

## MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2<sup>ND</sup> FLOOR  
MIAMI BEACH, FLORIDA 33139, [www.MIAMIBEACHFL.GOV](http://www.MIAMIBEACHFL.GOV)  
305-673-7550

### 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.

- ☐ BOARD OF ADJUSTMENT
  - ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
  - ☐ APPEAL OF AN ADMINISTRATIVE DECISION
  
- ☒ DESIGN REVIEW BOARD
  - ☒ DESIGN REVIEW APPROVAL
  - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.
  
- ☐ HISTORIC PRESERVATION BOARD
  - ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
  - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
  - ☐ HISTORIC DISTRICT / SITE DESIGNATION
  - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.
  
- ☐ PLANNING BOARD
  - ☐ CONDITIONAL USE PERMIT
  - ☐ LOT SPLIT APPROVAL
  - ☐ MENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
  - ☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
  
- ☐ FLOOD PLAIN MANAGEMENT BOARD
  - ☐ FLOOD PLAIN WAIVER
  
- ☒ OTHER Modification of DRB Order DRB17-0160

SUBJECT PROPERTY ADDRESS: 1420 and 1508 Bay Road  
\_\_\_\_\_  
\_\_\_\_\_

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S) 02-3233-007-0030 and 02-3233-007-0032

FILE NO. \_\_\_\_\_

1. APPLICANT: ☒ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT  
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER \_\_\_\_\_

NAME MCZ/Centrum Flamingo II, LLC and MCZ/Centrum Flamingo III, LLC  
 ADDRESS 4582 S. Ulster Street, Suite 1100, Denver, Colorado 80237  
 BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS [Lee.Hodger@aimco.com](mailto:Lee.Hodger@aimco.com)

OWNER IF DIFFERENT THAN APPLICANT:

NAME Same as Above  
 ADDRESS Same as Above  
 BUSINESS PHONE Same as Above CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS Same as Above

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME Michael W. Larkin, Esq.  
 ADDRESS Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami, FL 33131  
 BUSINESS PHONE 305-374-5300 CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS [MLarkin@BRZoningLaw.com](mailto:MLarkin@BRZoningLaw.com)

☒ ATTORNEY:

NAME Matthew Amster, Esq.  
 ADDRESS Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami, FL 33131  
 BUSINESS PHONE 305-374-5300 CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS [MAmster@BRZoningLaw.com](mailto:MAmster@BRZoningLaw.com)

☒ ATTORNEY:

NAME Maritza Haro Salgado, Esq.  
 ADDRESS Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami, FL 33131  
 BUSINESS PHONE 305-374-5300 CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS [MHaro@BRZoningLaw.com](mailto:MHaro@BRZoningLaw.com)

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☒ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER \_\_\_\_\_

NAME Jonathan Cardello, Stantec  
 ADDRESS 2 S. Biscayne Biscayne Boulevard, Suite 1670, Miami, FL 33131  
 BUSINESS PHONE 305-482-8700 CELL PHONE \_\_\_\_\_  
 E-MAIL ADDRESS [Jon.Carello@stantec.com](mailto:Jon.Carello@stantec.com)

FILE NO. \_\_\_\_\_

## 4. SUMMARY OF APPLICATION - PROVIDE BRIEF SCOPE OF PROJECT:

Modification of DRB Order DRB17-0160 to allow phased development of the previously approved plan. See letter of intent for more.

\_\_\_\_\_

\_\_\_\_\_

- 4A IS THERE AN EXISTING BUILDING(S) ON THE SITE ☒ YES ☐ NO
- 4B DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION ☒ YES ☐ NO
- 4C PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICANT) \_\_\_\_\_ 0 \_\_\_\_\_ SQ. FT.
- 4D PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USABLE FLOOR SPACE). \_\_\_\_\_ 0 \_\_\_\_\_ SQ. FT.

## 5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ \_\_\_\_\_

- 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 FEE. 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 A PROJECT 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, LANDSCAPE ARCHITECTS, ENGINEERS, 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.

FILE NO. \_\_\_\_\_

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FOREGOING 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 FROM 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: \_\_\_\_\_

PRINT NAME: Lee Hodges, VP, Aimco Holdings QRS, Inc., the General Partner of Aimco Holdings, LP,  
the General Partner of Morton Towers Apartment, LP, the Member of MCZ/Centrum Flamingo, II,  
LLC, and MCZ/Centrum Flamingo III, LLC

FILE NO. \_\_\_\_\_



**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, 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 removing 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 PUBLIC

NOTARY SEAL OR STAMP

\_\_\_\_\_  
PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR  
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY**

(Circle one)

STATE OF FloridaCOUNTY OF Miami-Dade

I, Lee Hodges, being duly sworn, depose and certify as follows: (1) I am the Vice President (print title) of Aimco Holdings QRS, Inc., the General Partner of Aimco Holdings, LP, the General Partner of Morton Towers Apartment, LP, the Member of MCZ/Centrum Flamingo, II, LLC, and MCZ/Centrum Flamingo III, 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

\_\_\_\_\_  
SIGNATURE

Sworn to and subscribed before me this 18 day of Dec, 2017. The foregoing instrument was acknowledged before me by Lee Hodges, who has produced FL DL as identification and/or is personally known to me and who did/did not take an oath.

\_\_\_\_\_  
NOTARY PUBLIC

NOTARY SEAL OR STAMP

\_\_\_\_\_  
PRINT NAME

My Commission Expires::



FILE NO. \_\_\_\_\_

**POWER OF ATTORNEY AFFIDAVIT**STATE OF FloridaCOUNTY OF Miami-Dade

I, Lee Hodges, VP, Aimco Holdings QRS, Inc., the General Partner of Aimco Holdings, LP, the General Partner of Morton Towers Apartment, LP, the Member of MCZ/Centrum Flamingo, II, LLC, and MCZ/Centrum Flamingo III, LLC, being 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, PLLC to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

R. Lee Hodges  
 Print name (and Title, if applicable)

[Signature]  
 SIGNATURE

Sworn to and subscribed before me this 18 day of Dec, 2017. The foregoing instrument was acknowledged before me by Lee Hodges, VP, of Aimco Holdings QRS, Inc., the General Partner of Aimco Holdings, LP, the General Partner of Morton Towers Apartment, LP, the Member of MCZ/Centrum Flamingo, II, LLC, and MCZ/Centrum Flamingo III, LLC, who has produced FLDL as identification and/or is personally known to me and who did/did not take an oath.

**NOTARY SEAL OR STAMP**

My Commission Expires

[Signature]  
 NOTARY PUBLIC

Betty Llerena  
 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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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  
 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 is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. \_\_\_\_\_

CITY OF MIAMI BEACH  
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

**1. 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.\*

**MCZ/Centrum Flamingo II, LLC & MCZ/Centrum Flamingo III, LLC**

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

*See Exhibit B*

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. \_\_\_\_\_

**CITY OF MIAMI BEACH**  
**DEVELOPMENT REVIEW BOARD APPLICATION**  
**DISCLOSURE OF INTEREST**

**2. TRUSTEE**

If the property that is the subject of this 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.\*

<div style="margin-bottom: 10px;"> <div style="border-bottom: 1px solid black; width: 100%; text-align: center; padding-bottom: 2px;">N/A</div> <div style="text-align: center; margin-top: 5px;">TRUST NAME</div> </div> <div> <table border="0" style="width: 100%;"> <tr> <th style="width: 50%; text-align: left; padding-bottom: 10px;">NAME AND ADDRESS</th> <th style="width: 50%; text-align: left; padding-bottom: 10px;">% OF INTEREST</th> </tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> <tr><td style="border-bottom: 1px solid black; height: 15px;"></td><td style="border-bottom: 1px solid black; height: 15px;"></td></tr> </table> </div>	NAME AND ADDRESS	% OF INTEREST															<div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div>
NAME AND ADDRESS	% OF INTEREST																

*NOTE: Notarized signature required on page 9*

FILE NO. \_\_\_\_\_



**3. 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 #
a. <u>Michael W. Larkin</u>	<u>200 S. Biscayne Blvd., Suite 850, Miami, FL</u>	<u>305-374-5300</u>
b. <u>Matthew Amster</u>	<u>200 S. Biscayne Blvd., Suite 850, Miami, FL</u>	<u>305-374-5300</u>
c. <u>Jonathan Cardello</u>	<u>2 S. Biscayne Blvd., Suite 1670, Miami, FL 33131</u>	<u>305-482-8700</u>

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

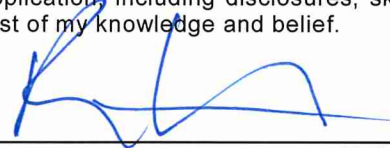
\*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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  
 COUNTY OF Miami-Dade

I, Lee Hodges, VP, of Aimco Holdings QRS, Inc., the General Partner of Aimco Holdings, LP, the General Partner of Morton Towers Apartment, LP, the Member of MCZ/Centrum Flamingo, II, LLC, and MCZ/Centrum Flamingo III, LLC,, being duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.



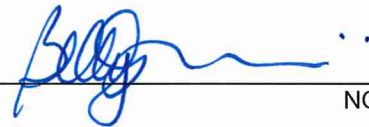
SIGNATURE

Sworn to and subscribed before me this 18 day of Dec., 2017. The foregoing instrument was acknowledged before me by Lee Hodges, 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



My Commission Expires:



NOTARY PUBLIC

Betty Llerena

PRINT NAME

FILE NO. \_\_\_\_\_

**Exhibit A**  
**Legal Description**

**LEGAL DESCRIPTION:**

**PARCEL I:**

Lot 7 and the South 1.00 feet of Lot 6, in Block 43, of ALTON BEACH BAYFRONT SUBDIVISION, according to the plat thereof, as recorded in Plat Book 4, at Page 125, of the Public Records of Dade County, Florida.

**PARCEL II:**

Lot 6, less the South 1.0 feet, in Block 43, of ALTON BEACH BAYFRONT SUBDIVISION, according to the plat thereof, as recorded in Plat Book 4, at Page 125, of the Public Records of Dade County, Florida.

**Parcel III:**

Together with any and all right, title and interest of the insured as a lessee under that certain Sovereignty Submerged Land Lease No. 130004286 by and between The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, and Morton Towers Apartments, a Florida general partnership, as Lessee, filed August 20, 1990, at Official Records Book 14671, at Page 573, as modified and renewed by Sovereignty Submerged Land Lease Renewal No. 130004286 by and between The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, and Morton Towers Apartments, a Florida general partnership, as Lessee, filed June 14, 1994, at Official Records Book 16401, at Page 2756, of the Public Records of Dade County, Florida; as further modified by Modified Sovereignty Submerged Land Lease No. 130004286 by and between the Board of Trustees of the Internal Improvement Fund of the State of Florida, as Lessor and Morton Towers Apartments, L.P., a Delaware limited partnership, as Lessee, filed September 19, 1997 in Official Records Book 17797, at Page 4825, which Lease demises the following described property:

**ALSO DESCRIBED AS FOLLOWS:**

ALSO MARINA AREA "A", a parcel of land in Biscayne Bay contiguous to the Westerly line of parcel 1 of the above described property and described as follows:

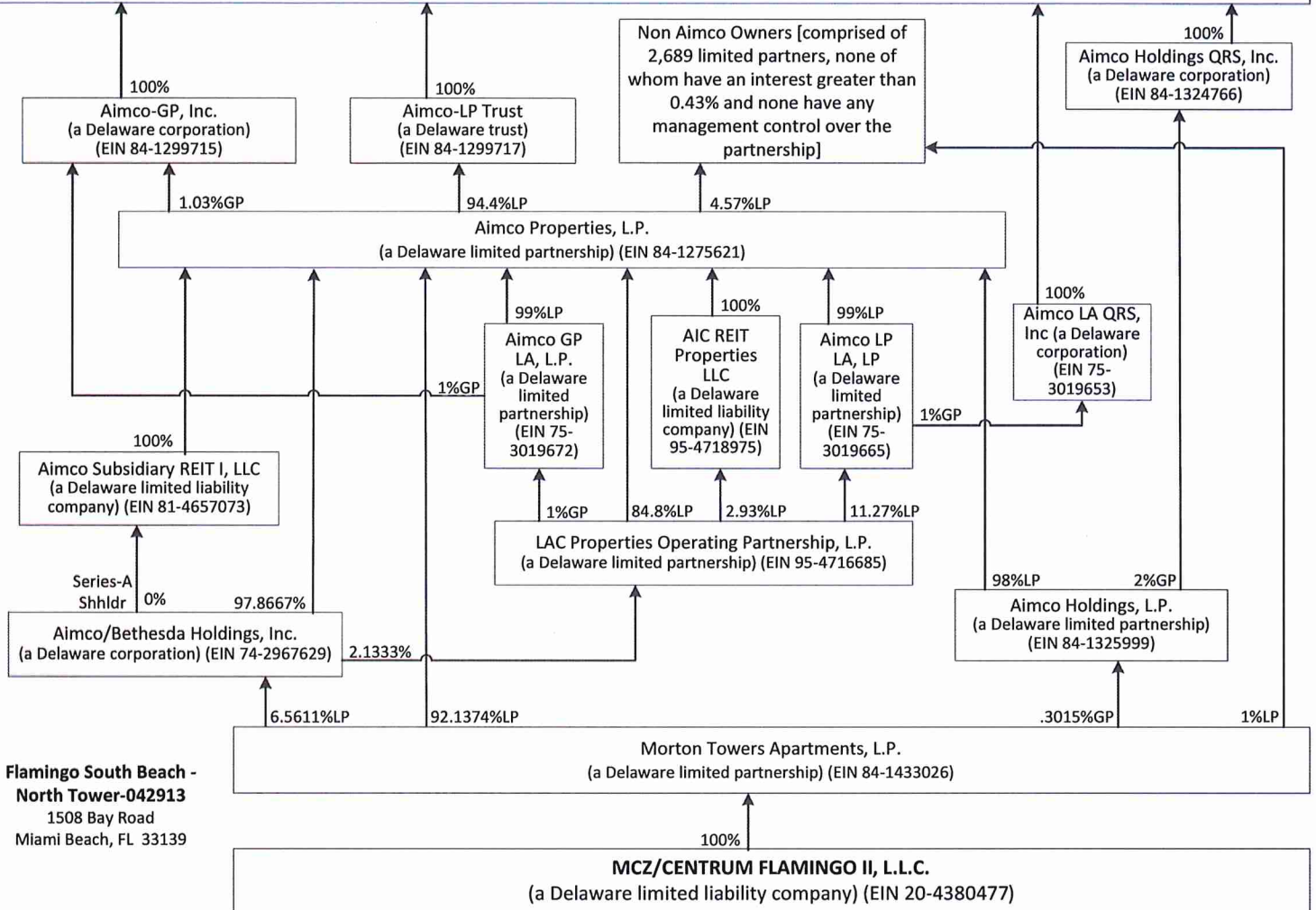
Commence (P.O.C.) at the Southeasterly corner of Lot 7 referenced above, said Southeasterly corner of Lot 7 being the Northwest corner of Bay Road and 14th Street in the City of Miami Beach, Florida; thence run N 1°33'30" W along the Westerly line of Bay Road, along the Easterly line of said Lot 7, a distance of 780.91 feet; thence run S 48°37'57" W across Lot 7, a distance of 678.89 feet to a point on the Westerly face of a concrete bulkhead cap on the Westerly line of Lot 7 on the Easterly shore of Biscayne Bay, said point being the POINT OF BEGINNING (P.O.B.) of Marina Area "A"; thence run Northwesterly meandering the face of said bulkhead cap along the Easterly shore of Biscayne Bay, along the Westerly line of said Lot 7, a distance of 184.00 feet; thence run S 62°57'00" W in Biscayne Bay, a distance of 135.00 feet; thence run S 27°03'00" E in Biscayne Bay, a distance of 184.00 feet; thence run N 62°57'00" E in Biscayne Bay a distance of 135.00 feet, more or less to the POINT OF BEGINNING (P.O.B.). Marina Area "A" contains 24,840 square feet more or less or 0.570 acres, more or less.

ALSO MARINA AREA "B", a parcel of land in Biscayne Bay contiguous to the Westerly line of parcel 1 of the above described property and described as follows:

Commence (P.O.C.) at the Southeasterly corner of Lot 7, referenced above, said Southeasterly corner also being the Northwesterly corner of Bay Road and 14th Street in the City of Miami Beach, Florida; thence run N 1°33'30" W along the Westerly line of Bay Road, along the Easterly line of Lot 7, a distance of 780.91 feet; thence run S 48°37'57" W across Lot 7, a distance of 678.89 feet to a point on the Westerly face of a concrete bulkhead cap on the Westerly line of said Lot 7 on the Easterly shore of Biscayne Bay; thence meandering the Westerly face of said bulkhead cap along the Westerly line of said Lot 7, run Southerly a distance of 96.60 feet to a POINT OF BEGINNING (P.O.B.) of Marina Area "B" described as follows; thence run S 57°46'30" W into Biscayne Bay, a distance of 135.00 feet to a point; thence run S 32°13'30" E in Biscayne Bay, a distance of 115.00 feet to a point, thence run N 57°46'30" E in Biscayne Bay, a distance of 135.00 feet, more or less to the face of the said concrete bulkhead cap on the westerly line of said Lot 7; thence meandering the Westerly face of said bulkhead cap along the Westerly line of said Lot 7, run Northerly, a distance of 115.00 feet, more or less to the POINT OF BEGINNING (P.O.B.) Marina Area "B" contains 15,525 square feet, more or less or 0.356 acres, more or less.

**Apartment Investment and Management Company**

(a publicly traded Maryland corporation NYSE: AIV)  
(EIN 84-1259577)



June 2017



June 2017