



## PB Application- 455 Lincoln Rd.pdf

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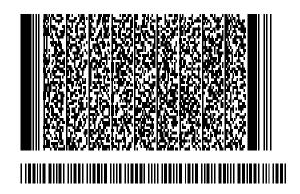
Electronic Notary: Yes / State: FL

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## E-Signature Summary

E-Signature Notary: Diana Ramos (dra) September 23, 2022 05:57:39 -8:00 [611E2C7D200C] [162.244.152.118] dramos@brzoninglaw.com



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## 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.

<b>Application Information</b>					
FILE NUMBER Is the property the primary residence & homestead of		ead of the			
PB22-0553			. ,	∃Yes ■ No	
		(if "Yes," p	rovide office of the pro		
	of Adjustment		_	n Review B	oard
☐ Variance from a provision		gulations	Design review approval		
☐ Appeal of an administrativ			□ Variance		
☐ Modification of existing Bo			☐ Modification of existing Board Order  Historic Preservation Board		
■ Conditional Use Permit	nning Board		☐ Certificate of Appropriateness for design		
☐ Lot Split			☐ Certificate of Appropriateness for design		
☐ Amendment to the Land De	evelonment Regulations or 7a	onina Man	☐ Historic District/Sit	-	
☐ Amendment to the Compre	•	•	☐ Variance	o Designano.	•
☐ Modification of existing Bo		ouo map	☐ Modification of exi	stina Board (	Order
☐ Other:					
Property Information - P	Please attach Legal Desc	ription as	"Exhibit A"		
ADDRESS OF PROPERTY		-			
455 Lincoln Road					
FOLIO NUMBER(S)					
02-3234-005-0	0100				
Property Owner Information					
PROPERTY OWNER NAME LINCOLN DREXEL LTD LINCOLN DREXEL II LTD					
ADDRESS DREXEL	Δ\/F STF 208	Miam	ni	STATE <b>F</b> I	33139
					33133
BUSINESS PHONE	CELL PHONE	EMAIL AD	DRESS		
Applicant Information (if	f different than owner)				
APPLICANT NAME					
Opereta Ciud	ad Del Sol, L	LC			
ADDRESS		CITY		STATE	ZIPCODE
455 Lincoln Ro	oad	∣Miam	)I	FL	33139
BUSINESS PHONE CELL PHONE EMAIL ADDRESS					
(305)374-5300 mlarkin@brzoninglaw.co			inglaw.com		
Summary of Request					
PROVIDE A BRIEF SCOPE OF	REQUEST				
Conditional Use Permit for a Neighborhood Impact Establishment with Entertainment					

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Project Information						
Is there an existing building(s) on the site?				■ Yes	□ No	
If previous answer is "Yes", is the building architecturally significant per sec. 142-			sec. 142-108?	☐ Yes	□ No	
Does the project include inte	erior or exterior demolition?			☐ Yes	■ No	
Provide the total floor area o	of the new construction.				SQ. FT.	
Provide the gross floor area	of the new construction (includ	ding required p	parking and all u	sable area).	SQ. FT.	
Party responsible for p	roject design					
Omar Morale	es	■ Architect □ Engineer	□ Contractor □ Tenant	□ Landscape Arc □ Other	hitect	
ADDRESS 4300 SW 73 Av	enue, Suite 106	Miami		FL STATE	33155	
BUSINESS PHONE (305) 443-4244		Omar (	Omar@formgroup.com			
<b>Authorized Representat</b>	tive(s) Information (if app	licable)				
Michael W Larkin		■ Attorney □ Agent	□ Contact □ Other			
ADDRESS 200 South Biscayne Boulevard, Suite 300		Miami		FL STATE	33131	
BUSINESS PHONE (305)374-5300	CELL PHONE	EMAIL ADDRI MLarkin		nglaw.com		
Shakeyla Flores		■ Attorney □ Agent	□ Contact □ Other			
ADDRESS 200 South Biscayne	Boulevard, Suite 300	Miami		FL STATE	ZIPCODE 33131	
BUSINESS PHONE (305)374-5300	CELL PHONE	sflores@	ess Dbrzoning	glaw.com		
NAME		☐ Attorney ☐ Agent	□ Contact □ Other_			
ADDRESS		CITY		STATE	ZIPCODE	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRI	ESS	•		

## 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).

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## 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".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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
		Jeffrey Rosenberg
		SIGNATURE
	Jeffrey Ros	senberg
		PRINT NAME
		9/22/2022
	<del></del>	DATE SIGNED

## **OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF	
COUNTY OF	
I,	als, are true and correct to the best of my knowledge on may be publicly noticed and heard by a land ion submitted in support thereof must be accurate. (4) y for the sole purpose of posting a Notice of Public
Sworn to and subscribed before me this day of acknowledged before me by identification and/or is personally known to me and who did/did not to	signature, 20 The foregoing instrument was, who has produced as ake an oath.
NOTARY SEAL OR STAMP	NOTARY PUBLIC
My Commission Expires:	PRINT NAME
STATE OF Florida  COUNTY OF Miami-Dade	INERSHIP OR LIMITED LIABILITY COMPANY
President (print title) of Lincoln Drexel LTD authorized to file this application on behalf of such entity. (3) This application, including sketches, data, and other supplementary matericand belief. (4) The corporate entity named herein is the owner of the acknowledge and agree that, before this application may be publicly rapplication must be complete and all information submitted in support the City of Miami Beach to enter my property for the sole purpose of prequired by law. (7) I am responsible for remove this notice after the days	cation and all information submitted in support of this als, are true and correct to the best of my knowledge property that is the subject of this application. (5) I noticed and heard by a land development board, the thereof must be accurate. (6) I also hereby authorize osting a Notice of Public Hearing on my property, as
Sworn to and subscribed before me this 22 day of September acknowledged before me by identification and/or is personally known to me and who did/did not to NOTARY SEAL OR STAMP	, 20_22 . The foregoing instrument was as ake an oath.
My Commission Expires:  Diana Ramos Commission # GG 308355 Notary Public - State of Florida My Commission Expires Apr 10, 2023	NOTARY PUBLIC  Diana Ramos  PRINT NAME

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## **POWER OF ATTORNEY AFFIDAVIT** STATE OF Florida COUNTY OF Miami-Dade Jeffrey Rosenberg \_, 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 Bercow Radell Fernandez Larkin & Tapanes 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. Jeffrey Rosenberg, President PRINT NAME (and Title, if applicable) Sworn to and subscribed before me this <u>22</u> day of <u>September</u> \_\_\_\_ , 20<u>22</u>. 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 **Diana Ramos NOTARY PUBLIC** Commission # GG 308355 Notary Public - State of Florida Diana Ramos My Commission Expires Apr 10, 2023 My Commission Expires: **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. N/A N/A **NAME** DATE OF CONTRACT % OF STOCK NAME, ADDRESS AND OFFICE

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.

## **OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF	
COUNTY OF	
I,, being first duly sworn, deposite the property that is the subject of this application. (2) This application a application, including sketches, data, and other supplementary materials, and belief. (3) I acknowledge and agree that, before this application madevelopment board, the application must be complete and all information sure also hereby authorize the City of Miami Beach to enter my property for Hearing on my property, as required by law. (5) I am responsible for remove	re true and correct to the best of my knowledge may be publicly noticed and heard by a land abmitted in support thereof must be accurate. (4) the sole purpose of posting a Notice of Public
	SIGNATURE
Sworn to and subscribed before me this day of	, 20 The foregoing instrument was
acknowledged before me by, identification and/or is personally known to me and who did/did not take a	n oath.
NOTARY SEAL OR STAMP	
NOTART SEAL OR STAWF	NOTARY PUBLIC
W C	
My Commission Expires:	PRINT NAME
STATE OF Florida  COUNTY OF Miami Dade	SHIP OR LIMITED LIABILITY COMPANY
Authorized representative (print title) of Opereta Ciudad Del Sol, LLC authorized to file this application on behalf of such entity. (3) This application application, including sketches, data, and other supplementary materials, and belief. (4) The corporate entity named herein is the owner of the propacknowledge and agree that, before this application may be publicly notice application must be complete and all information submitted in support there the City of Miami Beach to enter my property for the sole purpose of posting required by law. (7) I am responsible for remove this notice after the date of	(print name of corporate entity). (2) I am n and all information submitted in support of this re true and correct to the best of my knowledge erty that is the subject of this application. (5) I ad and heard by a land development board, the of must be accurate. (6) I also hereby authorize a Notice of Public Hearing on my property, as the hearing.
Sworn to and subscribed before me this day of	<b>SIGNATURE</b> , 2022 The foregoing instrument was
acknowledged before me by, identification and/or is personally known to me and who did/did not take a	who has produced as
NOTARY SEAL OR STAMP	Signed on 2022-08/23 05-57-30-8:00
Diana Ramos Commission # GG 308355	NOTARY PUBLIC
My Commission Expires: My Commission Expires Apr 10, 2023	Diana Ramos
	PRINT NAME
Notary Stamp 2022/09/23 05:57:39 PST 611E2C7D200C	

Alan Khoudari, Authorized Representative PRINT NAME (and Title, if applicable)

STATE OF Florida

COUNTY OF Miami Dade

ر Alan Khoudari Abitbol

property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell Fernandez Larkin & Tapanes 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

Sworn to and subscribed before me this <u>22</u> day of <u>September</u>, 20<u>22</u>. The foregoing instrument was

\_\_\_\_\_, being first duly sworn, depose and certify as follows: (1) I am the owner or

## 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	200 South Biscayne Boulevard, Suite 300	(305)374-5300
Shakeyla Flores	200 South Biscayne Boulevard, Suite 300	(305)374-5300
Additional names can be placed on a sep	arate 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

## **COUNTY OF Miami-Dade** Alan Khoudari Abitbol, 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. September 20\_22\_. The foregoing instrument was Sworn to and subscribed before me this \_\_\_\_\_ day of acknowledged before me by \_ who has produced identification and/or is personally known to me and who did/did not take an oath. NOTARY SEAL OR STAMP **NOTARY PUBLIC** Diana Ramos Commission # GG 308355 Notary Public - State of Florida Diana Ramos My Commission Expires: My Commission Expires Apr 10, 2023 **PRINT NAME**

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.

Lincoln Drexel Ltd.	
NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See attached Exhibit A.	50%
	-
Lincoln Drexel II, Ltd	
NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See attached Exhibit A.	50%
See attached Exhibit A.	30 76
	-

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.

See attached Exhibit A

## 1A648EF1-C58D-4EAB-ADFD-681183656280 --- 2022/09/23 05:54:44 -8:00

## **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

## **EXHIBIT A**

## **Lincoln Drexel Building**

**Ownership** 

Lincoln Drexel Ltd., and Lincoln Drexel II, Ltd, Florida
Limited Partnerships dba Lincoln Drexel Building

EIN# 65-0756734 3921 Alton Rd. #463, Miami Beach, FL 33140

**Lincoln Drexel Ltd.** 

50%

100%

EIN# 65-0724825

3921 Alton Rd. #463, Miami Beach, FL 33140

Ownership:

Morris Rapport Irrevocable Trust

99% 0.00%

EIN# 20-6376965 (U.A.D. 12/12/2003)

9350 W. Bay Harbor Dr. #7C, Bay Harbor ,FL 33154

Robert Rapport & Lillian Rosenberg, Co-Trustees

General Partner (Corporation):

Lincoln-Drexel Inc.

1% 0.00%

EIN# 65-0717673

3921 Alton Rd. #463, Miami Beach, FL 33140

Jeffrey Rosenberg, President

Ownership:

**Morris Rapport Revocable Trust** (U.A.D 3/11/2003)

100%

9350 W. Bay Harbor Dr. #7C, Bay Harbor ,FL 33154 Robert Rapport & Lillian Rosenberg, Co-Trustees

Lincoln Drexel II, Ltd.

50%

EIN# 65-0756722

3921 Alton Rd. #463, Miami Beach, FL 33140

Owners:

AJELROSE, LP, a Nevada L.P.

99%

Fed ID# 20-2036041

8700 SW 54 Ave, Miami, FL 33143

Ownership:

**Towne Square Trust - (U/A/D 12/8/2010)** 

49.95% 0.00000%

Fed ID# 27-695028

8700 SW 54 Ave, Miami, FL 33143

Jeffrey & Lillian Rosenberg, Co-Trustees , (LR Grantor)

Jeffrey P. Rosenberg Dynasty Trust (U.A.D. 12/21/20 49.95% 0.00000%

Fed ID# 46-6503630

8700 SW 54 Ave, Miami, FL 33143

Lillian Rosenberg, Trustee (JR Grantor)

Rosenberg GP Trust (General Partner) (U.A.D. 9/29/20 0.10% 0.00000%

Fed ID# 20-6384651

8700 SW 54 Ave, Miami, FL 33143

Jeffrey & Lillian Rosenberg, Co-Trustees (LR Grantor)

**General Partner (Corporation):** 

Lincoln Drexel B, LLC 1% 0.50%

EIN# 81-5333013

3921 Alton Rd, #463, Miami Beach, FL33140 Jeffrey Rosenberg , Managing Member



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.

## Opereta Ciudad Del Sol, LLC

## NAME OF CORPORATE ENTITY

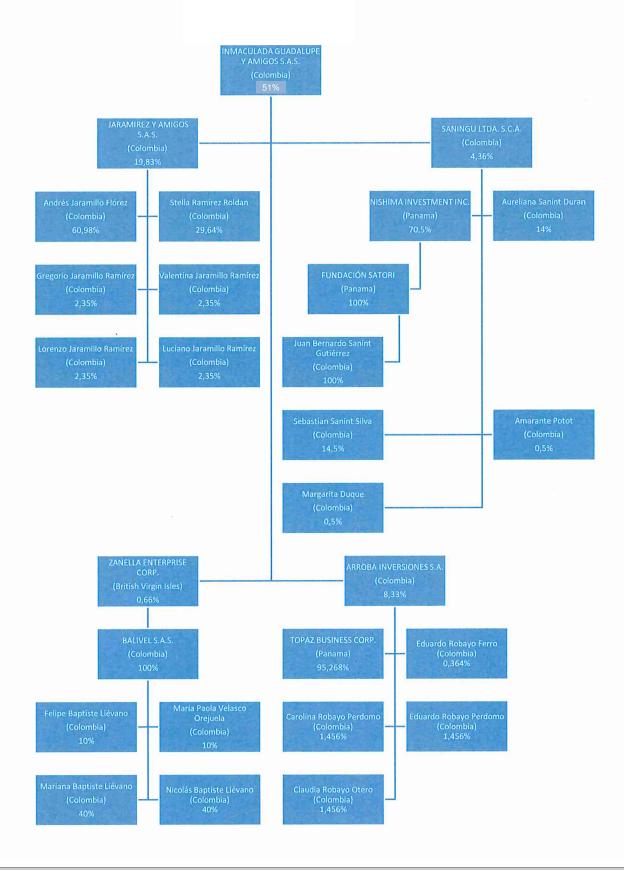
NAME AND ADDRESS	% OF OWNERSHIP
Inmaculada Guadalupe y Amigos S.A.S. (See attached Exhibit B)	51%
Lincoln Eats LLC (See attached Exhibit C)	30%
Quantum Investments LLC (See attached Exhibit C)	5%
AJLM Foodservice Inc (See attached Exhibit D)	14%
	<u></u>
NAME OF CORPORATE ENTITY	-
NAME AND ADDRESS	% OF OWNERSHIP
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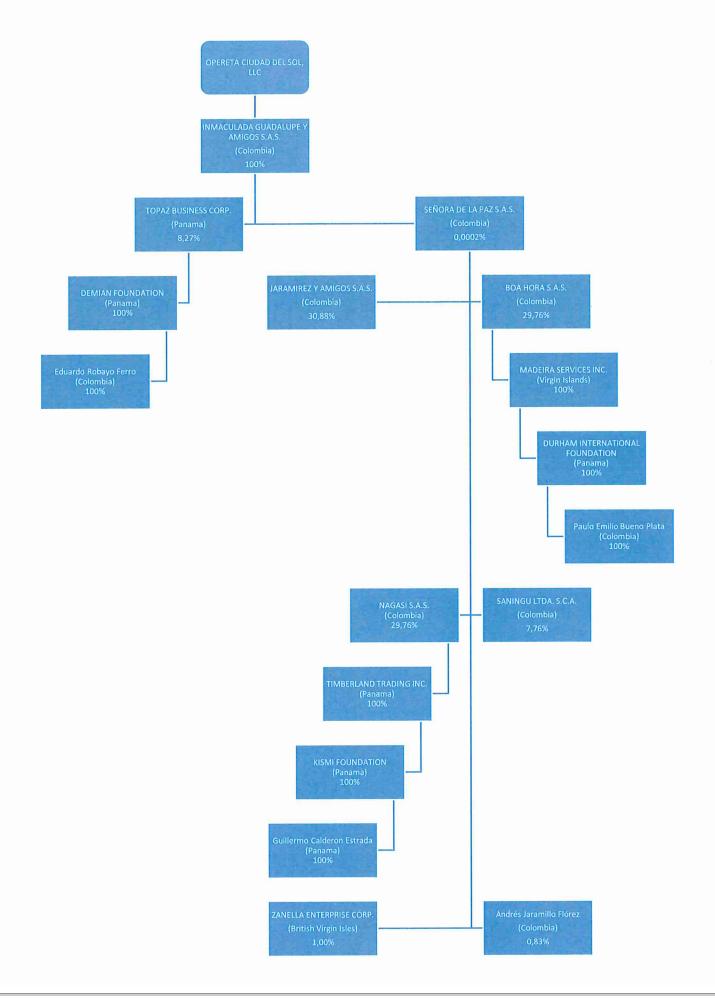
If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

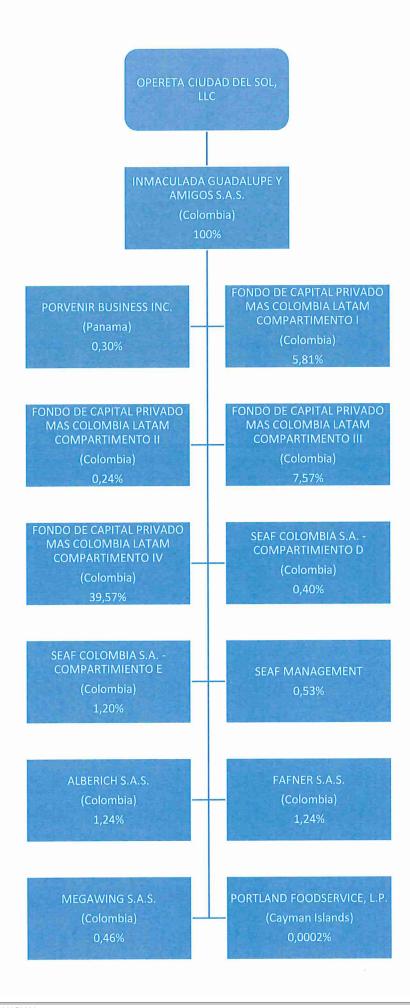
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## **EXHIBIT B**

## **DISCLOSURE OF INTEREST**









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

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## Lincoln Eats LLC

## NAME OF CORPORATE ENTITY NAME AND ADDRESS % OF OWNERSHIP 50% Alan Khoudari 2110 Lucerne Ave Miami Beach, Fl 33140 50% Elyse Khoudari 2110 Lucerne Ave Miami Beach Fl 33140 Quantum Investments LLC NAME OF CORPORATE ENTITY % OF OWNERSHIP NAME AND ADDRESS 25% Alan Sudarsky 169 E FLAGLER STREETSUITE 932 MIAMI, FL 33131 25% Giannina Botero 169 E FLAGLER STREETSUITE 932 MIAMI, FL 33131 50% Roberto Caridi 169 E FLAGLER STREETSUITE 932 MIAMI, FL 33131

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.

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**AJLM Foodservice Inc** 

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.

## NAME OF CORPORATE ENTITY NAME AND ADDRESS % OF OWNERSHIP 100% Antonio Ortiz 1410 20TH STREET, SUITE 204 Miami Beach, FL 33139 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.

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I, Alan Khoudari Abitbol, confirm that every individual holding a 5% or greater interest in the applicant/owner entities has been disclosed.

Agreed to as set forth above by:

Print Name:

Mr. Alan Khoudari Abitbol

DocuSigned by:

Signature: B02CA3CC1B6D4C0.

Mr. Alan Khoudari Abitbol