NORTH MIAMI PLANNING COMMISSION AGENDA
Tuesday, March 1, 2016 7:00PM
Council Chambers
776 NE 125th Street, North Miami, FL 33161

I. ASSEMBLY AND ORGANIZATION:

A. Call to Order
B. Pledge of Allegiance
C. Roll Call of Board Members
D. Amendments to the Agenda

II. APPROVAL OF MINUTES: February 9, 2016

III. COMMUNICATIONS: None

IV. CONTINUED PUBLIC HEARINGS:

~~PC 01-16:~~ ~~**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF THE CAMPUS DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, IN ACCORDANCE WITH SECTION 1013.30, FLORIDA STATUTES (2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**~~

1. Staff Report
2. Commission Action

PC 20-15: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED RIGHT-OF-WAY FOR NW 13TH AVENUE, MEASURING 114 FEET LONG AND 60 FEET WIDE, LYING IMMEDIATELY NORTH OF NW 119TH STREET, BETWEEN BLOCKS 17 AND 32 OF SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT-OF-WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

1. Staff Report
2. Commission Action

V. PUBLIC HEARINGS:

PC 04-16: ~~**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, UNDER DIVISION 16 ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSIONS OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250 SQ. FT. FLOOR AREA LIMIT FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**~~

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 16, ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 A.1. ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSION OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250 SQUARE FEET FLOOR AREA LIMITATION FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

1. Staff Report
2. Commission Action

PC 05-16: **AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6 ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601 ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF THE WATERWAY/CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY INCREASING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY PERCENT (20%) OF THE WIDTH OF THE CANAL, OR TWENTY-FIVE (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF THIRTY PERCENT (30%) OF THE WIDTH OF THE CANAL, OR THIRTY (30) FEET, WHICHEVER IS LESS, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**

1. Staff Report
2. Commission Action

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS: None

IX. ADJOURNMENT

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.) In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12159, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

MINUTES
NORTH MIAMI PLANNING COMMISSION
7:00 P.M.
Tuesday, February 9, 2016
COUNCIL CHAMBERS

The meeting was called to order at 7:01 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	**Present**	**Excused**	**Absent**
1.	Chair Kevin Seifried	X		
2.	Vice Chair Charles Ernst		X	
3.	Commissioner Kenny Each	X		
4.	Commissioner Jason James	X		
5.	Commissioner Emmanuel Jeanty		X	
6.	Commissioner Pegy Boule	X		
7.	Commissioner Bob Pechon	X		
Alternative Members:				
8.	Commissioner Michael McDearmaid	X		
9.	Commissioner Mary C. Estime-Irvin			

Staff was represented by:

Nixon Lebrun, City Planner
Roland Galdos, Interim City Attorney
Dunia Sanzetenea, Information Technology
Katrina Lunan-Gordon, Board Secretary
Natasha Colebrook-Williams, Chief of Staff
Tanya Wilson-Sejour, Planning Zoning and Development Director
Wisler Pierre-Louis, Public Works Director
John O'Brien, Transportation Planner

I. **Assembly and Organization:** None

II. **Approval of Minutes:**
   a. The minutes of January 5, 2015 was motioned for approval by Commissioner McDearmaid and seconded by Commissioner Pechon. Passed 4-0.

III. Communications: None

IV. Continued Public Hearings: None

V. Public Hearings:

PC 01-16: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF THE CAMPUS DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, IN ACCORDANCE WITH SECTION 1013.30, FLORIDA STATUTES (2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

The item was introduced by Chair Kevin Seifried. Staff report was given by Mr. Lebrun, City Planner and the Public Hearing was opened.

Public Hearing:

Representatives from Florida International University (FIU), Biscayne Bay Campus included, John Cal, Associate Vice President, Facilities Management; Robert Griffith, Director Facilities Planner; Stuart Grant, Coordinator of Planning; and Isabel Diaz, Associate General Counsel.

Commission Discussion:

Commissioner Pechon asked, "How could FIU's Master Plan support the city of North Miami?" He furthermore inquired about the traffic impact of the neighboring street inconclusive with the master plan. FIU, John Cal explained the master plan as it relates to the first and second traffic study, specifically to the level of service stated in the analysis. Robert Griffith, FIU staff member clarified Commissioner Pechon's inquiry.

Commissioner McDearmaid inquired about the traffic and the potential joint workshop involving the major projects on the Biscayne Boulevard. He deems it necessary the residents of the City of North Miami are to be informed of any major interjections as it pertains to traffic. FIU staff member, John Cal explained the planning process that entails the City, residents and FIU. Commissioner McDearmaid would like to have said workshop

Commissioner Each asked about the "geographic area covered by this agreement" in regards to the preserves located in the City of North Miami and NW 135th Street running through said preserves. The depicted street is deemed "open" based on the map illustrated in the agreement. He requested that the language in the agreement be adjusted to clearly illustrate that NW 135th Street is off-limits. Mr. Galdos, City Attorney explained that the campus development agreement should be consistent with the City's Comprehensive Plan.

Commissioner Boule shares the same concern with her fellow Commissioners.

Chairman Siefired inquired about the mistaken beliefs of the FIU's Master Plan and the Campus Development Agreement. He states the Commission will not approve due to the conflict of the Master Plan and the City of North Miami EAR-Based Comprehensive Plan due to the inconsistencies.

Consideration was suspended for FIU staff to gather and discuss.

Following discussion, the Planning Commissioners suggested that some of the language and exhibit found in the Agreement, be added in the Agreement to prohibit vehicular access to the university from NE 135th Street and that a new map be provided that more accurately depicts the context area of the Biscayne Bay Campus. Revisions will be made by the applicant and will be presented to the subsequent Planning Commission meeting.

PC 20-15: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED RIGHT-OF-WAY FOR NW 13TH AVENUE, MEASURING 114 FEET LONG AND 60 FEET WIDE, LYING IMMEDIATELY NORTH OF NW 119TH STREET, BETWEEN BLOCKS 17 AND 32 OF SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT-OF-WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

The item was introduced by the Chair Kevin Seifried. Due to the absence of the applicant and/or representative for agenda item PC 20-15, the item was stricken from the agenda and will return on the subsequent Planning Commission agenda.

PC 02-16: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT REQUEST FROM CRP/WESTPORT SELF**

STORAGE 125TH, LLC, D/B/A U.S. STORAGE CENTERS, TO CONSOLIDATE FOUR (4) ADJACENT PARCELS (SPECIFICALLY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NUMBERS 06-2229-042-0190, 06-2229-042-0220, 06-2229-042-0222, AND 06-2229-042-0240) INTO ONE (1) SINGLE PARCEL WITH ONE (1) SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

The item was introduced by the Chair Kevin Seifried. Staff report was given by Mr. Lebrun, City Planner and the Public Hearing was opened.

Public Hearing:

Mitchell Feldman, part owner of CRP/Westport Self Storage 125th, LLC introduced himself and will answer any questions the Planning Commission may have.

Commission Discussion:

Chair Seifried asked the applicant if he partook in any communications regarding the intended railroad project adjacent to the property requesting a tentative plat. Mr. Feldman explained that there has been no communication since it does not affect their property.

Commissioner McDearmaid and Pechon inquired about the intended appearance of the parcels facing NW 125th Street. Mr. Feldman enlightened the Commissioners on the proposed plans for the project.

Commissioner Each commented on the proposed plans of the tentative plat.

Commissioner James inquired about the potential loading docks on the property. Mr. Lebrun, City Planner stated that the applicant must adhere to the standards of the code.

Following staff's presentation and Commission discussion, Commissioner McDearmaid motioned to recommend adoption of the resolution to be forwarded to the City Council. Commissioner Each seconded the motion. The item passed unanimously 6-0.

PC 03-16: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE DESIGNATION OF**

THE COMMERCIAL AREAS ALONG NW 7TH AVENUE BETWEEN NW 119TH STREET TO NW 135TH STREET AS A 'CHINATOWN CULTURAL ARTS AND INNOVATION DISTRICT'; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO DO ALL THINGS NECESSARY TO CREATE A MASTER PLAN TO SERVE AS A DESIGN GUIDE TO ENSURE THE FUTURE GROWTH OF THE SUBJECT AREA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

The item was introduced by the Chair Kevin Seifried. Staff report was given by Mr. Lebrun, City Planner and the Public Hearing was opened.

Public Hearing:

Resident, Kevin Burns commented on the proposed Chinatown Cultural Arts and Innovation District designation. He stated that the proposed designation is characteristically reclusive. He recommended the Planning Commission revise the designation and proposed, "Innovation District Designation".

Commission Discussion:

Commissioner Each expressed his concerns about the city and the proposed designation of a Chinatown. He recommended the designation be more inclusive.
Commissioner McDearmaid asked about the "design guidelines" stated in title PC 03-16. Mr. Galdos, City Attorney pointed out that the guidelines are for incoming developments within the limits of said designation. Commissioner McDearmaid asked if the designation will come with incentives for those in the defined designation corridor.

Commissioner Pechon affirmed that the proposed designation is not what the corridor needs at the moment. He further emphasized that the designation should be inclusive.

Commissioner James inquired if there was any backup information to support the proposed designation, for example a corridor study. Mr. Lebrun, City Planner emphasized that this is the first step of the proposed designation. Commissioner James furthermore emphasized that the designation should be inclusive.

Commissioner Boule denies the proposed district designation. She states that the designation of a Chinatown will not dignify the existing culture surrounding the corridor.

Chair Seifried asked if the proposed designation was presented to the Beacon Council. Mr. Lebrun, City Planner explained the intention of the item and how staff will proceed.

Commissioner Boule made a motioned to recommend adoption of the resolution to be forwarded to the City Council with revisions to be amended. The resolution will reflect the extraction of said

language from the proposed designation. To strike “Chinatown” from the designation titled, “Chinatown Cultural Arts and Innovation District” and to make it “Cultural Arts and Innovation District”. Commissioner McDearmaid seconded the motion. The resolution was approved with conditions 6-0 by roll call vote.

— — —

The next meeting was scheduled for March 1, 2016.

VI. COMMITTEE REPORTS: None

VI. OLD BUSINESS: None

VII. NEW BUSINESS: None

The meeting was adjourned at 8:57pm.

VIII. ADJOURNMENT

Respectfully submitted:

Kevin Seifried, Chair
Planning Commission

Attest:

Nixon Lebrun, AICP, CFM, City Planner
Community Planning & Development

Prepared by:

Katrina Lunan-Gordon, Board Secretary
Community Planning & Development

NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Staff Report

Date: March 1st, 2016

To: Honorable Members of the Planning Commission

From: Nixon Lebrun, AICP, CFM, City Planner, Community Planning & Development

Re: **Vacation, Abandonment & Sale of a portion of the Right-of-Way for NW 13th Avenue lying immediately north of NW 119th Street, between Blocks 17 & 32, Sunkist Grove, 8/49, North Miami FL**
Applicant: Eglise Evangélique des Pèlerins % Reverend James Pasteurin

---

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED RIGHT-OF-WAY FOR NW 13TH AVENUE, MEASURING 114 FEET LONG AND 60 FEET WIDE, LYING IMMEDIATELY NORTH OF NW 119TH STREET, BETWEEN BLOCKS 17 AND 32 OF SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT-OF-WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

STAFF RECOMMENDATION

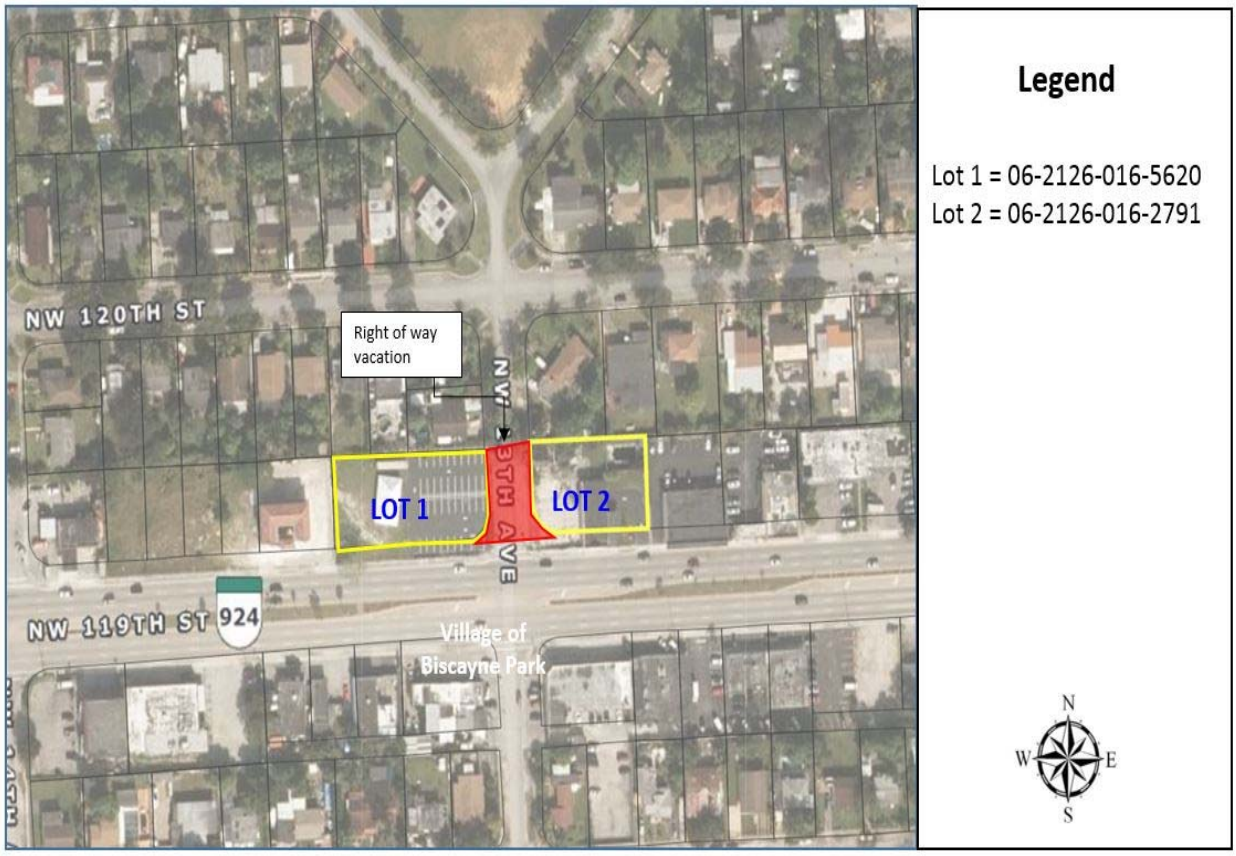
That the Planning Commission recommends adoption of the attached resolution approving the vacation, abandonment, closure and subsequent sale of a portion of the right-of-way for NW 13th Avenue (measuring 114 feet long and 60 feet wide, and lying immediately north of NW 119th Street, between Blocks 17 and 32 of Sunkist Grove, according to the plat thereof, as recorded in Plat Book 8, Page 49 of the Public Records of Miami-Dade County), and forward said resolution to the Mayor and City Council for final consideration.

HISTORY

This item was scheduled to be heard by the Planning Commission at its regularly scheduled meeting on February 9th, 2016, but, was tabled for the subsequent Planning Commission meeting, due to the absence of the Applicant.

BACKGROUND INFORMATION

The above-described portion of the right-of-way of NW 13th Avenue has been closed off by the City in the 1990s to prevent access to the Sunkist Grove single-family neighborhood from NW 119th Street. As a result, this right-of-way has very low usage and serves no other purpose than to provide access to the two (2) parcels, located across from each other. These two (2) properties are specifically identified as Lot 1 and Lot 2 in the following picture, with respective Miami-Dade County folio numbers: 06-2126-016-5620 and 06-2126-016-2791. Both lots are owned and operated by Eglise Evangélique des Pèlerins as a 6,000-sq. ft. sanctuary building for church services and other related ministry activities (Lot 2) and as an attendant parking lot in connection with the church. In recent years, the church has witnessed an exponential increase in its membership and ministry activities, and, has therefore outgrown its space. Eglise Evangélique des Pèlerins (the "Applicant") is therefore petitioning the City to vacate the above-described portion of the right-of-way of NW 13th Avenue, lying between Lot 1 and Lot 2, in order to consolidate these two (2) lots with the vacated right-of-way and, ultimately, expand and modernize the facility to better accommodate its growing and diverse body of parishioners, as well as increasing ministry needs.



PURPOSE & ANALYSIS

As stated above, the Applicant is seeking to redevelop the church facility and is petitioning that the City vacates, abandons and subsequently sells the above-described portion of the right-of-way of NW 13th Avenue.

Criteria for granting vacations and abandonments of City's right-of-ways and easements: Article 3, Division 9, Section 3-903 through Section 3-905 of the City's Land Development Regulations (LDRs) provides authority to the Planning Commission to hear, review and make a written recommendation to the City Council for either approval, approval with conditions, or denial of an application for the abandonment or vacation of real property interests of the City, i.e., streets, alleys, sidewalks, easements and other fee or non-fee property interests of similar character. In evaluating an application for such request, the Planning Commission shall find that the application demonstrates compliance with the following standards:

A. The fee or non-fee property interest sought to be vacated or abandoned:
    1. Does not provide a benefit to the public health, safety, welfare or convenience, in that:
        a. It is not being used by the city for any of its intended purposes; and
        b. No comprehensive plan, special purpose plan or capital improvement program anticipates its use; or
    2. Provides some benefit to the public health, safety, welfare or convenience, but the overall benefit anticipated to result from the vacation or abandonment outweighs the specific benefit derived from the non-fee property interest, in that:
        a. The purpose of the interest sought to be vacated or abandoned will be adequately and appropriately served in an alternative manner when the interest is vacated or abandoned;
        b. The vacation or abandonment will not compromise the delivery of emergency services;
        c. The vacation or abandonment will not compromise pedestrian or vehicular safety;
        d. The vacation or abandonment will not interfere with solid waste removal services;
        e. The vacation or abandonment will not frustrate any comprehensive plan, special purpose plan or capital improvement program of the city;
        f. The vacation or abandonment will not interfere with any planning effort of the city that is underway at the time of the application but is not yet completed; and
        g. The vacation or abandonment will provide a material public benefit in terms of promoting development or redevelopment of abutting

property, removing blighting influences or improving the city's long-term fiscal position.

B. The proposed vacation or abandonment will be accomplished in accordance with all applicable standards of local, state and federal authorities.

C. The proposed vacation or abandonment will promote development or redevelopment that will maintain or enhance the character of the surrounding area.

D. The proposed vacation or abandonment will not have a negative fiscal impact on the city or result in development that will have a negative fiscal impact on the city.

Staff has reviewed the Applicant's request to ensure adherence to the minimum requirements noted above and set forth in Article 3, Division 9, Section 3-903 of the LDRs. The request is found to comply with all such applicable standards, as demonstrated below:

A. The fee or non-fee property interest sought to be vacated or abandoned does not provide a benefit to the public health, safety, welfare or convenience, in that it is not being used by the city for any of its intended purposes and no comprehensive plan, special purpose plan or capital improvement program anticipates its use.

✓ *The subject right-of-way is completely unused by the public and serves no real public purpose. In fact, there is no use contemplated for it in the City's Comprehensive Plan, Capital Improvement Program (CIP), or any other special purpose plan, either now or in the foreseeable future. Its vacation will not compromise pedestrian and vehicular traffic along NW 119th Street, and will not create any materially adverse impacts on the public health, safety, welfare or convenience of the nearby residences and businesses.*

B. The proposed vacation or abandonment will be accomplished in accordance with all applicable standards of local, state and federal authorities.

✓ *The alleyway abandonment request is subject to review and approval by the City.*

C. The proposed vacation or abandonment will promote development or redevelopment that will maintain or enhance the character of the surrounding area.

✓ *As stated earlier, that segment of NW 13th Avenue mainly serves as an ingress and egress point to the two (2) properties owned by the Applicant. Lately, that closed-off right-of-way has been the subject of loitering/prowling and dumping activities, which, according to the Applicant, negatively impacts the operation of the church. The proposed vacation will therefore provide for safety by eradicating these illegal activities and blighting influences, and also help improve the appearance of the NW 119th Street corridor by promoting the redevelopment of the site into a more modern and architecturally pleasing facility. As such, this request is consistent with Policy 1.5.8 of the Future Land Use*

Element (FLUE) of the City's Comprehensive Plan, which aims at combatting unsightly areas of slums and blight in the City.

D. The proposed vacation or abandonment will not have a negative fiscal impact on the City or result in development that will have a negative fiscal impact on the City.

✓ *While the proposed vacation will not generate any future tax revenues to the City, as the Applicant is a religious organization, it will not, however, have a negative fiscal impact on the City. It shall be noted that, along with the application, the Applicant has paid the cost recovery for the two (2) independent appraisal reports, which, per Article 1, Section 3 of the City Charter and Article 3, Division 9, Section 3-902 of the LDRs, are necessary to determine the fair market value of the subject fee-simple right-of-way. These appraisal reports, which were prepared by MTO Realty, Inc. and Pena Appraisal Service, Inc., value the fee-simple right-of-way at $62,000.00 and $55,000.00, respectively. In compliance with Article 1, Section 3 of the City Charter and contingent upon the approval of this application by the Mayor and City Council, the Applicant has agreed to purchase the subject right-of-way for the sum of ninety $55,800.00, which is ninety (90) percent of the highest appraised value. .*

CONCLUSION

Staff believes the current request meets the requirements of Section 3-903 of the City's Land Development Regulations and recommends approval of the proposed resolution subject to the following conditions:

1. **Deed Transfer:** That, upon approval of the vacation of the subject fee-simple right-of-way, the Applicant work with City staff to effectuate the conveyance of same by virtue of a Deed;

2. **Unity of Title**: Within forty-five (45) days of the adoption of the resolution approving the proposed vacation by the Mayor and City Council, the Applicant shall consolidate the three (3) parcels into one parcel by virtue of a unity of title; said instrument to meet with the approval of the City Attorney's Office prior to be recorded with the Miami-Dade County Clerk of Court; and

3. **Easements Access:** That the applicant obtains final letters from all utility and telecommunications companies with regard to the provision of easements in order to maintain access to any existing facilities that may presently be located within the vacated right-of-way.

NL/ tws

Attachments:

1. Proposed Resolution
2. Site Survey
3. Independent Appraisal Reports by MTO Realty, Inc., and Pena Appraisal Service, Inc.
4. Applicant's Agreement to Purchase the Right-of-Way
5. Utility Companies Letters

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED RIGHT-OF-WAY FOR NW 13TH AVENUE, MEASURING 114 FEET LONG AND 60 FEET WIDE, LYING IMMEDIATELY NORTH OF NW 119TH STREET, BETWEEN BLOCKS 17 AND 32 OF SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT-OF-WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Chapter 29, Article 3, Division 9 of the City of North Miami ("City") Code of Ordinances, Land Development Regulations ("LDRs"), provides a uniform procedure for the vacation, abandonment and sale of City-owned properties as it pertains to parcels, streets, alleyways, and easements; and

WHEREAS, pursuant to Section 3-903C, LDRs, the City is desirous of supporting vacations or abandonments that will promote development or redevelopment to maintain or enhance the character of the surrounding area, while having a positive fiscal impact on the City; and

WHEREAS, Eglise Evangelique des Pelerins ("Applicant"), has requested the abandonment, vacation and sale of a portion of a City owned right-of-way for NW 13th Avenue, measuring 114 feet long and 60 feet wide, lying immediately north of NW 119th Street, between Blocks 17 and 32 of Sunkist Grove, according to the plat thereof, as recorded in Plat Book 8, Page

49, of the Public Records of Miami-Dade County ("Subject Property"), with folio numbers:06-2126-016-5620 and 06-2126-016-2791; and

WHEREAS, the Subject Property has not been used as a right-of-way since the 1990's when it was closed off to prevent access from 119th Street to the nearby Sunkist Grove single-family neighborhood; and

WHEREAS, in accordance with Section 3-902, LDRs, the City obtained two appraisal reports from licensed Real Estate Appraisers, showing the following values of the Subject Property: MTO Realty, Inc., at Sixty Two Thousand Dollars ($62,000.00), and Pena Appraisal Service, Inc., at Fifty Five Thousand Dollars ($55,000.00); and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on March 1, 2016, reviewed the proposed abandonment application and found that it fulfilled the standards of Section 3-903, LDRs, and not in conflict with the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, the Planning Commission recommended approval of the vacation, abandonment and sale of the Subject Property with the condition that the Applicant pay the City the amount of Fifty Five Thousand Eight Hundred Dollars ($55,800.00) as consideration for the conveyance of the Subject Property; and

WHEREAS, in accordance with Section 8 of the City Charter, no property of the City shall be sold for less than ninety (90) percent of the appraised value of the property as determined by at least two (2) City secured appraisals; and

WHEREAS, the Mayor and City Council find the proposed vacation, abandonment, and sale of the Subject Property, is in compliance with Section 3-903, LDRs, and thereby agree to convey the Subject Property to Applicant, in the amount considered and approved by the Mayor and City Council on March 22, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Vacation, Abandonment and Sale of Portion of Right-of-Way.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the vacation, abandonment and sale of a portion of a City owned right-of-way for NW 13th Avenue, measuring 114 feet long and 60 feet wide, lying immediately north of NW 119th Street, between Blocks 17 and 32 of Sunkist Grove, according to the plat thereof, as recorded in Plat Book 8, Page 49, of the Public Records of Miami-Dade County, as further described in the attached Exhibit.

Section 2. **Authority of Interim City Manager to Sell and Convey Portion of Right-of-Way.** The Mayor and Council of the City of North Miami, Florida, hereby authorize the Interim City Manager to negotiate the sale of the subject portion of the right-of-way, in accordance with Chapter 29, Article 3, Division 9, of the City of North Miami Code of Ordinances, Land Development Regulations, and to take all necessary steps to effectuate the conveyance.

Section 3. **Effective Date.** This Resolution shall become effective upon the execution and recording of a Deed, a Unity of Title and any Easement access to be prepared by the Applicant within forty five (45) days of the Mayor and City Council approval, pursuant to Section 3-907 of the City of North Miami Code of Ordinances, Land Development Regulations.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this ____ day of _____, 2016.

_____
DR. SMITH JOSEPH
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
ROLAND C. GALDOS, ESQ.
INTERIM CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	_____ (Yes)_____ (No)
Vice Mayor Alix Desulme	_____ (Yes)_____ (No)
Councilman Scott Galvin	_____ (Yes)_____ (No)
Councilwoman Carol Keys, Esq.	_____ (Yes)_____ (No)
Councilman Philippe Bien-Aime	_____ (Yes)_____ (No)

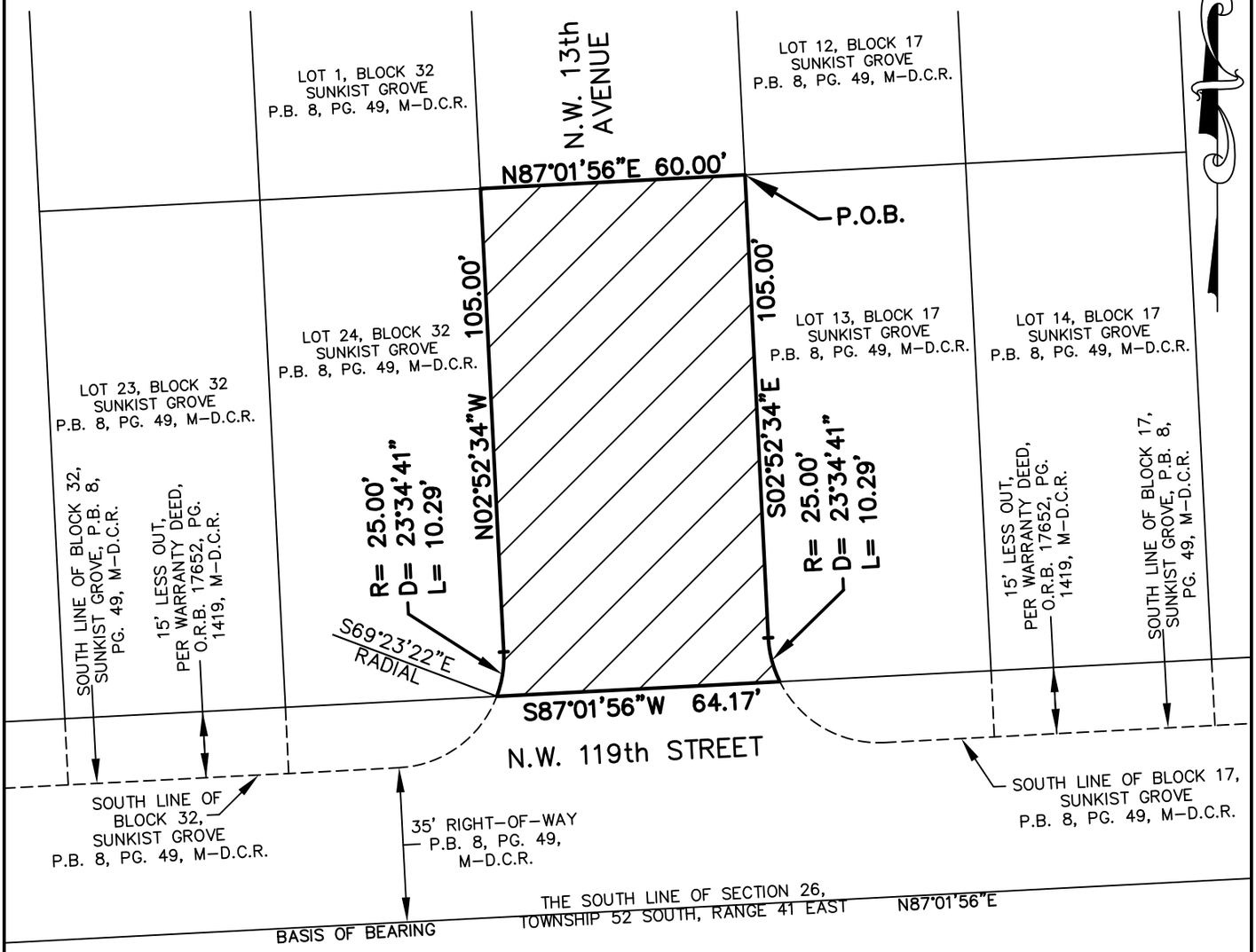
PILLAR CONSULTANTS INC.
FROM CONCEPT TO REALITY

GENERAL CONTRACTING•LIC #QB-0015697
DESIGN / BUILD•CONSTRUCTION MANAGEMENT
CONSULTING ENGINEERS•PLANNERS•SURVEYORS
LB #7024

5230 SOUTH UNIVERSITY DRIVE, SUITE 104
DAVIE, FLORIDA 33328
OFFICE: 954-680-6533•FAX:954-680-0323

-SKETCH AND DESCRIPTION-

NOTE: THIS IS NOT A SURVEY.
(SEE ATTACHED DESCRIPTION)



PREPARED BY:
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER NO. LS 6425
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.
THE SURVEY DEPICTED HEREON IS NOT COVERED
BY PROFESSIONAL LIABILTY INSURANCE.

SHEET 1 OF 2

UPDATES / REVISIONS	DATE	BY	CHK'D

NOTE: THE UNDERSIGNED AND PILLAR CONSULTANTS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. PILLAR CONSULTANTS, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

NOTE: THIS INSTRUMENT IS THE PROPERTY OF PILLAR CONSULTANTS, INC. MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF PILLAR CONSULTANTS, INC.

Job No.: 15017	Drawn By: T.N.T.	Checked By:		Scale: NOT TO SCALE

PILLAR CONSULTANTS INC.
FROM CONCEPT TO REALITY

GENERAL CONTRACTING • LIC #QB-0015697
DESIGN / BUILD • CONSTRUCTION MANAGEMENT
CONSULTING ENGINEERS • PLANNERS • SURVEYORS
LB #7024

5230 SOUTH UNIVERSITY DRIVE, SUITE 104
DAVIE, FLORIDA 33328
OFFICE: 954-680-6533 • FAX:954-680-0323

–SKETCH AND DESCRIPTION–

NOTE: THIS IS NOT A SURVEY.
(SEE ATTACHED SKETCH)

LAND DESCRIPTION:

A PORTION OF THE RIGHT–OF–WAY FOR NORTHWEST 13TH AVENUE, LYING BETWEEN BLOCKS 17 AND 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI–DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 13, BLOCK 17, OF THE SAID SUNKIST GROVE; THENCE SOUTH 02°52'34" EAST, ALONG THE WESTERLY LIMITS OF THE SAID LOT 13, A DISTANCE OF 105.00 FEET TO THE POINT OF A CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET TO A POINT ON THE NORTHERLY RIGHT–OF–WAY FOR NORTHWEST 119TH STREET; THENCE SOUTH 87°01'56" WEST, ALONG THE SAID NORTHERLY RIGHT–OF–WAY, A DISTANCE OF 64.17 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 24, BLOCK 32 OF THE SAID SUNKIST GROVE AND THE POINT OF CURVATURE OF A NON–TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, SAID POINT HAVING A RADIAL BEARING OF SOUTH 69°23'22" EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET; THENCE NORTH 02°52'34" WEST, ALONG THE EASTERLY LIMITS OF THE SAID LOT 24, A DISTANCE OF 105.00 FEET TO THE NORTHEAST CORNER OF THE SAID LOT 24; THENCE NORTH 87°01'56" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF NORTH MIAMI, MIAMI–DADE COUNTY, FLORIDA. CONTAINING 6,913.7 SQUARE FEET (0.16 ACRES) MORE OR LESS.

LEGEND:

M–D.C.R. – MIAMI–DADE COUNTY RECORDS
O.R.B. – OFFICIAL RECORDS BOOK
P.O.B. – POINT OF BEGINNING
P.B. – PLAT BOOK
PG. – PAGE
R – RADIUS
L – LENGTH
D – DELTA (CENTRAL ANGLE)

SURVEYORS NOTES:

1. BEARING REFERENCE:
   THE BEARINGS, AS SHOWN HEREON, ARE RERFERENCED TO THE SOUTH LINE OF THE SECTION 26, TOWNSHIP 52 SOUTH, RANGE 41 EAST.
   SAID LINE BEARS NORTH 07°01'56" EAST.

2. THIS IS NOT A SURVEY. NO FIELD WORK WAS DONE DURING THE PREPARATION OF THIS SKETCH AND DESCRIPTION.

PREPARED BY:
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER NO. LS 6425
STATE OF FLORIDA

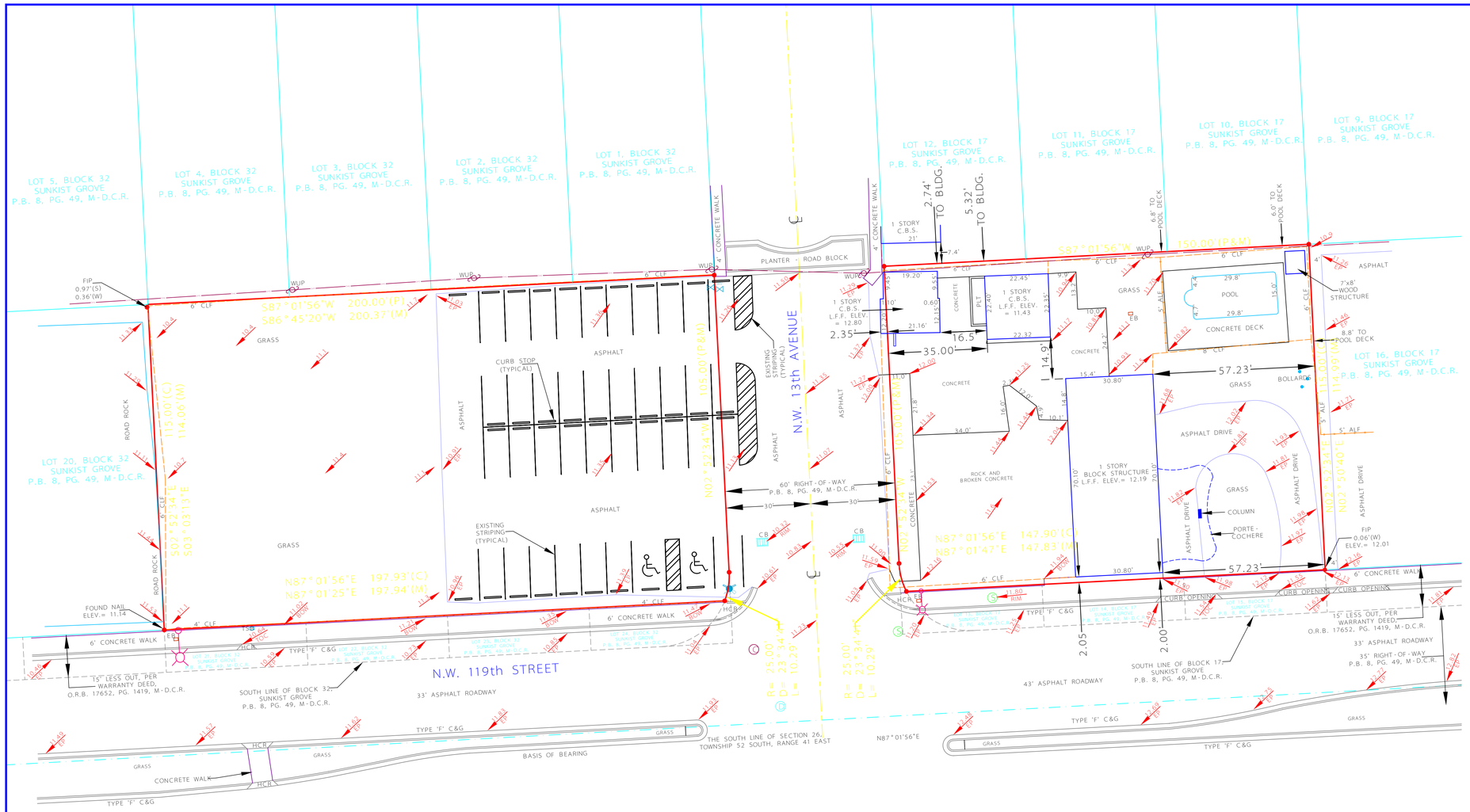
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILTY INSURANCE.

UPDATES / REVISIONS	DATE	BY	CHK'D

NOTE: THE UNDERSIGNED AND PILLAR CONSULTANTS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. PILLAR CONSULTANTS, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

NOTE: THIS INSTRUMENT IS THE PROPERTY OF PILLAR CONSULTANTS, INC. MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF PILLAR CONSULTANTS, INC.

Job No.: 15017	Drawn By: T.N.T.	Checked By:		Scale: NOT TO SCALE



LAND DESCRIPTION:

LOTS 12, 14, AND 15, BLOCK 17, AND LOTS 21, 22, 23, AND 24, BLOCK 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 49, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS THE SOUTH 15 FEET THEREOF.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 40,236.4 SQUARE FEET (0.92 ACRES) MORE OR LESS.

SURVEY NOTES:

1. THE SURVEY, AS SHOWN HEREON, HAS BEEN PREPARED FOR MAPHY CONSTRUICTION, INC., HEREINAFTER KNOWN AS THE CLIENT.
2. THE LAND DESCRIPTION, AS SHOWN HEREON, IS BASED ON THE WARRANTY DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 17652, PAGE 1419, MIAMI-DADE COUNTY RECORDS.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
4. NO UNDERGROUND IMPROVEMENTS, UTILITIES OR FOUNDATIONS WERE LOCATED. ONLY THOSE ITEMS ABOVE GROUND AND VISIBLE, AND OBSERVABLE UTILITIES MARKED BY VALVES, CATCH BASINS AND MANHOLES WERE SURVEYED.
5. THERE MAY BE ADDITIONAL INFORMATION CONTAINED WITHIN THE PUBLIC RECORDS THAT MAY AFFECT THIS PROPERTY.
6. BEARING REFERENCE: THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF SECTION 26, TOWNSHIP 52 SOUTH, RANGE 41 EAST. SAID LINE BEARS: NORTH 87°01'56" EAST.
7. BENCHMARK REFERENCE: MIAMI-DADE COUNTY BENCHMARK NO. N-383. PK NAIL AND BRASS WASHER IN DRAINAGE STRUCTURE BUILT INTO SIDEWALK, N.W. 119TH STREET, 30' WEST OF CENTERLINE N.W. 12TH AVENUE. ELEVATION = 10.98(NGVD)
8. ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
9. LAST DATE OF FIELD WORK: AUGUST 19, 2015.

LEGEND:

P.B.	- PLAT BOOK
PG.	- PAGE
M-D.C.R.	- MIAMI-DADE COUNTY COUNTY RECORDS
ELEV	- ELEVATION
CONC	- CONCRETE
L.F.F.	- LOWEST FINISHED FLOOR
C.B.S.	- CONCRETE BLOCK STRUCTURE
BLDG.	- BUILDING
CLF	- CHAIN-LINK FENCE
ALF	- ALUMINUM FENCE
WUP	- WOOD UTILITY POLE
C&G	- CURB AND GUTTER
FIP	- FOUND 1/2" IRON PIPE
PLT	- PLANTER
HCR	- HANDICAP RAMP
CB	- CATCH BASIN
BOW	- BACK OF WALK
TOC	- TOP OF CURB
EP	- EDGE OF PAVEMENT
Ⓓ	- DRAINAGE MANHOLE
Ⓢ	- SANITARY MANHOLE
Ⓒ	- COMMUNICATION MANHOLE
	- HYDRANT
WV	- WATER VALVE
	- CENTERLINE
	- WOOD UTILITY POLE
	- HANDICAP PARKING

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

_____
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER LS#6425
STATE OF FLORIDA LB#7024

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET TITLE
BOUNDARY SURVEY

REVISIONS

PILLAR CONSULTANTS, INC.
Consulting Engineers, Planners, Surveyors, Construction Management, General Contracting
5230 S. University Drive - Suite 104
Davie, Florida 33328
Phone: (954) 680-6533 Fax: (954) 680-0323
P.E. # 39461

PILGRIM BAPTIST CHURCH
1293 KN.W. 119TH STREET
CITY OF MIAMI
MIAMI-DADE COUNTY, FLORIDA

SCALE:1"=20'
DATE:08/12/15
DRAWN BY:TNT
SHEET No.
SU-1
15017

Appraisal Report #61542

Land Appraisal Report in Summary Format

As Of:
December 1, 2015

Owner:
The City of North Miami

PROPERTY LOCATED AT:

A portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL.

Prepared for:

Ms. Katrina Lunan-Gordon
CP & D Technician
Community Planning & Development Dept
City of North Miami, 12400 NE 8th Avenue
North Miami, FL 33161

Prepared By:

José A. Ortega
State Certified General Real Estate Appraiser RZ 1247

Connie Nappier III
State Certified Residential Real Estate Appraiser RD 2360

MTO Realty Inc
1393 SW 1 Street, 205. Miami, FL 33135
305-856-3866

MTO Realty Inc
1393 SW 1 Street, 205. Miami, FL 33135
305-856-3866

December 11, 2015

Ms. Katrina Lunan-Gordon
CP & D Technician
Community Planning & Development Dept
City of North Miami, 12400 NE 8th Avenue
North Miami, FL 33161

RE: Appraisal Report #61542
Appraisal presented in a summary report format for land located at A portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL.
Owner: The City of North Miami

Dear Ms. Lunan-Gordon:

As requested, we have prepared an appraisal of the property referenced above, per the terms agreed upon in the Letter of Engagement. The appraisal is presented in a Summary Report format developing an opinion of the market value of the Fee Simple estate in the above referenced real property inspected as of December 1, 2015, subject to vacation and abandonment.

In order to carry out this assignment, a market study of real estate activity in the vicinity of the subject property has been conducted. This investigation included the collection and analysis of sales, offerings, and other developments which have occurred in the area in the recent past. The sources of this data included the Miami-Dade County records, our own data bank, other real estate brokers and appraisers, and knowledgeable individuals active in the area.

This appraisal has been completed in accordance with (a) all Federal banking regulations (primarily OCC Regulation 12 CFR Part 34, FDIC Regulation 12 CFR Part 323 and Title XI of the Financial Institution Reform, Recovery Enforcement Act of 1989 ("FIRREA"), and (b) the Uniform Standards of Professional Appraisal Practices and Conduct ("USPAP") as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

The opinions of value, as well as every other element of this appraisal, are qualified in their entirety by the Assumptions and Limiting Conditions, Certification, and definitions, which are set forth in the report.

The subject, a portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL contains a total area of M/L 6,913 SF as per sketch and description prepared by Troy N. Townsend, Professional Surveyor and Mapper No. 6425, State of Florida as provided by our client. Land is further described elsewhere in this report. Topography of the site is level and the underlying land use designation, commercial, lying between neighborhood and liberal as per Miami-Dade Property Appraiser's site.

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of December 1, 2015 is estimated to be:

SIXTY TWO THOUSAND DOLLARS
$62,000

This letter of transmittal and the pages that follow constitute our report, including the data and analyses utilized in forming an opinion of value. Should you have any questions concerning this report, please do not hesitate to call our office.

Respectfully submitted,

José A. Ortega
State Certified General Real Estate Appraiser RZ 1247

Connie Nappier III
State Certified Residential Real Estate Appraiser RD 2360

TABLE OF CONTENTS

Page

Letter of Transmittal
Title Page
TABLE OF CONTENTS 3
INTRODUCTION 4
SUMMARY OF SALIENT FACTS AND CONCLUSIONS 4
EFFECTIVE DATE OF THE APPRAISAL/DATE OF THE REPORT 7
PURPOSE OF THE APPRAISAL 7
INTENDED USE OF THE APPRAISAL 7
MARKET VALUE DEFINED 7
PROPERTY INTERESTS APPRAISED 7
PROPERTY IDENTIFICATION 8
SALES HISTORY 8
SCOPE OF THE APPRAISAL 8
FACTUAL DESCRIPTIONS 8
NEIGHBORHOOD DESCRIPTION 8
SITE ANALYSIS 9
LEGAL DESCRIPTION, SURVEY AND LOCATION SKECTH 12
LOCATION SKECTH 15
SUBJECT PHOTOGRAPHS 16
REAL ESTATE TAX INFORMATION 19
HIGHEST AND BEST USE ANALYSIS 20
SALES COMPARISON APPROACH 22
SALES ANALYSIS 27
CONCLUSION 29
FINAL MARKET VALUE ESTIMATE 29
CERTIFICATION OF VALUE 30
ASSUMPTIONS AND LIMITING CONDITIONS 31
QUALIFICATIONS OF THE APPRAISERS 33
MIAMI-DADE COUNTY DATA 39

INTRODUCTION

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Client:	The City of North Miami
Purpose of the Appraisal:	The purpose of this appraisal is to provide an opinion of the market value of the fee simple interest of the subject property subject to vacation and abandonment.
Intended Use of the Appraisal	The appraisal is intended for the use of our client, The City of North Miami, to assist with the decision of the sale of the subject property (a right-of-way), subject to its vacation, abandonment and closure.
Property:	A portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL.
Folio:	Not yet assigned.
Legal Description:	Not yet described, but described by previously mentioned Surveyor as: A PORTION OF THE RIGHT-OF-WAY FOR NORTHWEST 13TH AVENUE, LYING BETWEEN BLOCKS 17AND 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 13, BLOCK 17, OF THE SAID SUNKIST GROVE; THENCE SOUTH 02'52'34" EAST, ALONG THE WESTERLY LIMITS OF THE SAID LOT 13, A DISTANCE OF 105.00 FEET TO THE POINT OF A CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23'34'41"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY FOR NORTHWEST 119TH STREET; THENCE SOUTH 87'01'56" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 64.17 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 24, BLOCK 32

	OF THE SAID SUNKIST GROVE AND THE POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, SAID POINT HAVING A RADIAL BEARING OF SOUTH 69'23'22" EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23'34'41"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET; THENCE NORTH 02'52'34" WEST, ALONG THE EASTERLY LIMITS OF THE SAID LOT 24, A DISTANCE OF 105.00 FEET TO THE NORTHEAST CORNER OF THE SAID LOT 24; THENCE NORTH 87"01'56" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 6,913.7 SQUARE FEET (0.16 ACRES) MORE OR LESS.
Effective Date of Appraisal:	December 1, 2015
Property Rights Appraised:	Fee Simple estate
Land Size:	6,913 per survey
Zoning:	Commercial, North Miami
Highest and Best Use as Vacant:	The Highest and Best Use of the subject as vacant is to hold as inventory for future development at such time as sufficient demand exists.
Assessment Data:	To be determined
Real Estate Taxes:	To be determined
Flood Zone:	Flood zone is “X”, as identified by Panel # 12086 C 0143 L, dated September 11, 2009.
Sales History:	None.
Contract Information:	The subject is not under contract or advertised for sale in the MLS service.
Owner of Record:	The City of North Miami
Client:	The City of North Miami
Exposure period:	Estimated at more or less 1 year, if properly marketed.

Valuation Summary:

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of December 1, 2015 is estimated to be:

SIXTY TWO THOUSAND DOLLARS
$62,000

EFFECTIVE DATE OF THE APPRAISAL/DATE OF THE REPORT

The subject property has been inspected on various occasions throughout the process of preparing an appraisal report. A final inspection of the property was conducted on and the effective date the appraisal is December 1, 2015

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to provide a market value opinion of the Fee Simple estate of the subject property, subject to vacation, and abandonment.

INTENDED USE OF THE APPRAISAL

This appraisal is intended for the use of our client, The City of North Miami, to assist with their decision of the sale of the subject property subject to its vacation, and abandonment.

MARKET VALUE DEFINED

Market value, as used in this appraisal report, is defined by the Appraisal Foundation, as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

(1) Buyer and seller are typically motivated;
(2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
(3) A reasonable time is allowed for exposure in the open market;
(4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

(5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

PROPERTY INTERESTS APPRAISED

The subject is appraised on the basis of a fee simple estate. A fee simple estate may be defined as the largest possible estate in real property. It is also known as an absolute estate because a person in possession has no restrictions or limitations upon his ownership, except that imposed by the State. For instance: impositions of taxes, public safety regulations and purchase by the State for public use. Title to this estate may be acquired: by deed, will, inheritance, adverse possession and may also be granted by the Court.

PROPERTY IDENTIFICATION

The subject property, is a portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL. It is further described elsewhere in the report.

SALES HISTORY

No recorded ownership transfer in the last 3 years. The subject is not under contract or advertised for sale in the MLS service.

SCOPE OF THE APPRAISAL

There are several methods appraisers can employ when estimating land value. The six basic procedures are the Sales Comparison Approach, Allocation Method, Extraction, Subdivision Development Method, the Land Residual Technique, and the Ground Rent Capitalization Method. All six procedures are derived from the three basic approaches to value. Sales Comparison and income capitalization (i.e. Ground Rent Capitalization) can be directly applied to land valuation. Allocation and Extraction procedures reflect the influence of the Sales Comparison and Cost approaches; the Land Residual Technique is based on the income capitalization and the Cost Approach. Subdivision Development draws on elements of all three approaches. The Sales Comparison Approach will be used in this report.

The Sales Comparison Approach is a process of comparing actual comparable property sales. This approach to value is based upon the Principle of Substitution, which holds that "the value of a property tends to be set by the price that would be paid to acquire a substitute property of similar utility and desirability within a reasonable amount of time. This principle implies that the reliability of the Sales Comparison Approach is diminished if substitute properties are not available in the market." (The Appraisal of Real Estate, Twelfth Edition, page 418).

This approach is based upon the collection of similar sales and offering data for comparison. Market-derived adjustments for relevant factors can sometimes be extracted from these and other sales. The sales data is compared to the subject on the basis of those elements of comparison which include real property rights conveyed, financing terms, conditions of sale, and date of sale. Location and other physical characteristics are then considered. Physical characteristics typically used in comparison are shape, topography, utilities, zoning, frontage, and flood plain. Because adjustments for these relevant factors are market derived, the desires and actions of typical buyers and sellers are reflected in the comparison process. Listed on the following pages are sales, which were considered to be the most comparable to the subject property.

The subject property is vacant land. For purposes of this appraisal, the sales comparison approach will be used.

FACTUAL DESCRIPTIONS

NEIGHBORHOOD DESCRIPTION

A neighborhood can be defined as: "A portion of a larger community, or an entire community in which there is a homogeneous grouping of inhabitants, buildings, or business enterprises. Inhabitants of a neighborhood usually have a more than casual community interest and a similarity of economic level or cultural background. Neighborhood boundaries may consist of well-defined natural or manmade barriers or they may be more or less well defined by a distinct change in land use or in the character of the inhabitants.

Neighborhoods may be devoted to such uses as residential, commercial, industrial, agricultural, cultural, and civic activities, or a mixture of these uses. Analysis of the neighborhood in which a particular property is located, is important due to the fact that the various economic, social political, and physical forces which affect the neighborhood also directly influence the individual properties within it. An analysis of these various factors as they affect value of the subject property is presented in the following discussion.

The subject property neighborhood is a mixed use area of commercial, residential & public use district zones. NW 17 Avenue, on the west, Biscayne Blvd. (U.S. 1), on the east from NW/NE 151 Street on the north and NW/NE 107 Street on the south.

The immediate neighborhood and subject property are located on or near the major thoroughfare NW 12 Avenue as well as 119 Street an in close proximity to the Interstate I-95. Overall vacancy rates in the area for commercial and residential properties are estimated in the 5-10% range. All services such as water, electricity, telephone and sewer are available.

Conclusion. The subject property has an average/good location and exposure within the neighborhood with good accessibility to Interstate I-95.

SITE ANALYSIS

Location: The subject property, is a portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL. It is further described elsewhere in the report.

Assessor's Parcel Number: Folio: Not yet assigned

Land Area: 6,913 SF as per survey.

Shape: Rectangular

Road Frontage: ± 64' along NW 119 Street & ±105' along 13 Avenue

Visibility: Visibility from a public street and surrounding development is average.

Terrain: Mostly level.

Utilities: All utilities appear to be available.

Adjacent Properties: The subject is part of an urban area with mostly mix commercial-residential & public use development.

North	Single Family
South	Commercial
East	Commercial
West	Commercial

Flood Zone: Flood zone is "X", as identified by Panel # 12086 C 143 L, dated September 11, 2009.

Drainage: Drainage appears to be Adequate, although an inspection was not made during a heavy rain period.

Landscaping: None, site is filled to grade

Easements/Encumbrances: Inspection did not reveal any easements that could affect marketability. In the performance of this appraisal, we did not find, nor were we made aware of an easements or encroachments (other than standard utility easements) that would have an adverse effect on the subject. We suggest that a legal opinion be obtained to ensure that no adverse easements or encroachments exist. The subject property is an alley and two abutting triangle shaped lots proposed for vacation and abandonment.

Zoning/Restrictions:	Underlying land use designation is Commercial zoning.
Environmental Regulations:	No hazardous materials were observed during inspection of the subject property. We have no knowledge of the existence of such materials on or in the property. We recommend the employment of a qualified environmental firm to detect any environmental problems which might exist, as we are not qualified in this area of expertise.

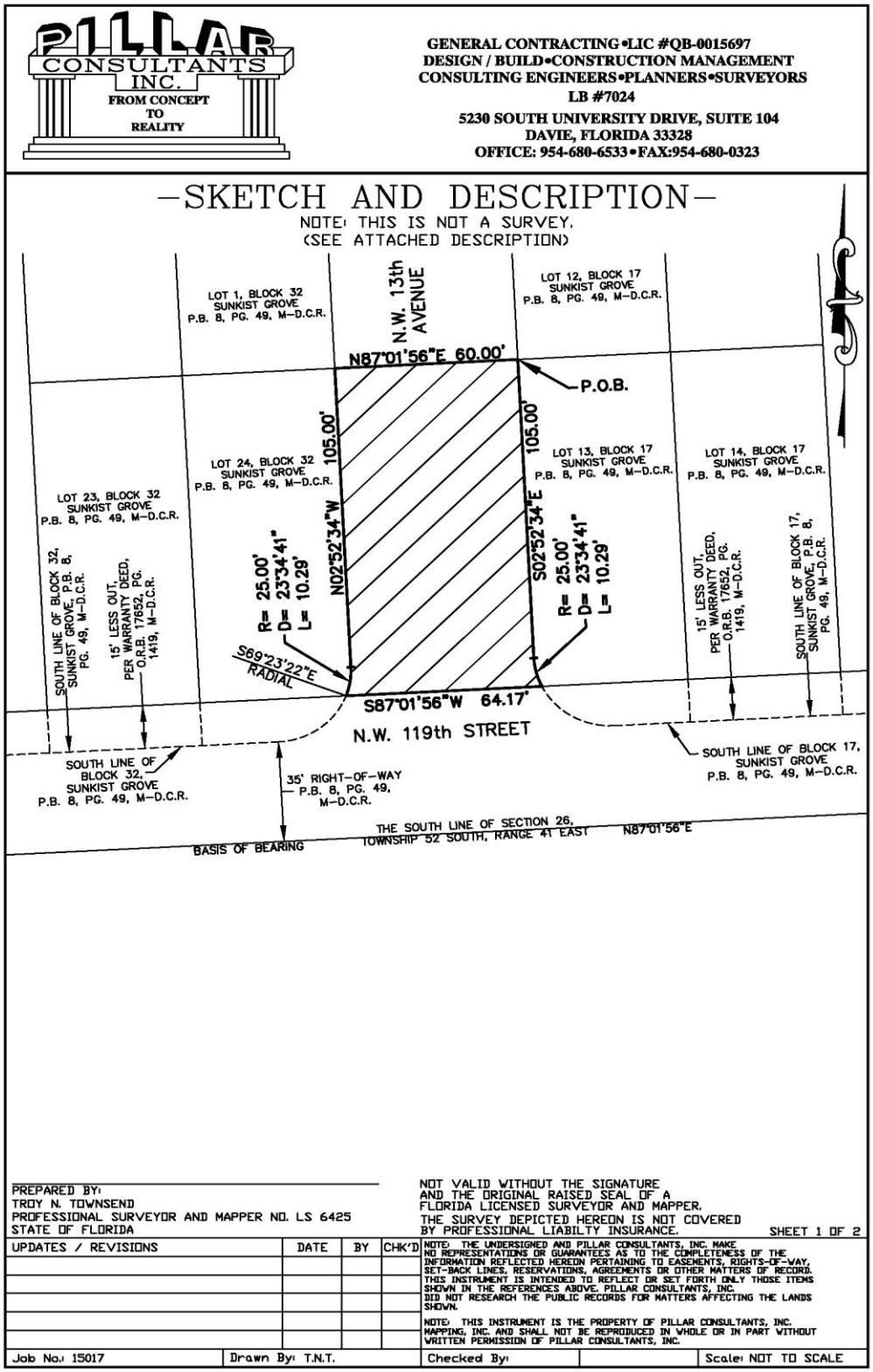
Conclusion:

The subject property has an average/good location and exposure within the neighborhood with good accessibility to NW 119 Street, a major area thoroughfare.

AERIAL MAP

SUBJECT IS RIGHT-OF-WAY (RED) WEST OF INDICATED PARCEL, BLOCK 17 (YELLOW)

LOCATION SKETCH (NOT A SURVEY)



LAND DESCRIPTION (NOT LEGAL DESCRIPTION)

PILLAR CONSULTANTS INC.
FROM CONCEPT TO REALITY

GENERAL CONTRACTING •LIC #QB-0015697
DESIGN / BUILD•CONSTRUCTION MANAGEMENT
CONSULTING ENGINEERS•PLANNERS•SURVEYORS
LB #7024
5230 SOUTH UNIVERSITY DRIVE, SUITE 104
DAVIE, FLORIDA 33328
OFFICE: 954-680-6533 • FAX:954-680-0323

—SKETCH AND DESCRIPTION—

NOTE: THIS IS NOT A SURVEY.
(SEE ATTACHED SKETCH)

LAND DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY FOR NORTHWEST 13TH AVENUE, LYING BETWEEN BLOCKS 17 AND 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 13, BLOCK 17, OF THE SAID SUNKIST GROVE; THENCE SOUTH 02°52'34" EAST, ALONG THE WESTERLY LIMITS OF THE SAID LOT 13, A DISTANCE OF 105.00 FEET TO THE POINT OF A CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY FOR NORTHWEST 119TH STREET; THENCE SOUTH 87°01'56" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 64.17 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 24, BLOCK 32 OF THE SAID SUNKIST GROVE AND THE POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, SAID POINT HAVING A RADIAL BEARING OF SOUTH 69°23'22" EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET; THENCE NORTH 02°52'34" WEST, ALONG THE EASTERLY LIMITS OF THE SAID LOT 24, A DISTANCE OF 105.00 FEET TO THE NORTHEAST CORNER OF THE SAID LOT 24; THENCE NORTH 87°01'56" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 6,913.7 SQUARE FEET (0.16 ACRES) MORE OR LESS.

LEGEND:

M-D.C.R. – MIAMI-DADE COUNTY RECORDS
O.R.B. – OFFICIAL RECORDS BOOK
P.O.B. – POINT OF BEGINNING
P.B. – PLAT BOOK
PG. – PAGE
R – RADIUS
L – LENGTH
D – DELTA (CENTRAL ANGLE)

SURVEYORS NOTES:

1. BEARING REFERENCE:
   THE BEARINGS, AS SHOWN HEREON, ARE RERFERENCED TO THE SOUTH LINE OF THE SECTION 26, TOWNSHIP 52 SOUTH, RANGE 41 EAST.
   SAID LINE BEARS NORTH 07°01'56" EAST.
2. THIS IS NOT A SURVEY. NO FIELD WORK WAS DONE DURING THE PREPARATION OF THIS SKETCH AND DESCRIPTION.

PREPARED BY:
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER NO. LS 6425
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILTY INSURANCE.

SHEET 2 OF 2

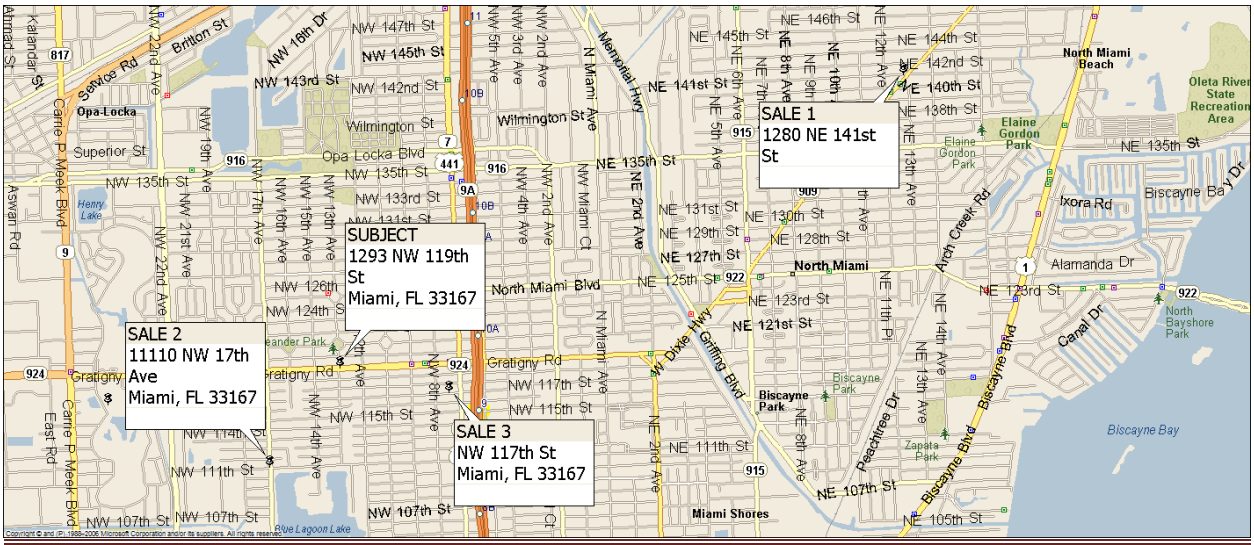
UPDATES / REVISIONS	DATE	BY	CHK'D

NOTE: THE UNDERSIGNED AND PILLAR CONSULTANTS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. PILLAR CONSULTANTS, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

NOTE: THIS INSTRUMENT IS THE PROPERTY OF PILLAR CONSULTANTS, INC. MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF PILLAR CONSULTANTS, INC.

Job No.: 15017	Drawn By: T.N.T.	Checked By:	Scale: NOT TO SCALE

LOCATION MAP



SUBJECT PHOTOGRAPHS

Subject Parcel views

Street view east & west

REAL ESTATE TAX INFORMATION

The subject property, located in Miami-Dade County, Florida, is subject to Miami-Dade County ad valorem taxes on real and personal property, as well as city taxes if located in an incorporated area. The Florida Statutes provide for assessment and collection of yearly Ad Valorem Taxes on Real and Personal Property. However, the taxes are assessed, collected, and used on the local county level. The assessment for the property is established each year as of January 1 by the Miami-Dade County Property Appraiser's Office at 100% of "Just Value". The tax due is computed according to annual millage rates established by Miami-Dade County. Millage rates are the amount paid to each taxing body for every $1,000 of assessed value. Taxes are payable in November with a 4% discount and become delinquent on April 1. Property is not yet assessed and a folio numbers will be assigned.

Folio to be assigned

Assessment Data:	To be determined
Real Estate Taxes:	To be determined

ZONING

The underlying land use designation is Commercial.

HIGHEST AND BEST USE ANALYSIS

Four criteria are examined in order to determine the highest and best use of the subject property. The criteria and their applicability to the subject are as follows:

Legally Permissible: a legally permissible use is determined primarily by current zoning regulations. However, other considerations such as long-term leases, deed restrictions, and environmental regulations may preclude some possible highest and best use.

Physically Possible: the size, shape and topography affect the uses to which land may be developed. The utility of a parcel is dependent on its frontage and depth. Sites with irregular shapes may be more expensive to develop, and topography or subsoil conditions may make utilization too costly or restrictive. Highest and best use as improved also depends on physical characteristics such as condition and utility.

Financially Feasible: the use of the property is analyzed to make a determination as to the likelihood that the property is capable of producing a return which is greater than the combined income needed to satisfy operation expenses, debt service, and capital amortization. Any use that is expected to produce a positive return is classified as financially feasible.

Maximally Productive: the use that provides the highest rate of return among financially feasible uses is the highest and best use. The use of the land must yield a profitable net return, and the quantity of land devoted to any specific use must be limited to that quantity which will yield a maximum return to each owner.

Highest and Best Use

Legally Permissible

The current zoning forms the basis for the legal restraint on what improvements could be placed on the site. The subject site is zoned Commercial, North Miami, which permits most all commercial type dwellings and is the most liberal commercial zoning designation in North Miami

Physically Possible

The size and terrain is conducive for many types of development. The property visibility from the street is average/good, accessibility is average. The subject's size of 6,913 SF is sufficient to allow development. Most uses physically that could be placed on the site would have to be creative design or ancillary uses such as parking, setback requirements, etc.

Financially Feasible

Financially feasible refers to legal uses which are physically possible and have a sufficient demand to produce a positive return. Once the physically possible and legally permissible potential land uses have been determined, the next step in estimating the highest and best use is to determine which uses are economically feasible. The legally permissible and physically possible use is Commercial development.

Maximally Productive

The maximally productive use of the property is the use that results in the highest present value of the property. The Maximally Productive use of the site, is to hold as inventory for future development.

Conclusion

The highest and best use of the subject is to hold the site as inventory for future development.

SALES COMPARISON APPROACH

The Sales Comparison Approach is a process of comparing actual comparable property sales. This approach to value is based upon the Principle of Substitution, which holds that "the value of a property tends to be set by the price that would be paid to acquire a substitute property of similar utility and desirability within a reasonable amount of time. This principle implies that the reliability of the Sales Comparison Approach is diminished if substitute properties are not available in the market." (The Appraisal of Real Estate, Twelfth Edition, page 418).

This approach is based upon the collection of similar sales and offering data for comparison. Market-derived adjustments for relevant factors can sometimes be extracted from these and other sales. The sales data is compared to the subject on the basis of those elements of comparison which include real property rights conveyed, financing terms, conditions of sale, and date of sale. Location and other physical characteristics are then considered. Physical characteristics typically used in comparison are shape, topography, utilities, zoning, frontage, and flood plain. Because adjustments for these relevant factors are market derived, the desires and actions of typical buyers and sellers are reflected in the comparison process. Listed on the following pages are sales, which were considered to be the most comparable to the subject property.

Listed on the following pages is the set of data that has been used to value the subject site.

Comparable Sale 1

Location Data

Location:	1280 NE 141st Street North Miami, FL 33161
Folio No:	06-2219-015-2320

Physical Data

Land Area:	11,637 SF
Zoning:	C-1, Commercial

Sale Data

Sale Price:	$112,000
Sale Price/SF:	$9.62
Date:	February 2014
Grantor:	Muller & Deborah Tercier
Grantee:	WDHY 140 LLC
Recorded at:	29025-3364
Financing:	No recorded mortgage.
Confirmation Source:	Miami-Dade County
Sales History:	No recorded sales prior three years.

Comments:
This comparable is the sale of a parcel of vacant land.

Comparable Sale 2

Location Data

Location:	11110 NW 17 Avenue Miami, FL
Folio No:	30-2134-011-1640 & 1630

Physical Data

Land Area:	11,506 SF
Zoning:	Commercial

Sale Data

Sale Price:	$90,000
Sale Price/SF:	$7.82
Date:	October 2015
Grantor:	CJ Homes
Grantee:	CAS Properties
Recorded at:	29795-2855
Financing:	No recorded mortgage.
Confirmation Source:	Miami-Dade County
Sales History:	No prior sales in the last 3 years

Comments:
This comparable is the sale of 2 adjacent vacant parcel of land. There are 3 additional parcels zoned residential that sold for $30,000. Both sales were recorded under same warranty deed.

Comparable Sale 3

Location Data

Location:	761 NW 117 Street Miami, FL
Folio No:	30-3021-35-014-0281

Physical Data

Land Area:	6,120
Zoning:	Residential

Sale Data

Sale Price:	$35,000
Sale Price/SF:	$5.71
Date:	July 2015
Grantor:	C/O Cervera Management
Grantee:	Legacy Rentals LLC
Recorded at:	29605-966
Financing:	None
Confirmation Source:	Selling Agent.
Sales History:	Prior sale in 7/2012

Comments:
This comparable is the sale of a parcel of vacant land on the market for 83 days. Presently being improved with construction of a new single family home.

SALES ANALYSIS

Property Rights - The transaction price of a sale is always based on the real property interest conveyed. In this instance, an adjustment for this attribute was not considered necessary.

Financing Terms - Prices paid in acquiring property may differ significantly due to the financing involved, if any. Cash or cash equivalencies are the basis of value, whereas extended, above market interest rate and/or leverage investor terms sales, generally represent the higher portion of a sales price range. Therefore, some methods of converting these financing terms to cash must occur so that the adjustment process may be applied to the sales. In reviewing the comparables, an adjustment was not required for atypical financing.

Conditions of Sale - Adjustments made for conditions of sale usually reflect atypical motivations of the buyer and seller at the time of conveyance. A sale may be transacted at a below market price if the seller needs cash in a hurry. A financial, business, or family relationship between the parties may also affect the price of property. Interlocking corporate entities may record a sale at a non-market price to serve their business interest. When non-market conditions of sale are detected in a transaction, the sale must be thoroughly researched before an adjustment is made. Within the confirmation process, detailed attention was made to ensure the conditions of each sale. Based upon the research performed, it is believed that all of the comparable sales involved regular arms-length transactions without the presence of duress or adverse market influence. As such, no adjustments were warranted.

Market Conditions/Time - Market conditions may change between the time of sale of a comparable property and the date of the appraisal of the subject property. Changed market conditions often result from various causes, such as inflation, changing demand, and changing supply. Time itself is not the cause for the adjustment. Although comparable sale #1 is an older sale, research indicates that values have remained stable. No adjustments are warranted for market conditions.

Location - Location considerations include such factors as proximity to surrounding land use plus accessibility to supporting development, transportation routes and major thoroughfare visibility. Comparable #1 is considered to have superior location warranting downward adjustments. Conversely, Sales #2 and #3 have inferior location and an upward adjustment is considered adequate.

Size - The subject is 6,913 SF in size. In mostly developed areas, larger sites sell for a lower price per SF. Sales #1 and #2 are larger than subject, warranting an upward adjustment. No adjustment for sale 3.

Topography - The subject has a level topography. The sales were all comparable in the topographic characteristics and therefore an adjustment was not deemed necessary.

Zoning - The subject is zoned Commercial, similar to sales #1 and #2. Comparable #3, has residential zoning, inferior to subject warranting an upward adjustment.

Utilities – The subject has utilities available. All of the comparables have similar access to utilities, no adjustment is warranted.

Comp No.	Subject	1	2	3
Date of Sale	---	Feruary-2014	October 2015	July 2015
Sale Price	---	$112,000	$90,000	$35,000
Land Area (SF)	6,913	11,637	11,506	6,120
Price/Square Feet	---	$9.62	$7.82	$5.72
Property Rights	---	Fee Simple	Fee Simple	Fee Simple
Financing	---	None	None	None
Conditions of Sale	---	Typical	Typical	Typical
Topography	--	Level	Level	Level
Zoning	Commercial	Similar	Similar	Residential
Quantitative Adjustments				
Property Rights				
Financing Terms				
Conditions of Sale				
Months Elapsed		22	2	5
Market Conditions/Time				
Location		Superior	Inferior	Inferior
Qualitative Analysis		-	+	+
Size		Larger	Larger	Comp[arable
Qualitative Analysis		+	+	
Topography		Comparable	Comparable	Comparable
Qualitative Analysis				
Zoning		Comparable	Comparable	Inferior
Qualitative Analysis				+
Utilities		Comparable	Comparable	Comparable
Qualitative Analysis				
Condition		Comparable	Comparable	Comparable
Qualitative Analysis				
Total Net Adjustments		=	+	+

CONCLUSION

Sale 1 is the sale of a parcel vacant land that sold for $9.62/SF of land. An upward adjustment is warranted for size and a downward adjustment is considered adequate due to superior location. Overall no adjustment is warranted and the subject should sell for a similar price per SF than the amount indicated by this sale.

Sale 2 is the sale of a multi parcel of vacant land that sold for $7.82/SF. An upward adjustment is warranted for size as well as location, considered inferior to subject. Overall an upward adjustment is warranted and the subject should sell for a higher price per SF than the amount indicated by this sale.

Sale 3 is the sale of a multi parcel of vacant land that sold for $5.72/SF. An upward adjustment is warranted for location and inferior zoning. Overall an upward adjustment is warranted and the subject should sell for a higher price per SF than the amount indicated by this sale.

The grid summarizes the adjustments made to each sale. It is the appraiser's opinion after reviewing these sales, the subject property site has a value of approximately $9.00 per SF. The results of this analysis indicate that the subject site has an overall value of $62,000 (Rounded).

LAND SALES ANALYSIS

Qualitative Analysis

Sale No.	Price/Square Feet	Net Adjustment
Sale 1	$9.62	=
Subject	---	
Sale 2	$7.82	+
Sale 3	$5.72	+

Concluded Value

Concluded Price/Square Feet		Square Feet		Value	
$9.00	x	**6,913**	=	**$62,000**	RD

FINAL MARKET VALUE ESTIMATE

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of December 1, 2015, is estimated to be:

SIXTY TWO THOUSAND DOLLARS
$62,000

CERTIFICATION OF VALUE

THE APPRAISER/S HEREBY CERTIFIES/Y:

1. That he/they have no undisclosed interest in the subject property and the object of this appraisal, either past, present or contemplated. That his/their employment and compensation for rendering his/their opinion in this report is/are not contingent upon the value found, nor upon anything else other than the delivery of this report for the predetermined fee.

2. That to the best of his/their knowledge and belief, everything contained in this report is true, that no important facts have been overlooked or withheld from the report and that no one provided significant real property appraisal assistance to the person/s signing this certification.

3. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and they are his/their personal, impartial, and unbiased professional analyses, opinions, and conclusions.

4. That the appraisal has been made and the report rendered strictly in accordance with guidelines established by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation; and Title XI of the Federal Financial Institution Reform Act of 1989. The use of this report is subject to the requirements of the State of Florida relating to review by the Real Estate Appraisal Sub-committee of the Florida Real Estate Commission.

5. That the estimated value of the property described herein is as defined elsewhere in this report and that the contract for the appraisal of said premises is fulfilled by the signer/s hereto upon the delivery of this appraisal duly executed.

6. Connie Nappier III personally inspected the subject property. The signors of this report have performed no services, appraisal or otherwise, related to the subject property, in the three years preceding acceptance of this assignment.

7. The appraisal is of the date specified in this report and covers the premises described as M/L A portion of the Right-of-Way at NW 13 Avenue and 119 Street, lying between Blocks 17 and 32, Sunkist Grove, 8/49, North Miami, FL.

The Market Value of the Fee Simple interest of the subject property, subject to vacation and abandonment as of December 1, 2015, is estimated to be:

SIXTY TWO THOUSAND DOLLARS
$62,000

José A. Ortega
State Certified General Real Estate
Appraiser RZ 1247

Connie Nappier III
State Certified Residential Real Estate
Appraiser RD 2360

ASSUMPTIONS AND LIMITING CONDITIONS

I/we assume no responsibility for matters legal in nature, nor do I/we render any opinion as to the title, which is assumed to be marketable. The property is appraised as though under responsible ownership.

The sketch in this report is included to assist the reader in visualizing the property, and I/we assume no responsibility for its accuracy. I/we have made no survey of the property and no responsibility is assumed for this matter.

I/we are not required to give testimony or appear in court because of having made this appraisal with reference to the property in question, unless previous arrangements have been made therefore.

The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

I/we assume that there are no hidden or unapparent conditions of the property, subsoil or structures, which would render it more or less valuable. I/we assume no responsibility for such conditions or for engineering, which might be required to discover such factors.

Information, estimates and opinions furnished to me/us and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy can be assumed by me/us.

Neither all nor any part of the contents of this report, or copy thereof, shall be used for any purpose by any but the client without the previous written consent of the appraiser/s and/or of the client; nor shall it be conveyed by any, including the client, to the public through advertising, public relations, news, sales or other media, without the written consent and approval of the authors, particularly as to valuation conclusions, the identity of the appraisers, or a firm or firms with which he is connected, or any reference to any professional society or institute or any initialed designations conferred upon the appraisers.

Both legal descriptions and dimensions are taken from sources deemed authoritative; however, no responsibility is assumed.

A survey, by a licensed surveyor or engineer, is recommended.

Value is reported in Dollars on the basis of the national economy prevailing on the date of the appraisal. The appraisal is of the date specified and covers only the described premises. The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

The reader is reminded that when the replacement cost estimate is developed in the report, it is a fair assumption, but nevertheless an assumption which could very well be an over or under estimate since the appraiser is not an expert in construction and should only be used as a guide to any decision. A general contractor or architect should be consulted for an expert opinion.

To the best of my/our knowledge and believe, the appraisal complies with the guidelines established by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation; and Title XI of the Federal Financial Institution Reform Act of 1989.

The principal signatory of this appraisal is a State Certified General Appraiser in the State of Florida and has completed all continuing education requirements for certification until November 2016.

All other persons signing this appraisal are properly registered with the DBPR Board of Real Estate in Florida and have completed all continuing education requirements through November 2016.

ENVIRONMENTAL DISCLAIMER: Routine inspection of and inquires about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively. This notwithstanding, the value estimated in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value.

Clearly observable, possible hazardous conditions within the neighborhood, or proximity to the subject property, are addressed in the body of this report. Possible hazardous conditions include stored chemicals, wastes, storage tanks and materials potentially containing asbestos or PCB's. Any market indicated penalties or premiums would be dealt with in the market data analysis.

The American with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey analysis to determine whether or not property is in compliance with act requirements. It is possible that a compliance survey report could reveal that the property in not in compliance with some of the requirements. If so, this could have a negative effect upon the value. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of the ADA in estimating the value of the property.

QUALIFICATIONS OF THE APPRAISER

JOSÉ A. ORTEGA
1393 SW 1 STREET, 205
MIAMI, FLORIDA 33135
TELEPHONE (305) 856-3866 – FAX (305) 285-2524
E-MAIL: JOSE@MTOREALTY.COM - MTOREALTY@GMAIL.COM

PERSONAL:	Engaged full time in real estate since 1971 Resident of Miami-Dade County, Florida
EDUCATION:	Graduate of University of Miami, Bachelors in Education Degree. Graduate of Realtors Institute, National Association of Realtors (GRI)
LICENSES HELD IN THE STATE OF FLA:	Real estate broker (to 03-31-2016) State-certified general real estate appraiser RZ 1247 (to 11-30-2016)

WORK HISTORY:

1988 TO PRESENT	Real Estate Appraiser, MTO Realty, Inc.
2002 TO PRESENT	Special Magistrate, Miami-Dade County Value Adjustment Board (VAB)
1986-87	Real Estate Broker and Appraiser, Real Estate Appraisers & Consultants, Inc.
1985-86	Instructor of residential real estate appraising for National Association of Appraisers
1982-85	Real Estate salesman and chief appraiser, Ancla Realty
1981-82	Sales and Rental Manager, Wildwood River Villas, Ltd., Supervision of physical renovation of 95 apartments for condominium conversion project
1971-82	Real Estate salesman at Marvin Rosen and Associates and Greater Miami Realty.

REAL ESTATE EDUCATION:

PRESENT thru 1996: Continuing education courses for appraisal recertification.

-2005- Highest & Best Use & Market Analysis, sponsored by the Appraisal Institute.

-1995: Attendance to seminars sponsored by the Appraisal Institute.

-1994: Various seminars sponsored by the Appraisal Institute.

-1993: Effects of Hurricane Andrew in the present real estate market, sponsored by the Appraisal Institute

-1992: Attendance to various seminars, sponsored by the Appraisal Institute.

-1991: Attendance to several seminars, sponsored by The American Society of Appraisers and by the Appraisal Institute. Completed courses and obtained State Certified General Appraiser designation.

-1990: Equivalent education Course 5212, for Real Estate Certified Appraiser designation. National Society of Fee Appraisers

-1988; Standards of Professional Practice, American Institute of Real Estate Appraisers

-1987; Uniform Appraisal Report Form, seminar, NSFA. 1A1, Real Estate Appraisal Principles, American Institute of Real Estate Appraisers

-1985; Review appraising seminar, NARAMU Commercial appraising, NSFA, Miami Dade Junior College.

-1984; Residential Real Estate Appraising, NSFA, Miami Dade Junior College.

Certified Review Appraiser's course, NARAMU Narrative appraisal, NSFA, Miami Dade Junior College

-1983; Appraisal workshop, Isla Morada, Florida NSFA

-1974; Courses taken in Orlando, Florida, during the Realtors Institute sponsored by FAR.

-1974; Courses taken in St. Petersburg, Florida, during the Realtors Institute sponsored by the Florida Association of Realtors.

-1974; Courses taken in Boca Raton, Florida, during the Realtors Institute, sponsored by the Florida Association of Realtors.

-1971; Investment Seminar. Miami Board of Realtors

APPRAISAL ASSIGNMENTS

Assignments have included the appraisal of: Single family residential dwellings, duplexes, apartment buildings, strip centers, shopping centers, office buildings, warehouses, condominiums (offices, warehouses and residential), condo conversions of offices, warehouses and apartment buildings, vacant land, acreage, subdivisions developments and special use properties such as gas stations, schools, libraries, churches, etc.

Testimony as expert witness, in both bankruptcy and divorce courts of Miami-Dade County, Florida.

Assignments have been completed throughout the State of Florida (Duval, Orange, Osceola, Polk, St. Lucie, Palm Beach, Charlotte, Collier, Sarasota, Miami-Dade, Broward & Monroe Counties.

APPRAISAL SERVICES PROVIDED TO:

PARTIAL LIST
Ocean Bank
Total Bank
One United Bank
Intercredit Bank
Sun Coast
Banco Popular, NA
BankAtlantic
Union Credit Bank
US Century Bank
Banco do Brazil
Eastern National Bank
First Bank of Miami
FDIC
Regions Bank
City of Miami
Capital International Financial, Inc.
Taiwan Business Bank
Novelle Financial Services
Halpern & Associates
The Loan Office
The Money Store
Princeton Financial Corporation
Main Street Mortgage
Berman Mortgage Corporation
Approved Mortgage Corporation
Service Mortgage Corporation
Universal American Mortgage
Financial Research Services
Secure Mortgage, Inc.
The Financial Group, Inc.
Federated Home Mortgage
Norwest Mortgage, Inc.
Countrywide Funding Corporation
NationsBank Mortgage Corp.
First Bankers Mortgage Services, Inc.
Fleet Mortgage Corporation
Coastal Federal Mortgage Corp
Hollywood Mortgage Corp.
Executive Funding Corp
Great Lakes Mortgage Corporation
Interamerican Financial Services
Financial Research Services, Inc.
Florida Mortgage Underwriters
Universal American Mortgage
Royal Mortgage Services

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER
RZ1247

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

ORTEGA, JOSE A
2000 NW 96 AVENUE, FLOOR 2, REAR
DORAL FL 33172

ISSUED: 12/02/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1412020001968

QUALIFICATIONS OF THE APPRAISER

CONNIE NAPPIER III
1393 S.W 1ST ST. SUITE 205
MIAMI, FLORIDA 33135
(305) 773-7532 OFF.
(305) 285-2524 FAX
Cnap3@hotmail.com

EDUCATION: **GRADUATE-UNIVERSITY OF MASSACHUSETTS, B.A. BUSINESS MARKETING 1982**

REAL ESTATE SALESMANS LICENSE 1984, FLORIDA

STATE CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER #2360, FLORIDA

FHA/HUD APPRAISER

PROFESSIONAL: **VICE PRESIDENT, CHIEF APPRAISER RESIDENTIAL DIVISION, MTO REALTY INC. 1990-PRESENT**

STAFF APPRAISER RESIDENTIAL DIVISION, MTO REALTY INC. 1985-1990

TYPES OF APPRAISAL ASSIGNMENTS: SINGLE FAMILY RESIDENCES, DUPLEXES, SUBDIVISION DEVELOPMENT, REVIEW APPRAISAL, VACANT LAND, ACREAGE, CONDOMINUIMS (COMMERCIAL & RESIDENTIAL), CONDO, HOTELS, APARTMENT BUILDINGS, OFFICE BUILDINGS, WAREHOUSES, SHOPPING CENTERS, CHURCHES.

APPRAISAL SERVICES PROVIDED TO: **SUNBELT LENDING SERVICES, U.S. BANK, OCEAN BANK, BANK OF AMERICA, FLAGSTAR BANK, NA., BANCO POPULAR, CITIBANK N.A., ONE UNITED BANK, TOTALBANK, COCONUT GROVE BANK., MICHIGAN MUTUAL, U.S. SECURITY BANK N.A. ,GREAT FLORIDA BANK, PROVIDENT FUNDING, NATIONSTAR MTG., CITY OF MIAMI GARDENS NSP, FHA, PRIVATE: PROPERTY TAX APPEAL, DIVORCE, EXPERT WITNESS.**

QUALIFICATIONS OF THE APPRIASER (continuation)

PROFESSIONAL REFERENCES:

Kevin Cohee, CEO, Chairman
One United Bank
133 Federal St.
Boston, Ma. 02110
Phone: 617-457-4418
Fax; 617-457-4430
KCohee@oneunited.com

Marc Halpern, CEO
Halpern & Associates Mortgage Corp.
1680 Michigan Av. #1001
Miami Beach, Fl. 33139
Phone: 305-535-2230
Fax; 305-285-2524
Mhalpern@halpennassociates.com

Omar Ojeda, Senior V. President
Total Bank
2720 Coral Way
Miami, Fl. 33145
Phone; 305-476-6206
Fax; 305-448-8201
Oojeda@totalbank.com

Appraisal services provided to: Miami-Dade & Broward Counties

MIAMI-DADE COUNTY DATA

Miami-Dade County, Florida is located in the southeast portion of Florida's east coast and is the southernmost county situated on Florida's mainland. The county has 35 municipalities, including Miami, the county seat (second-largest city in Florida); Hialeah (sixth-largest city); Miami Beach; Coral Gables; Key Biscayne, South Miami, Pinecrest, Aventura and Homestead.

The major portion of the county is on the west side of Biscayne Bay, the entryway to all docking facilities. The Atlantic Ocean is the eastern boundary of the county and is accessible via four causeways in the city proper. Miami-Dade County is Florida's largest county and the eight most populous in the US, with an estimated population, as of the 2010 US Census, of 2,496,435 persons, making it the most populous county in Florida (13% of the state population), and the eighth most populous county in the United States.

The population density within the urban area is 5,896 people per square mile. Approximately 420 square miles (excludes bay and coastal water) of the County are within the urbanized area, while the total county land area currently covers a total of 2,420 square miles (1,921 square miles of land and 499 square miles of water) and is bound by Biscayne Bay and the Atlantic Ocean to the east, Everglades National Park to the west, the Florida Keys to the south, and Broward County to the north.

Miami-Dade County is the only metropolitan area in the United States that borders two national parks: Biscayne National Park and Everglades National Park. The Greater Miami area is the center for international commerce in the southeastern United States and its proximity to the Caribbean, Mexico, and Central and South America makes it a natural center of trade to and from North America.

In addition, the international background of many of its residents is an essential labor force characteristic for multi-national companies which must operate across language and cultural differences. The County had the highest concentration of international bank agencies on the east coast south of New York City, with a total of 21 foreign chartered banks and over $7.2 billion on deposit as of 2011.

Approximately one half of the people living in Miami-Dade County in 2010 were foreign born. Among people at least five years old living in Miami-Dade County in 2010, 71 percent spoke a language other than English at home. Of those speaking a language other than English at home, 88 percent spoke Spanish and 12 percent spoke some other language.

In 2011, there were 13 Edge Act banks throughout the United States; four of those institutions were located in the County. Edge Act Banks are federally chartered organizations offering a wide range of banking services, but limited to international transactions only. The favorable geographic location of the County, a well-trained labor force and the favorable transportation infrastructure have allowed the economic base of the County to expand by attracting many national and international firms doing business in Latin America , the Caribbean, the United States and the rest of the world. Among these corporations with world and /or national headquarters in the County are: Burger King Corporation, Royal Caribbean Cruises. Ltd., and Lennar Corporation. Those corporations with Latin American regional headquarters include: FedEx Corporation, Kraft Foods International, AIG Latin America, and HBO Latin America Media Services.

The Greater Miami area is also a leading center for tourism in the State. Miami ranks second behind Orlando as a destination for non-residential air travelers. It is also the principal port of entry in the State for international air travelers. During 2010, over 69 percent of international air travelers entering the State arrived through Miami International Airport.

Miami-Dade County enjoys an excellent geographic location allowing it to serve as a gateway to the Caribbean and Latin America. Furthermore, while a tourist destination in itself, it is also within a day's drive to some of Florida's major tourist destination cities, as shown in the following table:

City	Miles From Miami
Fort Lauderdale	25
West Palm Beach	74
Key West	160
Orlando	232
Clearwater	286
Tampa	309
Tallahassee	484

Source: Rand McNally Florida Mileage Chart

The growth in business relations between Latin America and Miami-Dade County has been accompanied by major increase in tourism from Latin America. Latin American tourists who enjoy shopping in the United States represent a major demand segment in the Miami-Dade County's lodging and retail markets.

POPULATION

The following tables are compiled from several published studies regarding the Miami-Dade population.

Miami-Dade County Population: 2000 to 2010

March 31	Resident Population	Five Year Change: Total	Five Year Change: Net Migration	Five Year Change: Natural Increase
2000	2,253,485			
2005	2,403,472	149,987	80,782	69,205
2010	2,496,435	92,963	85,571	7,392
Average Annual Population Change by Decade				
1961 - 1970		33,295	25,511	7,784
1971 - 1980		35,800	32,025	3,775
1981 - 1990		30,731	20,163	10,568
1991 - 2000		28,648	14,712	13,936
2000 - 2010		24,295	13,028	11,267

Data Source: U.S.Census Bureau Decennial Census, American Community Survey.

Miami-Dade Household & Family Types

	Population	Perct.
Households		
Total households	867,352	100%
Family households	602,911	69.5%
Nonfamily households	264,441	30.5%
Average household size	2.83	-
Average family size	3.33	-
Families		
Families	602,911	100%
With related children under 18 yrs	308,224	51.1%
With own children under 18 yrs	265,522	44.0%
Husband-wife families	380,241	100%
With related children under 18 yrs	183,583	48.3%
With own children under 18 yrs	165,530	43.5%
Male householder, no wife	59,733	37%
With related children under 18 yrs	28,662	17.6%
With own children under 18 yrs	22,851	14.0%
Female householder, no husband	162,937	100%
With related children under 18 yrs	95,979	58.9%
With own children under 18 yrs	77,141	47.3%

Source: US Census Bureau 2010 Decenial Census.

Key Miami-Dade Population Characteristics 2010

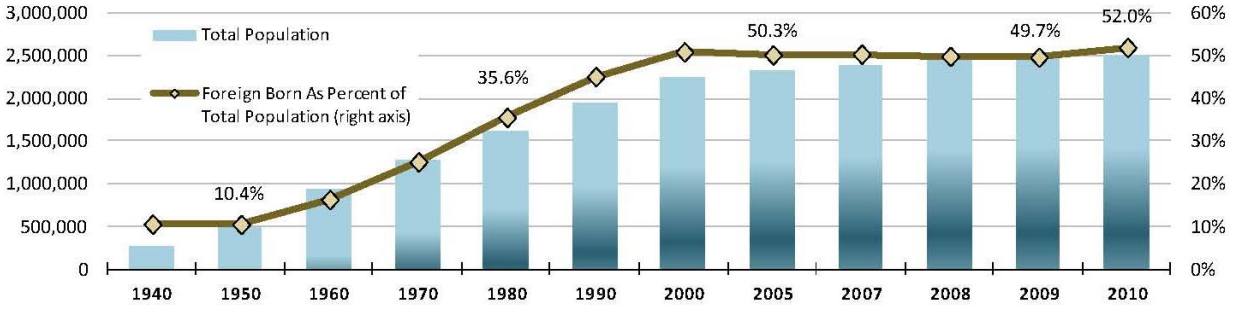
	Population	Perct.
Total	2,496,435	100%
Hispanic or Latino (of any race)	1,623,859	65.0%
Not Hispanic or Latino	872,576	35.0%
White	383,551	15.4%
Black or African American	425,650	17.1%
Asian	35,841	1.4%
American Indian & Alaska Native	2,014	0.1%
All Others (Including 2 or more races)	25,520	1.0%
Male	1,218,260	48.8%
Female	1,278,175	51.2%
Under 18 years	545,728	21.9%
Under 5 years	*149,937*	*6.0%*
18 to 24 years	247,340	9.9%
25 to 44 years	712,864	28.6%
45 to 64 years	638,490	25.6%
65 years and over	352,013	14.1%
85 years and over	*45,866*	*1.8%*
Median age (years)	38.2	-

Source: US Census Bureau 2010 Decenial Census.

Change in Population 2000-2010
By Age Group and Gender in '000s

Data Source: US Census Bureau Decennial Census 2000, 2010.

Total Population and Percent of Foreign Born Population 1940 - 2010



Source: U.S.Census Decennial Census, 1940 - 2010; American Community Survey 2005 - 2009.

HOUSING

Housing Unit Distribution & Value of Owner-Occupied Units

2010					
Total Housing Units	**989,439**		**Owner Occupied Units**	**461,464**	
			Less than $100k	68,276	*15%*
Occupied units	809,689	*82%*	$100k to $149.9k	69,548	*15%*
Owner-occupied	461,464	*57%*	$150k to $199.9k	84,157	*18%*
Renter-occupied	348,225	*43%*	$200k to $299.9k	113,624	*25%*
Vacant units	179,750	*18%*	$300k to $499.9k	78,650	*17%*
			$500k to $999.9k	32,075	*7%*
Owner vacancy rate	4.6%		$1,000k or more	15,134	*3%*
Rental vacancy rate	9.7%		Median (dollars)	$207,100	

Miami-Dade County Realtor Sales & Median Price

	Single Family Homes		Condominiums	
	Average Sales/Mo	Median Price	Average Sales/Mo	Median Price
2006	724	$375,125	819	$259,083
2007	441	$377,842	481	$271,983
2008	365	$287,258	382	$239,367
2009	557	$195,300	571	$142,500
2010	596	$193,400	771	$125,788
2011	826	$171,783	1,251	$114,067

Source: Florida Association of Realtors.

Selected Monthly Housing Costs* for Owners & Renters

	2010		2005	
Units with a mortgage	**321,386**	**321,386**	**359,180**	**359,180**
Less than $300	61	*0.0%*	437	*0.1%*
$300 to $499	2,719	*0.8%*	5,332	*1.5%*
$500 to $699	9,331	*2.9%*	15,146	*4.2%*
$700 to $999	28,792	*9.0%*	46,572	*13.0%*
$1,000 to $1,499	76,232	*23.7%*	113,300	*31.5%*
$1,500 to $1,999	73,995	*23.0%*	80,973	*22.5%*
$2,000 or more	130,256	*40.5%*	97,420	*27.1%*
Median (dollars)	**1,779**		**1,494**	
Units paying rent	**334,497**	**321,386**	**338,159**	**338,159**
Less than $200	12,181	*3.8%*	14,625	*4.3%*
$200 to $299	12,181	*3.8%*	10,907	*3.2%*
$300 to $499	13,616	*4.2%*	24,048	*7.1%*
$500 to $749	44,770	*13.9%*	81,024	*24.0%*
$750 to $999	85,588	*26.6%*	115,170	*34.1%*
$1,000 to $1,499	115,032	*35.8%*	69,493	*20.6%*
$1,500 or more	51,129	*15.9%*	22,076	*6.5%*
Median (dollars)	**997**		**816**	

Source: US Census Bureau American Community Survey 1 Year Survey, 2010
** Selected monthly owner costs include mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees.*

Transportation, trade and tourism

Miami and Miami Beach attract visitors worldwide. The tourism sector continues to perform well, with hotel occupancy rates, hotel room rates, and room inventory all registering year over year gains in 2011. A record 13.4 million people visited Miami-Dade County in 2011, an increase of 6.7% from 2010. Those visitors spent $20.7 billion. International visitors make up 48% of the overnight guests in Miami-Dade County, but they account for 70% of the visitor spending. About 71% of visitors came for leisure, and 12% for business. A total of 41% of overnight guests stayed on Miami-Beach, and 22% downtown.[1]

Miami International Airport (MIA) continues to be an economic engine for Miami-Dade County and the State of Florida. The most recent economic impact study (performed every three years), indicated that MIA has an annual financial impact of $26.7 billion. MIA and aviation related industries contribute 282, 043 jobs directly and indirectly to the South Florida economy, and are responsible for one out of every four jobs.

The airport offers flights to nearly 150 cities on four continents. MIA's strongest market, the Latin American/Caribbean region, was served by more passenger flights from the airport than any other US Airport. MIA is also a major cargo hub for the Americas. During 2011 (most recent available) the airport handled 82% of all air imports and 81% of all air exports between the USA and Latin American/Caribbean region. In 2011, cargo tonnage totaled 2,006,721 tons, an increase of 0.8% over the prior year. The airport was also the nation's number one airport in international freight and second in international passenger traffic during calendar year 2011.

A major $6.5 billion renovation project is underway at the airport. Projects totaling $4.3 billion have been completed (as of 9/30/12, end of most recent fiscal year). Major projects included the new 50-gate "Concourse D", along with the Sky Train to connect the terminal to the airport. Another major project is the MIA Mover, a train linking the airport terminal with off-airport rental car center and ground transportation hub, which is now fully functional.[2]

Another major economic driver is the Port of Miami, which has a total economic impact of more than $17 billion a year and generates more than 176,000 jobs. Port revenues last year totaled more than $101 million.
The Port of Miami offers services to nearly two dozen of the world's leading cargo lines, reaching some 250 ports in more than 100 countries. Cargo activity is expected to increase with the completion of the Miami Harbor Project, deepening the channel along the main cargo berths to a depth of 50 feet. This project is expected to be completed by 2015.

At the Port, cargo activity increased by approximately 0.2% in 2012 over the prior year, compared to an increase of approximately 7.1% in Fiscal Year 2011. Port officials expect cargo activity to increase slightly in Fiscal Year 2013.

[1] From Greater Miami Convention and Visitors Bureau 2012 report
[2] From 2012 Miami-Dade Aviation Department Comprehensive Annual Financial Report

The Americas continue to represent a major share of the Seaport's total cargo. For fiscal year 2011, the Americas accounted for approximately 54% (Caribbean—16% South America—16%, Central America and Mexico—22%). This was followed by The Far East, Asia and the Pacific with 32%. The balance of approximately 14% consisted of Europe, North America, Middle East, Southwest Asia, and Africa.[3]

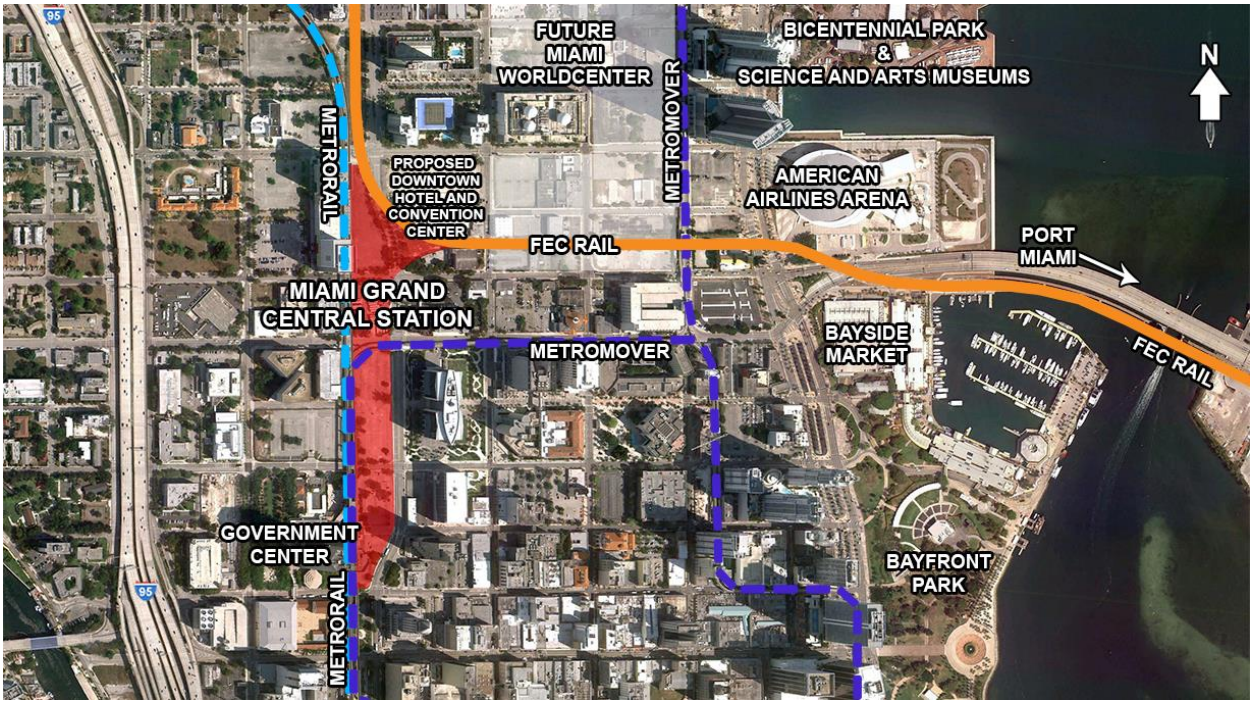
Metrorail, which opened in 1985, is a 24-mile rapid transit system on an elevated railway providing access to downtown Miami from portions of both south and north Miami-Dade county. It connects with Metromover, the first urban people mover in the country.

Metromover, a 30 station 5-mile system, loops through the center of downtown Miami's Community Business District and connects to some of the major structures. Metrobus provides the feeder system to Metrorail and bus service to all other parts of Miami-Dade County.

A network of 5,640 miles of roadway serves Miami-Dade County of which i-95, i-75, the Florida Turnpike and the Palmetto Expressway (SR-826) are the most utilized north/south highways while SR-112, SR-826 and SR-836 are the most utilized east/west expressways. US-1 and SR-A1A are also components of this network. Other primary thoroughfares include I-395 (east/west), I-195 (east/west), SR-94, SR-874, US-27, US-41 and US-441.

A significant train infrastructure project is currently under construction in the All Aboard Florida project. This is a $1.5 billion project to build a Miami to Orlando passenger rail system. The train would begin in downtown Miami, where a terminal is under construction. Along with the train terminal, a large scale mixed use development, on the scale of similar large projects such as Brickell City Centre and Miami Worldcenter, with 1.5 million SF of office space, 785 residential units, an 820 room hotel and 450,000 SF of retail has been proposed. The train will have 16 stops and end at the Orlando airport. The trip will take ±3 hours. The project is expected to launch by the end of 2015. The image on the page that follows shows the location of the Miami Grand Central Station

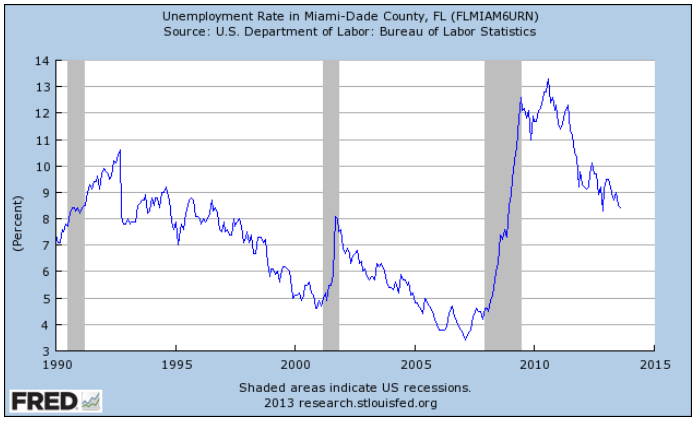
[3] From Miami-Dade Seaport Department Comprehensive Annual Financial Report, for fiscal year ended 9/30/2011



EMPLOYMENT/ECONOMIC INDICATORS

2012 saw various economic indicators improve as compared to the previous year. Read GDP increased at a rate of 2.3% and inflation was 1.6%. National unemployment rate dropped from 9.7% to 8.5%.

According to the most recent published report, from August 2013, Miami-Dade County's current unemployment rate is 8.4%, a decline of 0.1% from the previous month, and down 0.6% from June 2013. While recent trends have been positive, the current rate is still above historical norms for the past 25 years. The chart below shows unemployment rates for the past 25 years:



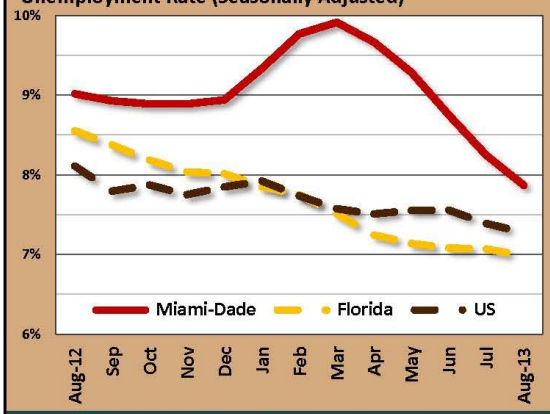
Miami-Dade County's rate has dropped from 9.7% to 8.4% from August 2012 to August 2013. Recent trends have been positive, as according to the most recent report, Florida added 16,640 private sector jobs in the most recent report, second only to California.

The following infographic comes from the Miami-Dade County Labor Market Report.

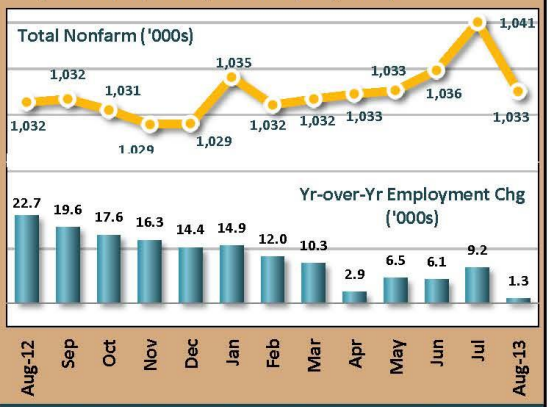
Miami-Dade County Labor Market

MIAMI-DADE COUNTY

Unemployment Rate (Seasonally Adjusted)



Payroll Employment (Seasonally Adjusted)



Miami-Dade Labor Force & Unemployment

	Aug-13 (p)	% Chg from Jul-13	% Chg from Aug-12
Labor Force	1,267,289	-0.8%	-2.3%
Employment	1,167,554	-0.4%	-1.1%
Unemployment	99,735	-5.3%	-14.7%
Unempl. Claims	7,112	-14.7%	-20.3%
	Aug-13 (p)	**Jul-13 (r)**	**Aug-12**
Unempl. Rate (%)	7.9%	8.2%	9.0%

Data Source: FL Dept. of Economic Opportunity (Seasonally Adjusted).

National Indicators of "Hidden" Unemployment

Numbers in Thous.	Aug-13 (p)	% Chg from Jul-13 (r)	% Chg from Aug-12
Involuntarily P/T	7,911	-4.1%	-1.5%
Discouraged Workers*	866	-12.3%	2.6%
	Aug-13 (p)	**Jul-13 (r)**	**Aug-12**
Involuntarily P/T as a % of Nonfarm Empl.	5.5%	5.7%	5.7%
Unempl. Rate Incl. Discouraged Wrkrs*	7.8%	8.0%	8.6%

*Data Source: Bureau of Labor Statistics; * Not Seasonally Adjusted*

National Demographics of Unemployment Rate

	Aug-13 (p)	Jul-13 (r)	Aug-12
Overall	7.3%	7.4%	8.1%
White	6.4%	6.6%	7.2%
Black or African Amer.	13.0%	12.6%	14.1%
Hispanic or Latino	9.3%	9.4%	10.2%
Male	7.1%	7.0%	7.6%
Female	6.3%	6.5%	7.3%
Teens (16-19)	22.7%	23.7%	24.6%
Less than HS Diploma	11.3%	11.0%	12.0%
HS, No College	7.6%	7.6%	8.8%
Some College	6.1%	6.0%	6.6%
Bachelor's or Higher	3.5%	3.8%	4.1%

Data Source: Bureau of Labor Statistics.

Miami-Dade Nonfarm Payroll Employment ('000s)

	Aug-13 (p)	% Chg from Jul-13 (r)	% Chg from Aug-12
Total Nonfarm	**1,033.2**	**-0.8%**	**0.1%**
Private	**901.0**	**-0.7%**	**0.9%**
Goods Prod.	**66.4**	**-1.4%**	**-1.5%**
Construction	30.6	-2.4%	-2.7%
Manufacturing	35.8	-0.6%	-0.4%
Private Service	**834.3**	**-0.6%**	**1.0%**
Wholesale Trade	75.7	2.0%	3.9%
Retail Trade	138.4	-0.5%	3.2%
Transp.-Wrsg-Util.	62.1	-0.6%	-0.8%
Information	17.8	-1.1%	-0.2%
Financial Activities	73.1	0.0%	3.1%
Prof./Bus. Serv.	137.2	-1.1%	-0.4%
Educ./Health Serv.	161.4	-1.3%	-0.7%
Leisure/Hosp.	123.2	-1.7%	2.4%
Other Serv.	45.5	0.4%	-2.8%
Total Govt	**132.2**	**-1.4%**	**-4.6%**

Data Source: FL Dept. of Economic Opportunity. (Seasonally Adjusted by OEDIT)

Average Private Weekly Hours & Earnings

	Aug-13 (p)	Jul-13 (r)	Aug-12
U.S. Hours	34.5	34.4	34.4
U.S. Earnings	$829.73	$825.60	$809.43
Miami-Dade Hours	34.8	34.6	35.0
Miami-Dade Earnings	$783.00	$776.08	$778.75

Data Source: Bureau of Labor Statistics.

Note: Numbers are seasonally adjusted unless otherwise indicated.
(p): preliminary (r): revised

For additional information visit our website at:
http://www.miamidade.gov/business/economic-development
Dr. Robert D. Cruz, Chief Economist (305) 375-1879
Mr. Robert Hesler, Sr. Economic Analyst (305) 375-4811

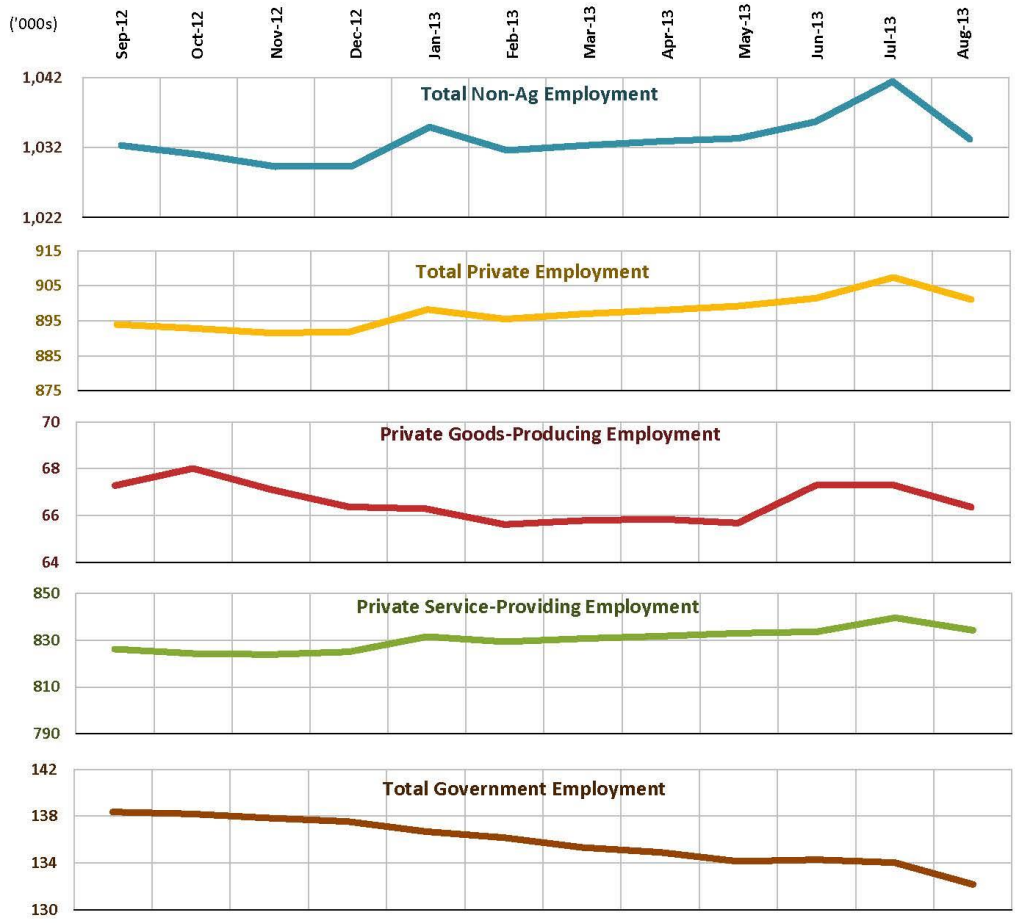
Released Sep 2013

Economic Analysis and Policy | 305.375.1254 | www.miamidade.gov/business/economic-development | 6

PAYROLL EMPLOYMENT SUMMARY (Seasonally Adjusted)

Source: FL Dept. of Economic Opportunity, RER Economic Analysis & Policy

	Thousands of Employees							Chg from		% Chg from	
	Aug-13	Jul-13	Jun-13	May-13	Apr-13	Mar-13	Aug-12	Jul-13	Aug-12	Jul-13	Aug-12
Total Non-agricultural Employ	**1,033.2**	**1,041.4**	**1,035.7**	**1,033.3**	**1,032.9**	**1,032.3**	**1,031.9**	**-8.20**	**1.30**	**-0.8%**	**0.1%**
Total Private Employment	**901.0**	**907.4**	**901.4**	**899.2**	**898.0**	**897.0**	**893.4**	**-6.34**	**7.61**	**-0.7%**	**0.9%**
Private Goods Producing	**66.4**	**67.3**	**67.3**	**65.7**	**65.8**	**65.8**	**67.4**	**-0.95**	**-1.00**	**-1.4%**	**-1.5%**
Construction	30.6	31.3	31.3	30.5	31.1	31.2	31.4	-0.74	-0.84	-2.4%	-2.7%
Manufacturing	35.8	36.0	36.0	35.2	34.7	34.6	35.9	-0.21	-0.16	-0.6%	-0.4%
Private Service Providing	**834.3**	**839.7**	**833.7**	**833.1**	**831.7**	**830.8**	**825.7**	**-5.39**	**8.62**	**-0.6%**	**1.0%**
Wholesale Trade	75.7	74.2	74.3	75.3	75.5	74.6	72.8	1.51	2.82	2.0%	3.9%
Retail Trade	138.4	139.1	138.1	137.5	137.7	136.7	134.2	-0.67	4.23	-0.5%	3.2%
Transp-Whsg-Utilities	62.1	62.5	62.6	62.1	62.1	62.8	62.6	-0.35	-0.50	-0.6%	-0.8%
Information	17.8	18.0	18.0	17.8	17.8	17.7	17.8	-0.20	-0.04	-1.1%	-0.2%
Financial Activities	73.1	73.1	73.1	71.7	72.5	72.0	70.9	-0.01	2.17	0.0%	3.1%
Prof & Bus Services	137.2	138.7	138.8	137.9	136.7	137.1	137.7	-1.50	-0.56	-1.1%	-0.4%
Ed & Health Services	161.4	163.6	160.0	162.3	162.3	162.6	162.5	-2.21	-1.17	-1.3%	-0.7%
Leisure & Hospitality	123.2	125.4	124.3	123.9	122.6	122.2	120.3	-2.15	2.94	-1.7%	2.4%
Other Services	45.5	45.3	44.5	44.5	44.6	45.1	46.7	0.18	-1.29	0.4%	-2.8%
Total Government	**132.2**	**134.0**	**134.3**	**134.1**	**134.9**	**135.3**	**138.5**	**-1.86**	**-6.31**	**-1.4%**	**-4.6%**



Cultural

Known mainly for its trendy nigh-clubs and oceanfront resorts, Miami-Dade County is also a recognized center for the fine arts and the performing arts, offering and array of enriching cultural activities. These include visits to area museums, Broadway plays, the Repertory Theater, the Philharmonic, the Opera Guild, and a large number of historical attractions and exhibits.

The Miami Art Museum, Museum of Contemporary Art, Miami Art Central, Wolfsonian-FIU and the Lowe Art Museum are filled with collections and exhibitions from all parts of the world. Every year, numerous arts festivals make their homes in Miami, including the world renowned Coconut Grove Arts Festival and Art Basel. The annual Art Basel exhibition. The newly opened Adrienne Arsht Center for the Performing Arts. The Miami City Ballet and New World Symphony. Numerous theaters and museums, including the Miami Art Museum and the Wolfsonian at Florida International University.
A new Miami Art Museum, with a construction cost of $220 million, is currently under construction on a site adjacent to the American Airlines arena. The museum is scheduled to open in December 2013.
The Miami Beach Symphony Orchestra and the Greater Miami Opera Association both offer top-notch performances throughout the year. In addition, the Gusman Center features a variety of plays and dance from local, regional, and national troupes.

Clubs and restaurants, including the ever-changing, vibrant South Beach scene. Professional sports teams in football (Dolphins), baseball (Marlins), basketball (Heat) and hockey (Panthers). Attractions like the Miami Seaquarium, MetroZoo, Fairchild Botanical Tropical Garden and Monkey Jungle, and 80 parks. Everglades National Park.

Climate

The subtropical marine climate of the Miami-Dade County area offers an average annual temperature of 75.5 degrees with an average annual low and high of 68.7 and 82.6 degrees respectively. The normal precipitation is 57.6 inches.

EDUCATION

The educational opportunities in Miami-Dade County are numerous. The county is served by over 900 public and private secondary and elementary schools; the public schools alone combined to care for the educational needs of almost 400,000 students. Seven colleges and universities are located in the county.

Miami-Dade College, formerly a community college, has eight campuses and twenty-one outreach centers located throughout Miami-Dade County. Founded in 1959, Miami Dade is the largest college in the Florida College System with over 161,000 students. Additionally, MDC is also the largest institution of higher education in Florida, and the second-largest in the United States. Miami Dade College's main campus, the Wolfson Campus, is in Downtown Miami.

The University of Miami is a private university located in Coral Gables, the university currently enrolls ±16,000 students in 12 separate colleges, including a medical school, law school, and a school focused on the study of oceanography and atmospheric sciences. These colleges offer approximately 115 undergraduate, 114 master's, 51 doctoral, and two professional areas of study. Over the years, the University's students have represented all 50 states and close to 150 foreign countries. With more than 13,000 full and part-time faculty and staff, UM is the sixth largest employer in Miami-Dade County Florida International University (FIU) is an American public research university in Greater Miami, Florida, in the United States, with its main campus in University Park in Miami-Dade County. Florida International University is classified as a top-tier Research University with high research activity by the Carnegie Foundation, and is a first-tier research university as designated by the Florida Legislature. Founded in 1965, FIU is the youngest university to be awarded a Phi Beta Kappa chapter by the Phi Beta Kappa Society, the country's oldest academic honor society.

FIU is one of Florida's primary graduate research universities, and awards over 3,000 graduate and professional degrees annually. The university offers 191 programs of study with more than 280 majors in 23 colleges and schools. FIU offers many graduate programs, including architecture, business administration, engineering, law, and medicine, offering 81 master's degrees, 34 doctoral degrees, and 3 professional degrees FIU is the 3rd-largest university in Florida, and the largest in South Florida. Total enrollment in 2011 was 47,966 students, including 8,819 graduate students, and 2,974 full-time faculty with over 180,000 alumni around the world. In 2012, FIU's research expenditure was $104.6 million, with an endowment of $140 million. The university has an annual budget of $1.07 billion Four-year degree programs are also available at Barry University, St Thomas University, Florida Memorial College and Miami Christian College.

According to the ACS data the County is now decidedly more educated. While in 2000 the persons 25 years and over who had not graduated from high school stood at 32%, by 2010 this figure had gone down to 23.%. At the same time, those who held a bachelor's degree or higher went up from 21% percent to 25% percent.

COMMERCIAL REAL ESTATE SUBMARKETS

Office Market

Vacancy: The Miami-Dade County Office market ended the third quarter 2013 with a vacancy rate of 12.6%, down over the previous quarter, with a decrease of 0.6%. The rate has declined since the fourth quarter 2012, from its most recent high of 13.5%.

Rental Rates: The average quoted asking rental rate for available space, all classes, was $28.43/SF at the end of the third quarter 2013, countywide. This represented a 1.1% decrease from the second quarter.

New Construction: No new space was completed in the third quarter. Two buildings totaling 41,500 SF were completed in the second quarter 2013, and two buildings totaling 114,020 SF were completed in the first quarter of the year. There are 253,000 SF currently under construction. Some of the notable 2013 deliveries include: Aventura Optima Plaza, an 84,000 SF facility completed in the first quarter 2013, currently 20% occupied, and 14970 SW 136 ST, a 35,000 SF building that is now 100% occupied. The largest project currently under construction are 323 Sunny Isles Boulevard, a 103,000 SF building that is 60% pre-leased, and 3895 NW 107 Avenue, an 80,000 SF building that is 20% pre-leased.

Sales Activity: Counting properties larger than 15,000 SF, CoStar reports an average price of $285/SF. Total office building sales activity in 2013 was up compared to 2012. In the first six months of 2013 the market saw 24 office sales transactions with a total volume of $436,000,000. The price per SF averaged $249/SF. In the same first six months of 2012, the market posted 27 transactions with a total volume of $399,000,000. The price per SF averaged $200/SF.

Industrial Market

Vacancy: The vacancy rate at the end of the third quarter 2013 was 6.1%, this represents a decline of 0.5% over the previous quarter. The rate is down from 6.6% at the end of 2012.

Rental Rates: The average quoted asking rate for the most recent quarter was $8.01/SF, which represented a 1.9% increase over the previous quarter.

New Construction: One new building totaling 171,000 SF was completed in the past quarter, two buildings totaling 226,000 SF were completed in the second quarter, and nine buildings totaling 918,000 SF were completed in the first quarter. There are currently 498,000 SF of space currently under construction.

Sales Activity: Counting sales of buildings 15,000 SF and larger, industrial sales figures increased as compared to the same period of 2012. In the first six months of the year, the market saw 59 sales transactions with a total volume of $185,000,000 and an average price per SF of $57.53/SF. In the first six months of 2012, there were 40 sales with a total volume of $180,000,000 and an average price per SF of $68.32.

Retail Market:

Vacancy: Miami-Dade County's retail vacancy rate increased 0.1% in the past quarter. The rate has been basically stable since the fourth quarter 2012.

Rental Rates: Average quoted rates are down over the previous quarter, and down over the previous year. Quoted rents ended the third quarter 2013 at $27.43/SF, compared to $27.63/SF in the second quarter, and $28.62/SF at the end of the fourth quarter 2012. This represents a decline of 0.7% over the previous quarter and a 4.34% decrease from four quarters ago.

New Construction: No new space was completed in the third quarter. Over the past four quarters, a total of 480,000 SF was completed. There are 910,000 SF current under construction.

Sales Activity: Counting sales of buildings 15,000 SF and larger, sales figures fell from the previous quarter. Total retail sales activity was up compared to 2012. In the first six month of 2013, the market saw 24 sates transactions with a total volume of $289,000,000. The price per SF averaged $187/SF. The same six months of 2012 saw 19 transactions with a total volume of $242,000,000 with an average price per SF of $249/SF. One of the largest transactions of the year is the sale of Lincoln Center in Miami Beach. This 55,586 SF retail center sold for $139,000,000, or $2,500/SF. The property sold on December 2012, at a 5.50% cap rate.

Conclusion

Many factors affect the real estate market, this section attempts to address some of the big picture factors that impact real estate in Miami-Dade County.

The first part of this section addresses general demographic trends of the area. As the data presented in this section details, Miami-Dade County demographic trends are generally favorable to the region. Immigration has slowed in recent years, but Miami-Dade County has a diverse and growing population, trends which are expected to be positive for the region over the medium to long term.

The second part of this section discusses employment and general economic trends for the county. Over the past several years, a slow, steady recovery has taken hold, with gradually decreasing unemployment levels details general market conditions of different commercial submarkets. Trends for the commercial submarkets have been positive over the past year. Vacancy rates for the office and industrial sectors have been falling, rental rates have been rising, and average sale prices per SF have been rising. The retail market has been more balanced, with vacancy rates generally stable over the past year and rental rates slightly declining.

In summary, demographic trends for Miami-Dade County are positive over the medium term. General economic trends have been positive, with slowly improving unemployment trends. Recent market conditions have been positive for all of the commercial submarkets.

In general, real estate markets are typically cyclical, following the conventional boom to bust cycle. These trends have been exaggerated in South Florida, which has seen successive series of building booms, which eventually lead to oversupply, followed by bust periods of steep price declines. The most recent cycle saw dramatic price increases and a development boom from the early 2000's through about 2006. The period from 2007-2010 was characterized by falling prices, oversupply, foreclosure and bankruptcy. The years from 2011-2013 were market by a return to stabilization, increasing prices and increasing demand.

Current signals indicate that the next several years most likely will be the beginning of the next boom period. Many new large scale developments are underway or planned in Miami-Dade County. While some proposed projects will undoubtable not be completed, numerous major projects are planned or currently under construction in Miami. In fact, there are $10 billion in new development proposed only in the downtown area, all scheduled to be completed by 2020.

The largest project is The Miami World Center is a hotel/convention center and mixed use project planned for the former site of the Miami arena. The MDM Group has been acquiring adjacent sites in recent months and is moving forward with the project. John Nichols, the architect for the project, authorized to speak for the developers, recently said "Miami is such a red hot community, this will be a true iconic landmark. This is a huge undertaking, we've blocked it out and we know it will work." He said the project would easily cost more than $1 billion.

Brickell City Centre, being developed by the Swire Company, is a mixed use development with a proposed construction cost of $1.3 billion. Construction has been underway since mid-2013. Plans include the recently announced 80 story tower to be located at the intersection of Brickell Avenue and SW 8 Street. This would be the tallest tower south of Manhattan.

Developer Craig Robins, one of the key figures behind the South Beach redevelopment of the 1980's, is redeveloping the Miami Design District. The developer has partnered with LVMH, owner of many of the most prestigious luxury brands. The development, currently underway, will include a Lincoln Road style pedestrian street, and over 120 luxury stores, of which, 60 tenants have signed leases. The project is scheduled to have a construction cost of $300 million and the real estate is projected to have a value of over $1 billion upon scheduled completion in 2015.

Resort World Miami is a large scale destination resort planned for the site of the former Miami Herald building site (demolished August 2013), along with several other assembles sites. Plans have been scaled back following the Florida legislatures recent decision not to approve a casino for the site, but construction is expected to begin in 2014 on the site.

The Miami World Center is a hotel/convention center and mixed use project planned for the former site of the Miami arena. The MDM Group has been acquiring adjacent sites in recent months and is moving forward with the project. John Nichols, the architect for the project, authorized to speak for the developers, recently said "Miami is such a red hot community, this will be a true iconic landmark. This is a huge undertaking, we've blocked it out and we know it will work." He said the project would easily cost more than $1 billion. In the neighborhood of Brickell alone, more than 40 residential and mixed use projects have been announced.

The recent positive trends, as highlighted in this summary, along with the high number of projects currently underway and proposed, point to the next several years being a growth phase for Miami-Dade County, and medium term trends are strongly positive.

APPRAISAL REPORT

A PARCEL OF LAND

Located At:

12XX NW 119th Street
North Miami, Florida 33167

Prepared For:

City of North Miami
Community Planning & Development Department
12400 NE 8th Avenue
North Miami, FL 33161

As Of:

December 1st, 2015

Prepared By:

Peña Appraisal Service Inc.
5402 W. Flagler Street
Miami, Florida33134

Peña Appraisal Service Inc.
Real Estate Appraisers & Consultants
5402 W. Flagler Street
Miami, Florida33134
Telephone (305) 448-5241
Email: orders@penaappraisal.com

December 11th, 2015

City of North Miami
Community Planning & Development Department
12400 NE 8th Avenue
North Miami, Florida 33161

Reference: Appraisal Report of a Parcel of Land
Located at: 12XX NW 119th Street, North Miami, Florida 33167

Pursuant to your request, we have prepared an appraisal report on the above referenced properties for the purpose of estimating their fee simple interest market value as *vacant and unimproved* as of December 1st, 2015.

The intended use of the report is to determine the fair market value fee simple interest for a decision making process. Intended users include representatives of the City of North Miami. The report is not intended to be relied upon by anyone other than its intended user.

According to the public Records of Miami-Dade County, the property being appraised consists of a parcel of land with approximately 6,913.7+/- SqFt. The subject is currently unimproved.

This appraisal is prepared in accordance with the Uniform Standards of Appraisal Practice (USPAP) published by the Appraisal Foundation; in addition, this report conforms to the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) of 1989. Neither this assignment nor the concluded value has been based on a requested minimum valuation, a specific valuation, or the approval of a loan.

The appraisal report that follows sets forth the identification of the property, the assumptions, limiting conditions, and certifications. The analysis contained in the report that follows is considered to be a complete appraisal and is presented in a summary format.

This appraisal is presented in a narrative format, and it is intended to comply with U.S.P.A.P. Standard Rule 2-2(a) © guidelines for an *Appraisal Report*

Peña Appraisal Service Inc.
Real Estate Appraisers & Consultants
5402 W. Flagler Street
Miami, Florida33134
Telephone (305) 448-5241
Email: orders@penaappraisal.com

We have made an inspection of the subject property, the immediate area, all the comparable sales, and carefully analyzed the market data on the following pages. We have concluded that the opinion of the market value of the subject property as vacant and unimproved as of December 1st, 2015 is as follows:

FIFTY FIVE THOUSAND DOLLARS
$55,000.00

Respectfully submitted,

PEÑA APPRAISAL SERVICES, INC.

Ralph Peña, Jr.,
State-Certified General Real Estate Appraiser
License # RZ 67(Florida)

TABLE OF CONTENTS

	Page Number
Certificate of Value:	5
Summary of Salient Facts and Conclusions:	6 - 7
Scope of Work	8
Photograph of the Subject:	9 – 11
Introduction	12 - 13
Identification of Property	12
Present Use	12
Sales History	12
Legal Description	12
Purpose & Function of Appraisal	12
Intended Use and User	12
Property Rights Appraised:	13
Definition of Value:	14
Market Analysis:	15 – 26
Miami-DadeCounty Analysis	15 – 25
Neighborhood analysis	26
Property Description:	27 – 30
Site Description	27 – 30
Appraisal Process:	31 - 34
The Sales Comparison Approach:	35- 41
Reconciliation Value:	42
Exposure Time:	43
Statement of Basic Assumptions & Limiting Condition	44 - 45

CERTIFICATION

The undersigned herby certifies that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct
- The report analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment. I have not performed any past appraisal or services for these sites.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of value opinion, the attainment of stipulated results, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the uniform Standard of Professional Appraisal Practice.
- Ralph Peña Jr.as made a personal inspection of the property that is the subject of this report.
- This appraisal is for the sole use of *The City of North Miami* and cannot be transferred to any other institution. “See Summary of Facts and Conclusions for additional conditions”

Ralph Peña, Jr.
State-Certified General Real Estate Appraiser
License # RZ 67(Florida)

Report Type:	Appraisal Report
Effective Date of Value:	December 1st, 2015
Date of Report:	December 11th, 2015
Property Type:	The subject property is appraised as a vacant and unimproved site.
Location:	12XX NW 119th Avenue North Miami, Florida 33167
Property rights appraised:	Fee Simple Interest
Site:	6,913.7+/-SqFt
Intended use/user:	This report is expressly prepared for *The City of North Miami*, which is our clientand no other user is intended The intended use is to assist the client in a decision making process. The intended users may include representatives of *The City of North Miami.* The report is not intended to be relied upon by anyone other than its intended user or for any purpose other than that which is listed above.
Zoning:	C-2/Commercial District
Flood Zone:	"X"Community Map #12086C, Panel #0138L dated September 11, 1999.

Folio Number:	Not yet assigned
Highest and Best Use:	The Highest and Best Use of the subject as vacant is to hold as inventory for future development at such time as sufficient demand exists.
Real Estate Taxes:	To be determined

Value Indications Via:

Cost Approach	**N/A**
Sales Comparison Approach	**$55,000.00**
Income Approach	**N/A**

SCOPE OF THE APPRAISAL

According to the Uniform Standards of Professional Appraisal Practice, it is the appraiser's responsibility to determine the appropriate scope of work. USPAP defines the scope of work as:

The amount and type of information researched and the analysis applied in an assignment. Scope of work includes, but is not limited to, the following:

- the degree to which the property is inspected or identified;
- the extent of research into physical or economic factors that could affect the property
- the extent of data research; and
- the type and extent of analysis applied to arrive at opinions or conclusions.

The scope of the appraisal involves the research and analysis of factual data relative to the subject property, as well as market data necessary for the Cost Approach, Direct Sales Comparison Approach and Income Approach. The value estimates developed by the applicable approaches are then reconciled into a Market Value Estimate of the subject property.

The approaches require extraction of market data inclusive of land sales and improved sales. The market is imperfect and therefore not all aspects of each approach can be satisfied in any appraisal assignment, however, the appraiser has made a diligent attempt to obtain all necessary data

We have been requested to provide a "Fee Simple Appraisal" of the parcel of land located at 12XX NW 119th Street, North Miami, FL 33160

It is to our understanding that the report and the market value set forth are as of an effective date of December 1, 2015 which is the date that the property was inspected.

APPRAISAL REPORTING GUIDELINES

This appraisal is presented in a narrative format, however, it is intended to comply with U.S.P.A.P.Standard Rule 2-2© guidelines for an *Appraisal Report.* All data considered and summarized, and conclusions rendered but not specifically addressed or detailed in this appraisal report has been retained in the appraiser's office file. The client is familiar with the subject property, the appraisal process and the nomenclature of the profession.

Front Of Site Facing South

Adjacent Site To The West

Back Of The Site

Site Facing East

Street Scene Facing East From Site

Street Scene Looking West From Across The Street

IDENTIFICATION OF THE PROPERTY

The subject property has the following street address:

12XX NW 119th Avenue
North Miami, Florida 33161

According to the Miami-Dade County Public Records, the subject's legal description is as follow:

A PORTION OF THE RIGHT OF WAY FOR NORTHWEST 13TH AVENUE LYING BETWEEN BLOCKS 17 AND 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEROF, AS RECORDED IN PLAT BOOK 8 , PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

OWNER OF RECORD

The City of North Miami

SALES HISTORY

The subject property has not transferred within the past thirty six months.

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the site as if vacant with a fee simple interest as of the date that the inspection is made.

INTENDED USE OF THE APPRAISAL AND INTENDED USER

This report is expressly prepared for *The City of North Miami* which is our clientand no other user is intended The intended use is to assist the client in a proposed loan and or in a decision making process. The intended users may include representatives of *The City of North Miami*. The report is not intended to be relied upon by anyone other than its intended user or for any purpose other than that which is listed above.

PERTINENT DATES OF INSPECTION, APPRAISAL VALUE AND REPORT

The following dates are applicable for the appraisal report, conclusions and final expressions of the subject's market value:

Date of Inspection:	December 1st, 2015
Effective Date of Appraisal Value:	December 1st, 2015
Signature Date of Report:	December 11th, 2015

PRESENT USE OF THE PROPERTY

At the time of inspection, the subject property was being used as a right-of-way between NW 119th Avenue and NW 120th Street along NW 13th Avenue.

PROPERTY RIGHTS APPRAISED

Fee Simple Estate

The subject property is appraised on the basis of a fee simple estate. A fee simple estate can be defined as the largest possible estate in real property, the owner of which has absolute use and the right to dispose of it at will.

Private ownership of real property rights is never complete or unrestricted. There are always public or governmental limitations as well as private limitations.

The most basic public limitation is property taxation. Other examples of governmental limitations include eminent domain (the acquisition of all or part of a private real estate for a public use or purpose) and through police power (for interest of public health, public safety and/or the general welfare).

The exercise of private rights in realty can also be limited privately, either voluntarily or involuntarily. Voluntary limitations are contractual and include leases, mortgage, easements, and deed restrictions. They all come about through voluntary acceptance by the owner of the fee simple estate of the property. Involuntarily limitations are placed against the property by others, usually because liens, encroachments, and prescriptive easements.

MARKET VALUE DEFINED[1]

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specific date and the passing of title from seller to buyer under condition whereby:

1) Buyer and seller are typically motivated;

2) Both parties are well informed or well advised, and each, acting in what they consider their own best interest;

3) A reasonable time allowed for exposure in the open market;

4) Payment is made in terms of cash in U.S. dollars or terms of financial arrangements comparable thereto.

5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with sale.

In essence, this appraisal report's market value estimate is based on cash or its equivalent as of a specified date, or specific financing based on rate and terms delineated hereunder, if applicable.

[1] The Dictionary of Real Estate Appraisal 3rd Addition page 222, published in 1993 by the Appraisal Institution

Miami-Dade County Area Analysis

Miami-Dade is located in South Florida between Broward County which is to the North and Monroe County located in the South. The county is bordered on the east by the Atlantic Ocean and runs west to approximately the middle of the state. Miami-Dade County is approximately 2,431.26 square miles in size, with the western two-thirds comprised of the Everglades Conservation area and an Indian reservation. Virtually all development is located in the eastern one-third of the county.

Miami-Dade County enjoys an excellent geographic location in that it is the gateway to the Caribbean and Latin America; furthermore, it is situated along several heavily traveled tourist routes and is within a day's drive of some of Florida's major tourist destination cities, as shown in the following table

City	Miles from Miami-Dade County
Fort Lauderdale	25
West Palm Beach	74
Key West	160
Orlando	232
Daytona Beach	259
Clearwater	286
Tampa	309
Tallahassee	484

Source: Microsoft Street finder

TOPOGRAPHY

Topographically, Miami-Dade is a low-lying flat plain, the primary structural features of the county include the Atlantic Coastal Ridge approximately two to three miles inland and paralleling the seacoast and the Everglades (conservation areas). The Coastal Ridge is fairly high (5-25 feet above mean sea level), dry land separating the interior lowlands of the county from the coastal areas is composed of a limestone rock foundation covered by sand. The conservation areas in Miami-Dade west of the Coastal Ridge are relatively flat with an average elevation of nine feet above main sea level.

Miami-Dade County Area Analysis (Continued)

Population

Miami-Dade County has an estimated population, as of 2010, of 2,496,435, the highest in Florida. Growth in population has been steady since 1980 but much less rapid than the three previous decades

A table summarizing the historical population of Miami-Dade County and the State of Florida between 1980 and 2010 is as follow:

	1980	1990	2000	2010
Florida	9,747.0	12,938	15,000.5	18,801,310
% Change		33	16	17.6
Miami-Dade	1,625.7	1,937.94	2,253.4	2,496,435
% Change		19	16	10.8

Source: United States Census Bureau – 2000

NOTE: Population numbers are X 1,000

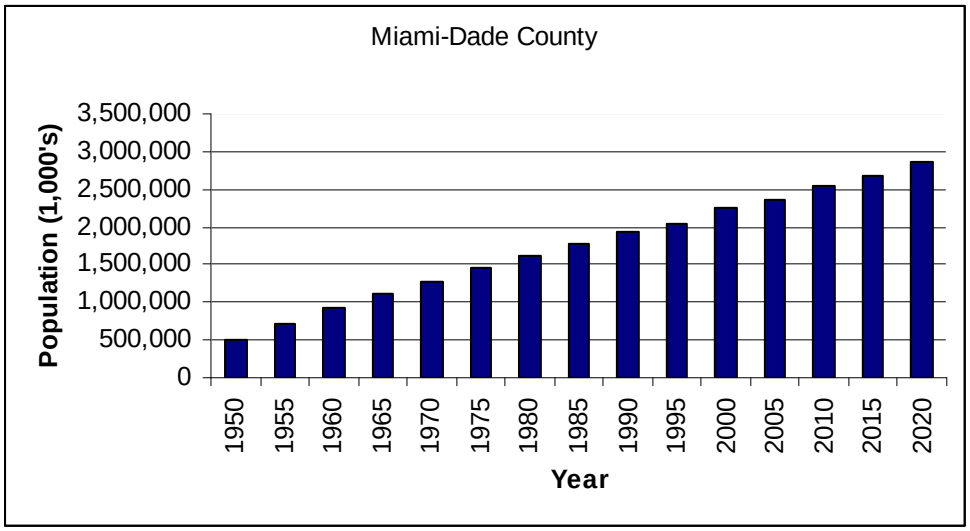
The previous table shows that the percentages of increase in population in Miami-Dade since 1980 have been lower than for Florida as a whole. This is due primarily to the large population of Miami-Dade County by 1980 compared to other Florida counties. Miami-Dade's population increase in numbers alone has remained higher than for most other counties.

As in any discussion of population data, it is important to recognize that statistics for the City of Miami are frequently incorporated with those for greater metropolitan Miami, which consists of thirty-two (32) independent municipalities and large unincorporated areas, and often statistics are available for the whole of Miami-Dade County. Such distinctions will be noted where appropriate.

Prior to 1980, Miami-Dade County's population had increased dramatically year to year. From 1980 to 1990, however, the population has increased only 19%. As shown in the charts below the population from 1990 to 2000 has increased by approximately 16%

Miami-Dade County Area Analysis (Continued)

Miami-Dade Population Trend[2]
(1950 TO 2020)



Year	Population	Growth%
1950	495,000	--
1955	715,000	44.4
1960	935,000	30.8
1965	1,101,500	17.8
1970	1,268,000	15.1
1975	1,462,000	15.3
1980	1,626,000	11.2
1985	1,771,000	8.9
1990	1,937,000	9.4
1995	2,047,000	5.7
2000	2,253,362	7.9
2005	2,362,000	6.9
2010	2,551,000	6.6
2015	2,677,000	6.4
2020	2,858,000	6.3

[2] **Source:** U.S. Department of Commerce, Bureau of the Census, and Miami-Dade County, Department of Planning and Zoning, 2000

Miami-Dade County Area Analysis (Continued)

Population Estimates

County & Municipalities[3]

County & City	Year Incorporated	April 2000 (Estimate)	April 2010 (Estimated)
Aventura	1995	25,267	28,500
BalHarbour	1946	3,305	3,185
Bay Harbour Island	1947	5,146	5,212
Biscayne Park	1931	3,269	3,328
Coral Gables	1925	42,775	44,561
Cutler Bay	2005		40,000
Doral	2003	21,000	30,331
El Portal Village	1937	2,505	2,539
Florida City	1915	7,843	8,787
Golden Beach	1929	919	963
Hialeah	1925	226,419	230,407
Hialeah Gardens	1948	19,297	20,523
Homestead	1913	31,909	38,396
Indian Creek	1939	33	56
Islandia	1960	6	6
Key Biscayne	1991	10,507	11,425
Medley	1949	1,108	1,132
Miami	1896	362,470	386,882
Miami Beach	1915	87,933	93,535
Miami Gardens	2003	100,809	105,457
Miami Lakes	2000	22,676	24,741
Miami Shores	1932	10,380	10,486
Miami Springs	1926	13,712	13,824

[3] *Source: http://www.beaconcouncil.com/web/Content.aspx?Page=countyMunicipalities, University of Florida, Bureau of Economics & Business Research , 1966, 1975, 1985, 1995, 2005*
Us Census Bureau, 1900-1990

Miami-Dade County Area Analysis (Continued)

Population Estimates

County & Municipalities[4]

North Bay Village	1945	6,733	6,498
North Miami	**1926**	**59,880**	**60,312**
North Miami Beach	1927	40,786	41,131
Opa-locka	1926	14,951	15,439
Palmetto	2002	23,801	24,795
Pinecrest	1996	19,055	19,460
South Miami	1926	10,741	10,578
Sunny Isles	1997	15,315	16,703
Surfside	1935	4,909	5,614
Sweetwater City	1940	14,226	14,373
West Miami	1947	5,863	5,844
Virginia Gardens	1947	2,348	2,366
Unincorporated	-	1,005,151	1,094,686
Miami-Dade	-	2,253,362	2,496,435

Conclusion

The county continued to grow rapidly mostly because of immigration. The population has increased 10% to 2.5 million from a decade ago. Miami-Dade is the second largest county on the east coast of the United States. The population of the county should continue as forecasted with growth with the push to the suburbs continuing as once isolated edges of the county have become sprawling suburbs in such areas as West Kendall which is situated in the western section of the county, Doral also in the west and a current trend is the sprawl to the South increasing the population to such areas as homestead, Florida City and the county's newest municipality which is not stated in the above graph Cutler Bay.

[4] *Source: http://www.beaconcouncil.com/web/Content.aspx?Page=countyMunicipalities, University of Florida, Bureau of Economics & Business Research , 1966, 1975, 1985, 1995, 2005*
Us Census Bureau, 1900-1990

COUNTY MAP

Miami Lakes
Opa-Locka
North Miami
Bal Harbour
Hialeah Gardens
Biscayne Park
Bay Harbor Islands
Miami Shores
El Portal
Hialeah
North Bay Village
Miami Springs
Virginia Gardens
Miami Beach
Doral Park
Miami
Chalk's Seaplane Base
Miami International Airport
Sweetwater
West Miami
Westchester
Virginia Key
Coral Gables
Westwood Lake
Kendall
South Miami
Key Biscayne
Key Biscayne
Kendall Lakes
Pinecrest
Biscayne Bay Aquatic Preserve
Atlantic Ocean
Richmond Heights
Perrine
Cutler Ridge
Old Cutler Hammock Park
Goulds
Biscayne Bay
Princeton
Naranja
Florida Keys
Leisure City
Homestead AFB
Biscayne National Park
Homestead
Convoy Point Visitor Center
Florida City
FLORIDA
Everglades Wildlife Management Area
The Everglades
MIAMI-DADE
Everglades National Park
Homestead General Aviation Airport
SW 136th St
SW 168th St
SW 232nd St
SW 217th Ave
Main Park Rd
Copyright © 2003 Microsoft Corp. and/or its suppliers. All rights reserved.

Miami-Dade County Area Analysis (Continued)

GOVERNMENT AND SCHOOL SYSTEM

In 1957, Miami-Dade County became the first metropolitan area in the United States to adopt an area-wide government with broad powers over municipal affairs. A new charter authorizing establishment of metropolitan government with home rule provision for the county permitting area wide control was adopted by the County Electorate by referendum of May 21, 1957. The new government became operative on July 21, 1957, superseding the former county government.

Miami-Dade County has a board of elected county commissioners and a full-time county administration. Other elected county officials are the School Board, the Sheriff, Property Appraiser, Supervisor of Elections, and Clerk of the Courts, State Attorney, Public Defender and Judges. There are many separate municipalities in Miami-Dade with various forms of government structures. The City of Miami is the largest of these municipalities and is the County seat.

Miami-Dade County is considered to have an average public school system and adequate to meet the needs of Miami-Dade's population. The Miami-Dade County Public School District is one of the largest school districts in the nation and the largest in Florida. Additionally it is the largest district in the nation that is fully accredited by the Southern Association of Colleges and Schools. Accreditation is given based on various quality standards in each school.

There are three public colleges and three private colleges with classes in Miami-Dade County. Several of these are large, good quality institutions headquartered in the tri-county area.

Miami-Dade County Area Analysis (Continued)

ECONOMY

ECONOMY

Miami-Dade County officials project that the local economy's future outlook is one of growth. Annual population increases are projected to continue through the year 2012 when Miami-Dade's population is forecast to be 2,551,284. This growth may be attributed to the county's continued emergence as an international business center, which has the effect of broadening the area's economic base. As of 2010 Miami-Dade's population was estimated to be 2,496,435 which is roughly 13% of the entire state of Florida's population.

Miami-Dade has a large variety of navigable canals plus the Intercostals Waterway. There are miles of beaches of which many are publicly owned. Miami-Dade's location makes it a logical part of trade particularly with Central and South America and with Caribbean nations. It also is a logical base for cruise ship industries. The Port adds significantly to Miami-Dade County's economic base.

In the past, tourism and agriculture dominated Miami-Dade County's economy. Until relatively recently, the county's economic base was primarily tourism related. In the past 10-15 years, the county and the state have diversified more adding much more industry. Through the efforts of the Miami-Dade County Economic Development Board and others, the number of industrial firms has increased steadily since 1977. Primary targets have been relatively clean light manufacturing firms. A newly developed industry in Miami-Dade is movie and television production. Numerous major producers have made films in Miami-Dade County. Miami's major drawing factors for industry includes appealing climate and lifestyle, low taxation, strong employment base, cooperative union environment and non-union employment and good available transportation. It is expected that development of light industry will continue to increase in Miami-Dade County.

Tourism is the other primary segment of Miami-Dade's economic base. Despite increased competition from other areas of the state, particularly Central Florida (Walt Disney World) the number of annual tourists has increased or remained stable since 1982. Most tourists visit Miami-Dade County in December through April. Primary reasons are mild winters, beaches and other recreational amenities. As development of industry increases, year round business tourists are expected to increase in numbers.

Agriculture is a primary segment of Miami-Dade's economic base. The industry has seen a small decline, this is due primarily to high property values generated by continued growth in tourism and industry and ever increasing population. As these factors increase, it is expected that agriculture will continue to decline. Remaining agriculture consists primarily of citrus and vegetable farming and raising dairy cattle. Other important resources of Miami-Dade's economic base include retirees, international trade, construction and related trades. Overall, Miami-Dade County is considered to have a solid and well balanced economic base.

Miami-Dade County Area Analysis (Continued)

ECONOMY

MAJOR INDUSTRY

Miami-Dade County's total estimated employment was 2,000,000. The average monthly private employment covered by Unemployment Compensation Law was 1,012,900. This is broken down into major industry groups as follows:

Occupation & Employment 2000 Employment by Industry	
Accommodation and food services	7.30%
Administrative and support and waste management service	5.40%
Agriculture forestry fishing and hunting	0.70%
Arts entertainment and recreation	1.80%
Construction	6.90%
Educational services	7.50%
Finance and insurance	5.00%
Health care and social assistance	10.40%
Information	3.10%
Management of companies and enterprises	0.00%
Manufacturing	7.10%
Other services (except public administration)	5.60%
Professional scientific and technical services	6.00%
Public administration	4.10%
Real estate and rental and leasing	3.00%
Retail trade	12.30%
Transportation and warehousing	6.90%
Utilities	0.70%
Wholesale trade	6.00%

Miami-Dade County Area Analysis (Continued)

Miami-Dade County Households & Average Household Size

Household Status

	1990 Census		2000 Census		2005 Estimate		2010 Estimate	
Total Households	692,363		776,774		790,022		800,645	
Size of Household:								
1 Person	172,157	24.9%	180,973	23.3%	196,282	24.9%	211,488	26.4%
2 Person	201,716	29.1%	215,033	27.7%	170,574	21.6%	122,878	15.4%
3 Person	121,215	17.5%	141,970	18.3%	100,328	12.7%	72,728	9.1%
4 Person	100,905	14.6%	120,938	15.6%	185,480	23.5%	249,280	31.1%
5 Person	52,093	7.5%	65,837	8.5%	86,788	11.0%	101,663	12.7%
6 Person	23,948	3.5%	30,673	4.0%	31,178	4.0%	28,013	3.5%
7 + Person	20,272	2.9%	21,350	2.8%	19,392	2.5%	14,595	1.8%
Ave Hhld Size	**2.75**		**2.84**		**2.97**		**3.10**	

Miami-Dade County Area Analysis (Continued)

TRENDS

According to the Miami-Dade County office of planning, there were a total of 989,435 single-family residences, mobile homes, and multi-family residential units in 2010. The vast majority of new housing development has been in the western portion of the county. This is expected as eastern Miami-Dade County was much more intensely developed prior to 1970. New residential development increased substantially from the mid 1980's thru the late 1990's, particularly in west, central and southwest Miami-Dade County. This is due primarily to the improved economy, low mortgage interest rates and relocation of many residents whose homes were destroyed by Hurricane Andrew in late 1992. Non residential development in the past four years has been strong by no means excessive.

Miami[5]

Residential

The difference between home prices and income reached a record level in Miami-Dade County, according to government data, the price of a home in Miami-Dade is now more than six times that of personal income levels, the Herald reported, and home prices continue to rise in what a Merrill Lynch study released in late June termed the nation's most "bubbly" housing market. Home prices in Miami-Dade appreciated more than 40 percent from March of 2004 to March of 2005, according to the newspaper. Since 2006 the residential market has been in a steady decline creating a housing crisis within the county. With the rise in foreclosures within the area there is an oversupply of residential homes causing housing prices to decline.

[5] http://www.therealdeal.net/issues/AUGUST_2005/1122674809.php

Neighborhood Analysis

The subject property is located in the City of North Miami within short driving distance to I-95, which provides access to Miami-Dade County and other major expressway systems.

The subject is situated along NW 119th Street which runs in a North/South direction. The area surrounding the subject is comprised primarily of single family residences

The subject boundaries are delineated by NW 135th Street to the North, I-95 Expressway to the East, NW 17th Avenue to the West, and NW 111th Street to the South.

In summary, the subject's good location permits easy access to the entire Miami-Dade County area and it is expected that the subject's trade area will strengthen adequately the demand for continuous growth of the neighborhood.

SITE DESCRIPTION

Shape and Size

According to the proposed survey, the site is rectangular in shape with approximately 6,913.7+/- Square Feet with access to NW 119th Street.

Street Improvements & Access

The subject is accessible from NW 119th Street which is a bi directional road with high flows of traffic. The subject faces NW 119th Street which is an East/West corridor. All roads are asphalt with electric street lamps, fire hydrants and storm sewers. Overall the subject's accessibility from major roadways is similar to all other sites within the neighborhood.

Topography

The site is relatively level and to road grade

Soil and Sub Soil condition

No test of the soil or sub soil were performed, no adverse environmental conditions were noted. There have been some environmental issues in the past which appear to have been correcte3d but at least a **Phase I environmental inspection is recommended.**

Easements and Encroachments

No survey was provided, however one is recommended to determine if there are any adverse easements or encroachments that would have an adverse effect on the subject's marketability.

SITE DESCRIPTION (Continued)

Utilities

Utilities available to the subject site include:

Water	Miami-Dade County
Sewer	Miami-Dade County
Electrical Service	Florida Power and Light Company
Telephone	Private

Flood Zone

The subject site is located in Flood Zone "X", which is a special flood zone area determined within the 100 year flood plain according to the National Flood Insurance Rate Map: Community Number: 12086C; Panel : 0138; Suffix L, effective September 11, 2009. Flood insurance is required in Zone "X".

Census Tract

The subject is located within Census Tract 0004.10

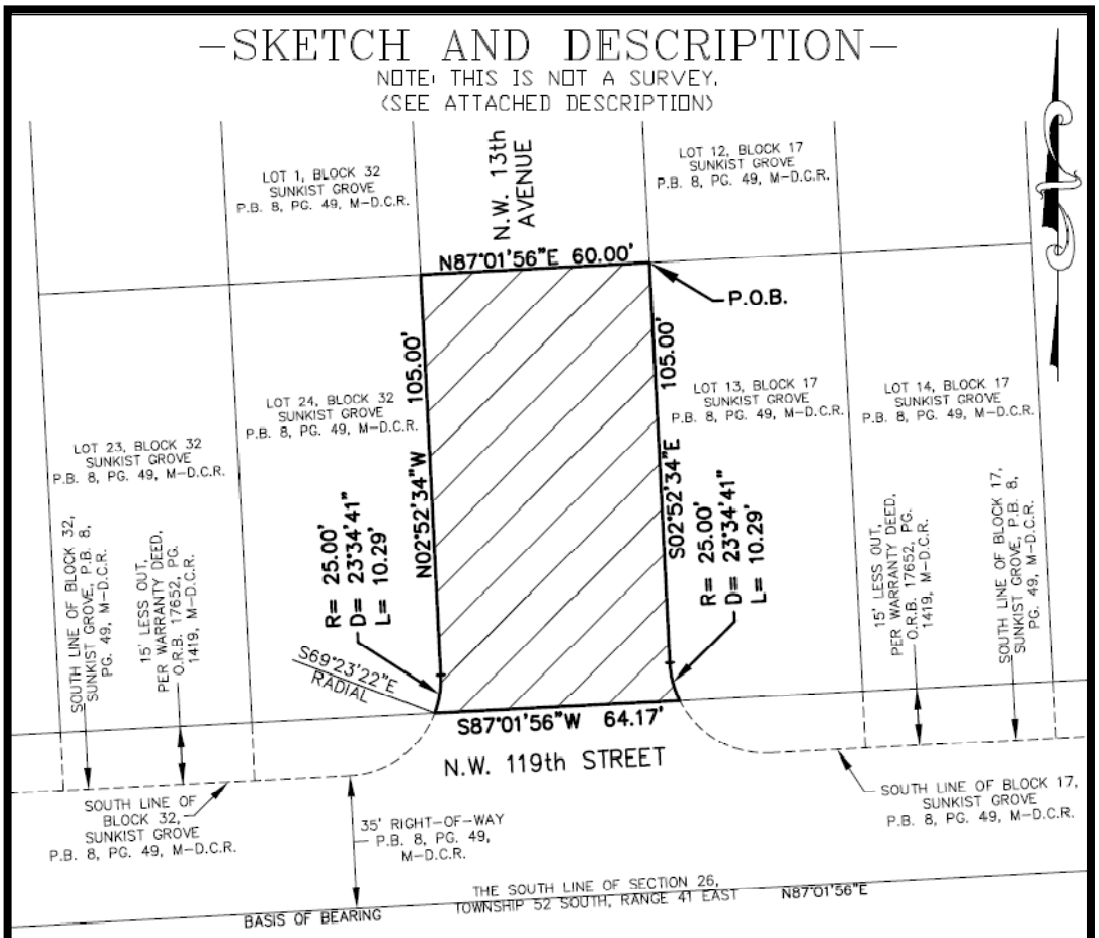
Environmental Conditions

The existence of any environmental hazards such as hazardous waste, toxic substances, radon gas, asbestos containing materials, etc, which may or may not be present in or on the subject property or any site within the vicinity of the subject was not observed and knowledge of any such environmental hazard is not assumed. The appraiser is not qualified to detect such substances. A Phase I environmental inspection is recommended.

Zoning:

C-2. Provides locations to enhance the high quality commercial areas in the city.

Proposed Survey:



PREPARED BY:
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER NO. LS 6425
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILTY INSURANCE.

SHEET 1 OF 2

UPDATES / REVISIONS	DATE	BY	CHK'D

NOTE: THE UNDERSIGNED AND PILLAR CONSULTANTS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. PILLAR CONSULTANTS, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

NOTE: THIS INSTRUMENT IS THE PROPERTY OF PILLAR CONSULTANTS, INC. MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF PILLAR CONSULTANTS, INC.

-SKETCH AND DESCRIPTION-

NOTE: THIS IS NOT A SURVEY.
(SEE ATTACHED SKETCH)

LAND DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY FOR NORTHWEST 13TH AVENUE, LYING BETWEEN BLOCKS 17 AND 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 13, BLOCK 17, OF THE SAID SUNKIST GROVE; THENCE SOUTH 02°52'34" EAST, ALONG THE WESTERLY LIMITS OF THE SAID LOT 13, A DISTANCE OF 105.00 FEET TO THE POINT OF A CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY FOR NORTHWEST 119TH STREET; THENCE SOUTH 87°01'56" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 64.17 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 24, BLOCK 32 OF THE SAID SUNKIST GROVE AND THE POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, SAID POINT HAVING A RADIAL BEARING OF SOUTH 69°23'22" EAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23°34'41"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 10.29 FEET; THENCE NORTH 02°52'34" WEST, ALONG THE EASTERLY LIMITS OF THE SAID LOT 24, A DISTANCE OF 105.00 FEET TO THE NORTHEAST CORNER OF THE SAID LOT 24; THENCE NORTH 87°01'56" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 6,913.7 SQUARE FEET (0.16 ACRES) MORE OR LESS.

LEGEND:

M-D.C.R. - MIAMI-DADE COUNTY RECORDS
O.R.B. - OFFICAL RECORDS BOOK
P.O.B. - POINT OF BEGINNING
P.B. PLAT BOOK
PG. - PAGE
R - RADIUS
L - LENGTH
D - DELTA (CENTRAL ANGLE)

SURVEYORS NOTES:

1. BEARING REFERENCE:
   THE BEARINGS, AS SHOWN HEREON, ARE RERFERENCED TO THE SOUTH LINE OF THE SECTION 26, TOWNSHIP 52 SOUTH, RANGE 41 EAST.
   SAID LINE BEARS NORTH 07°01'56" EAST.

2. THIS IS NOT A SURVEY. NO FIELD WORK WAS DONE DURING THE PREPARATION OF THIS SKETCH AND DESCRIPTION.

PREPARED BY:
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER NO. LS 6425
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILTY INSURANCE.

SHEET 2 OF 2

UPDATES / REVISIONS	DATE	BY	CHK'D

NOTE: THE UNDERSIGNED AND PILLAR CONSULTANTS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. PILLAR CONSULTANTS, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN.

NOTE: THIS INSTRUMENT IS THE PROPERTY OF PILLAR CONSULTANTS, INC. MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF PILLAR CONSULTANTS, INC.

Job No.: 15017	Drawn By: T.N.T.	Checked By:		Scale: NOT TO SCALE

THE APPRAISAL PROCESS

The purpose of this appraisal is to estimate the market value of the subject property.

Whenever possible, the three generally-accepted approaches to value will be utilized. If one of the approaches is not employed, an explanation will be given for the rationale. In appraising income-producing properties, the most emphasis is placed on the Income Approach to value. Situations, however, may arise that one of the other approaches is more significant.

The Cost Approach

A basic underlying premise of the Cost Approach is that the cost of production is an appropriate measure of value. Cost is not value. They are not synonymous concepts and are not necessarily equal in amount. If the cost of production of improvements is properly defined and can be measured with reliable market evidence and date, the cost can be an appropriate measure of value.

The method provides means for estimating the present worth of land and improvements. Diminished utility (accrued depreciation) can be measured through this method, including functional, physical, and environmental depreciation.

Replacement cost new is especially helpful in establishing value for construction lending purposes. It aids in establishing Highest and Best Use in build vs. buy decisions.

For special purpose, where no-market data exist, the Cost Approach is probably the only approach to valuation. Feasibility of renovation or conversion can be determined by cost-benefit analysis when an investment decision is to be made.

The subject is appraised as vacant unimproved therefore the Cost Approach is not applicable for this assignment.

THE APPRAISAL PROCESS (Continued)

Sales Comparison Approach

In the sales comparison approach, value is estimated by comparison with comparable and/or competitive sales obtained from the market. These sales will be carefully analyzed for all variables considered indicative of the elements of value.

In applying the sales comparison approach for the valuation of either vacant land or improved properties, the appraiser must follow a systematic adjustment procedure as prescribed by The Appraisal of Real Estate, Twelfth Edition. An appraiser must always compare like with like. Otherwise stated, the competitive property must be adjusted to the subject to impute an inferred value to the subject property.

Real Property Rights Conveyed

The sale property may require adjustment to the sale price if the property rights conveyed are reflective of a leased fee estate when contract rents are not at the market level. Also, a leasehold estate may require adjustment if, for example, a property is sold separately from its site. In such cases, the value of the fee simple estate would have to be estimated by adding the leased fee estate to the leasehold estate.

Financing Terms and Condition of Sale

The sale property's price can differ drastically from that of a property considered highly physically competitive because financing arrangements or terms of sale can vary. The financing of each competitive property should be considered and the necessary adjustments should be made to reflect variations in rates, term, and other factors for proper comparison with the subject. The financing is compared as of the date of sale and adjusted for then market rate.

Market Conditions

The condition of the market can change between the time of sale and the date of the appraisal. Therefore, adjustments might need to be reflected. Such changes often result from various factors such as inflation, deflation, demand and supply. Typically, the trend in well-located real estate is for property value to appreciate over time. This is especially pertinent in the area exhibiting natural growth, not speculative growth, due to desirability of the area, new site improvements, and/or population change.

THE APPRAISAL PROCESS (Continued)

Location

An adjustment for location might be required if the locational characteristics of a competitive property are significantly different from those of the subject. A property's location is analyzed for relative time distance between it and all pertinent destinations and origins.

Physical Characteristics

Physical characteristics can differ between a competitive property and the subject. Appraisers might be required to judge the amount of value that is added or lost by physical difference. Variations in site size, zoning, shape, and exposure for improved properties age, condition, architectural style, and quality of construction are just a few of influencing factors. The appraiser must also recognize in the adjustment process that some transactions are subject to a theory known as economies of scale.

This theory dictates that smaller vacant properties will usually sell at a higher unit price than larger properties with similar physical characteristics. A similar highest and best use between the subject and competitive property is also essential and diminishes the judgmental process and minimize error.

Economic Characteristics

This comparison element usually applies to income producing properties and includes items such as operating expenses, management quality, tenant quality, lease terms and conditions, expense pass-through, etceteras.

Use

The adjustment process must include an analysis of and address, any difference in highest and best use between the comparable sales and the subject. This includes verifying the ultimate use of the sales property. This is a primary step in the valuation of vacant land.

Non-Realty Components of Value

These items include personal property and business value or goodwill value. Personal property may include furniture, fixtures, and equipment. Some property types inherently include a non-realty component must be addressed. No non-realty components were addressed. This approach is most relevant and relied upon heavily by market participants.

THE APPRAISAL PROCESS (Continued)

The Income Approach

This approach provides an indication of what the purchaser/ investor would most probably have to pay to acquire the right to receive an income stream with the same characteristics (amount, timing, duration, stability, certainty) as those identified for the forecast-income stream of the property being appraised.

The present worth or capitalized value of such an income stream represents the value of the right to receive that income stream. The cost of acquiring a competitive substitute income stream on the market, plus the present worth of the equity portion at time of resale, measures the value of the property rights being appraised.

The acquisition cost is calculated by income capitalization analysis. The rate of capitalization is any annual percentage market derived of simulated rate applied to an annual income flow to convert it into a present worth or value estimate.

The formula utilized is V=I/R.

The subject is appraised as vacant and unimproved therefore the Income Approach is not applicable for this assignment.

THE SALES COMPARISON APPROACH

In the sales comparison approach, value is estimated by comparing the property being appraised with similar properties, which have sold. This method of estimating value is applicable when there are a sufficient number of real sales of similar properties. The methodology is based on the premises that market value is directly related to the availability of substitute properties with a similar utility and desirability. If there are not enough sales of comparable properties, the sales comparison approach may be less useful.

In applying the approach, the appraisers researched the market for sales, contracts, offers and listings of competitive properties. These sales are examined and verified with knowledgeable parties with regard to price; property rights conveyed financing terms and conditions, transaction dates, physical condition and buyer and seller motivation. The sale data is then compared to the subject and a value estimate is concluded.

Units of comparison are the components into which the property is divided for comparison purposes. These may include price per square foot, price per front foot, price per room, etc.

Elements of comparison are individual characteristics of sales which cause price to vary. These elements include property rights conveyed, financing terms, condition of sale, market conditions, location, physical characteristics, economic characteristics, use and non-realty items.

The adjustment process for the elements of comparison follows a specific order beginning with property rights conveyed followed by financing items and so on.

The analysis and adjustment process involves both quantitative and qualitative techniques. Quantitative techniques include paired sales analysis, statistical analysis, trend analysis and other techniques.

Qualitative techniques include Relative Comparison Analysis, ranking analysis, and personal interviews. Relative comparison analysis involves studying the relationship of sale data without making quantitative adjustments. For example, a sale property may be considered superior, inferior or equal to the property being appraised. Ranking analysis puts the sale data in order of comparability to the subject property. Personal interviews can be very insightful in making qualitative adjustments.

THE SALES COMPARISON APPROACH (Continued)

The sales comparison approach derives income multipliers and income rates, which are used as units of comparison. The appraiser does not adjust these units but rather explains the difference in reconciling value conclusions.

The last step in the sales comparison approach is to reconcile the sale data into a value estimate. It may also be necessary to reconcile different conclusions reached using varying techniques within the sales comparison approach.

In the Direct Sales Comparison Approach, the principle of substitution is a critical factor through this approach, the Appraiser can determine, by direct comparison of competitive properties a value estimate of the subject property. Through supportable adjustments, value tends to form a pattern for which the Appraiser can determine a value estimate of the property on the date of the appraisal, the physical characteristics and economic forces become criteria in evaluating the sales when analyzed in conjunction with the subject property. The Direct Sales comparison Approach is very indicative of the behavior patterns of the typical purchaser. The subject is adaptable to an investor seeking a return on equity or to an owner occupant seeking an entire building for partial or full use. Therefore, this approach allows the property to be evaluated as if it were on the general market.

THE SALES COMPARISON APPROACH (Continued)

Comparable Sale No. 1

Location Data	
Street Address:	11110 NW 17 Avenue
	Miami(Unincorp), FL 33167
County:	Miami-Dade
Parcel Number:	30-2134-011-1640

Property Data	
Land Type:	Commercial
Zoning:	BU-2/Business
Intended Use:	Commercial
Use at Sale:	Unimproved
Site Area:	6,506
Utilities:	Electric,Water & Sewer
Topography:	Level

Sales Data	
Transaction Type:	Arms Length
Sales Date:	October 5, 2015
Marketing Time:	724 Days
Buyer:	GJ Homes, Inc.
Seller:	Lockport Invest, SA
Deed Book:	21931
Deed Page:	3544
Property Rights:	Fee Simple
Recorded Price:	$90,000
Financing:	Cash
Cash Equivalent Pric	$90,000
Adjusted Price:	$90,000
Verification:	MLS#A1839433

Appraisal Indicators	
Adj Price/SF:	$13.83

Aerial Map

Comments

This is a commercial zoned property. This property is zoned BU-2/Business and provides similar use to that of the subject's zoning. This property is situated in a similar neighborhood to that of the subject. Overall this parcel was considered a good market indicator for the property being appraised.

THE SALES COMPARISON APPROACH (Continued)

Comparable Sale No.2

Location Data	
Street Address:	2741 NW 54 Street
	Miami (Unincorp), FL 33142
County:	Miami-Dade
Parcel Number:	30-3116-009-6170
	30-3116-009-6180
	30-3116-009-6190

Property Data	
Land Type:	Commercial
Zoning:	BU-3/Commercial Liberal
Intended Use:	Commercial
Use at Sale:	Unimproved
Site Area:	9,675
Utilities:	Electric,Water & Sewer
Topography:	Level

Sales Data	
Transaction Type:	Arms Length
Sales Date:	April 29, 2015
Marketing Time:	113 Days
Buyer:	N/A
Seller:	Irving E. Curtis &w Doris
Deed Book:	N/A
Deed Page:	N/A
Property Rights:	Fee Simple
Recorded Price:	$70,000
Financing:	Conventional
Cash Equivalent Pric	$70,000
Adjusted Price:	$70,000
Verification:	MLS#A2034110

Appraisal Indicators	
Price/SF:	$7.24

Aerial Map

Comments

This is a multi-folio sale. According to zoning requirements, BU-2 zoning provides similar use to that of the subject's zoning. This property is situated in a similar neighborhood to that of the subject. This sale included three smaller parcels which in total make up 9,675 Sq Ft. Overall this parcel was considered a good market indicator for the property being appraised.

THE SALES COMPARISON APPROACH (Continued)

Comparable Sale No. 3

Location Data	
Street Address:	1280 NE 141 Street
	North Miami, FL 33161
County:	Miami-Dade
Parcel Number:	06-2219-015-2320

Property Data	
Land Type:	Commercial
Zoning:	C-1/Commercial
Intended Use:	Commercial
Use at Sale:	Vacant
Site Area:	11,637
Utilities:	Electric,Water & Sewer
Topography:	Level

Sales Data	
Transaction Type:	Arms Length
Sales Date:	February 1, 2014
Marketing Time:	N/A
Buyer:	WHDY 140 LLC
Seller:	Muller & Deborah Tercier
Deed Book:	29025
Deed Page:	3364
Property Rights:	Fee Simple
Recorded Price:	$112,000
Financing:	Cash
Cash Equivalent Pric	$112,000
Adjusted Price:	$112,000
Verification:	Public Records, MLS

Appraisal Indicators	
Price/SF:	$9.62

Aerial Map

Comments

This is a commercial zoned parcel within the City of North Miami. It is zoned C-1 which has similar uses to that of the subject property. Overall this parcel was considered to be a good market indicator for the property being appraised.

THE SALES COMPARISON APPROACH (Continued)

	Subject	Comparable #1	Comparable #2	Comparable #3
Address	12XX NW 119 Street Miami (Unincorp), FL	11110 NW 17 Avenue Miami, FL 33167	2741 NW 51 Street Miami, FL 33142	1280 NE 141 Street North Miami, FL 33161
Sales Price		$90,000	$70,000	$112,000
Site Sq.Ft.	6,913.7	6,506	9,675	11,637
Sales Date		October 5, 2015	April 29, 2015	February 1, 2014
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing		Cash	Conventional	Cash
Condition of Sale		Arms Length	Arms Length	Arms Length
Market Condition		0%	0%	0%
Other		$0	$0	$0
Adjusted Sales Price		$90,000	$70,000	$112,000
Adj. Price/Sq.Ft.		$13.83	$7.24	$9.62
Location	NW 119 Street	NW 17 Avenue	NW 51 Street	NE 141 Street
Zoning	C-2/Commercial	BU-2/Business	BU-3/Comm Liberal	C-1/Commercial
Demolition	None	0%	0%	0%
Plans and Permits	None	None	None	None
Use	Commercial	Commercial	Commercial	Commercial
	Adj. Price/SF	$13.83	$7.24	$9.62
Overall		Similar	Similar	Similar
(+) Inferior (=) Similar (-) Superior				

Property Rights Adjustment

Fee Simple interest is the property rights interest for the subject. The comparable sales had similar property rights.

Financing Adjustment

The financing of the sales utilized within the report are standard financing with no special concession. Some financing information was not disclosed, however are assumed to be the standard financing.

Condition of Sale

All three comparable sales were arms length transactions. Comparable #1 and #3 were cash sales. Comparable #2 was a conventional sale.

Zoning

The subject property is zoned for C-2 Commercial use; therefore, all comparable sales were considered to be situated on similar zoning as the subject property.

THE SALES COMPARISON APPROACH (Continued)

Conclusion

All comparable sales were considered good market indicator for the property being appraised.

Comparable #1	$13.83
Comparable #3	$9.62
Subject	
Comparable #2	$7.24

Based upon an analysis of the above market data, the appraisers is of the opinion that the market value of the subject property lies towards the lower end of the market data and after carefully weighing all location, physical improvements and amenities, it is the appraiser's conclusion that a unit in place value of $8.00 per Sq.Ft. is most appropriate.

Unit	X	Price/Unit	=	Total Value
6,913.7 Sq.Ft.	X	$8.00	=	$55,309.60

Therefore, the indicated market value of the subject property as vacant and unimproved with the extra ordinary assumption that the subject is a developable parcel with full utilities via the Sales Comparison Approach fee interest as of December 1st, 2015.

FIFTY FIVE THOUSAND DOLLARS (RD)
$55,000.00

RECONCILATION & CONCLUSION OF VALUE

The appraiser has utilized one of the three traditional approaches in the value estimate of the subject property.

The approaches produced the following market value:

SUMMARY OF VALUE	
Cost Approach	**N/A**
Sales Comparison Approach:	**$55,000.00**
Income Approach	**N/A**

The subject is appraised as an unimproved parcel of land therefore the cost approach was not considered a good value indicator for the property being appraised

The sales comparison approach is the only applicable approach.

The subject is appraised as an unimproved parcel of land therefore the income approach was not considered a good value indicator for the property being appraised

Therefore, the opinion of market value of the subject fee simple as of December 1st, 2015 would be:

FIFTY FIVE THOUSAND DOLLARS
$55,000.00

EXPOSURE TIME

According to the Appraisal Standards Board of the Appraisal Foundation, exposure time may be defined as the following:

The estimated length of time the property interest being appraised would have to be offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon the analysis of past events assuming a competitive and open market.

Exposure time is presumed to precede the effective date of the appraisal. Generally, the exposure period is a function of the type of property under appraisal, the use and the report value estimate.

Support for a reasonable exposure time is based on statistical information about days on the market, information gathered through sales verifications and interviews of market participants.

The estimated appropriate exposure time for the subject property is twelve months at or near the appraisal market value.

STATEMENT OF BASIC ASSUMPTIONS AND LIMITING CONDITIONS

The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised of the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question unless arrangements have been previously made therefore.

4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuation for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions of for engineering which might be required to discover such factors.

6. Information, estimates, and opinions furnished to the Appraiser and contained in the report were obtained from sources considered reliable and believed to be true and correct.

7. Disclosure of the contents of the appraisal report is governed by the By-laws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.

8. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organization, or the firm with which the Appraiser is connected) shall be used for any purposed by anyone but the client specified in the report, the borrower if appraisal fee paid by same, the lender or its successors and assigns, mortgage insurers, consultants, professional appraisal organization, any state of federally approved financial institution, any department, agency, or instrumentality of the United State or any state or the District of Columbia without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relation, news, or other media without the written concept and approval of the Appraiser.

9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

10. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which might or might not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraisers become aware of such during the appraiser's inspection. The appraisers have no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraisers, however, are not qualified to detect or test such substances or conditions. This appraisal has been prepared as delineated in the Function of the Appraisal and does not constitute an expert inspection of the property. If the presence of substances or environmental materials might affect the value of the property, the value estimate is predicted on the assumption that there is no such material or condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such condition, or for any expertise or engineering knowledge required to discover them. If desired, the client or lender should retain an expert on this field. The only way to be certain as to condition of the property with respect to "environmental hazards" is to have an expert in the field inspect the property. The appraisal should not be relied on as to whether or not environmental hazards actually exist on the property.

11. This appraisal is prepared for the exclusive use The City of North Miami. It may not be relied upon by any other party. Any party who uses or relies upon any information in this report, without the preparer's written consent, does so at their own risk. Any other use of this appraisal is not authorized. If this appraisal is used for any unauthorized purpose, the user shall indemnify and hold harmless the appraisers, officers, directors, and employees, from any and all claims, judgments or other liability, whether or not suit is filed, including reasonable attorney's fee and expenses of litigation.

12. The appraisers have not commissioned a licensed engineer to inspect the subject's structure as to its structural soundness. It is therefore assumed that the structure has been built utilizing quality workmanship and conforms to or exceeds local building codes and is structurally sound.

13. The source of any data used in this report is considered confidential and will only be revealed on a need to know basis. As real estate appraisers, our expertise lies in the areas of collection and analysis of data relevant to a property's market value. Conversely, the Americans with Disabilities Act represent a broad-based piece of civil rights legislation, which was recently enacted. Ostensibly, the American with Disabilities Act includes but is not limited to, accessibility and use of buildings and facilities by persons with varying disabilities. As such, analyzing a property as to its compliance, or lack thereof, with the American Disabilities Act is not within the realm of our expertise. More specifically, an individual property's compliance, or noncompliance, with the act would be best judged by an architect or engineer who is thoroughly familiar with the legislation. Technically an attorney would then also be required to assess the prospective feasibility of compliance, relative to the cost involved. In essence, since the appraiser has not been provided with any expert opinion as to the subject property's conformance with the American Disabilities Act, the appraisers are unable to determine if the subject property complies with the act. Again, as real estate appraisers, such a determination is outside of our discipline and we recommend that *The City of North Miami* contact appropriately qualified professionals to assist in such determination, if required.
14. The appraiser has not appraised this property in the past.
15. The appraiser meets U.S.P.A.P. competency rule having performed similar appraisals in the past.

Scope of Work
Appraisal Services for City of North Miami

BACKGROUND

Any property owner in the City of North Miami whose property abuts a public right-of-way may apply to the city for the abandonment or vacation, in whole or in part, of the abutting right-of-way. All requests for abandonment are subject to the requirements of Section 3-901 of the City's Land Development regulations that establishes uniform procedures for the abandonment of City owned streets, alleys and easements.

PURPOSE & SCOPE

The City seeks to retain a real estate firm (on an ongoing, as needed basis) to provide appraisal services to assess the value of lands lying within the right of way segment proposed for abandonment. Such lands may include but are not limited to: Streets, alleyways, sidewalks, medians.

PROPERTY OWNER'S RESPONSIBILITY

1. Upon request for abandonment, private property owners shall be charged a cost recovery fee for said appraisal service.

2. Provide copies plat of survey which clearly identifies and highlights the proposed area to be abandoned/ vacated.

DELIVERABLE:

The appraisal firm shall:

- Determine assessed property value of subject right or way proposed for abandonment.
- Provide written estimate to the City within 14 days of receiving said request.
- Provide a point person or project manager to work with City staff on all future requests for abandonment.

RALPHPEÑA JR.

SUMMARY OF PROFESSIONAL EXPERIENCE

Ralph Pena Jr. has been active in Real Estate since 1972 and is President of Peña Appraisal Services, Inc. 5402 W. Flagler Street, Miami, FL. 33134. Tel: 305-448-5241.
Cell: 305-992-8787, ralph@penaappraisal.com.

PROFESSIONAL EXPERIENCE

State Certified General Appraiser Lic. #RZ67

Florida Real Estate Broker since 1976 Lic.#0068030

National Association of Realtors

Miami-Dade, Broward, Palm Beach and Monroe Board of Realtors

H.U.D. Certified Appraiser

V.A Certified Appraiser

Certified for Uniform Standards for Federal Land Acquisitions (Yellow Book)

Expert Witness as a Real Estate Appraiser in the Federal Courts of the United States along with the Family Courts and Bankruptcy Courts for both Miami-Dade , Broward, and Palm Beach County, Florida.

EDUCATION

Society Real Estate Appraisal Residential Course 101

National Society of Fee Appraisers Residential Appraiser Course & Narrative Appraisal Course

American Institute of Real Estate Appraisers Course A-1

American Institute of Real Estate Appraisers Course A-2, Residential Evaluation

American Institute of Real Estate Appraisers, Standards Professional Practice Certified Appraisers Course 1 "Introduction to Revised URAR (FNMA 1004) and Valuation Issues Regarding CRA and Community Homebuyer Programs"

Case Studies in Uniform Standards

Appraisal Institute -Condemnation Appraising Basic Principles & Applications

Appraising Wetlands, Appraising Conservation Easements and Other Less Than Fee Interest

Environmental Hazards Impact on Real Estate Value

General Contractors Course

PROPERTY TYPES APPRAISED

Residential

Condo, Multi-Family Project (Townhouse, Condo, Etc) • Low Income and/or Affordable Housing • Mobile Home Park • Multi-family (5+ units)

Land

Acreage (Mixed Use) • Acreage (Non-Residential) • Acreage (Residential) • Coastal / Lakeshore, Riverfront, Other Waterfront • Subdivision (Commercial, Industrial, etc) • Subdivision (Residential) • Wetland, Swamp, Marsh

Commercial

Automobile Dealership • Branch Bank / Financial Building • Condominium (Office / Retail / Etc.) • Office Building (High Rise, over three stories) • Parking Facility (Lot or Garage) • Restaurant / Bar / Night Club • Retail (Single Tenant or Free Standing) • Self Storage • Shopping Center (Local, Strip, Neighborhood, Community, Etc.) • Shopping Center (Power Center, Outlet Center, Lifestyle, Etc.) • Shopping Center (Super Regional, Regional Mall)

Industrial

Industrial (Heavy (Manufacturing) • Industrial (Small Office Warehouse / Mfg.) • Industrial Light (Distribution, Storage) • Tank Farm / Petroleum Storage • Truck Terminal / Hub / Transit Facility

Public

Educational Institution (Public) • Recreation and Park • Religious Facility

---

REFERENCES

Furnished Upon Request

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER	
RZ67	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

PENA, RALPH JR
5402 W. FLAGLER STREET
MIAMI FL 33134

ISSUED: 11/13/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411130002077

Pilgrim Evangelical Church

The Pilgrim Center

January 26, 2016

VIA EMAIL
nlebrun@northmiamifl.gov

Mr. Nixon Lebrun, AICP - City Planner
City of North Miami
Community Planning and Development
776 N.E. 125th Street
North Miami, Florida 33161

Dear Mr. Lebrun:

It was a pleasure meeting with you and your staff this morning. The meeting was informative and again proved useful. Your consistent open lines of communication are to be commended!

As instructed, please allow this letter to confirm that Pilgrim Evangelical Church, has officially accepted the newly revised offer for the Abandonment/Vacation of Right of Way purchase of the property currently owned by the City of North Miami for the amount of Fifty five thousand - eight hundred ($55,800.00) as agreed.

Should you have any further questions and/or concerns, please feel free to contact us.

Best regards,

Pastor James Pasteurin
Senior Pastor of Pilgrim Evangelical Church

PEOPLES GAS

5101 NW 21st Avenue, Suite 460
Ft. Lauderdale, Florida 33309
(954) 453-0811, Fax: (954) 453-0804

Easement & Right-of-Way Vacation Letter

October 19, 2015

Ms. Katrina Lunan-Gordon
City of North Miami
Community Planning and Development
776 N.E. 125th St.
North Miami, FL 33161

Subject: **ABANDONMENT OF R.O.W.**
1293 AND 1301 N.W. 119TH ST.

(X) We have no facilities in the Easement/Right-of-Way described and have no objections to this vacation.

Alex Roche PAL

Angel Quant
Regional Operations Manager

( ) We have facilities in the area to be vacated, however, we have no objections to this plat providing the applicant agrees to pay for the retirement of these facilities.

Angel Quant
Regional Operations Manager

( ) We have facilities in the Right-of-Way to be vacated which cannot be relocated for technical reasons, however, we have no objections to the vacation providing a utility easement is incorporated in the re-plat.

Angel Quant
Regional Operations Manager

( ) We have objection to the proposed vacation for the following reasons:
TECO Peoples Gas has facilities in the easement and cannot be relocated.

Angel Quant
Regional Operations Manager

Prepared By: Alex Roche

AT&T Florida
9101 SW 24 St
Miami, FL 33165

T: 305-222-8745
F: 305-221-0974
www.att.com

November 13, 2015

Mrs. Katrina Lunan-Gordon
Community Planning & Development
776 NE 125th Street
North Miami, FL 33161

Re: Abandonment of Right-of-Way
1293 and 1301 NW 119th Street, North Miami, Fl. 33167

Dear Katrina,

This letter shall serve as notice that active AT&T Florida (BellSouth) underground facilities of record exist within the public right of way proposed to be vacated as referenced. Easements will need to be dedicated and/or other provisions made to provide for the continued legal occupation of the property by this utility to facilitate the proposed closure of the public right of way and maintain uninterrupted communication services. Specific contractual arrangements will be required for recovering costs associated with any relocation or removal of the facilities if so desired.

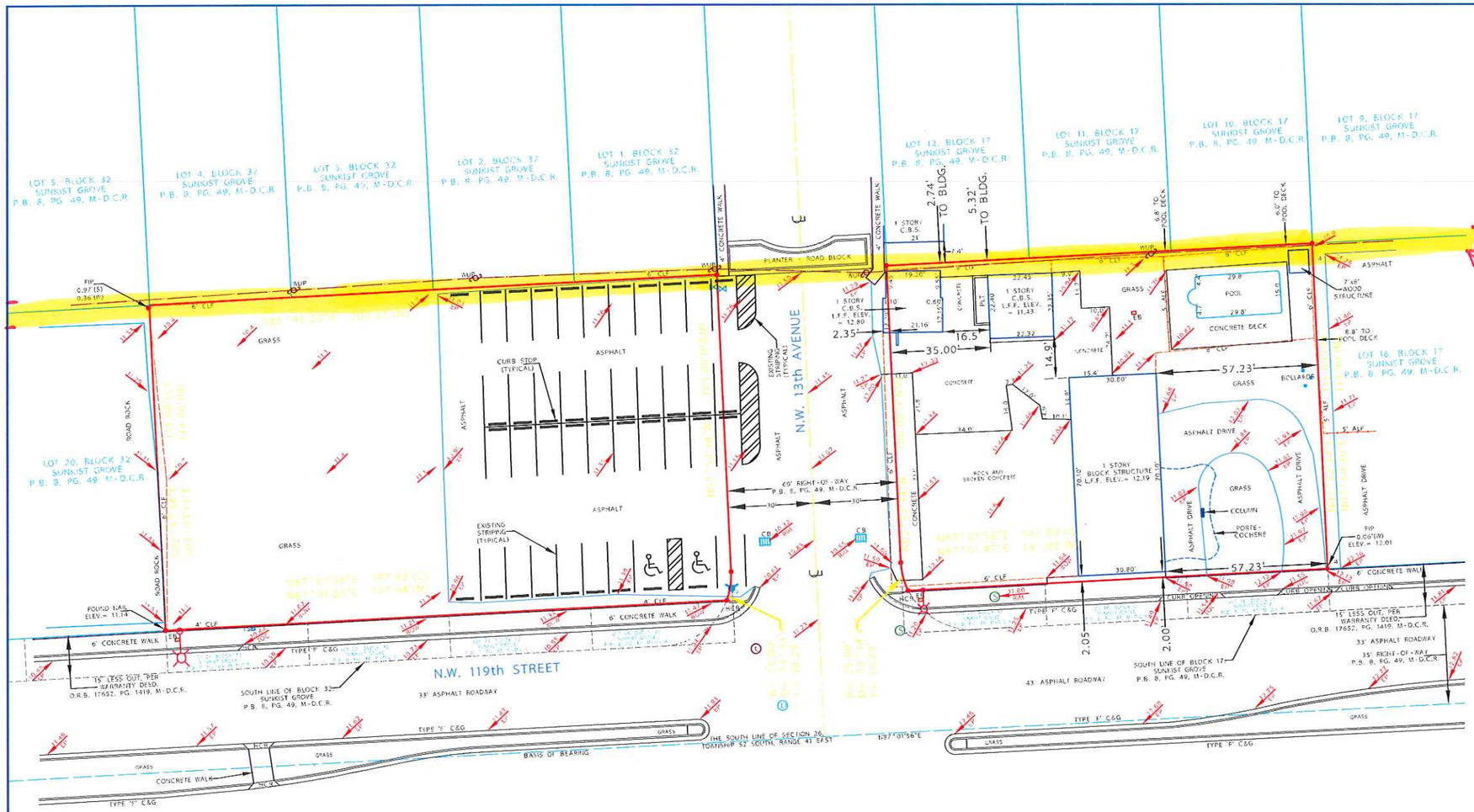
This information is based on existing AT&T Florida records and BOUNDARY SURVEY provided by you. Please contact me for any additional information you may require in this regard.

Sincerely,

Jesus Castellanos, Mgr OPS Planning/Design
SE Network Operations Const/Eng – SFL District

Attachment
cc: Manny Rodriguez, AT&T FL
Steven Low, AT&T FL

USA Proud Sponsor of the U.S. Olympic Team



LAND DESCRIPTION:

LOTS 12, 14, AND 15, BLOCK 17, AND LOTS 21, 22, 23, AND 24, BLOCK 32, SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 49, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS THE SOUTH 15 FEET THEREOF.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 40,236.4 SQUARE FEET (0.92 ACRES) MORE OR LESS.

SURVEY NOTES:

1. THE SURVEY, AS SHOWN HEREON, HAS BEEN PREPARED FOR MAPHY CONSTRUCTION, INC., HEREINAFTER KNOWN AS THE CLIENT.
2. THE LAND DESCRIPTION, AS SHOWN HEREON, IS BASED ON THE WARRANTY DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 17652, PAGE 1419, MIAMI-DADE COUNTY RECORDS.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
4. NO UNDERGROUND IMPROVEMENTS, UTILITIES OR FOUNDATIONS WERE LOCATED, ONLY THOSE ITEMS ABOVE GROUND AND VISIBLE, AND OBSERVABLE UTILITIES MARKED BY VALVES, CATCH BASINS AND MANHOLES WERE SURVEYED.
5. THERE MAY BE ADDITIONAL INFORMATION CONTAINED WITHIN THE PUBLIC RECORDS THAT MAY AFFECT THIS PROPERTY.
6. BEARING REFERENCE: THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF SECTION 26, TOWNSHIP 52 SOUTH, RANGE 41 EAST. SAID LINE BEARS: NORTH 87°01'56" EAST.
7. BENCHMARK REFERENCE: MIAMI-DADE COUNTY BENCHMARK NO. N-383. PK NAIL AND BRASS WASHER IN DRAINAGE STRUCTURE BUILT INTO SIDEWALK, N.W. 119TH STREET, 30' WEST OF CENTERLINE N.W. 12TH AVENUE. ELEVATION = 10.98(NGVD)
8. ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
9. LAST DATE OF FIELD WORK: AUGUST 19, 2015.

LEGEND:

P.B.	- PLAT BOOK
PG.	- PAGE
M-D.C.R.	- MIAMI-DADE COUNTY COUNTY RECORDS
ELEV	- ELEVATION
CONC	- CONCRETE
L.F.F.	- LOWEST FINISHED FLOOR
C.B.S.	- CONCRETE BLOCK STRUCTURE
BLDG.	- BUILDING
CLF	- CHAIN-LINK FENCE
ALF	- ALUMINUM FENCE
WUP	- WOOD UTILITY POLE
C&G	- CURB AND GUTTER
FIP	- FOUND 1/2" IRON PIPE
PLT	- PLANTER
HCR	- HANDICAP RAMP
CB	- CATCH BASIN
BOW	- BACK OF WALK
TOC	- TOP OF CURB
EP	- EDGE OF PAVEMENT
	- DRAINAGE MANHOLE
	- SANITARY MANHOLE
	- COMMUNICATION MANHOLE
	- HYDRANT
WV	- WATER VALVE
	- CENTERLINE
	- WOOD UTILITY POLE
	- HANDICAP PARKING

GRAPHIC SCALE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

_____
TROY N. TOWNSEND
PROFESSIONAL SURVEYOR AND MAPPER LS#6425
STATE OF FLORIDA LB#7024

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET TITLE
BOUNDARY SURVEY

REVISIONS

PILLAR CONSULTANTS, INC.
Consulting Engineers, Planners, Surveyors, Construction Management, General Contracting
5230 S. University Drive - Suite 104
Davie, Florida 33328
Phone: (954) 680-6533 Fax: (954) 680-0323
P.E. # 39461

PILGRIM BAPTIST CHURCH
1293 N.W. 119TH STREET
CITY OF MIAMI
MIAMI-DADE COUNTY, FLORIDA

SCALE: 1"=20'
DATE: 08/12/15
DRAWN BY: TNT
SHEET No. SU-1
15017

NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Staff Report

Date: March 1st, 2016

To: Honorable Planning Commission Members

From: Nixon Lebrun, AICP, CFM, City Planner, Community Planning & Development

Re: Text Amendment to Article 5, Division 16, Section 5-1608. – Room Additions to Residential Structures & Conversions of Garages/Carports to Living Spaces

Sponsor: Councilman Scott Galvin

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 16, ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 A.1. ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSION OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250 SQUARE FEET FLOOR AREA LIMITATION FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

RECOMMENDATION

That the Planning Commission recommend adoption of the proposed ordinance to amend Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations" by amending the texts of Article 5, Division 16 ("Standards for Specific Uses"), specifically at Section 5-1608 ("Room additions to residential structures and conversions of garages or carports to living space") to remove the maximum 250-sq. ft. floor area limit for home additions permitted with flat roofs, and forward said ordinance to the Mayor and City Council for final consideration.

BACKGROUND

Article 5, Division 16, Section 5-1608 of the Land Development Regulations (LDRs) currently requires **all room additions to have the same roof line (level, peak, etc.) as the existing residential structure**. Pursuant to this section, a room addition may be permitted with a flat roof only in the event said addition: **(1) does not exceed two hundred fifty (250) square feet; (2) is located in the rear of the property; and (3) is not visible from a public right-of-way**. The guidelines set forth in this section aim to preserve the defining visual characteristics of the City's neighborhoods and foster sensitivity towards existing residential structures on the sites.

Recently, Councilman Scott Galvin was contacted by a resident whose building permit was denied because the plans showed a master bedroom addition (with a floor area in excess of two hundred fifty (250) square feet) with a proposed flat roof. The resident purported that this provision of the LDRs is too restrictive and unduly burdens City residents, like herself, who are trying to renovate their properties and thereby increase the values of same. As a result, the Councilman has agreed to sponsor the subject text amendment, which seeks to remove the maximum 250-sq. ft. floor area limit for home additions with flat roofs, as long as said additions are located in the rear of existing residential structures, meet setback requirements and are not visible from any public right-of-way.

ANALYSIS

Article 3, Division 10, Section 3-1004 requires that all text amendments to the LDRs adhere to the following minimum standards:

1. **Promotes the public health, safety and welfare;**

   The proposed text amendment only seeks to remove the maximum 250-sq. ft. floor area restriction on home additions with flat roofs in the LDRs. Such amendment is architectural in nature as it deals with the roof articulation and other aesthetic features on new additions to existing residential structures. It is not be in conflict with and does not otherwise waive the requirements of Chapter 15 of the Florida Building Code, which governs the design, materials, construction and quality of roof assemblies and rooftop structures. In fact, as with any other construction, any new addition with a proposed flat roof must be permitted and reviewed by the Building Official, pursuant to the provisions of the aforementioned chapter of the Florida Building Code, as may be amended from time to time. As such, this text amendment is consistent with the purpose and intent of the LDRs, and will promote the public health, safety and welfare of the residents.

2. **Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the zoning map change or text amendment;**

The proposed text amendment pertains to roof design guidelines for the construction of room additions to existing residential structures. It does not impact the City's Adopted Comprehensive Plan in that it does not allow land uses, which are otherwise prohibited by said Plan.

3. **Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;**

   As previously stated, the proposed text amendment does not impact the City's Adopted Comprehensive Plan. It neither changes the residential land use map designations nor modifies the densities or intensities of the affected properties.

4. **Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;**

   As stated previously, the proposed text amendment does not allow densities in excess of those permitted in the affected districts. As such, it will neither cause a decline in the level of service for public services, nor negatively impact the response time for emergency service in said districts.

5. **Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan; and**

   The proposed text amendment provides for the construction of room additions with flat roofs in residential districts, without any restriction on floor area, as long as these additions are located in the rear and are not visible from a public right-of-way. It does not conflict with and is in fact consistent with the goals, policies and objectives of the City's Comprehensive Plan, specifically Policy 1.7.3, which calls for the adoption of appropriate standards in the LDRs for the maintenance, appearance and occupancy of residential areas.

6. **The proposed amendment furthers the orderly development of the City of North Miami.**

   As stated above, the proposed text amendment seeks to provide greater flexibility in residential design guidelines for the construction of room additions to existing residential structures. The amendment does not weaken the original intent of that section of the LDRs and will continue to preserve the defining visual characteristics of the City's neighborhoods and foster sensitivity towards existing residential structures on the sites, in furtherance of the City's Comprehensive Plan.

CONCLUSION

Based on the foregoing, staff believes that the proposed text amendment is consistent with the zoning guidelines in the City's LDRs and conforms to the future land use goals, objectives and policies identified in the City's adopted Comprehensive Plan. Therefore staff **requests that the Planning Commission recommend adoption of the attached ordinance amending Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations" by amending the texts of Article 5, Division 16 ("Standards for Specific Uses"), specifically at Section 5-1608 ("Room additions to residential structures and conversions of garages or carports to living space") to remove the maximum 250-sq. ft. floor area limit for home additions permitted with flat roofs, as long as said additions are located in the rear of the property and are not visible from any public right-of-way, and forward said ordinance to City Council for final consideration.**

NL/tws

Attachments: 1. Proposed Ordinance
2. Newspaper Advertisement

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 16, ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 A.1. ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSION OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250 SQUARE FEET FLOOR AREA LIMITATION FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, on April 28, 2009, the Mayor and City Council adopted the City of North Miami ("City") Land Development Regulations under Chapter 29, City Code of Ordinances ("LDRs"); and

WHEREAS, applicable provisions of the LDRs are designed to protect and regulate residential and commercial uses, as reflected in the various residential and commercial zoning districts within the City, and are consistently used to implement the intent of the City Comprehensive Plan ("Comprehensive Plan"); and

WHEREAS, the LDRs also emphasize dwellings to be the principle use of residential properties, in furtherance of promoting peace and good order, safe vehicular traffic patterns, improving the aesthetic beauty of the community and hence, preserving the value of the all residential properties within the City; and

WHEREAS, a number of requests and concerns were submitted to City administration relating to Section 5-1608 A.1., LDRs, which currently requires that all new additions shall have

the same roof line (level, peak, etc.) as the existing residential structure, provided however, that flats roofs may only be permitted on additions "***which do not exceed two hundred fifty (250) square feet to the rear of the property, if not visible from a street frontage***"; and

WHEREAS, the current limitation of two hundred fifty (250) square feet is deemed too restrictive against homeowners desiring to improve their properties; and

WHEREAS, the existing limitation serves only to hamper residential renovation and thereby stagnating neighborhood property values; and

WHEREAS, a just and equitable solution lies in the proposed text amendment which strikes the two hundred fifty (250) square feet limitation on floor area, as long as said additions are located in the rear of existing residential structures and are not visible from any public right-of-way; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on March 1, 2016, recommended approval to the Mayor and City Council, pursuant to the standards for approval under Section 3-1004, LDRs; and

WHEREAS, the Mayor and City Council find the proposed text amendment, as approved by the Planning Commission, is in the best interest of the City since it: 1) promotes the public health, safety and welfare; 2) does not permit uses the comprehensive land use plan prohibits in the area affected by the zoning map change or text amendment; 3) does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property; 3) will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the comprehensive land use plan; 4) does not directly conflict with an goal, objective or policy of the comprehensive land use plan; and 5) the proposed amendment furthers the orderly development of the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. **Amendments to Chapter 29, North Miami Code of Ordinances.** The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations", by amending Article 5, Division 16, entitled "Standards for Specific Uses", specifically at Section 5-1608 A.1. entitled "Room Additions to Residential Structures and Conversion of Garages or Carports to Living Space" to remove the maximum 250 square feet floor area limitation for home additions permitted with flat roofs, as long as said additions are located in the rear of the property and are not visible from any public right-of-way, as follows:

CITY OF NORTH MIAMI CODE OF ORDINANCES
CHAPTER 29. LAND DEVELOPMENT REGULATIONS
* * * * * *

ARTICLE 5. DEVELOPMENT STANDARDS

* * * * *

DIVISION 16. STANDARDS FOR SPECIFIC USES

* * * * *

Sec. 5-1608. - Room additions to residential structures and conversions of garages or carports to living space.

A. Room additions to residential structures, or conversions of garages and carports attached to residential structures on the same parcel of property for the purpose of creating living space are permitted as follows:

1. The newly created living space shall be directly accessible through an interior doorway or doorways, to the existing residence and must be completely integrated within the existing residence so that it is a logical extension of the residence. New additions shall have the same roof line (level, peak, etc.) as the existing structure so as to harmoniously blend; provided however, that flat roofs may be permitted on additions ~~which do not exceed two hundred fifty (250) square feet to the rear of the property, if not visible from a street frontage~~ consistent with the minimum bedroom size and housing standards under Article II, Section 17-26, Miami-Dade County Ordinances.

2. Exterior doorways from the newly created living space shall not exit into the outdoor area lying to the front of the residential structure, unless the doorway is intended to and does replace an existing front entrance. Such exterior doorways shall not exit into the area adjacent to a secondary drive or parking area for the residential structure.

3. No cooking facilities, kitchen counter and sink combinations, kitchen cabinets, or electrical or plumbing connections for such facilities shall be permitted within the newly

created living space unless the approved building plans for such space demonstrate clearly that such facilities are to be used as an expansion or replacement of an already lawfully existing kitchen.

B. Conversion of detached garages or other accessory structures for the purpose of creating living space shall be permitted only if the newly created living space qualifies as an allowable dwelling unit within the applicable zoning district, and all municipal code requirements for its use as a dwelling unit are satisfied.

C. Any required offstreet parking that is deleted or rendered unusable by a conversion or addition pursuant to the provisions of this section shall be replaced in a manner consistent with the provisions of article 5, division 14.

* * * * *

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. **Conflicts.** In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2016.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2016.

_____

DR. SMITH JOSEPH
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
ROLAND C. GALDOS
INTERIM CITY ATTORNEY

SPONSORED BY: COUNCILMAN GALVIN

Moved by: _____

Sponsored by: _____

Vote:

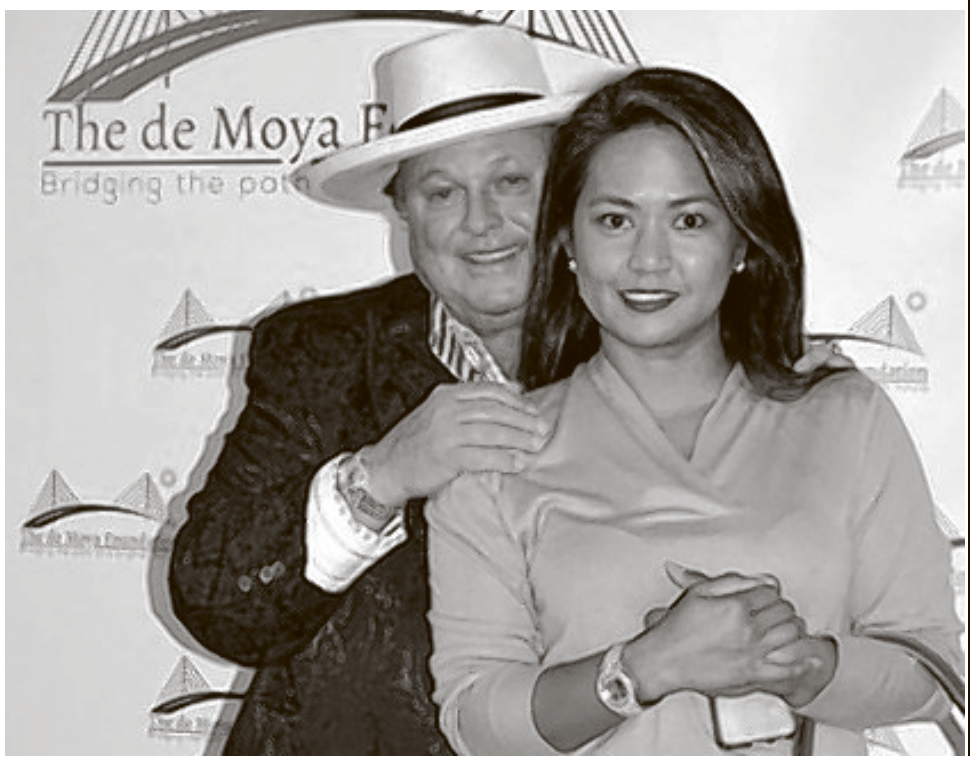
Mayor Dr. Smith Joseph, D.O., Pharm. D.	_____ (Yes)	_____ (No)
Vice Mayor Alix Desulme	_____ (Yes)	_____ (No)
Councilman Scott Galvin	_____ (Yes)	_____ (No)
Councilman Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilman Philippe Bien-Aime	_____ (Yes)	_____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.

Photo provided by the de Moya Foundation

GATHERING FOR A GOOD CAUSE

The de Moya Foundation celebrated its second annual Gathering of Hearts Benefit on Feb. 6. The de Moya Foundation is a tax-exempt nonprofit charitable trust "that creates and supports programs and raises awareness for children and young adults with unique abilities and special needs and their families. Above from left, Guillermo Acosta, Lily de Moya (foundation president/CEO & founder), Alvaro de Moya and Catherine Madura attend the gathering. Below, Happy Alter and Ovie Eilon arrive at the event.



NORTH MIAMI FLORIDA

NOTICE OF PROPOSED ORDINANCE

CITY OF NORTH MIAMI, FLORIDA

NOTICE IS HEREBY GIVEN that the City of North Miami, Florida proposes to adopt the following ordinance:

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, UNDER DIVISION 16 ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSIONS OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250-SQ. FT. FLOOR AREA LIMIT FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

ANDV

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6 ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601 ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF THE CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY INCREASING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY PERCENT (20%) OF THE WIDTH OF THE CANAL, OR TWENTY-FIVE (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF THIRTY PERCENT (30%) OF THE WIDTH OF THE CANAL, OR THIRTY (30) FEET, WHICHEVER IS LESS, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

A Public Hearing on these Ordinances will be held by the Planning Commission on **Tuesday, March 1st, 2016 at 7:00 p.m.** and the City Council for first reading on **March 22nd, 2016 at 7:00pm** in the Council Chambers of North Miami City Hall, Second Floor, 776 NE 125 Street, North Miami, Florida 33161.

Members of the public are invited to attend the Public Hearings and provide oral or written comments on the matter. A copy of the application and report containing the Community Planning and Development Department's recommendation will be available for public review from Monday to Friday between the hours of 8:15 a.m. and 5:00 p.m. in the City Clerk's Office, City Hall. Written comments may be submitted to: City of North Miami, 776 N.E. 125th Street, North Miami, Florida 33161, Attn: Community Planning and Development Department. For questions, please call (305) 893-6511, Ext. 12182.

ANY PERSON WISHING TO APPEAL THE DECISION OF THE CITY COUNCIL WILL NEED A VERBATIM RECORD OF THE MEETING'S PROCEEDINGS, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (SECTION 286.0105. F.S.).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 2147, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 893-7936 FOR ASSISTANCE.

NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Staff Report

Date: March 1st, 2016

To: Honorable Planning Commission Members

From: Nixon Lebrun, AICP, CFM, City Planner, Community Planning & Development

Re: Text Amendment to Article 5, Division 6, Section 5-601 ("Boats") & Section 5-602 ("Docks")
Applicants: Angel Martinez, Bryan Zappulla & Joel Behar

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6 ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601 ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION AND LOCATED ALONG THE SOUTH SIDE OF THE WATERWAY/CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY INCREASING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY PERCENT (20%) OF THE WIDTH OF THE CANAL, OR TWENTY (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF THIRTY PERCENT (30%) OF THE WIDTH OF THE CANAL, OR THIRTY (30) FEET, WHICHEVER IS LESS, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

RECOMMENDATION

That the Planning Commission recommend adoption of the proposed ordinance to amend Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations" by amending the texts of Article 5, Division 6 ("Boats, Docks, Seawalls, Etc."), specifically at Section 5-601 ("Boats") and Section 5-602 ("Docks") to establish appropriate regulations to provide for the perpendicular mooring of boats at the townhome properties identified as Sections 1 through 9 of Areta Estates Subdivision and located along the south side of the canal

immediately north of NE 123rd Street, and to increase the projection of mooring piles, floating vessel platforms, and similar structures from 25 feet or 20% of the width of the canal (whichever is less) to 30 feet or 30% of the width of the canal, whichever is less, as measured from the recorded property line, and forward said ordinance to the Mayor and City Council for final consideration.

PURPOSE & INTENT

The proposed amendment, filed by co-applicants, Messrs. Bryan Zappulla, Angel Martinez and Joel Behar, seeks to revise Article 5, Division 6, Sections 5-601 in order to establish appropriate regulations for the perpendicular mooring of boats at the townhomes properties within the Areta Estate Subdivision, which, the Applicants, purport, are unable, due to their limited lot width, the current parallel mooring requirement of Land Development Regulations (LDRs. A companion request also seeks to amend Section 5-602 to allow for greater projection of mooring piles into the City's canals or waterways. These revisions propose to impose applicable standards that will make possible the reasonable use of these waterfront townhomes, which have average lot width of nineteen (19) feet.

BACKGROUND

Article 5, Division 16, Section 5-601(E)(1) of the Land Development Regulations (LDRs), which regulates the use and anchoring of boats within the City's waterways, currently requires that, **in all residential districts, all boats be moored parallel to the property line abutting the canal or waterway**. The only exception to this provision is to be found in Subsection 5-601(E)(6) and involves boats that were properly permitted and allowed to be moored to mooring piles perpendicular to the property line abutting the canal or waterway prior to the adoption of the LDRs, inasmuch as said boats do not exceed the maximum waterway encroachment for that specific canal. Furthermore, Article 5, Division 6, Section 5-602(B)(1), which provides for the regulation of boat docks, piers, wharves, floating vessel platforms, hydro-hoists, boatlifts, dolphins and mooring piles or piers of any nature within the City, limits **the maximum preemption or encroachment of said marine structures into the navigable portion of an City's waterway or canal (not including Biscayne Bay) to twenty-five (25) feet or twenty (20) percent of the width of any said canal, whichever is less, as measured from the recorded property line**.

The joint Applicants, Messrs. Bryan Zappulla, Angel Martinez and Joel Behar, all own townhouses in Section 3 of Areta Estates Subdivision, with respective property addresses: 2141 NE 123rd Street, 2145 NE 123rd Street and 2171 NE 123rd Street. As per the letter of intent (attached), they have purchased their properties with the express purpose of enjoying the access to the Biscayne Bay and the Atlantic Ocean from the canal/waterway, which abuts the rear of

their properties. The Areta Estates townhomes were developed between 1966 and 1968, with lot widths averaging approximately nineteen (19) feet. Many of these townhomes already have some form of docks, boatlifts and/or appurtenances for securing vessels to a dock, which are deemed legally non-conforming and are therefore allowed to remain pursuant to Section 5-601(E)(6), since they were properly permitted and approved prior to the adoption of the LDRs.

Given the standards of Article 5, Division 6, Sections 5-601 & 5-602 of the LDRs, and more particularly the minimum setback requirements listed in Section 5-601(D), the average lot width of these townhome lots physically precludes a property owner in the Areta Estates townhome subdivision, whose property does not already have a dock, from building a bona fide dock, and even less mooring a reasonably sized boat parallel to the property line. In fact, between 2012 and 2014, all three (3) Applicants have applied and secured building permits to construct mooring structures at their respective units. However, due to the narrowness of the lots, they were not able to moor their vessels parallel to the shoreline and instead were forced to moor their boats perpendicularly to their property lines, in violation of the applicable standards of the LDRs. This prompted the Code Compliance Division to initiate actions against said parties and eventually the Building Official to revoke the previously issued permits. These affected property owners contend that the provisions of Article 5, Division 6, Sections 5-601 & 5-602 of the LDRs as applied to their units and the other ninety-seven (97) units of the subdivision are overly restrictive and creates an undue hardship.

Consequently, these Applicants have retained the legal services of Mr. Frank Wolland, Esq. and have filed this two-prong request to amend the texts of the aforementioned sections of the LDRs. The first portion of the request is only specific to the Areta Estates townhome properties and involves a text amendment to Article 5, Division 6, Section 5-601(E)(1) to provide that, <u>for the townhomes of that subdivision, boats may be moored either parallel or perpendicular to the property line abutting the canal or waterway</u>. The second amendment of the request is wider in its scope and pertains to the texts of Section 5-602(B)(6) to allow a greater projection of dolphins, floating vessel platforms, hydro-hoists, boatlifts, watercrafts and other similar mooring structures into the City's waterways or canals. Specifically, this amendment seeks to increase the projection of said structures from the current maximum of twenty percent (20%) of the width of the canal, or twenty-five (25) feet, whichever is less, <u>to a maximum of thirty percent (30%) of the width of the canal, or thirty (30) feet, whichever is less</u>, as measured from the recorded property line.

The Applicants argue that the ability to use the waterway behind their properties for boating hinders their quality of life and puts them at an unfair disadvantage. was the primary purpose that most of the townhouse owners had in mind when they purchased their units. They therefore believe that the amendments they are proposing to the relevant sections of the LDRs are reasonable and will guarantee against the deprivation of these riparian rights and, ipso facto,

against any interference with their reasonable investment-backed expectations and those of the other townhouse owners within the Areta Estates Subdivision.

ANALYSIS

Article 3, Division 10, Section 3-1004 requires that all text amendments to the LDRs adhere to the following minimum standards:

1. **Promotes the public health, safety and welfare;**

   The proposed text amendment only seeks to establish appropriate regulations for the use and anchoring of boats along the properties within the Areta Estates townhome development, and for the projection of marine structures into the City's waterways. The canal abutting the affected properties is almost 100-foot wide and the maximum projection into the navigable portion of the canal is proposed to increase to thirty percent (30%) of the width of the canal, or thirty (30) feet, whichever is less, as measured from the recorded property line. As shown in the Proposed Waterway Encroachment Map (attached), the standards included in the amended text will neither adversely impact access or safety, nor create any navigational hazard. In fact, amending the LDRs to establish these specific minimum requirements for the permitting of docking and mooring facilities in the Areta Estates townhome subdivision is an appropriate action, which is necessary to provide equal opportunity, as well as meaningful and predictable standards in the permitting of docks for both staff and the public. The amendment does not conflict with and does not otherwise supersede the requirements of the Florida Building Code and of all applicable County and State regulatory authorities. As such, this text amendment is consistent with the purpose and intent of the LDRs, and will safeguard the public health, safety and welfare of the residents.

2. **Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the zoning map change or text amendment;**

   The proposed text amendment does not affect land use. It only deals with regulations pertaining to the use and anchoring of boats, as well as the preemption of mooring piles into the navigable portion of the City's waterways. It does not allow land uses, which are otherwise prohibited in the Comprehensive Land Use Plan.

3. **Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;**

The proposed text amendment neither changes the residential land use map designations of the effected properties nor modifies the uses or intensities of the developments authorized in the affected FLUE designations, as it pertains to regulations for the permitting of docking and mooring facilities.

4. **Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;**

   As stated previously, the proposed text amendment does not allow densities in excess of those permitted in the affected districts. As such, it will neither cause a decline in the level of service for public services, nor negatively impact the response time for emergency service in said districts.

5. **Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan; and**

   The proposed text amendment provides for appropriate regulations for the mooring of boats and the projection of mooring piles into the City's canals, to provide greater opportunities and enhance the quality of life for all homeowners, subject to the review of all applicable City, County and State regulatory authorities. Given its scope and purpose, the amendment will not conflict with any of the goals, policies and objectives of the City's Comprehensive Plan.

6. **The proposed amendment furthers the orderly development of the City of North Miami.**

   The proposed text amendment does not weaken the original intent of the relevant sections of the LDRs. It will not adversely affect property values in the adjacent area, nor will it impede navigation on the canal. It shall be noted that, in order to properly evaluate the request at hand, staff has reviewed the dock-related Code requirements of some other coastal communities and finds the suggested revisions to be generally consistent with most of the provisions therein. Additionally, the proposed amendment provides greater predictability and reduces ambiguity in the regulations governing the mooring of boats in residential districts.

CONCLUSION

In view of the foregoing analysis, staff believes that the proposed text amendment conforms to the goals, objectives and policies of the Future Land Use Element of the City's Comprehensive

Plan and is also in keeping with the intent and purpose of the City's LDRs. **Staff is therefore requesting that the Planning Commission recommend adoption of the attached ordinance amending Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations by amending the texts of Article 5, Division 6 ("Boats, Docks, Seawalls, Etc."), specifically at Section 5-601 ("Boats") and Section 5-602 ("Docks") to establish appropriate regulations for the townhome properties identified as Sections 1 through 9 of Areta Estates Subdivision and located along the south side of the canal immediately north of NE 123rd Street by allowing boats to be moored either parallel or perpendicular to the property line abutting the canal; and by increasing the projection of mooring piles (dolphins), floating vessel platforms, hydro-hoists, boatlifts and watercrafts into the City's waterways or canals from the current maximum of twenty percent (20%) of the width of the canal, or twenty (25) feet, whichever is less, to a maximum of thirty percent (30%) of the width of the canal, or thirty (30) feet, whichever is less, as measured from the recorded property line," and forward said ordinance to the Mayor and City Council for final consideration.**

NL/tws

Attachments:
1. Proposed Ordinance
2. Applicant's Letter of Intent
3. Proposed Waterway Encroachment Map
4. Newspaper Advertisement

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6, ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601 ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF THE WATERWAY/CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY INCREASING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY PERCENT (20%) OF THE WIDTH OF THE CANAL, OR TWENTY (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF THIRTY PERCENT (30%) OF THE WIDTH OF THE CANAL, OR THIRTY (30) FEET, WHICHEVER IS LESS, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, on April 28, 2009, the Mayor and City Council adopted the City of North Miami ("City") Land Development Regulations under Chapter 29, City Code of Ordinances ("LDRs"); and

WHEREAS, applicable provisions of the LDRs are designed to protect and regulate residential and commercial uses, as reflected in the various residential and commercial zoning districts within the City, and are consistently used to implement the intent of the City Comprehensive Plan; and

WHEREAS, the LDRs also emphasize dwellings to be the principle use of residential properties, in furtherance of promoting peace and good order, safe vehicular traffic patterns, improving the aesthetic beauty of the community and hence, preserving the value of the all residential properties within the City; and

WHEREAS, Messrs. Bryan Zappulla, Angel Martinez and Joel Behar ("Applicants"), are owners of townhomes situated within Section 3 of Areta Estates Subdivision, specifically at 2141 NE 123rd Street, 2145 NE 123rd Street, and 2171 NE 123rd Street, respectively, and developed between 1966 and 1968 with lot widths averaging approximately nineteen (19) feet ("Subject Property"); and

WHEREAS, the relative narrowness of the Subject Property physically preclude Applicants from building a "reasonably" sized dock or mooring a "reasonably" sized boat parallel to the property line; and

WHEREAS, the Applicants have previously applied and secured building permits to construct mooring structures at their respective units, but due to the narrowness of the lots, Applicants were forced to moor their boats perpendicularly to their property lines, in violation of the Subsection 5-601E, LDRs, prompting the Building Official to revoke said permits; and

WHEREAS, the Applicants have submitted an application with the Department of Community Planning and Development requesting text amendments to the LDRs, to allow Applicants with a sufficient mooring capacity and projection into the waterway, so as to allow their boats with access to Biscayne Bay and the Atlantic Ocean from the waterway abutting the rear of the Subject Property; and

WHEREAS, Applicants seek to amend Subsection 5-601E so that their boats may be moored either parallel or perpendicular to the property line abutting the waterway, and Subsection 5-602B to allow a greater extension of dolphins, floating vessel platforms, hydro-hoists, boatlifts, watercrafts and other similar mooring structures into the waterway abutting the Subject Property to a maximum of thirty percent (30%) of the width of the waterway, or thirty (30) feet, whichever is less, as measured from the Subject Property line; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on March 1, 2016, recommended approval to the Mayor and City Council, pursuant to the standards for approval under Section 3-1004, LDRs; and

WHEREAS, the Mayor and City Council find the proposed text amendment, as approved by the Planning Commission, is in the best interest of the City since it: 1) promotes the public health, safety and welfare; 2) does not permit uses the comprehensive land use plan prohibits in the area affected by the zoning map change or text amendment; 3) does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property; 3) will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the comprehensive land use plan; 4) does not directly conflict with an goal, objective or policy of the comprehensive land use plan; and 5) the proposed amendment furthers the orderly development of the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. **Amendments to Chapter 29, North Miami Code of Ordinances.** The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the North Miami Code of Ordinances entitled "Land Development Regulations", by amending Article 5, Division 6, entitled "Boats, Docks, Seawalls, etc.", specifically at Section 5-601 entitled "Boats" and Section 5-602 entitled "Docks" to establish appropriate regulations for the townhome properties identified as sections 1 through 9 of Areta estates subdivision, located along the south side of the canal immediately north of NE 123rd Street, by allowing boats to be moored either parallel or perpendicular to the property line abutting the canal and by increasing the projection of mooring piles (dolphins), floating vessel platforms, hydro-hoists, boatlifts and watercrafts into the City's waterways or canals from the current maximum of twenty percent (20%) of the width of the canal, or twenty (25) feet, whichever is less, to a maximum of thirty percent (30%) of the width of the canal, or thirty (30) feet, whichever is less, as measured from the subject property line, as follows:

CITY OF NORTH MIAMI CODE OF ORDINANCES
CHAPTER 29. LAND DEVELOPMENT REGULATIONS
* * * * * *

ARTICLE 5. DEVELOPMENT STANDARDS

* * * * *

DIVISION 6. BOATS, DOCKS, SEAWALLS, ETC.

* * * * *

Sec. 5-601. Boats.

A. Location. Boat repair activities shall be conducted solely upon the premises of the boat repair business and shall not encroach upon any public street, public right-of-way or upon the private property of others.

B. [Houseboats.] No person, firm or corporation shall use or occupy, or permit the use of or occupancy of a houseboat, floating home, or boat for living quarters, either permanently or on a temporary basis, on the waters of North Miami.

C. Boathouses and boat slips. The following limitations shall apply to boathouses and boat slips accessory to residential uses in residential districts:

1. No boathouse shall be erected or altered to exceed a height of fifteen (15) feet from grade.

2. No boathouse, permanent covering or temporary covering over a boat slip shall be permitted within or shall cover any portion of any public waterway.

3. No boathouse or boat slip shall exceed twenty (20) feet in width or forty (40) feet in depth. Boathouses and/or boat slips shall not occupy more than thirty-five (35) percent of the waterfront yard, provided that, where such coverage would result in exceeding the permitted total lot coverage by all buildings, it shall be reduced proportionately.

D. Minimum setbacks of structures. All mooring piles, docks, wharves, boat slips and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on the building site.

E. Mooring of boats. The following regulations shall apply to the mooring of boats within the city:

1. In all residential districts, where boats are permitted to be moored in canals or inland waterways, all boats shall be moored parallel to the property line abutting the canal or waterway. For the townhome properties identified in Miami-Dade public records as Sections 1 through 9 of Areta Estates Subdivision, located along the south-side of the waterway immediately north of NE 123rd Street, boats may be moored either parallel or perpendicular to the property line abutting the canal or waterway.

2. In all residential districts, where boats are permitted to be moored in canals or waterways, all boats shall be moored to mooring piles, docks, boatlifts, boat davits, hoists or similar mooring structures, and at no time shall boats or vessels be moored to another boat or

vessel. No boats shall be moored to floating vessel platforms, hydro-hoists or similar structures.

3. No boat shall be docked or anchored adjacent to residential property in such a position that causes it to extend beyond the lot line of any adjacent property, unless there is a written agreement from the adjacent property owner(s) to allow such an extension.

4. No boat slips, docks, boat davits, hoists, mooring pilings and similar mooring structures may be constructed by any owner of any single family lot unless a principal residence exists on such lot.

5. The renting of docks, dock space, or moorings, and the rental of boats or any portion thereof, for any purpose whatsoever shall be specifically prohibited in residential districts.

6. In all residential districts, where boats, which were permitted prior to the adoption of these LDRs are properly permitted and allowed to be moored to mooring piles perpendicular to the property line abutting the canal or waterway, said mooring shall be considered non-conforming uses and can continue to be moored in such manner as long as the boat does not exceed the maximum waterway encroachment for that specific canal.

7. Nothing in this division shall relieve any property owner from complying with any applicable federal, state or county regulations or requirements.

8. A property owner may request a variance from the provisions of this section upon a showing that any required approval from any federal, state or county agency requires that the provisions of this section be varied.

F. Maintenance of watercraft.

1. Repair and/or maintenance of boats in residential areas shall be permitted when such repair or maintenance is routine or minor in nature and does not involve major exterior alteration, rebuilding, complete refinishing, and/or removal of engines, generators or similar equipment, or the use of tools and equipment beyond hand held power tools.

2. No boat or watercraft of any kind which is found to be of unsightly appearance or in badly deteriorated condition or which is likely to cause damage to private or public property or which may be a hazard to navigation, shall be permitted to moor or tie up at any dock or in any waterway within the city, except that such boats may moor at licensed boat yards or marinas for the purpose of repair.

G. Commercial watercraft.

1. Except as provided in subparagraph 2. below, no person shall cause or allow any commercial watercraft to be docked or moored in any public waterway in the city within any residential zoning district.

2. A commercial watercraft shall be permitted to be docked or moored in a residential zoning district, provided that:

   a. The commercial watercraft, as docked or moored, is not a hazard to navigation;

   b. The commercial watercraft is in a seaworthy and operable condition and is maintained in a state of good repair; and

c. The commercial watercraft is actively engaged in the construction, repair or maintenance of a dock, seawall, pilings, or other structure and a valid building permit has been obtained for such work.

Sec. 5-602. - Docks.

A. ~~[~~Regulation.~~]~~ The regulation of boat docks, piers, wharves, floating vessel platforms, hydro-hoists, boatlifts, dolphins and mooring piles or piers of any nature shall be in accordance with any applicable Florida State, City, or Miami-Dade County laws.

B. Projection into waterways.

1. No dock, wharf or similar structure shall be constructed over or in any navigable canal or waterway, or on abutting land which extends more than six (6) feet outward from either the property line or the bank of such navigable canal or waterway, or the face of the seawall cap whichever is closest to the edge of water, or greater than fifteen (15) feet into Biscayne Bay from either the property line or the established bulkhead line, or the face of the seawall cap, whichever is closest to the edge of water.

2. The extension of mooring piles (dolphins), floating vessel platforms, hydro-hoists, boatlifts and watercraft shall be limited as follows:

a. Waterways or canals: No more than ~~twenty (20) percent of the width of the waterway or canal, or a maximum of twenty-five (25) feet~~ thirty percent (30%) of the width of the canal, or thirty (30) feet, whichever is less, as measured from the property line.

b. Biscayne Bay: no more than thirty-five (35) feet from the property line.

c. Nighttime reflectors shall be affixed to all docks and mooring piles that extend more than five (5) feet into any waterway.

C. Projection above seawall.

1. Deck. For residential properties adjacent to waterways, deck floors which extend past the rear lot line or seawall shall not be constructed more than twenty (20) inches above the seawall or retaining wall; the width and length of decks shall be the same as those allowed for docks in the particular district.

2. Dock or pier. No dock or pier shall project more than twenty (20) inches above the uppermost edge of the seawall or retaining wall onto which it is attached or to which it is adjacent. The length of any dock or pier, measured parallel to the seawall or retaining wall, shall not encroach into the required side yard setbacks; provided, however, that a variation of up to twenty (20) percent may be administratively granted by the building and zoning department under the same standards provided by article 3, division 6.

D. Maintenance of docks, piers, boatlifts and other marine construction.

1. All docks, dolphins, finger piers, boatlifts and other marine construction shall be maintained by the owner of said property in a safe and structurally sound condition as deemed by the building official. Lack of maintenance of any marine construction shall constitute a violation of this section.

2. All docks, dolphins, finger piers, boatlifts and other marine construction which are determined by the building official to be in an unsafe condition, are hereby declared a public nuisance, required to be abated in accordance with the provisions of chapter 12 of the City Code.

* * * * *

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. **Conflicts.** In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2016.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2016.

_____
DR. SMITH JOSEPH
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
ROLAND C. GALDOS
INTERIM CITY ATTORNEY

SPONSORED BY: COUNCILMAN GALVIN

Moved by: _____

Sponsored by: _____

Vote:

Mayor Dr. Smith Joseph, D.O., Pharm. D.	_____ (Yes)	_____ (No)
Vice Mayor Alix Desulme	_____ (Yes)	_____ (No)
Councilman Scott Galvin	_____ (Yes)	_____ (No)
Councilman Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilman Philippe Bien-Aime	_____ (Yes)	_____ (No)

Additions shown by <u>underlining.</u> Deletions shown by ~~overstriking~~.

LAW OFFICE OF FRANK WOLLAND
ATTORNEY AT LAW
12865 West Dixie Highway
North Miami, FL 33161

FRANK WOLLAND, ESQ.
Email: fwolland@wolland.com

TEL: 305-899-8588
FAX: 305-892-8434

RECEIVED
JAN 29 2016
COMMUNITY PLANNING
& DEVELOPMENT

January 29, 2016

VIA HAND DELIVERY

Mr. Nixon Lebrun
City of North Miami Zoning Administrator
City of North Miami Community Planning and Development Department
12400 NE 8 Avenue
North Miami, FL 33161
nlebrun@northmiamifl.gov

Re: Letter of Intent for Proposed Modifications to North Miami City Code Sec. 29-5-602

Dear Mr. Lebrun:

Kindly be advised that our office represents Mr. Angel Martinez, who owns the property at 2145 NE 123rd Street in North Miami, and Mr. Bryan Zappulla, who owns the property at 2141 NE 123rd Street in North Miami, and Mr. Joel Behar, who is the principal of JSB Properties, LLC, which owns the property at 2171 NE 123rd Street in North Miami. My clients are all owners of townhomes in the Areta Estates, section 3 subdivision. They are all similarly situated and have common interests, together with the other 94 property owners of Areta Estates who own and occupy the townhouses on the North side of 123rd Str eet, east of Biscayne Boulevard.

Our clients, in each case, purchased their property with the express purpose of using and enjoying the property's access to Biscayne Bay and the Atlantic Ocean. All of the townhouse properties in Areta Estates are 19 feet wide and almost all of them have some form of dock, boat lift, or mooring pilings in order to accommodate their use and enjoyment of their riparian rights, i.e. their right to use and enjoy the water which abuts the rear of their properties.

All of my clients have boat lifts which were constructed at the rear of their properties. The boat lifts were secured with permits issued and approved by the City of North Miami as well as all other applicable government agencies, and have been used and enjoyed by my clients for years.

Several years ago, one unhappy North Miami resident, Annie Montgomery, began making complaints to the City with regard to my client's properties. Several code enforcement matters followed.

Careful review of the City of North Miami Code, and the manner of its application to the property owners who live in the Areta townhomes subdivision indicates that the public interest and the homeowner's interest would best be served by a number of modifications to the existing City Code. These modifications would be accomplished by the attached proposed text amendment. This letter of intent is written in support of the proposed text amendment.

The first portion of the text amendment concerns section 5-602 of the City of North Miami Code of Ordinances which provides that the extension of mooring piles (Dolphins), floating vessel platforms, hydro-hoists, boat lifts and water craft shall be limited... in waterways and canals to no more than twenty (20) percent of the width of the waterway or canal, or a maximum of twenty-five (25) feet, whichever is less, as measured from the property line...

We believe that that Code section is overly restrictive as applied to the Areta Estates Townhouses. The Townhouse properties are each 19 feet wide, if boats were to be moored parallel to the sea wall, it would, as a practical matter, be impossible for owners to have a reasonably sized boat or to use and enjoy their waterfront property in a reasonable fashion.

We propose that City Code be modified to provide that for the Areta Estates Townhomes properties, boats may be moored perpendicular or parallel to the sea wall and may extend to not more than 30% of the width of the water, or a maximum of 30 feet.

We believe that such a text amendment is reasonable and will assist our clients and the other property owners of Areta Estates Townhomes in realizing a reasonable investment backed expectation that they will have and be able to use the waterway behind their home for boating, as indeed that is the primary purpose that most of the Townhouse homeowners had in mind when they purchased their properties. We believe that the waterway is more than wide enough to accomplish this modification, and to permit the safe storage and use of boats.

We feel that the modification is in the best interest of the City, as it will improve property values and permit the residents of the City who are effected to live happier and more fulfilling and enjoyable lives.

We trust and hope that City Staff, City Council, and the other informed and effected parties will agree with our request and look forward to staff's recommendation as well as the deliberations of the planning commission and city council

Most Cordially,

Frank Wolland

Enclosure: Ordinance Modification Proposal

LAW OFFICE OF FRANK WOLLAND
ATTORNEY AT LAW
12865 West Dixie Highway
North Miami, FL 33161

FRANK WOLLAND, ESQ.
Email: fwolland@wolland.com

TEL: 305-899-8588
FAX: 305-892-8434

ORDINANCE MODIFICATION PROPOSAL

DATE: March 30, 2015

TO: Nixon Lebrun

FROM: Frank Wolland

RE: Proposed Modifications to North Miami City Code Sec. 29-5-602

Dear Mr. Lebrun:

The following is a proposed modification of the existing North Miami City Code Section 29-5-602(B)(2), governing the regulation of boat docks, piers, wharves, etc.

Proposed Modification

2. The extension of mooring piles (dolphins), floating vessel platforms, hydro-hoists, boatlifts and watercraft shall be limited as follows:

a. Waterways or canals: No more than twenty (20) percent of the width of the waterway or canal, or a maximum of twenty-five (25) feet, whichever is less, as measured from the property line, provided however that for townhome properties in the subdivision on the south side of the canal immediately north of N.E. 123rd Street, mooring piles (dolphins), floating vessel platforms, hydro-hoists, boatlifts, and watercraft may be moored perpendicular or parallel to the seawall, and may be permitted to extend not more than thirty (30) percent of the width of the waterway or canal, or a maximum of thirty (30) feet, whichever is less, as measured from the property line.

Rece ved Time Feb. 22. 2016 4 14PM No. 2772

CHARLES KEMNITZ
CHIEF WARRANT OFFICER
United States Coast Guard, Retired
221 Avenida Barcelona
San Clemente, CA 92672

January 6, 2016

To Whom It May Concern,

Please be advised that I have served in the United States Coast Guard for thirty-eight years. I have captained coast guard vessels, and served as commanding officer of the United States Coast Guard in Palm Beach for four years. I am familiar with small craft, as well as vessel safety requirements, and the requirements necessary for safe operation of small craft. I am licensed to captain vessels up to 100 tons. I also served as a search and rescue officer for the United States Coast Guard Station in Miami for a period of four years as an executive officer, navigation officer, and in various positions, including commander of the search and rescue center at the Coast Guard Station in Key West.

I am also familiar with the manmade canal immediately south of NE 124th Street in the City of North Miami, in the community known as Keystone Point. I have operated small vessels in that canal on not less than thirty occasions. I'm familiar with the waterway, the bridge and the mooring facilities on both sides of the waterway, as well as the waters throughout North Biscayne Bay.

The waterway in question is approximately 3,550.00 feet long and approximately 100 feet wide, and is abutted by single family homes on the north side and multiple family structures and townhouses on the south side, except at the west end of the canal.

Based upon my experience, training and expertise, it is my opinion that the minimum width necessary in order to have navigation proceed in a safe fashion on that waterway is 30 feet. My opinion is based upon the ability of two vessels of approximately 10 feet in width to pass each other, and the fact that a 35 foot boat would have the ability to turn around completely either at the turning basin, or at an area where docks do not exist on either side of the waterway. I note that the area on the western end of the canal which has no dock or docking facilities can be utilized as a turning basin, should a larger vessel be required to turn.

The above constitutes my opinion only, and I make no opinion or observation with regard to any Federal, State, County or Municipal laws or regulations, which may not be consistent with my opinion.

Very truly yours, **CHARLES KEMNITZ**

Legend

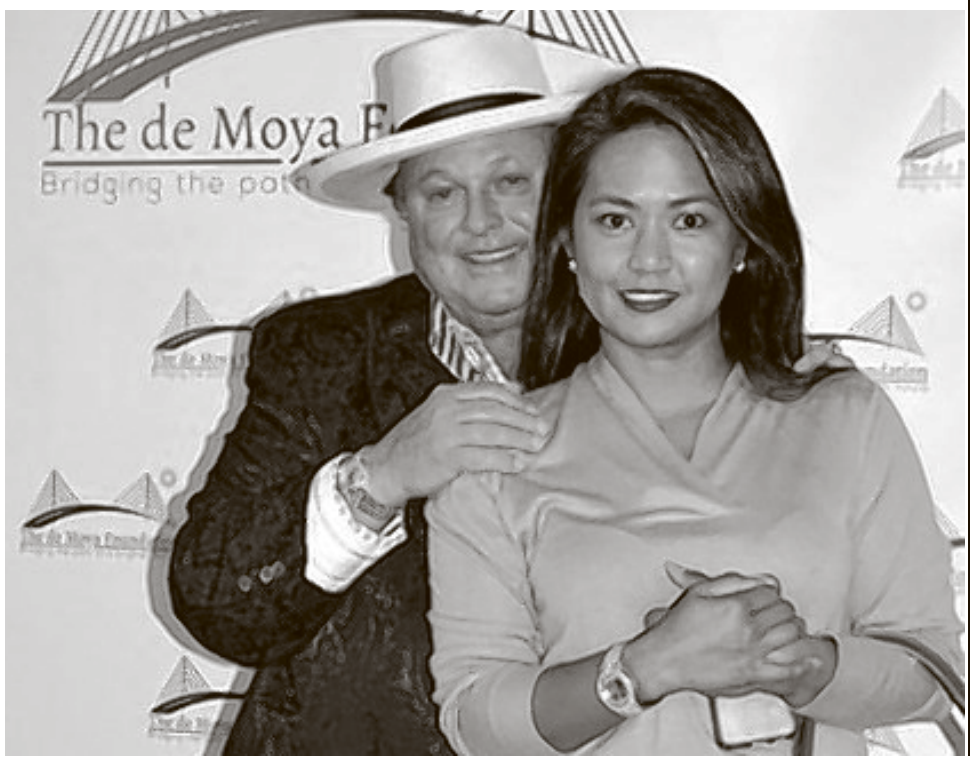
- Dimensions
- NomiProp
- North Miami Municipal Boundary
- Streets
- Water

0 0.00425 0.0085 0.017 0.0255 0.034
Miles

Photo provided by the de Moya Foundation

GATHERING FOR A GOOD CAUSE

The de Moya Foundation celebrated its second annual Gathering of Hearts Benefit on Feb. 6. The de Moya Foundation is a tax-exempt nonprofit charitable trust "that creates and supports programs and raises awareness for children and young adults with unique abilities and special needs and their families. Above from left, Guillermo Acosta, Lily de Moya (foundation president/CEO & founder), Alvaro de Moya and Catherine Madura attend the gathering. Below, Happy Alter and Ovie Eilon arrive at the event.



NORTH MIAMI FLORIDA

NOTICE OF PROPOSED ORDINANCE

CITY OF NORTH MIAMI, FLORIDA

NOTICE IS HEREBY GIVEN that the City of North Miami, Florida proposes to adopt the following ordinance:

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, UNDER DIVISION 16 ENTITLED "STANDARDS FOR SPECIFIC USES", SPECIFICALLY AT SECTION 5-1608 ENTITLED "ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSIONS OF GARAGES OR CARPORTS TO LIVING SPACE" TO REMOVE THE MAXIMUM 250-SQ. FT. FLOOR AREA LIMIT FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

ANDV

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6 ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601 ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF THE CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY INCREASING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY PERCENT (20%) OF THE WIDTH OF THE CANAL, OR TWENTY-FIVE (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF THIRTY PERCENT (30%) OF THE WIDTH OF THE CANAL, OR THIRTY (30) FEET, WHICHEVER IS LESS, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

A Public Hearing on these Ordinances will be held by the Planning Commission on **Tuesday, March 1st, 2016 at 7:00 p.m.** and the City Council for first reading on **March 22nd, 2016 at 7:00pm** in the Council Chambers of North Miami City Hall, Second Floor, 776 NE 125 Street, North Miami, Florida 33161.

Members of the public are invited to attend the Public Hearings and provide oral or written comments on the matter. A copy of the application and report containing the Community Planning and Development Department's recommendation will be available for public review from Monday to Friday between the hours of 8:15 a.m. and 5:00 p.m. in the City Clerk's Office, City Hall. Written comments may be submitted to: City of North Miami, 776 N.E. 125th Street, North Miami, Florida 33161, Attn: Community Planning and Development Department. For questions, please call (305) 893-6511, Ext. 12182.

ANY PERSON WISHING TO APPEAL THE DECISION OF THE CITY COUNCIL WILL NEED A VERBATIM RECORD OF THE MEETING'S PROCEEDINGS, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (SECTION 286.0105. F.S.).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 2147, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 893-7936 FOR ASSISTANCE.