

This instrument prepared by and after
recording return to:

Eve A. Boutsis
Deputy City Attorney
City of Miami Beach
1700 Convention Center Drive
Fourth Floor
Miami Beach, Florida 33139

(Reserved for Clerk of Court)

TANDEM PARKING DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS
("Declaration"), made this 31st day of May, 2017, by Monad Terrace Property
Owner LLC, a Delaware limited liability company, ("Owner"), having an address of 104 5th
Avenue, 9th Floor, New York, New York, 10011, in favor of the City of Miami Beach, Florida, a
municipality of the State of Florida ("City").

WITNESSETH :

WHEREAS, the Owner holds fee-simple title to certain property in the City of Miami
Beach, Florida, located at approximately 1300 Monad Terrace, Miami Beach, Florida, legally
described in Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, the Owner has obtained approval for tandem parking spaces from the
Design Review Board; and

WHEREAS, the Owner is desirous of making a binding commitment as required by the
City Code, Section 130-251, to assure that the Property shall be developed and used in
accordance with representations and commitments made to the Design Review Board;

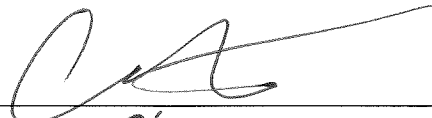
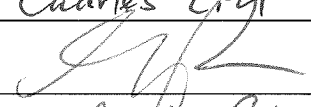
NOW THEREFORE, the Owner voluntarily covenants and agrees that the Property
shall be subject to the following restrictions that are intended and shall be deemed to be
covenants running with the land and binding upon the Owner of the Property, its successors in
interest and assigns, as follows:

1. The recitals and findings set forth in the preamble of this Declaration are hereby
adopted by reference thereto and incorporated herein as if fully set forth in this
Section.
2. Each pair of tandem parking spaces shall be assigned either to use by the valet
operation or to use by a single condominium unit.


3. Each pair of tandem parking spaces assigned to a condominium unit shall be limited to use by the owners of that single condominium unit as required by Section 130-251(c) of the City Code.
4. This voluntary Declaration shall remain in full force and effect and shall be binding upon the Owner of the Property, its successors in interest and assigns for an initial period of thirty (30) years from the date this instrument is recorded in the public records, and shall be automatically extended for successive periods of ten (10) years, unless modified, amended or released prior to the expiration thereof.
5. This Declaration may be modified, amended, or released as to any portion of the Property by a written instrument executed by the then owner(s) of the fee-simple title to the land to be affected by such modification, amendment or release providing that same has been approved by the City's Planning Director, or his successor, after approval by the City Attorney's office. Except that if a condominium, property owners' or master association then exists, the written agreement of such association shall be required in lieu of the fee owner(s) thereof. Should this instrument be so modified, amended, or released the Planning Director, or his successor, or other administrative officer with jurisdiction over the matter, shall execute a written instrument in recordable form effectuating and acknowledging such modification, amendment, or release.
6. Invalidation of any provision of this Declaration by judgment of Court shall not affect any of the other provisions of this Declaration, which shall remain in full force and effect.
7. This Declaration shall be recorded in the Public Records of Miami-Dade County, Florida, at the cost of the Owner.
8. It is understood and agreed that any official inspector of the City of Miami Beach may have the right at any time during normal working hours of entering and investigating the use of the Property, to determine whether the conditions of this Declaration and the requirements of the City's building, zoning and land development regulations are being complied with.
9. An action to enforce the terms and conditions of this Declaration may be brought by the City and may be by action at law or in equity against any party or person violating or attempting to violate any provision of this Declaration or provisions of the building, zoning or land development regulations, either to restrain violations or to recover damages. The prevailing party in the action or suit shall be entitled to recover costs and reasonable attorneys' fees, at all levels of trial and appeal. This enforcement provision shall be in addition to any other remedies available under the law.

[Signature Pages to Follow]

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

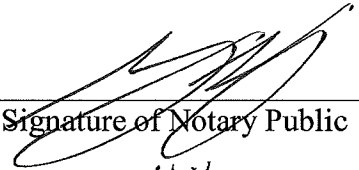

Name: Charles Lynn

Name: Mark Pate

Monad Terrace Property Owner, LLC
A Delaware limited liability company

By: 
Name: Michael Stern
Title: Authorized Signatory

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

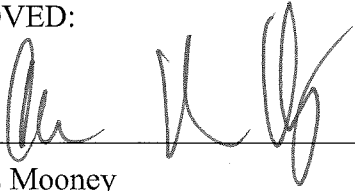
The foregoing instrument was acknowledged before me this 31 day of May, 2017 by Michael Stern as the authorized signatory for Monad Terrace Property Owner, LLC, and a Delaware limited liability company, who has produced personally known as identification and/or is personally known to me and did/did not take an oath.

By: 
Signature of Notary Public
Greg Gleicher
Printed, typed or stamp

My Commission Expires: 3/31/18

Notary Public State of New York
County of New York
Greg D Gleicher
Reg. 01GL6300101
Commission Expires 03/31/2018

APPROVED:

A handwritten signature in dark ink, appearing to read 'Tom Mooney', written over a horizontal line.

Thomas Mooney
Planning Director

APPROVED AS TO FORM &
LANGUAGE & FOR EXECUTION:

A handwritten signature in dark ink, appearing to read 'Raul J. Aguila', written over a horizontal line.

Raul J. Aguila
City Attorney

5/3/17

Exhibit "A"**PARCEL 1: (1300)**

The East 79.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 2: (1305)

The East 65 feet of the South 70 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the map or plat thereof, as recorded in Plat Book 6, Page(s) 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 3: (1310)

The West 64.00 feet of the East 143.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 4: (1315)

The West 50.00 feet of the East 115.00 feet of the South 70.00 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 5: (1320)

The West 64.00 feet of the East 207.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 6: (1325)

The West 50 feet of the East 165 feet of the South 70 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6 at Page 12, lying and being in Miami-Dade County, Florida.

PARCEL 7: (1340)

The West 64.00 feet of the East 271.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 8: (1345)

The West 50 feet of the East 265 Feet of the South 70 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 9: (1355)

The West 50.00 feet of the East 315.00 feet of the South 70.00 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 10: (1360)

The West 64.00 feet of the East 335.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 11: (1365)

The West 50 feet of the East 365 feet of South 70 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, at Page 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 12: (1370)

The West 64.00 feet of the East 399.00 feet of Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and to Lot 2, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

PARCEL 13: (1375)

The West 135.04 feet of the South 70.00 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida; ALSO KNOWN As the South 70.00 feet of Lot 1, LESS the East 365.00 feet thereof, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

PARCEL 14: (1335)

The West 50 feet of the East 215 Feet of the South 70 feet of Lot 1, of Subdivision of Block Eighty of The Alton Beach Realty Company A Part of Alton Beach Bay Front Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.