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March 30, 2018

James G. Murphy
Chief of Urban Design
Miami Beach Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Supercharger Agreement to be executed (the "Agreement") by and between Gumenick Family Investments No. 2, Ltd., a Florida limited partnership ("Owner") and Tesla, Inc., a Delaware corporation ("Tesla") regarding use of parking spaces in the parking garage at the shopping center commonly known as "Shoppes at West Avenue" located at 959 West Avenue, Miami Beach, Florida 33139 (the "Project")

Dear Mr. Murphy:

We have received, in relation to the above-referenced Agreement, Tesla's request to (i) appear before the City of Miami Beach, Design Review Board ("DRB") and (ii) have us deliver a power-of-attorney ("POA") in order for Tesla to execute applications and other documentation on our behalf to allow Tesla to construct improvements in connection with the Agreement ("Improvements"). Owner agrees to consent to the foregoing requests provided that Tesla covenants and agrees that: (x) in no event shall Tesla be permitted to execute anything pursuant to the POA that could cause the City of Miami Beach or the DRB to impose any new monetary or adverse non-monetary covenants, restrictions, conditions or impositions upon Owner or the Project and (y) Tesla shall not construct any Improvements prior to the mutual execution of the Agreement by Owner and Tesla. Additionally, please accept this as written confirmation that there is no available area to accommodate an FPL vault on the first level of the project based on the current configuration and occupied tenant space.

Very truly yours,

GUMENICK FAMILY INVESTMENTS NO. 2, LTD., a
Florida limited partnership

By: GUMENICK INVESTMENTS NO. 2,

LLC, its general partner

By: 

Name: Ian Gonzalez

Title: Regional Manager