03-6-CC-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: **KAY SULLIVAN**

Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31ST DAY OF JULY, 2003.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

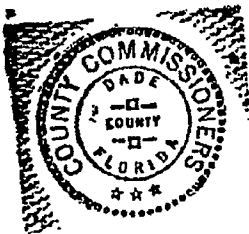
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-9-03 adopted by said Board of County Commissioners at its meeting held on the 19th day of June, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 31ST day of July, 2003.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA



DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

HERBERT S. SAFFIR
PERMITTING AND INSPECTION CENTER

11805 S.W. 26 Street
MIAMI, FLORIDA 33175

□ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

□ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

□ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

□ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

July 25, 2003

PAN AMERICAN CARDEL GROUP, L.C.
c/o Joseph Goldstein
Akerman Senterfitt & Eidson, P.A.
SunTrust International Center, 28th Floor
One Southeast Third Avenue
Miami, Florida 33131-1714

Re: Hearing No. 03-6-CC-2
Location: The west side of N.W. 82 Avenue, between N.W. 36 Street
Extension and theoretical N.W. 31 Street, Miami-Dade County

Dear Applicant:

Enclosed, herewith is Resolution No. Z-9-03- Pan American Cardel Group, L.C. adopted by the Board of County Commissioners, which approved Items# 1 & 2 on the above-described property.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Earl Jones'.

Earl Jones
Deputy Clerk

Enclosures

4

1 **Section 2.**

2 That the rezoning of the subject 51.4254 ± acres generally located between
3 NW 33rd and 36th Streets and NW 82nd and theoretical 85th Avenues in the City of Doral,
4 Miami-Dade County, Florida from IU-2 (Industrial) to PUD (Planned Unit Development
5 District), and modification of Condition #10 of Resolution Z-258-88 passed and adopted by the
6 Board of County Commissioners and modified by Resolution Z-158-98 and Resolution Z-9-03,
7 is hereby approved subject to the following conditions proffered by the Applicant and accepted
8 by the City:

9 1. That the Applicants shall provide an easement for a future Miami-Dade public transit bus
10 stop and shall construct a bus stop shelter in accordance with City design standards;

11 2. That the Applicants shall submit a uniform sign program to staff prior to the approval of
12 the first site plan;

13 3. That the Applicants shall realign the western half of NW 82nd Avenue providing for
14 additional turn movements of the southern portion of the property;

15 4. That the Applicants shall provide a vehicular connecting plan that depicts a proposed
16 road/drive that cuts through the Carnival Cruise Line property to the existing access drive that
17 terminates at NW 36th Street. The Applicants shall also continue to work with Carnival Cruise
18 Line and the City, in good faith, to secure a connection through the Carnival Cruise Line
19 property;

20 5. That the Applicants shall acquire approval of the Notice of Proposed Change (NOPC)
21 from the Department of Community Affairs;

22 6. That the Applicants shall provide adequate security (on site) during the entire time of
23 construction between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday and 24
 hours during weekends and holidays.

1 **Section 3.** The approval of the rezoning to PUD (Planned Unit Development District)
2 referenced above is specifically subject to the acceptance and enforcement of the Mast
3 Development Agreement (MDA) and its terms and conditions including but not limited to
4 Paragraph 6, Consistency With Comprehensive Plan. The MDA is attached hereto and
5 incorporated herein as Exhibit "1" to this Ordinance.

6 **Section 4.** Repeal of Conflicting Ordinances.

7 All prior ordinances or resolutions or parts thereof in conflict herewith are hereby
8 repealed to the extent of such conflict.

9 **Section 5.** Severability.

10 Should any part, term or provision of this Ordinance be by the courts decided to be
11 invalid, illegal or in conflict with any law of this State, the validity of the remaining portions
12 or provision shall not be affected thereby.

13 **Section 6.** Effective Date.

14 This Ordinance shall become effective upon the approval of the City Council.

15 This Ordinance shall become effective immediately upon adoption by the City Council.

16 A motion to approve the application was offered by Vice Mayor Cabrera, who moved its
17 adoption. The motion was seconded by Councilman DiPietro and upon being put to a vote, the
18 vote was as follows:

| | | |
|----|--------------------------------|------------|
| 19 | Mayor Juan Carlos Bermudez | <u>yes</u> |
| 20 | Vice Mayor Peter Cabrera | <u>yes</u> |
| 21 | Councilmember Michael DiPietro | <u>yes</u> |
| 22 | Councilwoman Sandra Ruiz | <u>yes</u> |
| 23 | Councilmember Robert Van Name | <u>yes</u> |
| 24 | | |


25 If any section, part of section, paragraph, clause, phrase or word of this Resolution is
26 declared invalid, the remaining provisions of this Resolution shall not be affected.

1 PASSED ON 1ST READING this 28th day of June, 2006.

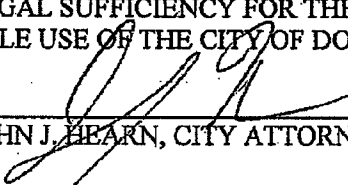
2 PASSED AND ADOPTED this 27th day of September, 2006.

3
4 
5 _____
6 JUAN CARLOS BERMUDEZ, MAYOR

7 ATTEST:

8 
9 _____
10 CITY CLERK

11 APPROVED AS TO FORM AND
12 LEGAL SUFFICIENCY FOR THE
13 SOLE USE OF THE CITY OF DORAL:

14 
15 _____
16 JOHN J. HEARN, CITY ATTORNEY

**MASTER DEVELOPMENT AGREEMENT
FOR PARK SQUARE AT DORAL**

27th This Master Development Agreement ("Agreement") is made and entered into as of the 27th day of September, 2006 by and between the City of Doral, Florida a municipal corporation with an address of 8300 N.W. 53rd Street, Doral, Florida 33166 ("City") and SHOMA HOMES VILLAGE AT DORAL, INC. and VILLAGE AT DORAL COMMERCIAL, LLC, both with an address of 5835 Blue Lagoon Drive, 4th Floor, Miami, Florida 33126 (collectively "Owner").

RECITALS:

WHEREAS, Owner owns the property, consisting of approximately 51.4254± gross acres of land in the City of Doral, (the "Property"), the legal description of which is attached hereto as Exhibit A; and

WHEREAS, Owner has proposed in an application to rezone the Property to the PUD District ("Zoning Application") and to develop the Property with the planned uses for a development to be known as Park Square at Doral (the "Project") described in Exhibit B attached hereto; and

WHEREAS, Owner has filed applications for development approvals relating to the Property, including the Zoning Application, and a Notice of Proposed Change ("NOPC") to develop the Project, (collectively the "Applications"), with the City's Community Development Department; and

WHEREAS, pursuant to the applicable City of Doral Code ("Code") provisions, the site plan for the Property submitted with the Application has undergone review by the City's Council ("Council") and has been approved by the Council; and

WHEREAS, the Council adopted City of Doral Ordinance No. 2006-05 ("PUD Ordinance") establishing the PUD District, and providing for the entering into master development agreements; and

WHEREAS, this Agreement is intended to and shall constitute a master development agreement among the parties pursuant to Section 7(B) of the PUD Ordinance; and

WHEREAS, on September 27, 2006, the City Council conducted a public hearing on the Property and has determined that the Project and this Agreement are consistent with the City's Comprehensive Plan and the City Code and the Owner and the City mutually decided that the Property be redeveloped as a mixed-use development under the PUD Ordinance; and

WHEREAS, in order to address the overall development of the Property, the City has determined that it is in the best interest of the City to address the issues covered by this Agreement in a comprehensive manner in compliance with all applicable laws, rules and regulations of the City, and to allow the Owner to proceed with the development of the Project in accordance with existing laws and policies, subject to the terms hereof, and the City and Owner have agreed to enter into this Agreement.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Recitals. The foregoing recitations are true and correct and are incorporated herein by reference.
2. The Project. A description of the Project, including densities and building intensities, is attached to this Agreement as Exhibit B.
3. Property. The Property is an irregularly-shaped parcel of land consisting of approximately 51.4254± acres. The Property is bordered on the north by NW 36th Street, on the South by NW 33rd Street, on the east by NW 82nd Avenue and on the west by theoretical NW 85th Avenue, in the City of Doral, Miami-Dade County, Florida.
4. Applications for Development Approvals. The Owner, after the effective date of this Agreement, will initiate and pursue all applications for development permits. The City shall process all development permit applications which are consistent with this Agreement and applicable laws, and shall timely cooperate with the Owner in processing all necessary development permit applications with Federal, County and State agencies as needed.
5. Laws Governing this Agreement. The City's laws and policies governing the development of the Project and the Property at the time of the execution of this Agreement shall govern the development of the Project and the Property for the duration of this Agreement. The City may apply subsequently adopted laws and policies to the Project only as otherwise permitted or required by this Agreement.
6. Consistency with the Comprehensive Plan. The City has adopted a new Comprehensive Plan. The City hereby finds and declares that the provisions of this Agreement dealing with the Property and the Project are consistent with the new Comprehensive Plan and the City's adopted land development regulations. However, the newly adopted City of Doral Comprehensive Plan has been found to be inconsistent with Chapter 163, Florida Statutes, and has been challenged by a third party for reasons unrelated to this Project and the Property. Therefore, in the interim, until the newly adopted City of Doral Comprehensive Plan is found to be consistent and becomes effective, or the currently effective plan is amended to make the residential component consistent, the City hereby finds that the commercial and industrial portions of the Project are consistent with the City's Comprehensive Plan now in effect. Notwithstanding any provision to the contrary regarding the effective date of this Agreement, the provisions of this Agreement governing the residential components of the Project, including the provision entitled Schools, shall not become effective until the newly adopted Comprehensive Plan becomes effective, or the currently effective plan is amended to make the residential component consistent, at which time, the terms of this Agreement governing the residential portion of the Project shall become immediately effective without the need for further action on behalf of the City or the Owner.

In the interim, Owner is filing an application to amend the Comprehensive Development Master Plan now in effect to create a Downtown Mixed Use ("DMU") land use category and to amend the Future Land Use Map currently governing the Property to designate the Property as DMU. Notwithstanding the foregoing, the City is not obligated to issue building permits for the portion of the Project depicted for residential development until that portion of the Property is consistent with the then governing Comprehensive Development Master Plan.

7. Public Facilities and Concurrency. Owner and City anticipate that the Project will be served by those roadway transportation facilities currently in existence as provided by State, County and City roadways. It is also anticipated that the Project will be served by the public transportation facilities currently in existence, including those provided by Miami-Dade County, and other governmental entities as may presently operate public transportation services within the area. Sanitary sewer, solid waste, drainage and portable water services for the Project are expected to be those services currently in existence and owned and operated by the Miami-Dade County Water and Sewer Authority Department.

8. Pattern Book for Park Square Doral. As part of the Applications, Owner has submitted a pattern book for Park Square at Doral ("Pattern Book"). This Pattern Book may be viewed at the Government Offices of the City of Doral located at 8300 N.W. 53rd Street, Doral, Florida 33166. The Pattern Book is incorporated into this Agreement as a guideline for development of the Property, and may not be amended unless approved by the parties to this Agreement, or their successors and/or assigns, with the same formalities as this Agreement.

9. Dimensional Requirements. The minimum lot area for residential units is as set forth in the Pattern Book.

10. Landscaping, Parking and Signs Requirements. The Property shall meet all City of Doral landscaping and parking requirements as provided in the Pattern Book. Signage for the Property shall be in accordance with that illustrated on Exhibit "E" attached.

11. Project Phasing. The proposed phasing of the Project is as described in the Pattern Book referenced in paragraph 8 above.

12. Maintenance of Common Areas. The residential portion of the Property shall be maintained by a condominium/homeowners' association. The commercial and office portion shall be maintained by a property owners' association. The homeowners and property owners association shall belong to a master association for the Property. Substantial amendments to the maintenance provisions of the master association documents shall require review by the City Manager or its designee to ensure that the association maintains the assessment and lien rights to ensure that the property is properly maintained.

13. Schools. As part of development of the Project, the City and the Owner mutually desire to address impacts on the educational facilities located within the City of Doral. In that regard, the City and Owner mutually agree to work together to establish a public or private

school (including charter school) in the general vicinity of the Project. Owner has acquired a 4.01± acre parcel of land located at theoretical NW 31st Street between NW 84th Avenue and NW 85th Avenue in the City of Doral, Florida currently designated Folio No. 35-3027-039-0030 ("Proposed School Site"). Owner and the City mutually desire that such Proposed School Site be utilized for an educational facility. In that regard, Owner and the City mutually agree to continue to work together in good faith to establish an educational facility on the Proposed School Site that is agreeable to both parties, and if necessary, Owner will apply to the City of Doral for approval to permit an educational facility on the Proposed School Site. The parties will work together to address the impacts on educational facilities as outlined below under subsections (i) and (ii) of this paragraph.

The parties further mutually agree that any conveyance, construction or operation of an educational facility contain a reversionary interest to the Owner in the event that such use is discontinued. The City and Owner agree that the City shall, by January 1, 2008, advise whether the City will establish a municipal charter school for which educational facilities impact fee credits are available for the Proposed School Site. The parties may extend this date in writing.

Miami-Dade County and the Miami-Dade County School Board educational facilities impact fee currently govern and are anticipated to continue to govern development of the Property. The existing educational facilities impact fee ordinance (Section 33K-9, Miami-Dade County Code of Ordinances; the "School Fee") is currently estimated to generate educational facilities impact fees against the Project when applied using the criteria provided in Exhibit I) in the amount of one million five hundred fifty-seven thousand three hundred sixty dollars (\$1,557,360.00 the "Educational Impact Fee Amount").

(a) In order to address the impact of the proposed development on the educational facilities in the City of Doral, Owner has agreed to provide a donation to the City of Doral in the amount of \$800,000 ("Donation") to be used by the City of Doral as the City deems appropriate, so long as the Donation is used for educational purposes. The Donation shall be payable as follows:

(i) \$400,000 at the time of issuance of the permit for the first residential dwelling unit; and

(ii) \$400,000 at the time of issuance of the permit for the 500th residential dwelling unit.

(b) The Owner agrees to give the City the option to purchase the Proposed School Site from Owner at the then appraised value of the Proposed School Site less any impact fee credits for which Owner receives for the Proposed School Site, with the term of this offer expiring as of the latter of January 1, 2008 or the issuance of the building permit for the 500th residential dwelling unit within the Project (the "Charter School Option Term"), recognizing that such term may be further extended by mutual agreement of the parties, in writing. In the alternative, the Owner may at its discretion elect to dedicate or otherwise convey the Proposed

School Site to the Miami-Dade County School Board in lieu of impact fees or other consideration. In either event, Owner shall still provide the City of Doral with the \$800,000 Donation outlined above.

(c) In the event the City does not exercise its option during the Charter School Option Term, Owner may sell, convey, transfer or otherwise dispose of the Proposed School Site without any further obligation related to the Proposed School Site under this Agreement.

14. Newsracks. The City has adopted Ordinance No. 2006-09 regulating the appearance of newsracks within the municipal boundaries. Newsracks within the Project will comply with City's Ordinance No. 2006-09.

15. Recording of the Development Agreement. Within thirty (30) days after the City executes this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court of Miami-Dade County. The Owner agrees that it shall be responsible for all recording fees and other related fees and costs related to the recording and delivery of this Agreement as described in this section. The provisions hereof shall remain in full force and effect during the term hereof, and, subject to the conditions of this Agreement, shall be binding upon the undersigned and all successors in interest to the parties to this Agreement. Whenever an extension of any deadline is permitted or provided for under the terms of this Agreement, at the request of the either party, the other party shall join in a short-form recordable memorandum confirming such extension to be recorded in the public records of Miami-Dade County.

16. Term of Agreement. (a) This Agreement shall terminate ten (10) years from the effective date. (b) In addition to the foregoing, the term of this Agreement may be extended by mutual agreement of the City and Owner. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement.

17. Phasing. Owner shall commence development of the Project after the effective date of this Agreement in accordance with the Pattern Book described in paragraph 8. above.

The City will review the existing public facilities and services at each phase of the Project to ensure that they are adequate and satisfy the concurrency requirements for that phase and Owner shall be permitted to complete the Project as set forth in this Agreement, prior to the Agreement's termination date.

18. Security During Construction. During construction of the Project, Owner shall provide security to those phases under construction from 7:00pm to 7:00 am, Monday through Friday, and 24 hours per day on weekends.

19. Other Approvals. The parties hereto recognize and agree that certain provisions of this Agreement require the City and/or its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such

considerations and actions shall be undertaken in accordance with established requirements of state statutes and county ordinances, in the exercise of the City's jurisdiction under the police power.

20. No Permit. This Agreement is not and shall not be construed as a development permit, or authorization to commence development, nor shall it relieve Owner of the obligations to obtain necessary development permits that are required under applicable law and under and pursuant to the terms of this Agreement.

21. Good Faith; Further Assurances; No Cost. The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of, and to satisfy their obligations under, this Agreement in order to secure to themselves the mutual benefits created under this Agreement; and, in that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement; provided, that the foregoing shall in no way be deemed to inhibit, restrict or require the exercise of the City police power or actions of the City when acting in a quasijudicial capacity. Wherever in this Agreement a provision requires cooperation, good faith or similar effort to be undertaken at no cost to a party, the concept of no cost shall not be deemed to include any cost of review (whether legal or otherwise), attendance at meetings, hearings or proceedings and comment and/or execution of documents, all such costs to be borne by the party receiving a request to so cooperate, act in good faith or so forth.

22. Omissions. The parties hereto recognize and agree that the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owner of the necessity of complying with the law governing said permitting requirements, conditions, term or restriction notwithstanding any such on-omission.

23. Notices. Any notices required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by recognized overnight courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope, and addressed as follows:

| | |
|-----------------|--|
| If to the | City at: City Manager City of Doral 8300 N.W. 53 rd Street Doral, Florida 33166 |
| With a copy to: | City Attorney City of Doral 8300 N.W. 53 rd Street, Suite 100 Doral, Florida 33166 |
| If to Owner at: | Shoma Homes Village at Doral, Inc. and |

Village at Doral Commercial, LLC
5835 Blue Lagoon Drive, 4th Floor
Miami, Florida 33126

With a copy to:

Stanley B. Price, Esq., Carter N. McDowell, Esq.
and Brian S. Adler, Esq.
Bilzin Sumberg Baena Price & Axelrod LLP
200 S. Biscayne Blvd. Suite 2500
Miami, Florida 33131

And a copy to:

Richard L. Schanerman, Esq.
Akerman Senterfitt
One Southeast Third Avenue, 28th Floor
Miami, Florida 33131

Notices personally delivered or sent by overnight courier shall be deemed given on the date of delivery and notices mailed in accordance with the foregoing shall be deemed given three (3) days after deposit in the US mail. The terms of this Section shall survive the termination of this Agreement.

24. Construction. (a) This Agreement shall be construed and governed in accordance with the laws of the State of Florida, all of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and, accordingly, this Agreement shall not be more strictly construed against any one of the parties hereto, and venue for any litigation arising out of this Agreement shall be in Miami-Dade County, Florida. (b) In construing this Agreement, the use of any gender shall include every other and all genders, and captions and section and paragraph headings shall be disregarded. (c) All of the exhibits attached to this Agreement are incorporated in, and made a part of, this Agreement.

25. Severability. In the event any term or provision of this Agreement be determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

26. Litigation. In the event of any litigation between the parties under this Agreement for a breach hereof, the prevailing party shall be entitled to reasonable attorney's fees and court costs at all trial and appellate levels. The terms of this paragraph shall survive the termination of this Agreement.

27. Time of Essence. Time shall be of the essence for each and every provision hereof.

28. Entire Agreement. This Agreement, together with the documents referenced herein, constitute the entire agreement and understanding among the parties with respect to the

subject matter hereof, and there are no other agreements, representations or warranties other than as set forth herein. This Agreement may not be changed, altered or modified except by an instrument in writing, signed by the party against whom enforcement of such change would be sought and subject to the requirements for the amendment of development agreements in the Act.

29. Force Majeure. Any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, inability to obtain labor or materials or reasonable substitutes therefore, riot, civil commotion, fire or other casualty, and other causes beyond the reasonable control of the party obligated to perform, excluding the financial inability of such party to perform and excluding delays resulting from appeals or rehearings commenced by the Owner (any such causes or events to be referred to herein as a "Force Majeure"), shall excuse the performance by such party for a period equal to any such period of prevention, delay or stoppage.

Signed, sealed, executed and acknowledged this 27th day of September 2005.

WITNESSES:

Print Name:

Print Name:

WITNESSES:

Print Name:

Print Name:

Attest:

By:

Clerk

SHOMA HOMES VILLAGE AT DORAL,
INC., a Florida Corporation

By:

Masoud Shojaee
Director

VILLAGE AT DORAL COMMERCIAL,
LLC, a Florida limited liability company

By:

Masoud Shojaee
Manager

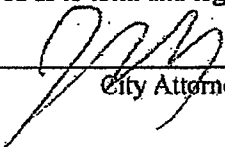
CITY OF DORAL, FLORIDA

By:

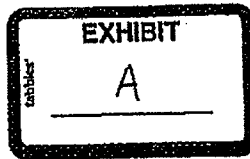
Sergio Purnomo City Manager

Park Square at Doral
Master Development Agreement
Page 9

Approved as to form and legal sufficiency



City Attorney



LEGAL DESCRIPTION:

A PORTION OF TRACTS 20, 21, 22, 23, 24, 25, 26 & 27 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 27, TOWNSHIP 53 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, TOGETHER WITH A PORTION OF TRACTS "B" & "C" OF "DORAL CONCOURSE" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156, AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF TRACT "A" OF "CORPORATE OFFICE PARK PHASE I" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 135, AT PAGE 9 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE NORTH LINE OF TRACT 27 OF SAID "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1"; THENCE S89°57'20"E ON THE NORTH LINE OF SAID TRACT 27 FOR 543.73 FEET TO THE NORTHEAST CORNER OF SAID TRACT 27, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT 21; THENCE N01°42'25"W ON THE WEST LINE OF SAID TRACTS 21 AND 20 FOR 379.56 FEET TO A POINT ON THE WESTERLY LINE OF TRACT 20, SAID POINT ALSO BEING ON A LINE 50.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 20; THENCE S89°56'47"E ON SAID PARALLEL LINE 423.58 FEET;

THENCE N00°03'13"E 242.93 FEET; THENCE N89°56'47"W 48.01 FEET; THENCE N00°03'13"E 295.16 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 36TH STREET; THENCE S89°55'42"E 39.54 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEAST, THE RADIUS POINT OF WHICH BEARS S64°53'26"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 27.00 FEET AND THROUGH A CENTRAL ANGLE OF 64°57'44", FOR AN ARC DISTANCE OF 30.61 FEET TO A POINT OF TANGENCY ON THE NORTH LINE OF TRACT "B"; THENCE S89°55'42"E ON SAID NORTH LINE AND ON THE NORTH LINE OF SAID TRACT "C" 508.07 FEET; THENCE S00°04'18"W 310.55 FEET; THENCE N89°56'47"W 84.99 FEET; THENCE S00°03'13"W 387.01 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" FOR AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY; THENCE S89°56'47"E 398.70 FEET TO A POINT ON THE EAST LINE OF TRACT "C" AND A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 82ND AVENUE AND A POINT ON A LINE 34.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE S01°39'59"E ALONG SAID PARALLEL LINE 1141.16 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHWEST THE RADIUS POINT OF WHICH BEARS N44°31'22"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET AND THROUGH A CENTRAL ANGLE OF 44°32'25" FOR AN ARC DISTANCE OF 19.43 FEET TO A POINT OF TANGENCY WITH THE NORTHERLY RIGHT-OF-WAY LINE OF NW 33RD STREET; THENCE NORTH 89°58'57" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 719.17 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 950.00 FEET THROUGH A CENTRAL ANGLE OF 26°00'00" FOR AN ARC DISTANCE OF 431.10 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ON SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 83°58'57" WEST 290.22 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1050.00 FEET THROUGH A CENTRAL ANGLE OF 24°47'59" FOR AN ARC DISTANCE OF 454.48 FEET TO THE SOUTHEAST CORNER OF AFORESAID TRACT "A"; THENCE NORTH 00°02'40" EAST 609.20 FEET TO THE NORTHEAST CORNER OF SAID TRACT "A" AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2,240,099 SQUARE FEET. 51.4254 ACRES.

EXHIBIT B

PROJECT LAND USES, DENSITIES AND INTENSITIES

The Project includes the following described development permitted on the Property as described in Exhibit A attached to this Agreement.

Residential Use. The Property will be developed with up to 927 residential units, including up to 585 mid-rise units, up to 257 town home units, up to 61 carriage homes and 24 loft units as defined in the Pattern Book, or such of the mix of 927 units mutually acceptable to the City and the Owner.

Office Use. Proposed development of this parcel is for up to 218,880± square feet of office space permitting all uses generally permitted in the City's industrial district for office buildings. Proposed maximum height is 11 stories or 151 feet.

Commercial Use. Proposed development of up to 157,300± square feet of commercial use, including all retail and restaurant uses permitted in the City of Doral with the exception of:

- (a) Adult entertainment.
- (b) Boat sales.
- (c) Fortune tellers, astrologers, and palm readers.
- (d) Funeral homes.
- (e) Greenhouses and nurseries (wholesale)
- (f) Laundry/dry cleaning plants.
- (g) Motor vehicle repair facilities.
- (h) Motor vehicle service centers.
- (i) Pawn shops.
- (j) Tattoo parlors.
- (k) Veterinary clinics.

EXHIBIT C

LIST OF REQUIRED DEVELOPMENT PERMITS

Miami-Dade County Department of Environmental Resource Management Permits

City of Doral Public Works Department Permits

Miami-Dade Water and Sewer Authority Department Approval and permits

Certificates of Use and Occupancy

Such other permits as may be required by Federal, State and local law.

EXHIBIT D

PUBLIC FACILITIES

The Project will be serviced by those roadway transportation facilities currently in existence as provided by State, County and local roadways. The Project will also be serviced by public transportation facilities currently in existence, as provided by Miami-Dade County, the Florida Department of Transportation, and such other governmental entities as may presently operate public transportation services within the area of the Project. Sanitary sewer, solid waste, drainage, and potable water services for the Project shall be those services currently in existence and owned or operated by Miami-Dade County, and/or the Miami-Dade County Water and Sewer Authority Department. The Project shall be serviced by those existing educational facility owned or operated by the Miami-Dade Public Schools District, and shall be serviced by those existing parks and recreational facilities located in Doral owned or operated by the United States Government, by the State of Florida, by Miami-Dade County, and by the City.

The Project will also be serviced by any and all public facilities that are described in the City's Comprehensive Plan specifically including but not limited to those facilities described in the Comprehensive Plan's Transportation, Infrastructure, and Capital Improvements Elements.

5

ORDINANCE #2006-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN TO CHANGE APPROXIMATELY 51.4254 ± ACRES GENERALLY LOCATED BETWEEN NW 33RD AND 36TH STREETS AND NW 82ND AVENUE AND THEORETICAL 85TH AVENUE FROM THE LAND USE DESIGNATIONS OF INDUSTRIAL AND OFFICE DESIGNATION (49 ± ACRES) AND OFFICE/RESIDENTIAL DESIGNATION (2.4 ± ACRES) TO DOWNTOWN MIXED USE WITH THE CITY'S FUTURE LAND USE MAP; PROVIDING FOR ASSOCIATED TEXT AND MAP CHANGES AS REQUIRED; AUTHORIZING THE TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT; PROVIDING FOR AN EFFECTIVE DATE (HEARING NO. 06-11-DOR-05)

WHEREAS, the City of Doral, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, has reviewed the Application of Shoma Homes Village at Doral, Inc. and Village at Doral Commercial, LLC proposing an amendment to the Comprehensive Development Master Plan to change approximately 51.4254 ± acres generally located between NW 33rd and 36th Streets and NW 82nd Avenue and theoretical 85th Avenue from the land use designations of Industrial and Office designation (49 ± acres) and Office/Residential designation (2.4 ± acres) to Downtown Mixed Use within the City's Future Land Use Map; and

WHEREAS, the City Council has been designated as the Local Planning Agency ("LPA") for the City pursuant to Section 163.3174, Florida Statutes, and has held a duly advertised public hearing and recommended

approval of Hearing No. 06-11-DOR-05 to amend the Comprehensive Development Master Plan; and

WHEREAS, the City Council of the City of Doral has conducted duly advertised public hearings upon the future land use proposed by Hearing No. 06-11-DOR-05 and has considered all comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

WHEREAS, the City Council has reviewed City staff's proposal, incorporated herein, which contains data involving and analysis supporting the future land use change; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the County's Comprehensive Development Master Plan as adopted and with the City's new Comprehensive Development Master Plan as adopted and supported by staff and the LPA; and

WHEREAS, the City Council of the City of Doral further finds that the proposed amendment to the Comprehensive Development Master Plan to change approximately 51.4254 \pm acres generally located between NW 33rd and 36th Streets and NW 82nd Avenue and theoretical 85th Avenue from the land use designations of Industrial and Office designation (49 \pm acres) and Office/Residential designation (2.4 \pm acres) to Downtown Mixed Use within the City's Future Land Use Map is in the best interests of the citizens of the City; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL,
FLORIDA:

Section 1. That the City's Comprehensive Development Master Plan is amended to change approximately 51.4254 \pm acres generally located between NW 33rd and 36th Streets and NW 82nd Avenue and theoretical 85th Avenue from the land use designations of Industrial and Office designation (49 \pm acres) and Office/Residential designation (2.4 \pm acres) to Downtown Mixed Use within the City's Future Land Use Map is hereby approved.

Section 2. That the Director of Community Development is further authorized to make the necessary Map changes as required to the Comprehensive Development Master Plan to reflect the above stated change.

Section 3. That the City Clerk is hereby authorized to transmit this Ordinance to the Florida Department of Community Affairs pursuant to the provision of the Local Government Comprehensive Planning and Land Development Regulation Act.

Section 4. This Ordinance shall not become effective until the State Land Planning Agency issues a Final Order determining the adopted amendment to be in compliance and in accordance with Section 163.3184(9), Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3184(10), Florida Statutes.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilwoman Ruiz and upon being put to a vote, the vote was as follows:

| | |
|-----------------------------|--------|
| Mayor Juan Carlos Bermudez | Yes |
| Vice Mayor Peter Cabrera | Yes |
| Councilman Michael DiPietro | Absent |
| Councilwoman Sandra Ruiz | Yes |
| Councilman Robert Van Name | Yes |

PASSED AND ADOPTED on first reading this 29th day of November, 2006.

PASSED AND ADOPTED on second reading this 23rd day of May, 2007.



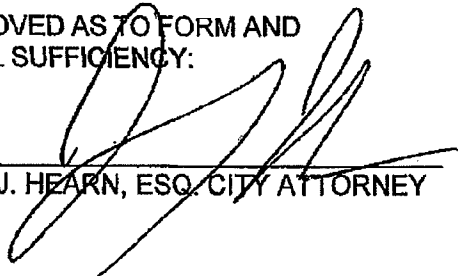
JUAN CARLOS BERMUDEZ,
MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JOHN J. HEARN, ESQ. CITY ATTORNEY

6

RESOLUTION No. Z07-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING THE NOTICE OF PROPOSED CHANGE (NOPC) TO MODIFY THE EXISTING RYDER SYSTEM, INC. /WESTSIDE CORPORATE CENTER DRI AND FINAL PLAT OF PARK SQUARE AT DORAL, GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTHWEST 33RD AND 36TH STREETS AND NORTHWEST 82ND AND THEORETICAL 85TH AVENUE, IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, Shoma Homes Village at Doral, Inc. and Village at Doral Commercial, ("Applicant") has requested a substantial deviation determination for a Notice of Proposed Change (NOPC) to modify the existing Ryder System, Inc./ Westside Corporate Center DRI in accordance with the approved Park Square at Doral Planned Unit Development (PUD); and

WHEREAS, the applicant has requested approval of the final plat for Park Square at Doral, as described in Exhibit "A" attached hereto, generally located at the generally located Northwest corner of NW 33rd and NW 36th Streets and NW 82nd and theoretical 85th Avenue, in the City of Doral, Miami-Dade County, Florida.; and

WHEREAS, after careful review and deliberation, staff has determined that this application for a modification to the DRI does not constitute a substantial deviation as per section 380.06, Florida Statue; and

WHEREAS, the Miami-Dade County Plat Committee has reviewed this plat and has recommended same for approval; and

WHEREAS, this application/plat has been reviewed for compliance with Chapter 28 of the Miami-Dade County Code by staff and a Professional Surveyor and Mapper and same has been found to be consistent; and

WHEREAS, on September 26, 2007 the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the Notice of Proposed Change (NOPC) and the proposed final plat meet all applicable regulations and is consistent with the proposed CDMP; and

WHEREAS, after careful review and deliberation, staff has determined that this application has complied with the Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

Section 2. The City Council of the City of Doral hereby finds that the proposed change to modify the existing Ryder System, Inc. / Westside Corporate Center DRI in accordance with the approved Park Square at Doral Planned Unit Development (PUD) does not constitute a substantial deviation as per Section 380.06 Florida Statutes.

Section 3. The final plat of Park Square at Doral, as described in Exhibit "A" attached hereto, generally located Northwest corner of NW 33rd and NW

36th Streets and NW 82nd and theoretical 85th Avenue, in the City of Doral, Miami-Dade County, Florida is hereby approved.

Section 4. This resolution is conditioned upon the applicant submitting a performance bond in the amount of \$580,710.00.

Section 5. This resolution shall be recorded in the Public Records of Dade County, Florida, with the Applicant to pay the costs thereof.

Section 6. This resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

[Section left blank intentionally]

WHEREAS, a motion to approve the Resolution was offered by Councilwoman Ruiz. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

| | |
|--------------------------------|--------|
| Mayor Juan Carlos Bermudez | Yes |
| Vice Mayor Peter Cabrera | Absent |
| Councilmember Michael DiPietro | Absent |
| Councilwoman Sandra Ruiz | Yes |
| Councilmember Robert Van Name | Yes |

PASSED AND ADOPTED this 26th day of September, 2007.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



for JOHN J. HEARN, CITY ATTORNEY

EXHIBIT “A”

PARK SQUARE AT DORAL

A PORTION OF TRACTS 20, 21, 22, 23, 24, 25, 26 AND 27 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, IN SECTION 27, TOWNSHIP 53 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, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

PREPARED BY
PULICE LAND SURVEYORS, INC.

3031 NICK HILL ROAD
DORAL, FLORIDA 33066
OFFICIAL NO. 2000-00777 / PLAT NO. 2000-00777
CERTIFICATE OF AUTHORIZATION NO. 10000
JANUARY 2000

PLAT BOOK PAGE

SHEET 1 OF 7 SHEETS

KNOW ALL MEN BY THESE PRESENTS
THAT DORAL HOMES VILLAGE AT DORAL, INC. A FLORIDA CORPORATION (F/A) HAS CAUSED THE ATTACHED PLAT TO BE MADE AND THE ATTACHED PLAT TO BE RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

LEGAL DESCRIPTION:
A PORTION OF TRACTS 20, 21, 22, 23, 24, 25, 26 AND 27 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, IN SECTION 27, TOWNSHIP 53 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, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

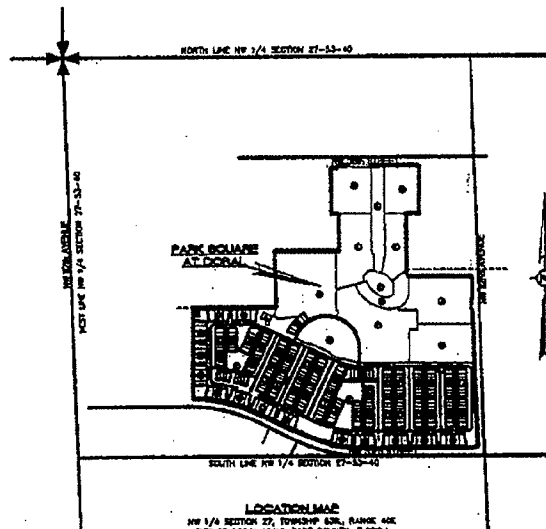
DORAL HOMES VILLAGE AT DORAL, INC.
A FLORIDA CORPORATION
PRINT NAME: _____
TITLE: _____
PRINT NAME: _____
TITLE: _____

ACKNOWLEDGMENT:
STATE OF FLORIDA
COUNTY OF MIAMI-DADE
I, HONORABLE CLERK, DOAL BY THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICIAL, DORAL HOMES VILLAGE AT DORAL, INC. A FLORIDA CORPORATION (F/A) HAS CAUSED THE ATTACHED PLAT TO BE MADE AND THE ATTACHED PLAT TO BE RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

NOTARIES:
PRINTED NAME OF NOTARIES: _____
NOTARY PUBLIC, STATE OF FLORIDA
COMMISSION EXPIRES ON: _____
BY NOTARIES OFFICE

NOTARIES:
KNOW ALL MEN BY THESE PRESENTS
THAT DORAL HOMES VILLAGE AT DORAL, INC. A FLORIDA CORPORATION (F/A) HAS CAUSED THE ATTACHED PLAT TO BE MADE AND THE ATTACHED PLAT TO BE RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

NOTARIES:
PRINT NAME: _____
TITLE: _____
PRINT NAME: _____
TITLE: _____



LOCATION MAP
NW 1/4 SECTION 27, TOWNSHIP 53N, RANGE 40E
CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA
SCALE: 1"=200'

LOCATION MAP
NORTH 1/2 SECTION 27, TOWNSHIP 53N, RANGE 40E
A GOVERNMENT LOT 1 BETWEEN TOWNSHIP 53N & 54N
MIAMI-DADE COUNTY, FLORIDA
SCALE: 1"=200'

NOTARIES:
STATE OF FLORIDA
COUNTY OF MIAMI-DADE
I, HONORABLE CLERK, DOAL BY THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICIAL, DORAL HOMES VILLAGE AT DORAL, INC. A FLORIDA CORPORATION (F/A) HAS CAUSED THE ATTACHED PLAT TO BE MADE AND THE ATTACHED PLAT TO BE RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONCOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

NOTARIES:
PRINTED NAME OF NOTARIES: _____
NOTARY PUBLIC, STATE OF FLORIDA
COMMISSION EXPIRES ON: _____
BY NOTARIES OFFICE

NOTICE:
THIS PLAT, AS RECORDED IN ITS ORIGINAL FORM, IS THE OFFICIAL PLAT OF THE SUBDIVISION. ANY REVISIONS OR AMENDMENTS TO THIS PLAT MUST BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA PLAT ACT, CHAPTER 173, FLORIDA STATUTES. ANY REVISIONS OR AMENDMENTS TO THIS PLAT MUST BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA PLAT ACT, CHAPTER 173, FLORIDA STATUTES.

CITY OF DORAL PLAT RESTRICTIONS:

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THAT THE CITY OF DORAL, FLORIDA, HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF DORAL, FLORIDA, PLAT ACT, CHAPTER 173, FLORIDA STATUTES.

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THAT THE CITY OF DORAL, FLORIDA, HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF DORAL, FLORIDA, PLAT ACT, CHAPTER 173, FLORIDA STATUTES.

KEY MAP NOT TO SCALE

TRACT 25
FLORIDA FRUIT LAND
COMPANY'S SUBDIVISION NO. 1
P. 2, PG 17

8081 N. HILL ROAD
SUNSHINE, FLORIDA 33001
OFFICE NO. 884-677 / FAX NO. 884-677
CERTIFICATE OF AUTHORIZATION NO. L0000
AUGUST 1990

THIS PLAN, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL
 VERSION OF THE SURVEYED LANDS DESCRIBED HEREIN AND SHALL
 BE NO COUNTERPARTS BE SUPPLIED BY AUTHORITY BY ANY OTHER
 GRAPHIC OR DIGITAL FORM OF THE PLAN. THERE MAY BE
 ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED IN THIS PLAN
 THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SHEET 2 OF 7 SHEETS

ALLOSTRETCH HYPOTHESIS

A. PHS

CHANGES: PERMANENT INTERFERENCE IN PRODUCTION OF NEW POLYMER

ALLOSTRETCH HYPOTHESIS: STRETCHES THE LAMINAE VULCANIZATES

B. PHS

CHANGES: PERMANENT CONTROL POINT (IN PLAC OF TRANSITION POINT) IN THE LAMINAE VULCANIZATES

C. PHS

CHANGES: PLAT BOON AND SPACE

D. PHS

CHANGES: CENTRAL LANE

E. PHS

CHANGES: SECTION OF LANE

F. PHS

CHANGES: RUBIN-1 OF LANE

G. PHS

CHANGES: PLAIN

H. PHS

CHANGES: CENTRAL ANGLE

I. PHS

CHANGES: AND OUTLINE

J. PHS

CHANGES: DISTANCE

K. PHS

CHANGES: CROSS BEARING

L. PHS

CHANGES: MECHANICAL LANE

M. PHS

CHANGES: SQUARE PLAT

N. PHS

CHANGES: MULTI LAMINATE

O. PHS

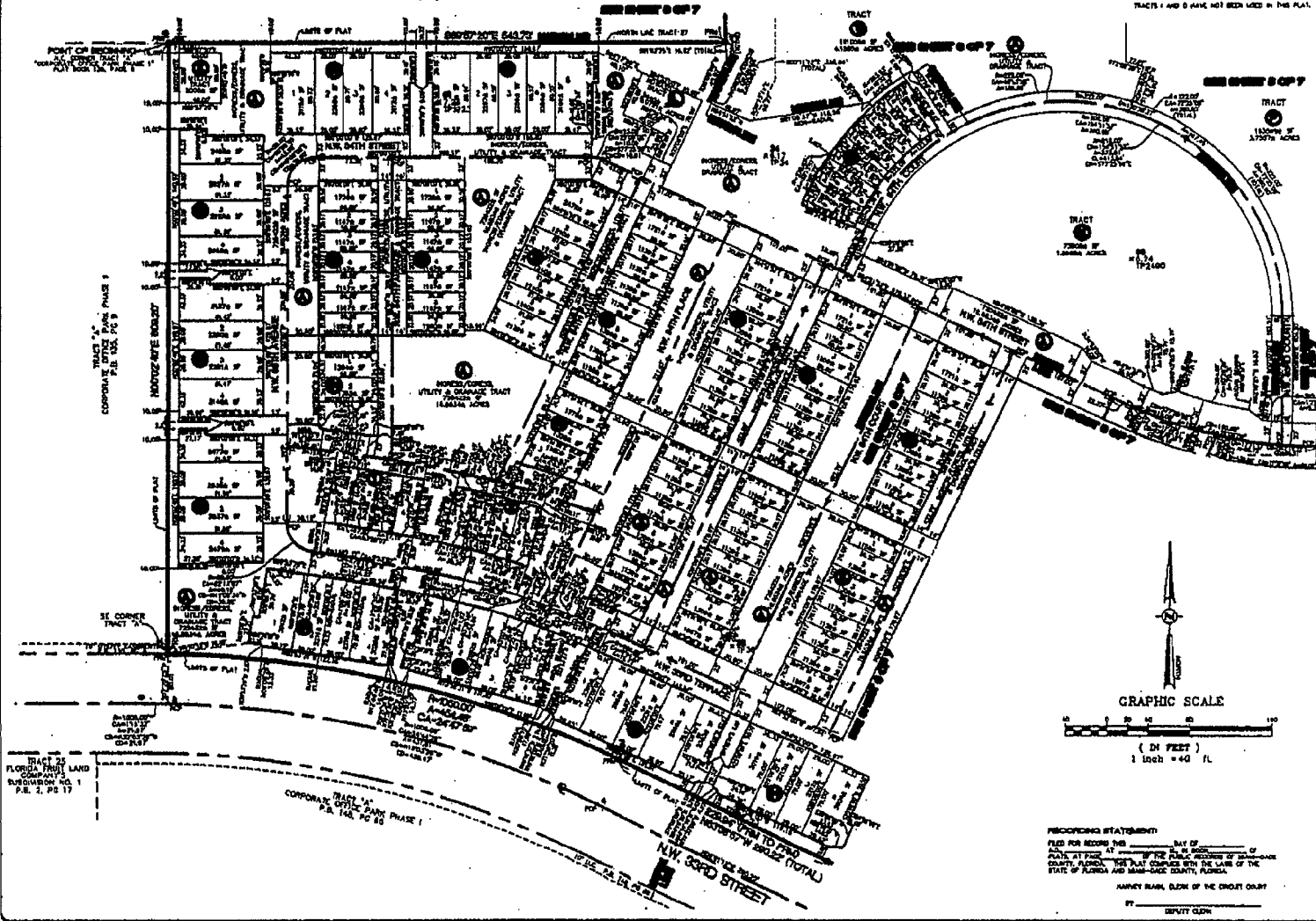
CHANGES: MULTI LAMINATE BATCH A TRENCH

DISPOSITION

REASONING: BASED ON THE EAST LINE OF THE PHS

1/4 OF SECTION 27-30-30-30 NORTHWEST

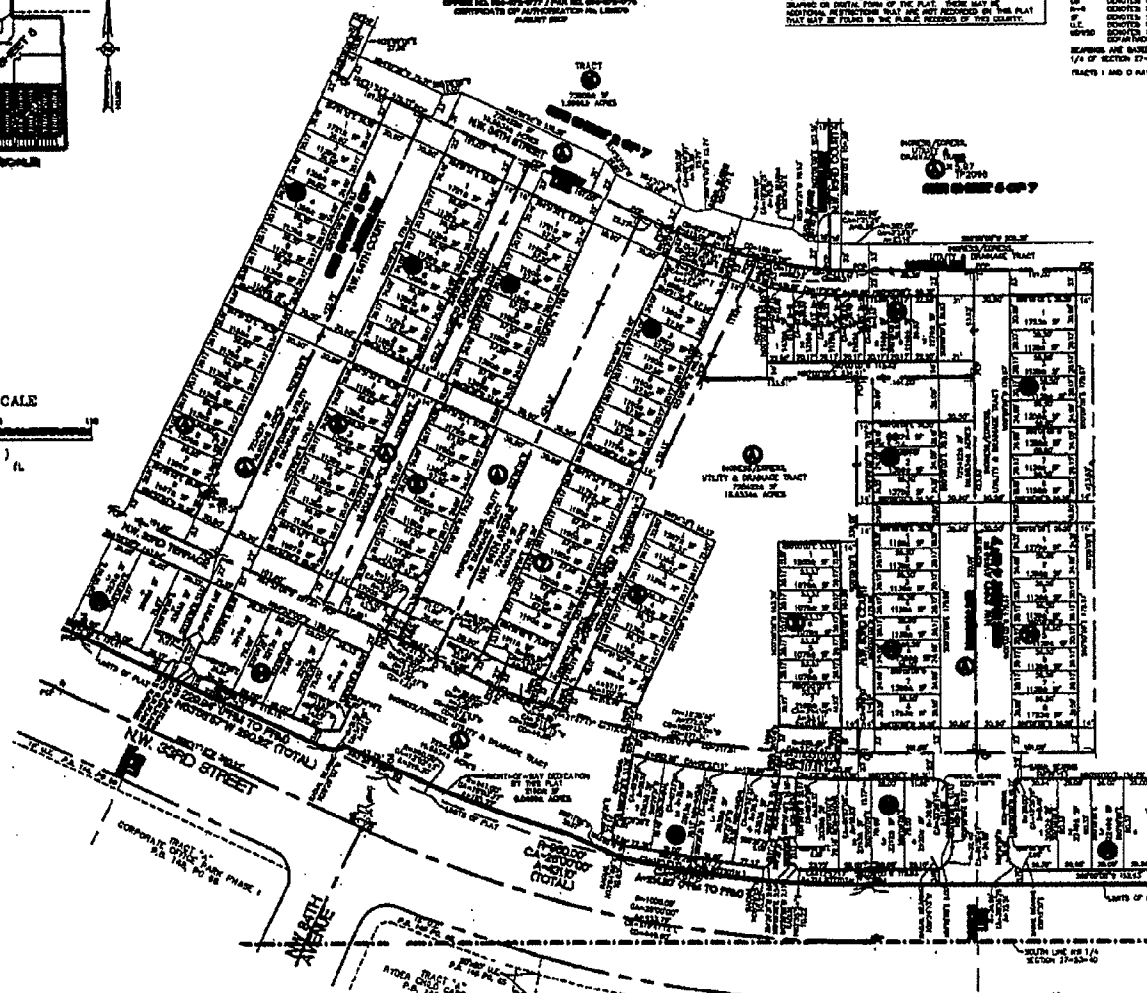
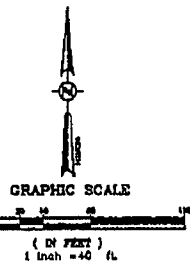
TRACTS A AND D HAVE NOT BEEN USED IN THIS PLAN.



SHEET 3 OF 7 SHEETS

5551 NOB HILL ROAD
SUNRISE, FLORIDA 33001
OFFICE TEL. 954-475-0777 / FAX TEL. 954-475-0777
CERTIFICATE OF AUTHORIZATION No. L1000
AUGUST 1997

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL EVIDENCE OF THE SURVEYED LINES BOUNDING HEREIN AND SHALL IN NO CIRCUMSTANCES BE SUPPLANTED IN ANY MANNER BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL ABSTRACTS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTRY.

[illegible]

RECORDING STATEMENT:
FILE FOR RECORD THIS _____ DAY OF _____
A.D. 19____ AT _____ IN THE COUNTY OF _____ OF
FLORIDA, AT PAGE _____ OF THE PUBLIC RECORDS OF SAID COUNTY,
FLORIDA. THIS FILE COMPLETES WITH THE LATEST OF THE
STATE OF FLORIDA AND MASS-SHARE COUNTY, FLORIDA.
HARVEY RAYMOND GLENN OF THE CIRCUIT COURT
BY _____
DEPUTY CLERK

TRACS "A"
WESTSIDE CORPORATE CENTER SCHOOL
P.O. 155, PG 5

TRACT "A"
WESTSIDE PLAZA
P.B. 154, PG 13

TRACT 8
WESTSIDE PLAZA FIRST ADDITION
P.B. 188 P.C. 11

| PLAT BOOK | PAGE |
|-----------|------|
|-----------|------|

A PORTION OF TRACTS 20, 21, 22, 23, 24, 25, 26 AND 27 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, IN SECTION 27, TOWNSHIP 53 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, TOGETHER WITH A PORTION OF TRACTS 'B' AND 'C' OF DORAL CONDOURSE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 156 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA

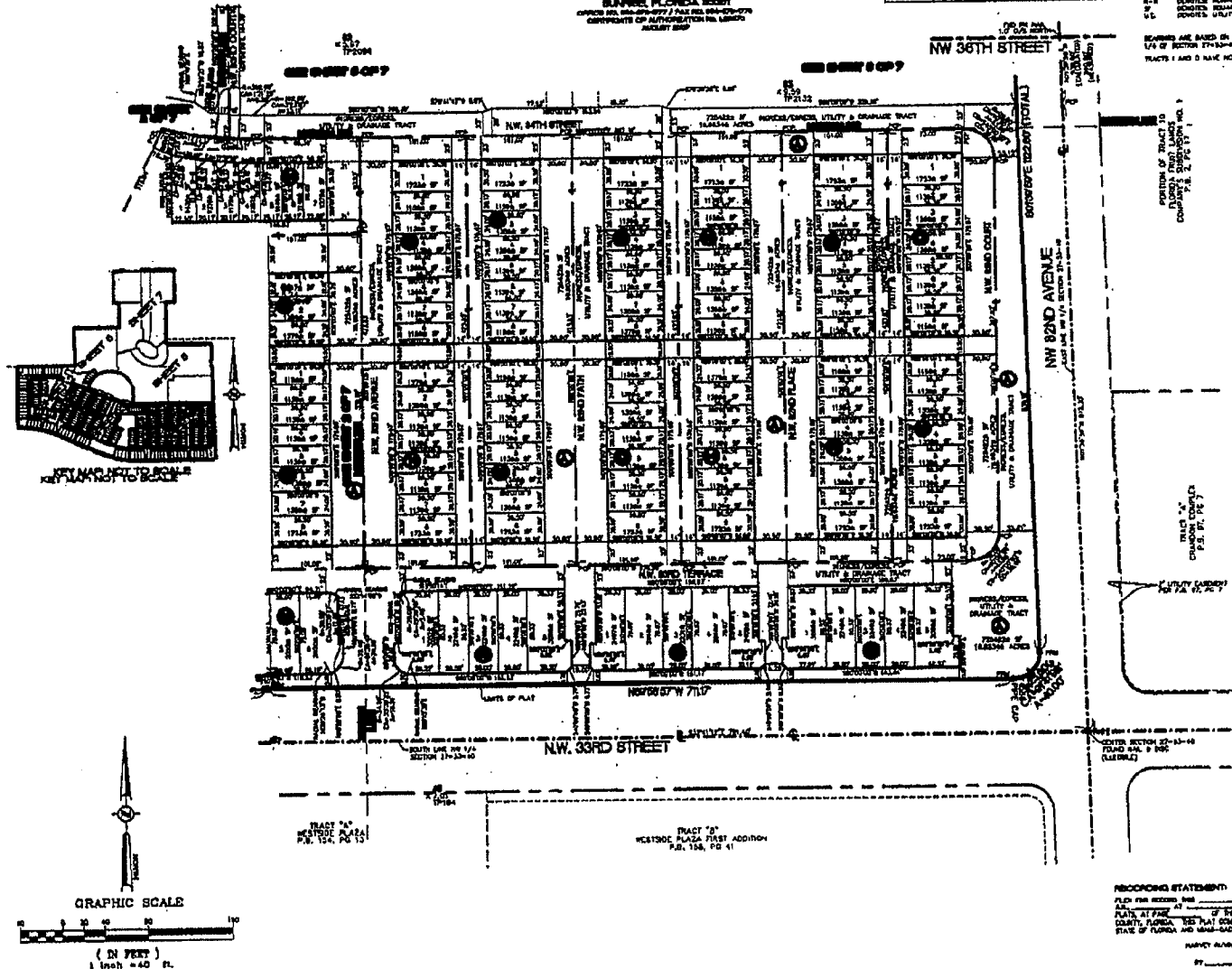
PREPARED BY
PULICE LAND SURVEYORS, INC.

2801 N. HILL ROAD
DUNNELL, FLORIDA 32001
OFFICE NO. 904-679-0777 / FAX NO. 904-679-0778
COPYRIGHT © AUTHORIZATION FOR LENDING
JULY 2002

THE PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL RECORD OF THE SURVEYED LANDS RECORDED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL INSTRUCTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

| ALPHABETIC INDEX | SYMBOLIC INDEX | REFERENCE | REFERENCE | REFERENCE |
|------------------|----------------|-----------|-----------|-----------|
| A | ALPHA | ALPHA | ALPHA | ALPHA |
| B | BETA | BETA | BETA | BETA |
| C | GAMMA | GAMMA | GAMMA | GAMMA |
| D | DELTA | DELTA | DELTA | DELTA |
| E | EPSILON | EPSILON | EPSILON | EPSILON |
| F | FOUR | FOUR | FOUR | FOUR |
| G | FIVE | FIVE | FIVE | FIVE |
| H | SIX | SIX | SIX | SIX |
| I | SEVEN | SEVEN | SEVEN | SEVEN |
| J | EIGHT | EIGHT | EIGHT | EIGHT |
| K | NINE | NINE | NINE | NINE |
| L | TEN | TEN | TEN | TEN |
| M | ELEVEN | ELEVEN | ELEVEN | ELEVEN |
| N | TWELVE | TWELVE | TWELVE | TWELVE |
| O | THIRTEEN | THIRTEEN | THIRTEEN | THIRTEEN |
| P | FOURTEEN | FOURTEEN | FOURTEEN | FOURTEEN |
| Q | FIFTEEN | FIFTEEN | FIFTEEN | FIFTEEN |
| R | SIXTEEN | SIXTEEN | SIXTEEN | SIXTEEN |
| S | SEVENTEEN | SEVENTEEN | SEVENTEEN | SEVENTEEN |
| T | EIGHTEEN | EIGHTEEN | EIGHTEEN | EIGHTEEN |
| U | NINETEEN | NINETEEN | NINETEEN | NINETEEN |
| V | TWENTY | TWENTY | TWENTY | TWENTY |
| W | ONE | ONE | ONE | ONE |
| X | TWO | TWO | TWO | TWO |
| Y | THREE | THREE | THREE | THREE |
| Z | FOUR | FOUR | FOUR | FOUR |

BEARINGS ARE BASED ON THE EAST LINE OF THE RD
1/4 OF SECTION 27-33-80 BEING NORTH 26° 30' E.
TRACTS I AND D HAVE NOT BEEN USED IN THIS PLAN.



RETURNING STATEMENT
 FILED FOR RECORDING THIS _____ DAY OF _____
 A.D. _____ AT _____ IN THE _____
 PLATA AT FIVE _____ OF THE RECORDS OF MAN-SLAVE
 COUNTY, FLORIDA. THIS FILE COMPLETES WITH THE LAWS OF THE
 STATE OF FLORIDA AND MAN-SLAVE COUNTY, FLORIDA.
 HARVEY ALLEN, CLERK OF THE DISTRICT COURT
 BY _____

FLAT BOOK PAGE

SHEET 6 OF 7 SHEETS

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
NOTIFICATION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND SHALL
BE NO LONGER TREATED BE SUPPLANTED IN AUTHORITY BY ANY OTHER
GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE
ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

5301 HOBBS HILL ROAD
SUNSHINE, FLORIDA 33001
OFFICE NO. 954-475-077 / FAX NO. 954-475-07
COMPONENTS OF AUTHORIZATION NO. L800
ALBERT BEEF

[illegible]

MEASUREMENTS ARE BASED ON THE EAST LINE OF THE NW 1/4 OF SECTION 27-25-40 BEING 107.78546".

TRACT 'C'
DORAL EXECUTIVE
OFFICE PARK 2ND ADDITION
P.8. 123 PG 68

TRACT "H"
NORMAL EXECUTIVE OFFICE PARK ZND ADDITIONS
P.B. 172, PG 06

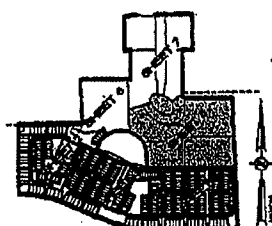
TRACT "A"

PORTION OF TRACT 10
FLORIDA TRAIL LANDS

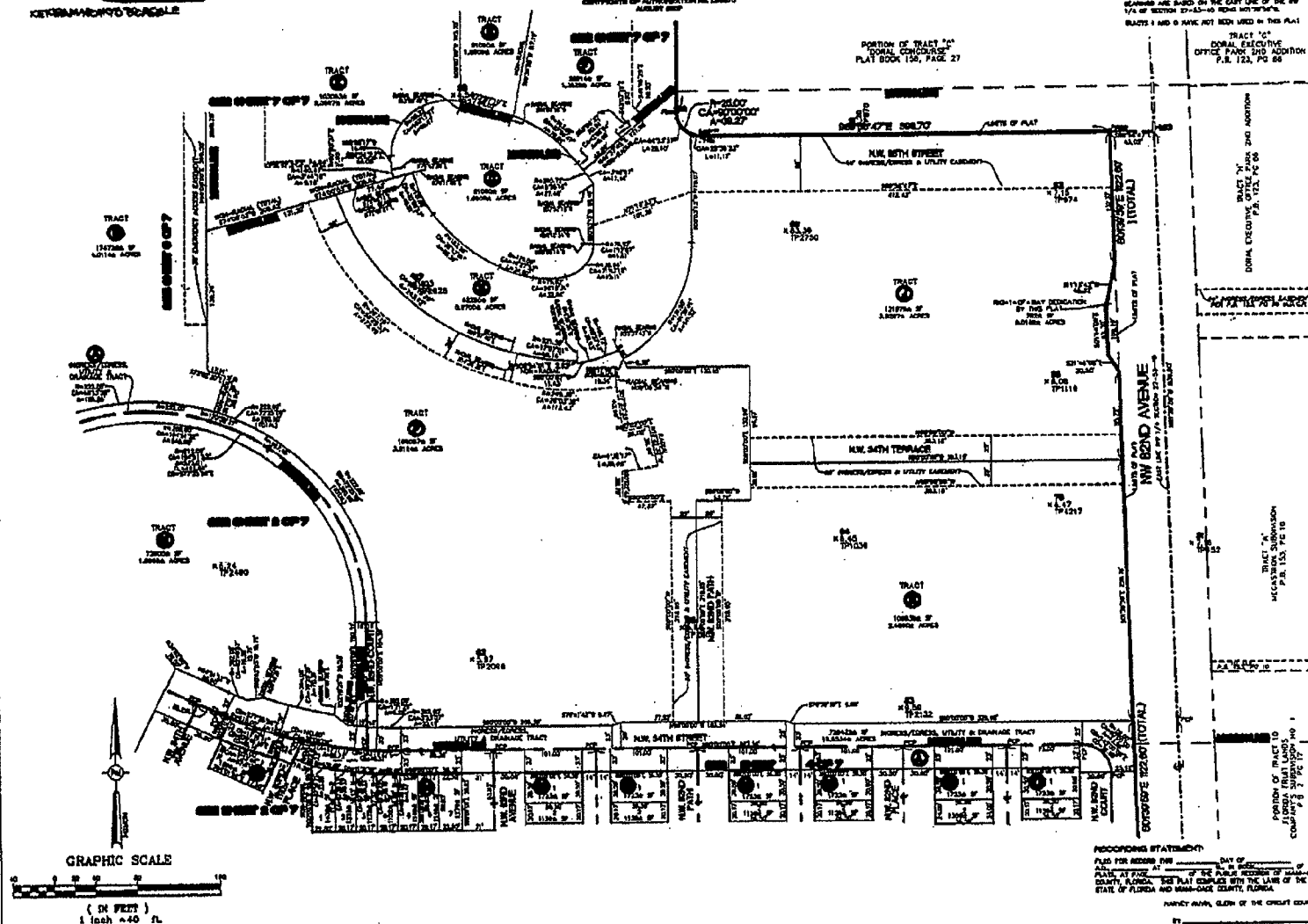
RECORDING STATEMENT

FILED FOR RECORDING THIS _____ DAY OF _____
A.D. _____ AT _____ IN BOOK _____ OF
PLAT, AT PAGE _____ OF THE PUBLIC RECORDS OF HAMS-GAGE
COUNTY, FLORIDA. SEE PLAT COMPLIES WITH THE LAWS OF THE
STATE OF FLORIDA AND HAMS-GAGE COUNTY, FLORIDA.

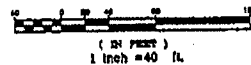
JANET ARNOLD, CLERK OF THE CIRCUIT COURT

In _____
CITY OF _____

KEYWORDS: MARCH 2020



SHEET 6 OF 7 SHEETS

[illegible]

RECOMMENDING STATEMENTS:
FILED FOR RECORD THIS _____ DAY OF _____
A.D. 19____ AT _____ OF THE PUBLIC RECORDS OF MIAMI-DADE
COUNTY, FLORIDA. THIS FILED COMPLIED WITH THE LAWS OF THE
STATE OF FLORIDA AND MIAMI-DADE COUNTY, FLORIDA.
MARVET ALLEN, CLERK OF THE CIRCUIT COURT
BY _____

COUNTY CLERK

| PLAT ROCK | PAGE |
|-----------|------|
|-----------|------|

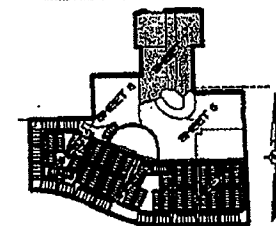
Page 2 of 2

4301 NORTON HILL ROAD
CLINTON, FLORIDA 33001
OFFICE 904-396-8771 / FAX 904-396-8771
CERTIFICATE OF AUTHORIZATION No. LEADS
ALBERT BOFF

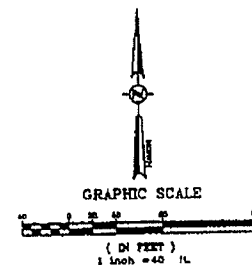
NOTES:
THIS PLAN, AS RECORDED IN ITS GRADING FORM, IS THE OFFICIAL
DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL
BE NO CIRCUMSTANCES BE SUBMITTED IN AUTHORITY BY ANY OTHER
GRADING OR DIGITAL FORM OF THE PLAN. THERE MAY BE
ADDITIONAL RECORDINGS THAT ARE NOT RECORDED ON THIS PLAN
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

[illegible]

SEALCOON ARE BARRIED ON THE EAST LINE OF THE RD
1/4 OF SECTION 27-63-40 BEING NOT BARRIED
TRACTS I AND Q HAVE NOT BEEN USED IN THIS PLAT.



KEY: MAND NOT TO SCALE



RECEIVING STATEMENT
 FILED FOR RECEIVING THIS _____ DAY OF _____
 A.D. 19____ AT _____ OF _____
 PLATE, AT PAGE _____ OF THE PUBLIC RECORDS OF MIAMI-DADE
 COUNTY, FLORIDA. THIS FILE COMPILED WITH THE LAWS OF THE
 STATE OF FLORIDA AND MIAMI-DADE COUNTY, FLORIDA.
 HARVEY AARON CLENN OF THE COUNTY COURT
 BY _____
 CLERK OF COURT

7

ORDINANCE #2010- 01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE NOTICE OF PROPOSED CHANGE (NOPC) TO MODIFY THE EXISTING RYDER SYSTEM INC. / WESTSIDE CORPORATE CENTER DRI OF PARK SQUARE AT DORAL AND MODIFY CONDITION #10 OF MIAMI-DADE COUNTY RESOLUTION Z-258-88, PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND MODIFIED BY MIAMI-DADE COUNTY RESOLUTION Z-15-98, MIAMI-DADE COUNTY RESOLUTION Z-9-03, AND CITY COUNCIL ORDINANCE 2006-17; MODIFY CONDITIONS #11 AND #12 OF MIAMI-DADE COUNTY RESOLUTION Z-258-88, PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND MODIFIED BY MIAMI-DADE COUNTY RESOLUTION Z-15-98, MIAMI-DADE COUNTY RESOLUTION Z-9-03, AND CITY COUNCIL ORDINANCE 2006-17; AND MAKING A FINDING THAT SAID CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION PURSUANT TO SECTION 380.06(19), FLORIDA STATUTES; PROPERTY GENERALLY LOCATED BETWEEN NW 82ND AVENUE AND 87TH AVENUE AND NW 36TH STREET AND NW 33RD STREET IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, Shoma Homes Village at Doral, Inc. and Village at Doral Commercial, ("Applicant") filed a Notice of Proposed Change (the "NOPC") to modify the existing Ryder System, Inc./ Westside Corporate Center DRI (the "DRI") in accordance with the approved Park Square at Doral Planned Unit Development (PUD), for the property generally located between NW 82nd Avenue and 87th Avenue and NW 36th Street and NW 33rd Street, in the City of Doral, Miami-Dade County, Florida seeking a modification of Condition Nos. 10, 11, and 12 of the DRI Development Order, as amended;

WHEREAS, the Applicant has requested a substantial deviation determination for the NOPC request to modify the DRI, in accordance Section 380.06(19), Florida Statutes; and

WHEREAS, after careful review and deliberation, staff has determined that this application for a modification to the DRI does not constitute a substantial deviation as per section 380.06, Florida Statute; and

WHEREAS, on February 10, 2010 the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the Notice of Proposed Change (NOPC) meet all applicable regulations and is consistent with the proposed CDMP; and

WHEREAS, after careful review and deliberation, staff has determined that this application has complied with the Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. Condition Nos. 10, 11, and 12 of the DRI Development Order, as amended, shall now read as follows:

"10. Limit development to those land uses authorized by City of Doral provided, however, that the overall development shall have a maximum of 1,588,563 square

feet of office use, 671,400 square feet of retail use, 740 restaurant seats and a bank, 400 residential dwelling units, and 480 hotel rooms or a combination of uses as provided for in the Equivalency Matrix contained in the attached Exhibit A and generally reflected on the "Park Square at Doral Master Development Plan," prepared by Zyscovich and Associates, dated 12/18/2008. Subsequent plan approval will require compliance with all City of Doral Comprehensive Plan and Land Development Regulations standards, as may be amended from time to time in accordance with the City of Doral Code, and subject to substantial deviation determination, if applicable.

"11. December 31, 2014 is hereby established as the date until which the City of Doral agrees that the Westside Corporate Center/Increment II Corporate Office Park Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the City can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to public health, safety, or welfare.

"12. (For purposes of this paragraph, physical development means that development as defined in §380.04, Florida Statutes.) Physical development of this development has commenced. The termination date for completing development shall be December 31, 2014, provided that the Applicant, its successors, and/or

assigns complies with Condition 19 herein. The termination date may only be modified in accordance with §380.06(19)(c), Florida Statutes."

Section 3. The City Council of the City of Doral hereby finds that the proposed change to modify the existing Ryder System, Inc. / Westside Corporate Center DRI in accordance with the approved Park Square at Doral Planned Unit Development (PUD) does not constitute a substantial deviation as per Section 380.06 Florida Statutes.

Section 3. **Effective Date.** This Ordinance shall be effective upon adoption on second reading.

[Section left blank intentionally]

The foregoing Ordinance was offered by Councilwoman Ruiz, who moved its adoption. The motion was seconded by Vice Mayor Van Name and upon being put to a vote, the vote was as follows:

| | |
|-----------------------------|--------|
| Mayor Juan Carlos Bermudez | yes |
| Vice Mayor Robert Van Name | yes |
| Councilman Peter Cabrera | absent |
| Councilman Michael DiPietro | yes |
| Councilwoman Sandra Ruiz | yes |

PASSED AND ADOPTED on first reading this 13th day of January, 2010.

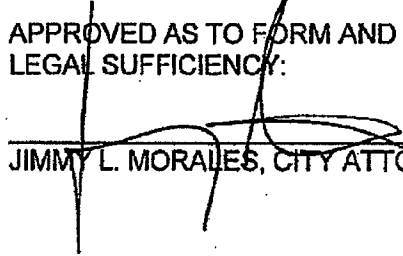
PASSED AND ADOPTED on second reading this 10th day of February, 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:


BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


JIMMY L. MORALES, CITY ATTORNEY

EXHIBIT E



LEGEND

INCREMENT 1

INCREMENT 2

INCREMENT 2

PARK SQUARE AT DORAL

PARK SQUARE at DORAL Doral, FL

MASTER DEVELOPMENT PLAN

DATE 12/18/2008

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ZYSCOVICH
ARCHITECTS

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w www.zyscovich.com