

# MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2<sup>ND</sup> FLOOR  
MIAMI BEACH, FLORIDA 33139, 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
  - AMENDMENT 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 \_\_\_\_\_

SUBJECT PROPERTY ADDRESS: 100 South Pointe Drive

\_\_\_\_\_  
\_\_\_\_\_

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

FOLIO NUMBER (S) 02-4203-262-0001

02-4203-262-0001

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

NAME The Continuum, South Tower  
ADDRESS 100 South Pointe Drive  
BUSINESS PHONE 305-938-4240 ext. 1001 CELL PHONE 305-401-0484  
E-MAIL ADDRESS manager@continuumstouthtower.com (Erin Fablan, Property Manager)

*Alternate*  
~~OWNER IF DIFFERENT THAN APPLICANT:~~ MASTER ASSOCIATION  
NAME Continuum on South Beach Master Association, Inc.  
ADDRESS 40 South Pointe Drive, Suite 111  
BUSINESS PHONE 305-938-4250 ext 232 CELL PHONE \_\_\_\_\_  
E-MAIL ADDRESS gm@continuummaster.com (Rishi Idani, Property Manager)  
*Idani*

2. AUTHORIZED REPRESENTATIVE(S):

ATTORNEY:  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

AGENT:  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

CONTACT:  
NAME Erin Fablan, property manager  
ADDRESS 100 South Pointe Drive, Miami Beach, Florida 33139  
BUSINESS PHONE 305-938-4240 ext. 1001 CELL PHONE 305-401-0484  
E-MAIL ADDRESS manager@continuumstouthtower.com

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

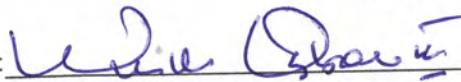
ARCHITECT  LANDSCAPE ARCHITECT  ENGINEER  CONTRACTOR  OTHER: \_\_\_\_\_  
NAME B. P. Taurinski Structural Engineers  
ADDRESS 730 South Deerfield Avenue, Ste 1 and 2  
BUSINESS PHONE 954-418-3100 CELL PHONE 561-239-1720  
E-MAIL ADDRESS taurinski@bellsouth.net

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

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: William M. Osborne III, Board President

4. SUMMARY OF APPLICATION – PROVIDE BRIEF SCOPE OF PROJECT:

Emergency Railing Repair -

The removal of delaminated break metal facade on the exterior and interior of the existing glass railing system through out the building.

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 APPLICABLE) Vertical Repair of 45,343 SQ. FT.

4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE). \_\_\_\_\_ 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.
- 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,

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: \_\_\_\_\_

Keith Marks - Continuum on South Beach Master Association, Inc.

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

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 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  
COUNTY OF

I, William M Osborne III, being duly sworn, depose and certify as follows: (1) I am the Board President (print title) of The Continuum, South Tower (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.

William M Osborne III  
SIGNATURE

Sworn to and subscribed before me this 8th day of March, 2018. The foregoing instrument was acknowledged before me by William M Osborne III, Board President of The Continuum, South Tower, on behalf of such entity, who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:



Erin G. Fabian  
NOTARY PUBLIC

My Commission Expires:

9/25/19

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

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

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 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 SEAL OR STAMP

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

My Commission Expires:

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

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY  
(Circle one)

STATE OF  
COUNTY OF

I, Keith Marks, being duly sworn, depose and certify as follows: (1) I am the board president (print title) of Continuum on South Beach Master Assoc (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 26 day of March, 2018. The foregoing instrument was acknowledged before me by Keith Marks, president of Continuum master, on behalf of such entity, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:



My Commission Expires:  
11/8/21

**Natalia Vazquez**  
Commission # GG158924  
Expires: November 8, 2021  
Bonded thru Aaron Notary

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

Natalia Vazquez  
PRINT NAME

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

POWER OF ATTORNEY AFFIDAVIT

STATE OF  
COUNTY OF

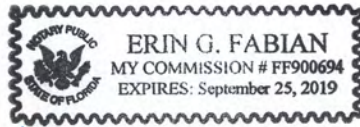
I, William M Osborne III, being duly sworn and deposed, certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize B P Taurinski Structural Engineers to be my representative before the Design Review Board. (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.

William M Osborne III, Board President  
PRINT NAME (and Title, if applicable)

[Signature]  
SIGNATURE

Sworn to and subscribed before me this 8th day of March, 2018. The foregoing instrument was acknowledged before me by William M Osborne, President of Carlino on South Beach who has produced as identification and/or is personally known to me and who did/did not take an oath. The State Trust

NOTARY SEAL OR STAMP



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

My Commission Expires 9/25/19

ERIN FABIAN  
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.\*

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. \_\_\_\_\_



POWER OF ATTORNEY AFFIDAVIT

STATE OF  
COUNTY OF

I, Keith Marks, being duly sworn and deposed, 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 B. P. Taurinski Structural Engineers 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.

Keith Marks, Board President

PRINT NAME (and Title, if applicable)

[Signature]  
SIGNATURE

Sworn to and subscribed before me this 26 day of March, 2018. The foregoing instrument was acknowledged before me by Keith Marks, President of Continuum master who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 11/8/21

**Natalia Vazquez**  
Commission # GG158924  
Expires: November 8, 2021  
Bonded thru Aaron Notary

[Signature]  
NOTARY PUBLIC  
Natalia Vazquez  
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.\*

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.\*

The Continuum, South Tower

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

William M. Osborne II, President - 100 South Pointe Drive  
Alan B. Fishman, Vice President - 100 South Pointe Drive  
David Azran, Treasurer - 100 South Pointe Drive  
Dr. Margot Kurtz, Secretary - 100 South Pointe Drive  
Evan Greenberg, Director - 100 South Pointe Drive

N/A  
N/A  
N/A  
N/A  
N/A

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.*

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.\*

Continuum on South Beach Master Association, Inc.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Keith Marks, president - 40 South Pointe Drive, Ste 111  
Jonathan Nussbaum, vice president - 40 South Pointe Drive, Ste 111  
Clare Brinkley, treasurer - 40 South Pointe Drive, Ste 111  
Jaimini Mehta, Director - 40 South Pointe Drive, Ste 111  
David Azran, secretary - 40 South Pointe Drive, Ste 111

N/A  
N/A  
N/A  
N/A  
N/A

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.\*

<hr/>	
TRUST NAME	
NAME AND ADDRESS	% INTEREST
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

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.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____

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

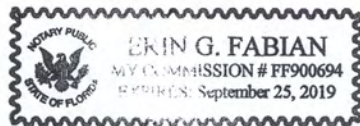
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, William M. Osborne III, Board President, being first 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]  
SIGNATURE

Sworn to and subscribed before me this 8th day of March, 2018. 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



My Commission Expires: 9/25/19

[Signature]  
NOTARY PUBLIC

ERIN FABIAN  
PRINT NAME

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.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____

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.

*Alternate*  
APPLICANT AFFIDAVIT

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

I, Keith Marks, Board President, being first 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.

*[Handwritten Signature]*  
\_\_\_\_\_  
SIGNATURE

Sworn to and subscribed before me this 26 day of March, 2018. 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.

*[Handwritten Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC

NOTARY SEAL OR STAMP



**Natalia Vazquez**  
Commission # GG158924  
Expires: November 8, 2021  
Bonded thru Aaron Notary

*Natalia Vazquez*  
\_\_\_\_\_  
PRINT NAME

My Commission Expires: 11/8/21

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

Exhibit 'A'

Exhibit "1"

Legal Description

The legal description for Continuum on South Beach Condominium, the South Tower

is set forth on page 2, 79, 86, 106, and 122 of 133 of Exhibit "2"



# CONTINUUM

## ON SOUTH BEACH

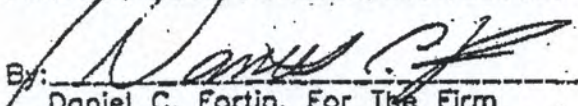
A CONDOMINIUM

STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE SS

BEFORE ME, the undersigned authority duly authorized to administer oaths and take acknowledgements, personally appeared DANIEL C. FORTIN, by me well known and known to me to be the person hereinafter described, who being by me first duly cautioned and sworn, deposes and says on oath as follows, to wit:

1. That he is duly registered and duly licensed land surveyor authorized to practice under the laws of the State of Florida.
2. Affiant hereby certifies that the CONSTRUCTION OF THE IMPROVEMENTS shown within this Exhibit 2, is substantially complete, so that this Exhibit 2, together with the provisions of the Declaration of Condominium describing the Condominium Property, is an accurate representation of the location and dimensions of the improvements and so that the identification, location, and dimensions of the common elements and of each unit can be determined from these materials.
3. And further, that all planned improvements, including, but not limited to landscaping, utility services and access to the units identified herein and common element facilities serving the herein identified units have been substantially completed in accordance with the provisions of Florida Statute 718.104.
- 4a. That the Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on project datum.
- 4b. Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. 1-937, Elevation + 4.07, located at intersection of Washington Avenue and Horley Avenue.


FURTHER AFFIANT SAYETH NAUGHT.  
 FORTIN, LEAVY, SKILES, INC., LB3653

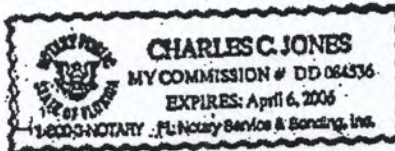
By:   
 Daniel C. Fortin, For The Firm  
 PROFESSIONAL SURVEYOR AND MAPPER LS2853  
 State of Florida



STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE SS

The foregoing instrument was acknowledged before me this November 19, 2002 by DANIEL C. FORTIN, who is personally known to me and who did not take an oath.

  
 NOTARY PUBLIC - State of Florida



## FORTIN, LEAVY, SKILES, INC.

### CONSULTING ENGINEERS, SURVEYORS & MAPPERS

180 Northeast 186th. Street / North Miami Beach, Florida. 33182  
 Ph. 305-853-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Cod No. 021408 Drem By: R.M. Date Printed: 11/19/02 3:42p

Date November 19, 2002	Dwg. No. 6099-033-1	Job. No. 021408 REF: 000675
------------------------	---------------------	--------------------------------



# CONTINUUM

## ON SOUTH BEACH

A CONDOMINIUM

### LEGAL DESCRIPTION, SOUTH TOWER PARCEL:

A portion of "OCEAN PARCEL", as said "OCEAN PARCEL" is described in Official Records Book 18053 at Pages 0580 through 0586 as recorded in the Public Records of Miami-Dade County, Florida; being more particularly described as follows:

Commence at the southeasterly corner of Biscayne Avenue (now known as South Pointe Drive) and Miami Avenue (now known as Washington Avenue) as shown on the Plat of SOUTH BEACH PARK, according to the Plat thereof as recorded in Plat Book 6 at Page 77 in the Public Records of Miami-Dade County, Florida; thence N87°38'57"E along the southerly line of said Biscayne Avenue for 717.266 feet; thence S23°52'14"W for 590.40 feet to the most southwesterly corner of said "OCEAN PARCEL"; thence S65°36'16"E along the southerly line of said SOUTH BEACH PARK for 340.55 feet; thence N24°23'44"E perpendicular to the previously described line for 79.42 feet to the POINT OF BEGINNING of the hereinafter described SOUTH TOWER PARCEL; thence N65°36'16"W along a line 79.42 feet northeasterly and parallel with the southerly line of said SOUTH BEACH PARK for 19.29 feet; thence N28°37'54"W for 93.16 feet; thence N15°41'51"W for 26.81 feet; thence N05°43'15"W for 39.04 feet; thence N62°30'50"E for 29.30 feet; thence N27°30'00"W for 28.24 feet; thence N62°30'00"E for 44.31 feet; thence S27°30'00"E for 28.31 feet; thence N62°30'50"E for 28.62 feet; thence S59°50'25"E for 18.74 feet; thence S35°05'28"E for 75.38 feet; thence N62°30'00"E for 7.12 feet; thence S27°30'00"E for 67.74 feet; thence S16°15'13"W for 34.66 feet; thence S62°30'00"W for 47.00 feet; thence N27°30'00"W for 8.00 feet; thence S66°34'21"W for 64.76 feet to the POINT OF BEGINNING.

### SURVEYOR'S NOTES:

- This site lies in Section 10, Township 54 South, Range 42 East, City of Miami Beach, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of N87°38'57"E for the Southerly line of Biscayne Avenue.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum (N.G.V.D.) of 1929, based on Bench Mark No. 1-937, Elevation +4.07 Located at intersection of Washington Avenue and Harley Avenue.
- Lands shown hereon are located in Federal Flood Zone AE (EL B) per Community Panel No. 120651-0192-J, dated July 17, 1995.
- Lands shown hereon containing 25,500 square feet, or 0.585 acre, more or less.

### SURVEYOR'S CERTIFICATION:

I hereby certify that this "SKETCH OF DESCRIPTION" was made under my responsible charge on November 19, 2002 and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC.,  
LB3653

By: 

Daniel C. Fortin, For The Firm  
Surveyor and Mapper, LS2853  
State of Florida.



LEGAL DESCRIPTION SURVEYORS NOTES  
AND CERTIFICATION