

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 500 Alton Road,
1220 6th Street.
630 - 650 Alton Road,
659 - 737 West Avenue.

FILE NO. PB18-0251

IN RE: The application for Conditional Use approval for the construction of a new 45-story residential tower at 500 Alton Road and a commercial structure on the 600 block of Alton Road, with the total area exceeding 50,000 square feet, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code.

**LEGAL
DESCRIPTION:** See Exhibit "A"

MEETING DATE: April 30, 2019

CONDITIONAL USE PERMIT

The applicant, KGM Equities, LLC, South Beach Heights I, LLC, 1220 Sixth Street, LLC, 500 Alton Road Ventures, LLC, TCH 500 LLC, and the City of Miami Beach (collectively the applicant), filed an application with the Planning Director requesting a Conditional Use approval for the construction of a new 45-story residential tower at 500 Alton Road and a commercial structure on the 600 block of Alton Road, with the total area exceeding 50,000 square feet, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code.

Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the of the record for this matter:

That the property in question is located in the CD-2, Commercial Medium Intensity zoning district

That the use is consistent with the Comprehensive Plan for the area in which the property is located;

That the intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

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That structures and uses associated with the request are consistent with the Land Development Regulations;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as modified by the Planning Board, that a Conditional Use Permit as requested and set forth above, be GRANTED subject to the following conditions to which the applicant has agreed:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. This Conditional Use Permit is issued to KGM Equities, LLC, South Beach Heights I, LLC, 1220 Sixth Street, LLC, 500 Alton Road Ventures, LLC, TCH 500 LLC, and the City of Miami Beach (collectively the applicant) and owner of the property. For the commercial building on the 600 block, any changes in ownership or 50% (fifty percent) or more stock ownership, or the equivalent, shall require the new owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department transferring approval to the new owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Business Tax Receipt.
3. The following shall apply to the operation of the entire project:
 - a. The garage shall be in operation 24 hours per day, seven days a week, as proposed by the applicant. There shall be security personnel of at least one person on-site monitoring the garage operation 24 hours a day, seven days a week.
 - b. Warning signs prohibiting horn honking, tire-screaming, or car alarm sounding shall be posted prominently by the applicant or valet operator, and valet attendants shall be instructed to observe them strictly.
 - c. A delivery and refuse plan, including all delivery access points and routes, as well as the location of all trash and refuse areas, shall be provided and shall be subject to the review and approval of staff.
 - d. Valet storage of vehicles by valet operators shall be exclusively for the residential and commercial uses within the 500 and 600 blocks. Valet storage for off-site facilities shall not be permitted.
 - e. Deliveries and trash collection shall take place only at the designated areas proposed by the applicant as shown in the plans.

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- f. Deliveries or trash pick-up shall only be permitted between 9:00 AM and 4:00 PM.
- g. All trash containers shall utilize rubber wheels, as well as a path consisting of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
- h. All trash rooms shall be air conditioned and sound-proofed in a manner to be approved by staff. The doors to the trash rooms shall remain closed and secured when not in use and all trash dumpsters shall be closed at all times except when in use.
- i. Delivery trucks shall not be allowed to idle in loading areas or driveways.
- j. There shall be no queuing of delivery, garbage, or moving trucks in the public right of way or the 6th Street easement. This shall not prevent the use of the loading spaces within the 6th Street easement.
- k. Entertainment establishments, as defined in Chapter 114 of the City's Land Development Regulations, shall not be permitted anywhere on the subject parcels.
- l. Neighborhood Impact Establishments, as defined in Section 142-1361 of the City's Land Development Regulations, shall not be permitted anywhere on the subject parcels.
- m. Except as may be required for Fire, Building, or Life Safety Code purposes, no speakers of any kind shall be affixed to, installed, or otherwise located on the exterior of the premises within the boundaries of the project, except for a distributed sound system, subject to the review and approval of staff.
- n. No patrons shall be allowed to queue on public rights-of-way.
- o. The hours of operation of any restaurant/food sales or alcoholic beverage establishment within the boundaries of the project shall be limited to 6:00 AM through 2:00 AM, seven (7) days a week. All outdoor dining areas, including sidewalk cafes, shall close no later than 11:00 PM from Sunday through Thursday, and no later than 12:00 AM on Friday and Saturday nights. Commercial uses on rooftops shall be limited to restaurants only.
- p. No exterior bars or accessory outdoor bar counters shall be permitted anywhere on the premises.
- q. A maximum of 11,500 square feet of enclosed area on the 600 Block of Alton Road may be utilized for food and beverage establishments.
- r. The maximum number of seats in the aggregate for the 600 Block of Alton Road shall not exceed 600.
- s. Establishments with sidewalk café permits shall only serve alcoholic beverages at sidewalk cafes during hours when food is served in the restaurant, and shall not be permitted to have outdoor speakers.
- t. Outdoor bar counters shall be prohibited
- u. No special event permits shall be issued for alcoholic beverage establishments.

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4. As part of the Building Permit plans for the project, the applicant shall submit revised architectural drawings, which shall be subject to the review and approval of staff; at a minimum, such plans shall satisfy the following:
 - a. At levels 03 and 04 on the northwest corner of the garage podium, a solid wall of at least 42 inches in height shall be incorporated behind the proposed screen, to minimize sound and lighting impacts to the adjacent residential buildings, in a manner to be reviewed and approved by staff.
 - b. The applicant shall provide a lighting and security features to be reviewed and approved by the Police Department prior to obtaining a building permit.
 - c. All Windows must be hurricane proof impact windows.
 - d. The configuration of the driveways and ramps with the streets shall allow for the raising of the streets if necessary.
 5. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the Planning Director, the applicant shall appear before the Planning Board for a progress report. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
 6. The Planning Board shall retain the right to call the owner or operator back before the Board and make modifications to this Conditional Use Permit should there be valid complaints, as determined by Code Compliance, about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
 7. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
 8. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval.
 9. The applicant shall address the following Transportation, Mobility, Concurrency and Parking requirements:
 - a. The applicant shall coordinate with the City of Miami Beach and Miami-Dade Transit (MDT) for the placement of the bus stop equipped with the bus shelter on Alton Road between 6th Street and 7th Street to best serve the new park.
 - b. Six (6) Months following the opening of the proposed development, the applicant shall engage a traffic engineer to perform a signal timing analysis and coordinate with the City's Traffic Engineer for signal timing optimization at the intersections of Alton Road and 5th Street and Alton Road and 8th Street, West Avenue and 8th Street.
 - c. The applicant agrees to work with City staff to explore providing reasonable access for

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- pedestrians crossing 6th Street during construction, except for periods where such access would not be consistent with public safety.
- d. The Management for all residential and commercial uses shall ensure that deliveries are made as approved in this Conditional Use Permit. At no time shall delivery trucks block traffic flow on the public right-of-way.
 - e. The applicant shall work with the City to determine the best locations for the proposed CitiBike stations surrounding the property, as proposed by the applicant, prior to the approval of a building permit.
 - f. The City's concurrency requirements can be achieved and satisfied through payment of mitigation fees or by entering into an enforceable development agreement with the City. The Transportation and Concurrency Management Division shall make the determination of the project's fair-share mitigation cost. A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.
 - g. The applicant shall submit an MOT (Maintenance of Traffic) plan to Public Works Department and Transportation Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.
 - h. The ride-share drop-off/pick-up location for the residential component shall be modified to include a median to allow for a safe entry and exit from the ride-share vehicles and mitigate pedestrian/passenger safety concerns at this location, in a manner to be reviewed and approved by the Transportation Department.
 - i. The final design and details of the proposed mid-block traffic circle on 6th Street shall be further developed, in a manner to be reviewed and approved by the Transportation Department.
 - j. Evidence of Florida Department of Transportation (FDOT) approval shall be provided for the proposed loading and delivery access on the 500 block of Alton Road. The specifications for the proposed gate, a queuing analysis, and a revised operational plan for the loading and delivery in this location shall be provided for the review and approval of the Planning Department and Transportation Department, prior to the issuance of a building permit.
 - k. The developer shall coordinate with the Transportation Department to develop an acceptable Transportation Demand Management Plan, prior to the issuance of a building permit.
10. The development shall comply with the "Green Buildings" requirements in Chapter 133, Article I of the City Code.
 11. The applicant shall work with City and County staff to and provide an underground water storage facility or other area drainage improvements in order to improve the flooding impacts of potential Biscayne Bay flood events and sea level rise.

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12. The Developer shall complete the construction of the Project in accordance with the phased construction schedule set forth in the Development Agreement, dated January 9, 2019, between the City of Miami Beach and 500 Alton Road Ventures, LLC, 1220 Sixth, LLC, South Beach Heights I, LLC and KGM Equities, LLC, as may be amended by the parties. Any failure to comply with the phased construction schedule set forth in the Development Agreement will result in the expiration of this Conditional Use Permit application and this Order becoming null and void.
13. The applicant shall return to the Planning Board every three (3) months until either a final building permit is issued for Phase 1 of the improvements to the park component of the project (as defined by the Development Agreement approved by the City Commission for the project) or the Board otherwise determines that additional reports are not necessary, in order to provide a progress report on the final design of stormwater, right-of-way, and park improvements.
14. The applicant shall resolve all outstanding violations and fines on the property, if any, prior to appearing before the Design Review Board for approval.
15. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 118-194, of the City Code.
16. Prior to the issuance of a building permit, the applicant shall amend that certain Covenant in Lieu of Unity of Title dated December 4, 2003 as recorded in Book 21893, Page 232 of the Public Records of Miami-Dade County, Florida to reflect the changes to the Floridian parking lot proposed by the applicant, and approved by this Order.
17. The applicant shall amend Sheet AO-28 to clarify that the surface parking lot on the northwest corner of the 600 block of Alton Road and the southwest corner of the 700 block of Alton Road is part of Phase 1 of the project.
18. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
19. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a building permit.
20. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
21. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance,

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Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.

22. Nothing in this Order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as modified by the Planning Board, that the Application for Conditional Use approval is GRANTED for the above-referenced project, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-22, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Planning Board, as determined by staff, entitled "500-600-700 ALTON ROAD", as prepared by Arquitectonica., dated March 11, 2019, modified in accordance with the conditions set forth in this Order and staff review and approval.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in this Order have been met. The issuance of Conditional Use Approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

Dated this 14th day of MAY, 2019.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush, Chief of Planning and Zoning
For The Chairman

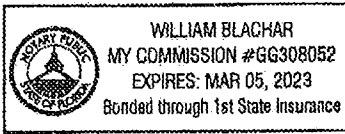
STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 14 day of May, 2019, by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

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[NOTARIAL SEAL]

William Blachar

Notary:

Print Name:

Notary Public, State of Florida

My Commission Expires: March 5th, 2023

Commission Number:

Approved As To Form:

Legal Department

(N. Tallages), 5/9/2019

Filed with the Clerk of the Planning Board on

Jessie G. Gentry

(5/14/19)

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EXHIBIT "A"**LAND DESCRIPTION: (BLOCK 500)**

LOTS 2 THROUGH 16, INCLUSIVE, A PORTION OF LOTS 1, 17, 18 AND 19 AND THAT CERTAIN 15 FOOT VACATED ALLEY LYING WITHIN SAID LOTS, OF "AMENDED PLAT OF AQUARIUM SITE RESUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 11;

THENCE NORTH $89^{\circ}37'30''$ EAST ALONG THE NORTH LINES OF SAID LOTS 10 AND 11, A DISTANCE OF 210.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF $89^{\circ}59'39''$ AND AN ARC DISTANCE OF 31.41 FEET;

THENCE SOUTH $00^{\circ}22'51''$ EAST ALONG THE EAST LINE OF SAID LOTS 1 THROUGH 10, A DISTANCE OF 277.46 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 65.5 FEET, A CENTRAL ANGLE OF $87^{\circ}00'49''$ AND AN ARC DISTANCE OF 99.47 FEET;

THENCE SOUTH $86^{\circ}38'28''$ EAST, A DISTANCE OF 112.67 FEET TO A POINT ON A NON-TANGENT CURVE (A RADIAL LINE THROUGH SAID POINT BEARS SOUTH $19^{\circ}33'06''$ WEST);

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 29.30 FEET, A CENTRAL ANGLE OF $46^{\circ}06'19''$ AND AN ARC DISTANCE OF 23.58 FEET;

THENCE NORTH $24^{\circ}20'35''$ WEST ALONG THE WESTERLY LINE OF SAID LOTS 17 AND 16, A DISTANCE OF 73.04 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 335.75 FEET, A CENTRAL ANGLE OF $23^{\circ}57'44''$ AND AN ARC DISTANCE OF 140.42 FEET (THE LAST DESCRIBED BARING AND DISTANCE IF BEING ALONG THE WEST LINE OF SAID LOTS 16, 15 AND 14);

THENCE NORTH $00^{\circ}22'51''$ WEST ALONG THE WEST LINE OF SAID LOTS 13, 12 AND 11, A DISTANCE OF 130.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

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THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'21" AND AN ARC DISTANCE OF 31.42 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: (BLOCK 600)

A PORTION OF LOTS 1 AND 2, AND LOTS 3 THROUGH 14, INCLUSIVE, AND LOTS 23 THROUGH 32, INCLUSIVE, BLOCK 2, "AMENDED PLAT FLEETWOOD SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 89°37'30" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 111.13 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 73°36'39" AND AN ARC DISTANCE OF 19.27 FEET;

THENCE NORTH 16°45'51" WEST, A DISTANCE OF 51.32 FEET;

THENCE NORTH 11°41'42" WEST, A DISTANCE OF 50.99 FEET;

THENCE NORTH 00°22'51" WEST ALONG THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 250.00 FEET;

THENCE NORTH 89°37'30" EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 10.00 FEET;

THENCE NORTH 00°22'51" WEST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 350.00 FEET;

THENCE NORTH 89°37'00" EAST ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 140.00 FEET;

THENCE SOUTH 00°22'51" EAST ALONG THE EAST LINE OF SAID LOTS 14 THROUGH 11, A DISTANCE OF 200.00 FEET;

THENCE NORTH 89°37'30" EAST ALONG THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 170.00 FEET;

THENCE SOUTH 00°22'51" EAST ALONG THE EAST LINE OF SAID BLOCK 2, A

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DISTANCE OF 495.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF $90^{\circ}00'21''$ AND AN ARC DISTANCE OF 23.56 FEET;

THENCE SOUTH $89^{\circ}37'30''$ WEST ALONG THE SOUTH LINE OF SAID LOT 32, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: (6TH STREET)

A PORTION OF 6TH STREET AS SHOWN ON "AMENDED PLAT OF FLEETWOOD SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND "AMENDED PLAT OF AQUARIUM SITE RESUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 2, OF SAID "AMENDED PLAT OF FLEETWOOD SUBDIVISION";

THENCE NORTH $89^{\circ}37'30''$ EAST ALONG THE SOUTH LINE OF LOT 32, BLOCK 2 OF SAID "AMENDED PLAT OF FLEETWOOD SUBDIVISION" AND THE NORTH RIGHT OF WAY LINE OF SAID 6TH STREET, A DISTANCE OF 155.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF $90^{\circ}00'21''$ AND AN ARC DISTANCE OF 23.56 FEET;

THENCE SOUTH $00^{\circ}22'51''$ EAST, A DISTANCE OF 85.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE NORTHWESTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF SAID 6TH STREET AND ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF $89^{\circ}59'39''$ AND AN ARC DISTANCE OF 31.41 FEET;

THENCE SOUTH $89^{\circ}37'30''$ WEST ALONG THE NORTH LINE OF LOT 10 AND LOT 11 OF "AMENDED PLAT OF AQUARIUM SITE RESUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND THE SOUTH RIGHT OF WAY LINE OF SAID 6TH STREET, A DISTANCE OF 210.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND ALONG

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THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF $90^{\circ}00'21''$ AND AN ARC DISTANCE OF 31.42 FEET;

THENCE NORTH $00^{\circ}22'51''$ WEST, A DISTANCE OF 70.00 FEET;

THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 2, NORTH $89^{\circ}37'30''$ EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE. LYING AND BEING IN THE CITY OF MIAMI BEACH, MIAMI/DADE COUNTY, FLORIDA; CONTAINING 286,149 SQUARE FEET OR 6.5691 ACRES MORE OR LESS.

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