

EXHIBIT A

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November 29, 2022

Thomas Mooney
Planning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: 3621 Collins Avenue – New Owner's Proposed Maintenance Plan to Address Demolition by Neglect Violation ZV2021-03677

Dear Tom,

We represent MDEV6, LLC (the "Owner") who in late May purchased the property at 3621 Collins Avenue, Miami Beach, Florida (the "Property"). As you know, due to the prior owner's actions, the City issued violation ZV2021-03677 (the "Violation") for non-compliance with Section 118-532(g), known as demolition by neglect. This Violation is scheduled for a hearing before the Special Magistrate on December 1, 2022 under case number SMC2022-02127 (the "Hearing").

Note that because the Violation was issued just before the Owner closed on the Property, mailed notices were sent to the prior property owner and the Owner was not aware of the Violation until a few weeks ago when Owner's attorney happened to tour the Property and saw the Violation posted. Please let this letter serve as the Owner's proposed maintenance plan to address the Violation while redevelopment plans are approved.

Proposed Redevelopment. The Owner is a subsidiary of 13 Floor Investments—a well-respected real estate investment fund and developer who owns or has developed significant projects in South Florida. The Owner has purchased 3621 Collins Ave. and is under contract to purchase 3611 Collins Ave. Both of these structures are vacant and will remain vacant.

The Owner plans to unify the properties and redevelop the site in joint venture with a major global brand. Redevelopment plans will be sensitive to the historic architecture of both buildings and will retain significant portions of the historic façades, specifically those fronting on Collins Ave. In the eastern portion of the site, a new residential tower will be built. A world renowned architect is being retained to design a luxury residential project that is compatible with the retained portions of the historic structures.

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The Owner anticipates closing on 3611 Collins in February 2023. Thereafter, Owner will immediately work on finalizing architectural plans and other deliverables, which are already in progress. The Owner anticipates submittal by November 2023 which will slate the project for hearing before the Historic Preservation Board ("HPB") as early as January 2024. Once HPB approval is obtained, the Owner intends to immediately start the building permit process. Owner's timeline contemplates demolition work beginning on or about December 2024.

Proposed Maintenance Plan. The Owner understands there is a need to immediately address the building's condition. The Owner intends to do any and all work necessary to ensure that this vacant structure and the vacant structure at 3611 Collins are secure. However, given that substantial portions of the buildings will be demolished soon for redevelopment, the Owner does not intend to fully bring the structures up to Code. Again, the Owner will do all work necessary to ensure that these vacant structures, which will remain vacant, are secure.

Currently, the structures are vacant and boarded up to ensure no trespassers. Further, a security guard is posted at the Property 24 hours a day. A few weeks ago, the Property was landscaped and the pool at 3621 Collins was drained. The Owner has contracted with both the landscape and pool vendors to provide routine maintenance to the Property. As for the conditions of the buildings, the Owner has retained a structural engineer draft a structural reports for the both 3621 and 3611 Collins. The Owner is working on scheduling a meeting with the Building Official to discuss the conditions of the building and ensure that the reports cover all topics of concern. Owner will provide a copy of the report to the Planning Department once available. From conversations with the engineer we understand that the Property is structurally safe and at no risk of collapsing.

Compliance with 118-532(g). The Property will be preserved against further decay, deterioration, and physical defects which jeopardize the building's historic, architectural and structural integrity as follows:¹

(1) Deteriorated or decayed facades or facade elements, including, but not limited to, facades which may structurally fail and collapse entirely or partially;

The Owner will fully restore the historic façade fronting on Collins Avenue as part of the redevelopment. The plans will highlight and celebrate the existing historic architectural features in the façade. The minimal spalling of concrete on the northwest corner of the façade fronting on Collins Avenue will be fixed.

(2) Deteriorated or inadequate foundations;

¹ Note, the our responses to the 118-532(g) criteria are based on our best knowledge of the structure's condition given conversations with our structural engineer. We reserve the right to amend our answers upon receipt of the engineer's final structural report. Again, the Owner intends to do any work necessary to secure the vacant structure.

Foundations are in good conditions.

(3) Defective or deteriorated flooring or floor supports or any structural members of insufficient size or strength to carry imposed loads with safety;

Owner is aware of some damage on the first floor slab. The slab will be repaired to ensure structural safety.

(4) Deteriorated walls or other vertical structural supports, or members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;

Walls and other vertical structural supports are in adequate condition to ensure structural safety.

(5) Structural members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;

Structural members of ceilings, roofs, ceiling and roof supports or other horizontal members are in adequate condition to ensure structural safety.

(6) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or missing windows or doors;

Any broken or missing window or door has been boarded up to ensure no trespassing and no water damage to interiors.

(7) Defective or insufficient weather protection which jeopardizes the integrity of exterior or interior walls, roofs or foundation, including lack of paint or weathering due to lack of paint or other protective covering;

Existing weather protection is sufficient to protect integrity of exterior and interiors walls, roofs and foundation until the Property is redeveloped.

(8) Any structure which is not properly secured and is accessible to the general public; or

All structures are properly secured and not accessible to the general public. Not only is the building fully boarded up and secured, but there is a security guard posted at the Property 24/7.

(9) Any fault or defect in the property that renders it structurally unsafe or not properly watertight;

There are no faults or defects in the Property that render it structurally unsafe or not properly watertight.

(10) The spalling of the concrete of any portion of the interior or exterior of the building.

There is minimal spalling of concrete on the northwest corner of the façade fronting on Collins Avenue. Applicant will patch up that portion of the façade to ensure no further damage.

Conclusion. The above proposed maintenance plan adequately addresses the Violation, while still recognizing that the Property will be redeveloped soon. As such, the Owner respectfully request that the City of Miami Beach enter an Agreed Order incorporating the maintenance plan to be presented at the Hearing.² We kindly request that any enforcement action stemming from the Violation be continued to give the Owner time to do the remedial work reference above and any other work required to secure the Property as stated in the new structural report.

We thank you for your understanding and look forward to discussing these issues with you. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

AKERMAN, LLP



Neisen O. Kasdin

cc: Cecilia Torres-Toledo – Akerman LLP
Eric Carpenter – City of Miami Beach
Steven Rothstein – City of Miami Beach
Deborah Tackett – City of Miami Beach
Rey Melendi – 13th Floor Investments

² The Owner is also working on Agreement to present to the Building Official and resolve the Property's unsafe structures violation.