

Law Offices of  
**LOUIS A. SUPRASKI, P.A.**

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Real Estate  
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Christiam Cardenas, Esq.  
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July 26, 2018

City of Miami Beach  
Attn.: Planning Department  
1700 Convention Center Drive  
Second Floor  
Miami Beach, FL 33139

**RE: 4354 Alton Road, Miami Beach, Florida**  
**Opinion of Title Lot Split Application**  
**Planning Board File No. \_\_\_\_\_**

Dear Sir or Madam:

Pursuant to Section 118-321(A)(1) of the Code of the City of Miami Beach, and with the express understanding that this Opinion of Title is furnished to you as inducement for approval of the subject application ("Application") for a lot split of the property identified in this opinion (the "Property"), I render this Opinion of Title as of July 17, 2018 at 11:00 p.m.

I certify that accompanying this Opinion of Title, as part of the Application, are copies of all deed restrictions, reservations, and covenants applicable to the Property.

I have conducted a title examination of the Property, whose legal description is as follows:

**LEGAL DESCRIPTION**

**Lots 20 and 21, Block 6, of PLAT OF NAUTILUS SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 8, at Page 95, of the Public Records of Miami-Dade County, Florida**

In my opinion:

The fee simple title to the Property is vested in:

**4354 Alton Homes LLC, a Florida limited liability company**

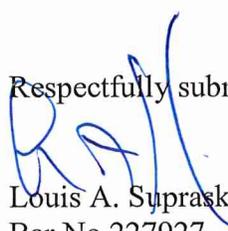
Title to the Property is subject to the following:

1. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable under Folio # 02-3222-011-1430.
2. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Nautilus Subdivision, as recorded in Plat Book 8, at Page 95, of the Public Records of Miami-Dade County, Florida.
3. Easement Agreement recorded in Deed Book 681, at Page 129, of the Public Records of Miami-Dade County, Florida.
4. The nature, extent or existence of riparian rights is not insured.
5. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.
6. Any adverse ownership claims by the State of Florida by right of sovereignty to any portion of the lands described herein, including submerged, filled and artificially exposed lands, and lands accreted to such lands. The inalienable rights of the public to use the navigable waters covering the lands described hereinabove.
7. Encroachments if any as disclosed on the Survey of the Property.
8. Zoning and other restrictions imposed by governmental authority.
9. Mechanics', material men's, and other liens if not recorded.
10. Any lien provided by Florida Statutes Chapter 159 or by Metropolitan Dade County Ordinance No. 84-10 for unpaid sewer charges for service by any water systems, sewer systems, or gas systems serving the Property.

In my opinion, none of the above deed restrictions, reservations, or covenants applicable to the Property prevents or serves as exceptions to the lot split being requested.

I certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of The Florida Bar.

Respectfully submitted,

  
Louis A. Supraski, Esq.  
Bar No. 227927

Attachments - copies of the above-identified documents

State of Florida )  
 ) SS  
County of Miami Dade )

The foregoing Opinion of Title was acknowledged and executed before me this 25<sup>th</sup> day of JULY, 2018, by Louis A. Syganski, who is personally known to me or has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
Notary Public - State of Florida – Signature

[Notary's seal or stamp]

Mirna Trujillo Printed Name of Notary Public  
My Commission Expires: 5.25.2020



Records of Dade County, Florida, together with all riparian rights and submerged lands adjacent or appurtenant thereto.

As a part of the consideration for this conveyance the grantor assumed a mortgage in favor of Mary Louise Swift originally in the sum of \$16,000.00 but which said mortgage has been reduced upon payment of same to the sum of \$7000.00 which said mortgage fully matures on October 20, 1928, and is recorded in Mortgage Book 281 page 194 Public Records of Dade County, Florida, together with interest upon the same from the 10th day of October 1924.

This conveyance is also made subject to taxes subsequent to the year 1924.

and the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part, hereunto set their hands and seals the day and year above written.

Signed, sealed and delivered in presence of us:

Elva L. Howman  
Tracy Campbell

S. Grover Morrow (SEAL)  
Yvona V. Morrow (SEAL)  
Frank M. Terry (SEAL)  
Marie D. Terry (SEAL)

(\$40.00 I. R. Stamps cancelled)

STATE OF FLORIDA,  
COUNTY OF DADE.

I HEREBY CERTIFY That on this day personally appeared before me an officer duly authorized to administer oaths and take acknowledgments, S. Grover Morrow, Yvona V. Morrow, Frank M. Terry and Marie D. Terry to me well known to be the persons described in and who executed the foregoing deed, and acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

AND I FURTHER CERTIFY, That the said Yvona V. Morrow and Marie D. Terry known to me to be the wives of the said S. Grover Morrow & Frank M. Terry on a separate and private examination taken and made by me before me, separately and apart from their said husbands, did acknowledge that they made themselves a party to said deed for the purpose of relinquishing, relinquishing and conveying all their right, title and interest, whether dower, homestead or of separate property, statutory or equitable, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from their said husbands.

WITNESS my hand and official seal at Miami, County of Dade and State of Florida, this 11th day of April, A. D. 1925.

S. V. Hawthorn  
Notary Public State of Florida  
My commission expires 2/24/26

(M.P. SEAL)  
Filed for record July 21, 1925 at 4:12 P.M.  
Recorded in deed book 281, page 187  
Witness my hand and official seal  
Geo. F. Holly, Clerk

BY J. H. Clanton D.O.

KNOW ALL MEN BY THESE PRESENTS, That we, in consideration of the benefits accruing to us by reason of convenient access and a lesser cost of the construction of sewers and the desirability of having the things hereinafter specified, placed in the locations noted below, and in consideration of \$1.00, receipt of which is hereby acknowledged, do hereby give and grant unto the City of Miami Beach, Florida, its successors and assigns and its grantees operating public utilities, the perpetual right and easement to lay and maintain sewers, water mains, telephone and electric conduits underground, on a strip ten feet in width along the east edge of the property recently purchased from the United States Government on the south side of the Government Cut as set forth in a deed from the Secretary of War to the Peninsula Terminal Company, and filed for record on the third day of April, 1925, in the office of the Clerk of the Circuit Court of Dade County, Florida, under Clerk's file A-35024,

IN WITNESS WHEREOF, the said PENINSULA TERMINAL COMPANY, has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed, attested by its Secretary, both duly authorized at Miami Beach, Dade County, Florida, this End day of July, A. D. 1925.

PENINSULA TERMINAL COMPANY  
 BY W. A. Kahlhepp  
 Vice President  
 ATTEST: John H. Levi  
 Secretary

(Corporate Seal)

STATE OF FLORIDA )  
 COUNTY OF DADE ) S.S.

I, HEREBY CERTIFY THAT on this day personally appeared before me, W. A. Kahlhepp, and John H. Levi, vice President and Secretary, respectively, of the PENINSULA TERMINAL COMPANY, a corporation under the laws of the State of Florida, to me well known to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed, and that said instrument is the act and deed of said Corporation.

WITNESS my hand and official seal at Miami Beach, County of Dade, Florida, this End day of July, A. D., 1925.

Gerald E. Jay Bush  
 Notary Public  
 My commission expires 4-9-26

(N.P. SEAL)  
 Filed for record July 21, 1925 at 4:10 P.M.  
 Recorded in deed book 481, page 129  
 Witness my hand and official seal  
 Geo. F. Holly, Clerk

BY J. C. Blanton D.C.

KNOW ALL MEN BY THESE PRESENTS, That we, in consideration of the benefits accruing to us by reason of convenient access and a lesser cost of the construction of sewers and the desirability of having the things hereinafter specified, placed in the locations

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IN WITNESS WHEREOF, the said PENINSULA TERMINAL COMPANY, do hereby cause these presents to be signed in its name by its Vice President and its corporate seal to be affixed, attested by its Secretary, both duly authorized at Miami Beach, Dade County, Florida, this 8th day of July, A. D. 1925.

PENINSULA TERMINAL COMPANY  
 BY W. A. Kohlhepp Vice President  
 ATTEST: John H. Levi Secretary

(Corporate Seal)

STATE OF FLORIDA )  
 COUNTY OF DADE )

I, HEREBY CERTIFY THAT on this day personally appeared before me, W. A. Kohlhepp, and John H. Levi, vice President and Secretary, respectively, of the PENINSULA TERMINAL COMPANY, a corporation under the laws of the State of Florida, to me well known to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed, and that said instrument is the act and deed of said Corporation.

WITNESS my hand and official seal at Miami, Dade County of Dade, Florida, this 8th day of July, A. D., 1925.

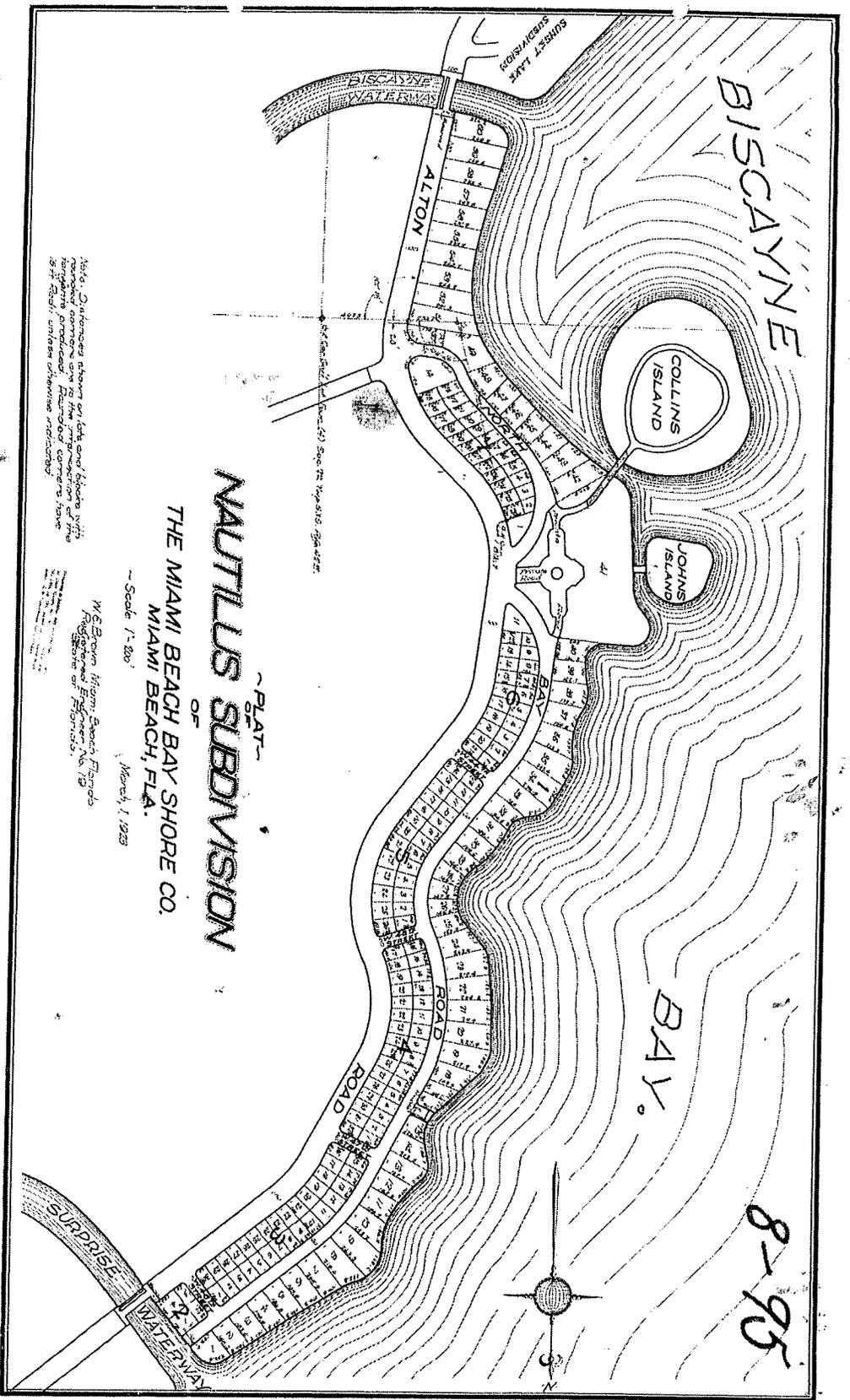
Gerald E. Tee Bush  
 Notary Public  
 My commission expires 4-3-26

(S.P. SEAL)  
 Filed for record July 21, 1925 at 4:15 P.M.  
 Recorded in deed book 681, page 123  
 Witness my hand and official seal  
 Geo. F. Holly, Clerk

BY J. H. [Signature] D.C.

KNOW ALL MEN BY THESE PRESENTS, That we, in consideration of the benefits accruing to us by reason of convenient access and a lesser cost of the construction of sewers and the desirability of having the things hereinafter specified, placed in the locations





~ PLAT ~  
**NAUTILUS SUBDIVISION**  
 OF  
**THE MIAMI BEACH BAY SHORE CO.**  
 MIAMI BEACH, FLA.

~ Scale 1" = 200' ~  
 March 1, 1928

*Note: Distances shown on this and other plats with this plat are approximate and should not be used for any purpose other than to show the general location of the lots. All distances are subject to the actual survey.*

*W. E. Brown, Miami Beach, Florida  
 Registered Engineer No. 10  
 State of Florida*

*Map No. 44, near the water frontage. The Miami Beach Bay Shore Company, a corporation with capital stock, under the laws of the State of Florida, is the owner of the property shown on this plat. The property is situated in the City of Miami Beach, Florida, and is bounded on the north by the water frontage, on the east by the water frontage, on the south by the water frontage, and on the west by the water frontage. The property is shown on this plat as being divided into lots, and the boundaries of the lots are shown as being the same as the boundaries of the lots shown on this plat. The property is shown on this plat as being divided into lots, and the boundaries of the lots are shown as being the same as the boundaries of the lots shown on this plat. The property is shown on this plat as being divided into lots, and the boundaries of the lots are shown as being the same as the boundaries of the lots shown on this plat.*

*This is to certify that the official plat was made in accordance with the laws of the State of Florida, and that the same is a true and correct copy of the original plat as filed in the office of the Register of Deeds of the State of Florida, at Miami Beach, Florida, on the 1st day of March, 1928. The Miami Beach Bay Shore Company, a corporation with capital stock, is the owner of the property shown on this plat. The property is situated in the City of Miami Beach, Florida, and is bounded on the north by the water frontage, on the east by the water frontage, on the south by the water frontage, and on the west by the water frontage. The property is shown on this plat as being divided into lots, and the boundaries of the lots are shown as being the same as the boundaries of the lots shown on this plat.*

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8-95

*Approved and approved for record  
 Helen C. ...  
 City Clerk of Miami Beach, Florida*



July 27, 2018

Permit #:

FOLIO:

4354 Alton Road Lot Split  
**RESPONSES TO PLANNING BOARD  
COMMENTS**

### **PLANNING DEPARTMENT REVIEW**

#### **General Planning Department review response**

1. SURVEY RESPONSE: Signed and sealed surveys of the lot split is provided
2. OPINION OF TITLE: (by Lawyer)
3. NARRATIVE: Attached

### **PLANNING DEPARTMENT REVIEW**

#### **Planning Landscape review**

1. GENERAL CORRECTION: No Landscape plans are needed for this submittal



July 27, 2018

Permit #:

FOLIO:

4354 Alton Road Lot Split  
**RESPONSES TO PLANNING BOARD  
COMMENTS**

### **PLANNING DEPARTMENT REVIEW**

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1. SURVEY RESPONSE: Signed and sealed survey of the lot split is provided
2. OPINION OF TITLE: Provided
3. NARRATIVE: Attached

### **PLANNING DEPARTMENT REVIEW**

#### **Planning Landscape review**

GENERAL CORRECTION:

1. Provide a land survey inclusive of any existing trees with a DBH of 6" or greater to be prepared by a licensed surveyor and issued / certified within the last 6 months: Provided
  - Tree Survey: Provided