

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER PB20-0392			
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input type="radio"/> Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<input checked="" type="radio"/> Planning Board <input checked="" type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<input type="radio"/> Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other: Application for conditional use approval of a restaurant and darts hall that will operate as a neighborhood impact			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 200 South Pointe Drive			
FOLIO NUMBER(S) 02-4210-000-0134			
Property Owner Information			
PROPERTY OWNER NAME SBOP Retail Property LLC			
ADDRESS 30 W 21 ST 11 Floor	CITY New York	STATE NY	ZIPCODE 10010
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME Oche Miami, LLC			
ADDRESS 15875 Britten Lane	CITY Wellington	STATE FL	ZIPCODE 33414
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS gilles@oche.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Conditional use approval for a restaurant and darts hall to operate as a neighborhood impact establishment. This application is being processed concurrently with a code amendment to permit neighborhood impact establishments as a conditional use in the R-PS4 District.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.		N/A	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		N/A	SQ. FT.
Party responsible for project design			
NAME N/A		<input type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Authorized Representative(s) Information (if applicable)			
NAME Michael W. Larkin, Esq.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Boulevard # 850		CITY Miami	STATE ZIPCODE FL 33131
BUSINESS PHONE 305 374 5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Nicholas Rodriguez, Esq.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Boulevard # 850		CITY Miami	STATE ZIPCODE FL 33131
BUSINESS PHONE 305 374 5300	CELL PHONE	EMAIL ADDRESS nrodriguez@brzoninglaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

Owner of the subject property Authorized representative

[Handwritten signature]

SIGNATURE

Gilles Gillesen*

PRINT NAME

7/23-2020

DATE SIGNED

* Manager of Oche Miami, LLC (tenant)

N/A

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF FLORIDA

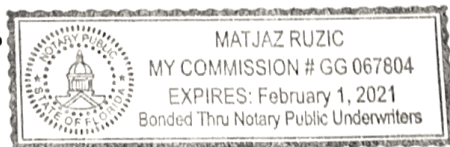
COUNTY OF MIAMI-DADE

I, Gilles Gillesen
manager (print title) of Oche Miami, LLC (tenant) (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 23RD day of JULY, 2020. The foregoing instrument was acknowledged before me by GILLES ARILD GILLESSEN, who has produced FL DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF FLORIDA

Manager of Oche Miami, LLC

COUNTY OF MIAMI - DADO

I, Gilles Gillesen*, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael W. Larkin & Nicholas Rodriguez to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Gilles Gillesen, Manager of Oche Miami, LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 23RD day of JULY, 2020. The foregoing instrument was acknowledged before me by GILLES GILLESEN, who has produced FLID as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires:

NOTARY PUBLIC

MATJAZ RUZIC

PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Oche Miami, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Gilles Gillesen, 15875 Britten Lane Wellington, FL	100%

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	
NAME AND ADDRESS	% INTEREST
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael W. Larkin, Esq.	200 South Biscayne Boulevard # 850	305 374 5300
Nicholas Rodriguez, Esq.	200 South Biscayne Boulevard # 850	305 374 5300

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF FLORIDA

* Manager of Oche Miami, LLC

COUNTY OF MIAMI-DADE

I, Gilles Gillesen*, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

(Handwritten signature of Gilles Gillesen)*

SIGNATURE

Sworn to and subscribed before me this 23RD day of JULY, 2020. The foregoing instrument was acknowledged before me by GILLES ARILD GILLESSEN, who has produced FL ID as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



(Handwritten signature of Matjaz Ruzic)

NOTARY PUBLIC

My Commission Expires: _____

Gilles Gillesen*

PRINT NAME

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
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- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
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The aforementioned is acknowledged by:

Owner of the subject property Authorized representative

PLEASE SIGN AND DATE

[Handwritten Signature] 7/27/20
SIGNATURE

Managing Member,
SBOP Retail Property LLC

* IAN BOULE SCHNER
PRINT NAME

7/27/2020
DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

N/A

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF New York

COUNTY OF New York

I, IAN BRUCE SCHNER Managing Member (print title) of SBOP Retail Property LLC (print name of corporate entity). being first duly sworn, depose and certify as follows: (1) I am the authorized to file this application on behalf of such entity. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

PLEASE SIGN AND DATE

[Signature] 7/27/20

SIGNATURE

Sworn to and subscribed before me this 27th day of July, 2020. The foregoing instrument was acknowledged before me by IAN BRUCE SCHNER, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

CRISTINA MINOVICI
Notary Public, State of New York
No. 01M16374639
Qualified in New York County
Commission Expires April 30 2022

[Signature]

NOTARY PUBLIC

NOTARY SEAL OR STAMP

My Commission Expires: April 30, 2022

CRISTINA MINOVICI

PRINT NAME

Managing Member,
SBOP Retail Property LLC

POWER OF ATTORNEY AFFIDAVIT

STATE OF New York

COUNTY OF New York

I, IAN BRUCE ECHNER, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael W. Larkin, Esq. & Nicholas J. Rodriguez, Esq. to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

IAN BRUCE ECHNER

PLEASE SIGN AND DATE

[Signature] 7/27/20
SIGNATURE

PRINT NAME (and Title, if applicable)

Managing Member,
SBOP Retail Property LLC

Sworn to and subscribed before me this 27th day of July, 2020. The foregoing instrument was acknowledged before me by IAN BRUCE ECHNER, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

CRISTINA MINOVICI
Notary Public, State of New York
No. 01M16374639
Qualified in New York County
Commission Expires April 30 2020

[Signature]
NOTARY PUBLIC

My Commission Expires: APRIL 30, 2022

CRISTINA MINOVICI
PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME	DATE OF CONTRACT
NAME, ADDRESS AND OFFICE	% OF STOCK
_____	_____
_____	_____
_____	_____
_____	_____

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

SBOP RETAIL PROPERTY LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See attached Exhibit B.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	% INTEREST
NAME AND ADDRESS	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Exhibit A Legal Description

Commence (P.O.C.) at the Southeasterly corner of Biscayne Street (formerly Biscayne Avenue) and Washington Avenue, as said Street and Avenue are shown on the SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, Page 77, of the Public Records of Miami - Dade County, Florida, and run South $10^{\circ} 47' 35''$ West, along the Easterly line of said Washington Avenue, a distance of 6.16 feet to a point on the Southerly line of a 6.00 foot Roadway Dedication, said Dedication recorded in Official Records Book 12566, Page 2914, of the Public Records of Miami - Dade County, Florida; thence run North $87^{\circ} 38' 57''$ East, along the Southerly line of said 6.00 foot Dedication, along the existing Southerly line of Biscayne Street, as expanded by said 6.00 foot Dedication, a distance of 566.28 feet to the Point of Beginning of the following described parcel of land; thence continue North $87^{\circ} 38' 57''$ East, along the last described course, for a distance of 69.34 feet to a point; thence run South $01^{\circ} 10' 37''$ West for a distance of 212.06 feet to a point; thence run South $04^{\circ} 09' 08''$ West for a distance of 25.56 feet to a point; thence run North $85^{\circ} 50' 52''$ West for a distance of 4.33 feet to a point; thence run South $04^{\circ} 09' 08''$ West for a distance of 15.63 feet to a point; thence run South $62^{\circ} 18' 04''$ West for a distance of 15.52 feet to a point; thence run South $27^{\circ} 41' 56''$ East for a distance of 4.33 feet to a point; thence run South $62^{\circ} 18' 04''$ West for a distance of 36.38 feet to a point; thence run North $27^{\circ} 41' 56''$ East for a distance of 68.49 feet to a point; thence run North $62^{\circ} 18' 04''$ East for a distance of 2.00 feet to a point; thence run North $27^{\circ} 41' 56''$ West for a distance of 8.33 feet to a point; thence run North $26^{\circ} 10' 10''$ East for a distance of 60.35 feet to a point; thence run North $02^{\circ} 21' 03''$ West for a distance of 154.92 feet to the Point of Beginning.

Said lands lying and being in Section 10, Township 54 South, Range 42 East, City of Miami Beach, Miami-Dade County, Florida.

EXHIBIT

B

Florida Retail Collateral

