

OPINION OF TITLE

To: City of Miami Beach

With the understanding that this Opinion of Title is furnished to the City of Miami Beach, as inducement for acceptance of a Declaration of Use, Unity of Title, Declaration of Restrictions, Development Agreement or as an inducement for acceptance of a subdivision plat or tentative plat, covering the real property, or other land use approval hereinafter described, it is hereby certified that I have examined that certain (a) Title Insurance Policy issued by Old Republic Title Insurance Company under Policy Number LXFL-08572989, having an effective date of December 13, 2016 ("Policy"), and (b) Title Search Report ("Update") issued by First American Title Insurance Company, under FATIC File Number 1062-4173533 covering the period from January 1, 1977 through October 19, 2018, at 8:00 am ("Current Date"), all respecting the following described property ("Property"):

Lots 5,6,7,8,9 and 10 inclusive, Block 53, Pine Ridge Subdivision, a subdivision recorded in Plat Book 6 at Page 34 of the Public Records of Miami-Dade County, Florida. Less the Alley recorded in Official Record Book 2549 Page 476.

Based only upon the Policy and the Update, I am of the opinion that as of the Current Date, the fee simple title to the Property was vested in:

420 Lincoln Road Development, LLC, a Florida limited liability company [The online records of the Florida Secretary of State evidence that its President is Paul L. Cejas],

subject to the following encumbrances, liens and other exceptions:

A. GENERAL EXCEPTIONS:

1. Taxes for 2018 and taxes or special assessments which are not shown as existing liens by the public records.
2. Rights or claims of parties in possession not shown by the public records.
3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Easements or claims of easements not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands and riparian rights and/or littoral rights, if any.
7. Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property.
8. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority, for unpaid service charges for services by any

water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.

9. Zoning and other restrictions imposed by governmental authority.
10. The rights, if any, of the public to use as a public beach or recreation area any part of the land lying or formerly lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line or other apparent boundary line separating the publicly used area from the upland private area, or such upland private area as it may have existed prior to the construction, if any, of any seawall or bulkhead hereon.
11. Any portion of the Property lying waterward of the ordinary high water mark of the Atlantic Ocean and/or the Erosion Control Line, recorded in Plat Book 105, at Page 62 of the Public Records of Miami-Dade County, Florida.
12. Those portions of the Property comprising artificially filled land in what was formerly navigable waters are subject to any and all rights of the United States government arising by reason of the United States government's control over navigable waters in the interest of navigation and commerce.
13. The rights of the State of Florida and the United States of America to regulate the use of the navigable waters.

B. RECORDED MORTGAGES:None

C. OTHER SPECIAL EXCEPTIONS:See Exhibit A attached hereto and made a part hereof:

Therefore, it is my opinion that the following party(ies) must join in the proffered document in order to make it valid and binding on the Property:

Name

Interest

Not applicable

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered document.

I, the undersigned, further 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 this 20 day of November, 2018.

KATZ, BARRON, SQUITERO, FRIEDBERG,
ENGLISH & ALLEN P.A.

By: _____

Howard L. Friedberg
Florida Bar No. 347663
901 Ponce de Leon Boulevard, 10th Floor
Coral Gables, Florida 33134

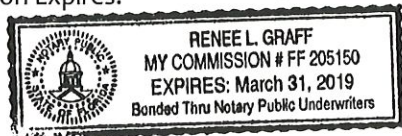
Opinion of Title

Page 3

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20 day of November, 2018, by Howard L. Friedberg on behalf of KATZ, BARRON, SQUITERO, FRIEDBERG, ENGLISH & ALLEN P.A., who is personally known to me or has produced _____, as identification.

My Commission Expires:



Renee L. Graff
Notary Public

Renee L. Graff
Print Name

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EXHIBIT A

OTHER SPECIAL EXCEPTIONS

1. All matters contained on the Plat.
2. Covenants, conditions and restrictions contained in Affidavit recorded in Official Records Book 30076, Page 3615.
3. Easement in favor of Florida Power and Light Company set forth in instrument recorded in Official Records Book 2549, Page 476.
4. Terms, covenants, conditions, and easements contained in that certain Lease between Lincoln Road Associates Limited Partnership, a New York limited partnership, as Landlord, and McDonald's Corporation d/b/a McDonald's Corporation, a Delaware company, as tenant, as evidenced by Memorandum of Lease recorded in Official Records Book 13728, Page 2475.
5. Dedication to the City of Miami Beach of a certain rectangular strip of land 20 feet in width bounded on the North by the South line of Lot 4, of Block 53, on the West by Drexel Avenue, on the South by a line parallel to and 20 feet distant to the South line of said Lot 4 and on the East by Washington Avenue as a public street or alleyway, between Lincoln Tower Corporation and the City of Miami Beach recorded in Deed Book 2075, Page 191, as affected by unrecorded Resolution No. 10450 dated January 18, 1961 and by unrecorded Resolution No. 10492, dated February 1, 1961, as affected by Quit Claim Deed from the City of Miami Beach, recorded March 23, 2016 in Official Records Book 30009, Page 4775.
6. Easement in favor of Florida Power and Light Company recorded in Official Records Book 19975, Page 2009.
7. Easement in favor of Florida Power and Light Company recorded in Book 27726, Page 1188.
8. Covenants, conditions and restrictions contained in Conditional Use Permits recorded in Book 22925, Page 619, Book 25230, Page 107, Book 25254, Page 1877, Book 26275, Page 3143, Book 26717, Page 3864, Book 27015, Page 2674, Book 27763, Page 2546, Book 30565, Page 2131, Book 31002, Page 1261, Book 31002, Page 1268, and Book 31014, Page 403.
9. Covenants, ~~conditions~~ and restrictions contained in Orders of the Board of Adjustment of the City of Miami Beach, Florida recorded in Book 13720, Page 2585, Book 14646, Page 3653, Book 20093, Page 603, Book 20651, Page 1310, Book 24340, Page 1336, Book 25802, Page 969, and Book 27927, Page 1556.
10. Covenants, ~~conditions~~ and restrictions contained in Orders of the Historic Preservation Board of the City of Miami Beach, Florida recorded in Book 20521, Page 3106, Book 23473, Page 2991, Book 25327, Page 4458, Book 26191, Page 3243, Book 26998, Page 801, Book 30471, Page 304, and Book 30721, Page 2270, Book 30987, Page 1897, Book 30987, Page 2333, and Book 30987, Page 2586.

Opinion of Title

Page 5

11. Covenants, conditions and restrictions contained in Declaration of Restrictive Covenants in Lieu of Unity of Title between New World Symphony, Inc., 420 Lincoln Road Associates, Inc., and the City of Miami Beach recorded in Book 25018, Page 1153.
12. Notices of Commencement recorded in Official Records Book 30982, at Pages 4219 and 4823.

NOTE: All recording references in this policy shall refer to the Public Records of Miami-Dade County, unless otherwise noted.

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