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
PB23-0604

○ Board of Adjustment	○ Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
◉ Planning Board	**○ Historic Preservation Board**
■ Conditional use permit	☐ Certificate of Appropriateness for design
☐ Lot split approval	☐ Certificate of Appropriateness for demolition
☐ Amendment to the Land Development Regulations or zoning map	☐ Historic district/site designation
☐ Amendment to the Comprehensive Plan or future land use map	☐ Variance

☐ **Other:**

Property Information - Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
230 Lincoln Road

FOLIO NUMBER(S)
02-3234-019-0860

Property Owner Information

PROPERTY OWNER NAME
230 Lincoln MB Title LLC

ADDRESS	CITY	STATE	ZIPCODE
2665 S Bayshore Drive, 100	Miami	FL	33133

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
305-856-6131 x 340		ddominguez@bayshoregrovemgmt.com

Applicant Information (if different than owner)

APPLICANT NAME
Five Below Inc.

ADDRESS	CITY	STATE	ZIPCODE
701 Market Street, Suite 600	Philadelphia	PA	19106

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
978-833-6945		Angela.Petralia@fivebelow.com / elizabeth.lanza@fivebelow.com

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
Conditional Use Permit for the proposed 5 Below tenant located at 230 Lincoln Road.

Project Information				
Is there an existing building(s) on the site?		■ Yes	☐ No	
Does the project include interior or exterior demolition?		☐ Yes	■ 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 Barr Architecture, Inc.		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 5011 South State Road 7, Suite #107		CITY Davie	STATE FL	ZIPCODE 33314
BUSINESS PHONE 954-418-2277	CELL PHONE	EMAIL ADDRESS		
Authorized Representative(s) Information (if applicable)				
NAME Alfredo J. Gonzalez (Greenberg Traurig, P.A.)		■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 333 SE 2nd Avenue, 44th Floor		CITY Miami	STATE Florida	ZIPCODE 33131
BUSINESS PHONE 305-579-0588	CELL PHONE	EMAIL ADDRESS gonzalezaj@gtlaw.com		
NAME Devon Vickers (Greenberg Traurig, P.A.)		■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 333 SE 2nd Avenue, 44th Floor		CITY Miami	STATE Florida	ZIPCODE 33131
BUSINESS PHONE 305-579-0827	CELL PHONE	EMAIL ADDRESS vickersd@gtlaw.com		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ 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

SIGNATURE

Dania Bermudez

on behalf of 230 Lincoln MB Title, LLC **PRINT NAME**

09/15/23

DATE SIGNED

DocuSign Envelope ID: B17561C6-52BB-465A-992A-98003ADD7CA1

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

DocuSigned by:
Angela Petralia
D03FA3149304462...

SIGNATURE

Angela Petralia on behalf of Five Below Inc.

PRINT NAME

9/29/2023

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF Florida

COUNTY OF Miami-Dade

I, Daniel Dominguez, 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 Florda

COUNTY OF Miami Dade

I, Daniel Dominguez, being first duly sworn, depose and certify as follows: (1) I am the CFO (print title) of 230 Lincoln MB Title LLC (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 15th day of September , 2023. The foregoing instrument was acknowledged before me by Daniel Dominguez , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

MARIA D GONZALEZ
Notary Public - State of Florida
Commission # HH 124863
My Comm. Expires May 2, 2025
Bonded through National Notary Assn.

mgonzales
NOTARY PUBLIC

My Commission Expires: 5/2/2025

Maria Gonzalez
PRINT NAME

DocuSign Envelope ID: B17561C6-52BB-465A-992A-98003ADD7CA1

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 Pennsylvania

COUNTY OF Philadelphia

I, Angela Petralia, being first duly sworn, depose and certify as follows: (1) I am the Real Estate Manager (print title) of Five Below Inc. (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.

DocuSigned by:
Angela Petralia
D03FA3149304462...

SIGNATURE

Sworn to and subscribed before me this 29th day of September , 2023. The foregoing instrument was acknowledged before me by Angela Petralia , who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

ADAM MCLANE
Notary Public - Notary Seal
Commonwealth of Pennsylvania
Philadelphia County
Commission Number 1298264
My Commission Expires 5/12/2024

DocuSigned by:
45309685BD4F4C3...

NOTARY PUBLIC

My Commission Expires: May 12th, 2024

Adam McLane

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Daniel Dominguez, 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 Alfredo J. Gonzalez 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.

Daniel Dominguez — **PRINT NAME (and Title, if applicable)**

on behalf of 230 Lincoln MB Title LLC

SIGNATURE

Sworn to and subscribed before me this 15 day of September, 2023. The foregoing instrument was acknowledged before me by Daniel Dominguez, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

MARIA D GONZALEZ
Notary Public - State of Florida
Commission # HH 124863
My Comm. Expires May 2, 2025
Bonded through National Notary Assn.

My Commission Expires: 5/2/2025

mgonzalez — **NOTARY PUBLIC**

Maria Gonzalez — **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.

POWER OF ATTORNEY AFFIDAVIT

STATE OF Pennsylvania

COUNTY OF Philadelphia

I, Angela Petralia, 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 Alfredo J. Gonzalez 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.

on behalf of Five Below Inc.
PRINT NAME (and Title, if applicable)

DocuSigned by: Angela Petralia D03FA3149304462... **SIGNATURE**

Sworn to and subscribed before me this 29th day of September, 2023. The foregoing instrument was acknowledged before me by Angela Petralia, who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

ADAM MCLANE
Notary Public - Notary Seal
Commonwealth of Pennsylvania
Philadelphia County
Commission Number 1298264
My Commission Expires 5/12/2024

DocuSigned by: 45309685BD4F4C3...
NOTARY PUBLIC

My Commission Expires: May 12th, 2024

Adam McLane
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.

230 Lincoln MB Title LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Vivian L Dimons	50%
no other with over 5% Interest	

Five Below Inc.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Publicly traded company	N/A

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

DocuSign Envelope ID: B17561C6-52BB-465A-992A-98003ADD7CA1

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
Alfredo J. Gonzalez/Greenberg Traurig,P.A.	333 SE 2 Avenue, Suite 4400 Miami, Florida	305-579-0588
Devon Vickers/ Greenberg Traurig,P.A.	333 SE 2 Avenue, Suite 4400 Miami, Florida	305-579-0827

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 Pennsylvania

COUNTY OF Philadelphia

I, Angela Petralia, 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.

DocuSigned by:
Angela Petralia
D03FA3149304462...
on behalf of Five Below Inc. **SIGNATURE**

Sworn to and subscribed before me this 29th day of September, 20 23. The foregoing instrument was acknowledged before me by Angela Petralia, who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

DocuSigned by:
45309685BD4F4C3...
NOTARY SEAL OR STAMP **NOTARY PUBLIC**

My Commission Expires: May 12th, 2024

Adam McLane
PRINT NAME

ADAM MCLANE
Notary Public - Notary Seal
Commonwealth of Pennsylvania
Philadelphia County
Commission Number 1298264
My Commission Expires 5/12/2024

Exhibit "A"

Legal Description

This property described as:

PARCEL 1:

That part of Lots 4, 5, 6, 9, 10 and 11, and that part of a 20-foot strip of land formerly an alley lying immediately South of Lots 9, 10 and 11, of Block 54, of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, Page 77, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Beginning at a point on the Southerly line of Lincoln Road at a distance of 40 feet Westerly from the Northeast corner of Lot 9 aforesaid (the Northerly line of Lot 9 and the Southerly line of Lincoln Road being identical); thence (1) run Westerly along the Southerly line of Lincoln Road a distance of 30 feet to a point; thence (2) run Southerly, parallel with the dividing line between Lots 9 and 10, of Block 54 aforesaid, 100 feet to a point; thence (3) run Westerly and parallel with the Southerly line of Lincoln Road a distance of 35 feet, more or less, to a point, which point is a distance of 5 feet Westerly from the dividing line of Lots 10 and 11, of Block 54 aforesaid; thence (4) run Southerly, along a line parallel with and 5 feet Westerly from the dividing line between Lots 10 and 11 and the extension thereof Southerly, a distance of 196.8 feet, more or less, to the Southerly line of the North 1/2 of Lot 4, Block 54 aforesaid; thence (5) run Easterly, along the Southerly line of the North 1/2 of the said Lot 4, a distance of 100 feet, more or less, to a point, said point being 5 feet Westerly from the dividing line between Lots 8 and 9, Block 54, extended Southerly; thence (6) run Northerly, along a line parallel with and 5 feet Westerly from the dividing line between the said Lots 8 and 9 (as extended Southerly), a distance of 196.8 feet, more or less, to a point 100 feet distant from the Southerly line of Lincoln Road; thence (7) run Westerly, parallel with the Southerly line of Lincoln Road, a distance of 35 feet to a point; thence (8) run Northerly, parallel with the dividing line between Lots 9 and 10 aforesaid, 100 feet to the place of beginning.

PARCEL 2:

TOGETHER WITH a non-exclusive easement granted pursuant to Easement Right over Private Road recorded in Deed Book 2600, Page 459, as affected by Declaration as to Permanent Easements recorded in Deed Book 3622, Page 49, both of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

That part of the South 20 feet of the North 1/2 of Lot 4, Block 54, of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, recorded in Plat Book 2, Page 77, of the Public Records of Miami-Dade County, Florida, lying East of the dividing line between Lots 8 and 9, of said Block 54, as extended Southerly to a point where it intersects the Southerly line of the North 1/2 of said Lot 4.

PARCEL 3:

TOGETHER WITH a non-exclusive 5 foot easement over the South 20 feet of the North 1/2 of Lot 4, Block 54, of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, recorded in Plat Book 2, Page 77, of the Public Records of Miami-Dade County, Florida, granted in that certain Warranty Deed recorded in Official Records Book 9933, Page 976, of the the Public Records of Miami-Dade County, Florida; which said 5 foot strip of land is bounded on the East by the extension Southerly of the boundary line between Lots 8 and 9, of said Block 54, to a point where it intersects the Southerly line of the North 1/2 of said Lot 4; on the South by the Southerly line of the North 1/2 of said Lot 4; on the West by the East line of the land described as Parcel 1 herein; and on the North by the North line of the South 20 feet of the North 1/2 of said Lot 4.

230 Lincoln Road, Miami Beach, FL 33139