

October 5, 2021

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North Beach Town Center
Development, LLC 20533 Biscayne
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City of Miami Beach Public Works Department
1700 Convention Center Drive
Miami Beach, Florida 33139

And

City of Miami Beach – City Attorney’s Office
1700 Convention Center
Drive Miami Beach, FL
33139

Re: **Developer’s Request**

Termination and Release of a 10-foot easement running East/West, along the southerly 10 feet of lots 3 and 16, of Block 12, of the Plat of Normandy Beach South, recorded in Plat Book 21, at Page 54 (the “Plat”), relating to a City utility easement, recorded in O.R. Book 6386, at Pages 438, 440, and 443 of the Public Records of Miami-Dade County (“City’s Private Easement”); and

City’s release, pursuant to Resolution, of its right to access, operate and maintain utilities within a 5 foot reservation easement, as noted on said Plat (note: a strip of land 5-foot wide is reserved in the rear of each lot), particularly described as: Lots 1-5 and Lots 16-18, of Block 12; and Lots 3-5 and Lots 7-10, of Block 13, according to said Plat (“Platted Easement”) (collectively, “Developer’s Request”).

To Whom It May Concern:

North Beach Town Center Development, LLC (“Developer”) respectfully makes the above referenced request in connection with its development of the below list of properties (“Developer’s Properties”) into a multistory mixed-use project, including residential, parking garage and retail uses (DRB File No. 19-0424) (the “Development”):

| Folio | Address | Legal Description |
|------------------|---------------------|---|
| 02-3211-002-0850 | 326 71st Street | Lot 1, Block 12 |
| 02-3211-002-0860 | 6985 Abbott Avenue | Lot 2, Block 12 |
| 02-3211-002-0870 | Vacant | Lot 3, Block 12 |
| 02-3211-002-0880 | Vacant | Lot 4, Block 12 |
| 02-3211-002-0890 | 6961 Abbott Avenue | Lot 5, Block 12 |
| 02-3211-002-0920 | 6972 Harding Avenue | Lot 16, Block 12 |
| 02-3211-002-0930 | 300 71st Street | Lot 17-18, Block 12 |
| 02-3211-002-0990 | 6957 Byron Avenue | Lot 5, Block 13 |
| 02-3211-002-1010 | 6948 Abbott Avenue | Lot 7, Block 13 |
| 02-3211-002-1020 | 6956 Abbott Avenue | Lot 8, Block 13 |
| 02-3211-002-1030 | 6964 Abbott Avenue | Lot 9, Block 13 |
| 02-3211-002-1040 | 6972 Abbott Avenue | Lot 10, Block 13 |
| 02-3211-002-1050 | 6988 Abbott Avenue | Lot 11&12, Block 13, Less the W50' thereof |

The Developer has requested that the City execute a Termination and Release Agreement of the City's Private Easement and that the City release its interest in the Platted Easement, lying within the property limits of the Developer's Properties (collectively, the "Impacted Easement Areas"), in that, the proposed Development will encompass the Impacted Easement Areas (the "Developer's Request"). the City's Private Easement contains electrical and water facilities and the Platted Easement contains water facilities. Attached are letters of no objection from utility and telecommunications companies that service the Developer's Properties and adjoining impacted properties ("Adjoining Impacted Properties"). The Adjoining Impacted Properties shall mean: Lots 1, 2, 6, and the west 50 feet of Lots 1 and 12, of Block 13; and Lots 6, 13, 14, and 15 of Block 12.

In connection with the Developer's Request, Developer, at its sole cost and expense, shall be responsible for the removal, relocation, and replacement of the utility facilities located within the Developer's Properties and Adjoining Impacted Properties, subject to approval, by the City, of the new locations and the type of new utility facilities to be installed (the "Utility Facilities Relocation Project"). Since the Impacted Easement Areas also serve the Adjoining Impacted Properties, Developer has agreed to: (1) construct new utility facilities, as may be requested by the City, that will provide the required functionality and capacity for the Developer Properties and Adjoining Impacted Properties; (2) secure all required consents to conduct work on the Adjoining Impacted Properties in connection with the Utility Facilities Relocation Project, which may include the relocation of some utility facility components lying within the Adjoining Impacted Properties including, without limitation, water and/or irrigation facilities and meters; and (3) not commence the foundation or clearing work on the Developer's Properties until such time as the Developer has completed the Utility Facilities Relocation Project. Developer shall also pay for any costs associated with the City's approval of the new utility easements including, without limitation, recording fees, title search fees, and professional services related to the preparation of surveys, opinions of title and any other additional costs related to the Development approval process.

Thank you in advance for your thoughtful consideration. If you have any questions or need additional information, please contact me at (262) 271-0932 or via email at bstigler@pacificstarcapital.com.

Respectfully,

North Beach Town Center Development, LLC

Benjamin Stigler, 