This instrument was prepared by, and after recording return to:

Name: Joseph G. Goldstein, Esq.

Address: Holland & Knight

701 Brickell Avenue, Suite 3000

Miami, Florida 33131

(Space reserved for Clerk of Court)

PARTIAL RELEASE OF DECLARATION OF USE

WHEREAS, CC Doral Marriott, LLC (the "Owner") is the owner of the Property legally

described in the attached Exhibit "A" (the "Marriott Property");

WHEREAS, a Declaration of Use dated July 10, 1986, and recorded in Official Records

Book 13011 at Page 1238 in the Public Records of Miami-Dade County, Florida (the

"Declaration") was entered into in favor of Miami-Dade County, Florida;

WHEREAS, the Declaration encompasses the property more specifically described in

the attached Exhibit "B" and made a part hereof (the "Declaration Property") and which includes

the Marriott Property;

WHEREAS, the Declaration was entered into and recorded in connection with a

previous zoning approval for the Declaration Property;

WHEREAS, the Declaration Property was located within un-incorporated Miami-Dade

County at the time the Declaration was executed;

WHEREAS, the City of Doral incorporated on June 24, 2003, subsequent to the date of

the execution of the Declaration;

WHEREAS, the Declaration Property is now located within the boundaries of the City of

Doral;

Page 1 of 6

WHEREAS, a public hearing for the rezoning of the Marriott Property to Downtown Doral Downtown Mixed Use was held before the City Council on March 28, 2012, at which hearing the City Council adopted Ordinance No. 2012-08 (the "Ordinance");

WHEREAS, the Ordinance approved a rezoning and development program that superseded all previous zoning approvals on the Marriott Property;

WHEREAS, the Director of the City Planning and Zoning Department (the "Director") is authorized to execute this partial release on behalf of the City of Doral, as successor-in-interest to the Dade County Building and Zoning Department; and

WHEREAS, the Owner has affirmed that it has abandoned said previous zoning approvals and all rights thereunder and the Director desires to terminate the Declaration with respect to the Marriott Property.

NOW, THEREFORE, in consideration of the foregoing and along with other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the City of Doral agree as follows:

- 1. <u>Recitals</u>. The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Partial Release are hereby deemed a part hereof.
- 2. <u>Release</u>. The Declaration of Use recorded in Official Records Book 13011 at Page 1238 in the Public Records of Miami-Dade County, Florida is hereby released as it applies to the Marriott Property and such Declaration shall hereinafter be of no further force or effect with respect thereto. The Clerk of the Circuit Court of Miami-Dade County, Florida, is hereby directed to note the same upon the records.

[Execution Page Follows]

Signed witnessed, executed and acknowledge , 2012.	d at Doral, Florida, on this 6 day of
Witnesses: Signature Fior Garda Print Name	CITY OF DORAL PLANNING & ZONING DEPARTMENT  By: Nathan Kogon, Director
Signature Once	
Mercy Arce Print Name	
Approved as to legal sufficiency:  City Attorney	
STATE OF FLORIDA )	
I HEREBY CERTIFY that on this day of	
My Commission Expires:	Notary Public Marylluvia Resendiz Commission DD859328 Print Name Expires, FEB. 09, 2013 WWW.AARONNOTARY.com

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## EXHIBIL "A"

# Legal Description of Marriott Property:

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MOKE PARTICULARLY DESCRIBED AS FOLLOWING LEGAL DESCRIPTION, BEING THE SOUTH 35.00 FEET AND LESS THE FOLLOWING LEGAL DESCRIPTION, BEING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2 AT PAGE 17, CF THE PUBLIC TO THE PLAT THEREOF, RECORDING COMPANY'S SUBDIVISION No. 1, ACCORDING TRACES.

DISTANCE OF 1156.30 FEET TO THE POINT OF BEGINNING. LINE OF THE SOUTH 35.00 FEET OF THE SOUTHWEST IN OF SAID SECTION 19, FOR A 2001HWEST 14 OF SAID SECTION 19; THENCE N89°34'42"E, ALONG THE NORTH INTERSECTION WITH THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE % OF SAID SECTION 19, FOR A DISTANCE OF 75.61 FEET TO THE POINT OF 201°45'13"E ALONG THE EAST LINE OF THE WEST 160.00 FEET OF THE SOUTHWEST OF THE WEST 160.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE DSITANCE OF 89.93 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE 7868.07 FEET AND A CENTRAL ANGLE OF 01°25'18"; THENCE N84°58'08"W FOR A ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF DISTANCE OF 312.67 FEET TO A POINT OF CURVATURE; THENCE 195.23 FEET VAIGLE OF 03°45'00" TO A POINT OF TANGENCY; THENCE N86°40'18"W FOR A TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 7584.44 FEET AND A CENTRAL TO A POINT OF CURVATURE; THENCE 496.40 FEET ALONG THE ARC OF A CURVE FEET OF THE SOUTHWEST 14, OF SAID SECTION 19, FOR A DISTANCE OF 4.49 FEET SECTION 19; THENCE S89°34'42"W, ALONG THE NORTH LINE OF THE SOUTH 55.00 THE NORTH LINE OF THE SOUTH 55.00 FEET OF THE SOUTHWEST 14 OF SAID 25.00 FEET AND A CENTRAL ANGLE OF 91°18'24" TO A POINT OF TANGENCY WITH ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF DISTANCE OF 249.33 FEET TO A POINT OF CURVATURE; THENCE 39.34 FEET ALONG THE WEST LINE OF THE EAST 35.00 FEET OF SAID TRACT 41, FOR A MEZL FINE OF THE EAST 35.00 FEET OF SAID TRACT 41; THENCE 501°43'42"E, 41, FOR A DISTANCE OF 35.01 FEET TO THE POINT OF INTERSECTION WITH THE OF SAID TRACT 41; THENCE 589°34'36"W ALONG THE NORTH LINE OF SAID TRACT OF SAID TRACT 41, FOR A DISTANCE OF 294.91 FEET TO THE NORTHEAST CORNER SECTION 19; THENCE NO1°43'42"W, AS BASIS OF BEARING ALONG THE EAST LINE WITH THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE SOUTHWEST 14. OF SAID BEGIN AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID TRACT 41

**QNA** 

A PORTION OF THE EAST 90.00 FEET OF THE WEST 160.00 FEET TO THE SOUTH % OF THE SOUTHWEST % OF SECTION 19,

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A PORTION OF TRACT 41 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2 AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LESS THE WEST 160.00 FEET, LESS THE SOUTH 35.00 FEET AND LESS THE FOLLOWING LEGAL DESCRIPTION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE POINT OF INTERSECTION OF THE NORTH LINE OF SAID TRACT 41 WITH THE EAST LINE OF THE WEST 160.00 FEET OF THE SOUTHWEST ¼ OF SAID SECTION 19; THENCE S01°45′13″E, ALONG THE EAST LINE OF THE WEST 160.00 FEET OF THE SOUTHWEST ¼ OF SAID SECTION 19, FOR A DISTANCE OF 219.27 FEET; THENCE N84°58″08′W FOR A DISTANCE OF 90.63 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 70.00 FEET OF THE SOUTHWEST ¼ OF SAID SECTION 19; THENCE N01°45′13″W, ALONG THE EAST LINE OF THE WEST 70.00 FEET OF THE SOUTHWEST ¼ OF SAID SECTION 19, FOR A DISTANCE OF 210.70 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SAID TRACT 41; THENCE N89°34′36″E, ALONG THE NORTH LINE OF SAID TRACT 41, FOR A DISTANCE OF 90.02 FEET TO THE POINT OF BEGINNING.

### AND

TRACT 42 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2 AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING AND BEING IN SECTION 19, TOWNSHIP 53 SOUTH, RANGE 40 EAST IN MIAMI-DADE COUNTY, FLORIDA. LESS THE EAST 35.00 FEET THEREOF, FOR RIGHT-OF-WAY PURPOSES, RECORDED IN O.R.B. 14590 AT PAGE 2003 AND O.R.B. 14594 AT PAGE 2524 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

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## **EXHIBIT "B"**

# Legal Description of Declaration Property:

A parcel of land lying in the S.W. 1/4 of Section 22, Township 53 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of said Section 22; thence run NORTH, along the West Line of the S.W. 1/4 of said Section 22 and along the centerline of N. h. 87th Avenue as shown on the plat of DCRAL RIGHT CF WAY, as recorded in Plat Book 104, at Page 93 of the Public Records of Dade County, Florida, for a distance of 103.05 feet to a point; thence run EAST for a distance of 40.00 feet to a point on the East Right-of-hay Line of said N. K. 67th Avenue and the Point of Beginning of the following described parcel of land; thence run NORTh, along said East Right-of-Way Line of N. W. 87th Avenue, for a distance of 206.95 feet to the point of curvature of a circular curve to the right having a radius of 1869.86 feet; thence run Northeasterly, along said. East Right-of-way Line of N. W. 87th Avenue and along the arc of said curve, for a distance of 183.57 feet, through a central angle of 5.37'30" to the point of tangency; thence Tun R 5-27'30" E, along said East Right-of-hay Line of N.h. 87th Avenue, for a distance of 300.00 feet to the point of curvature of a circular curve to the left having a radius of 1949.86 feet; thence run Northerly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 370.15 feet, through a central angle of 10°52'36" to a point; Thence run N 84°44'54" E, along a line radial to the last mentioned curve, for a distance of 10.00 feet to a point; thence run S 75 36 20" E for a distance of 1206.67 feet to a point; Thence run S 87°25'23" E for a distance of 335.10 feet to a point, thence run S 8°05'33" & for a distance of 216.10 feet to a point, thence run S 87°22'30" k for a distance of 401.82 feet to a point; thence run S 23°33'50" E for a distance of 325.00 feet to a point; thence run 5 9°04'47" E for a distance of 274.75 feet to a point on the North Right-of-Way Line of N.W. 41st Street; thence run N 68°14'03" W, along the North Right-of-Way Line of N.W. 41st Street and along a line parallel to and 80.00 feet North of the South Line of the S.W. 1/4 of said Section 22, for a distance of 1265.20 feet to the point of curvature of a circular curve to the right having a radius of 25.00 feet; thence run Northwesterly, along the East Right-of-hay Line of the aforementioned N.W. 87th Avenue and along the arc of said curve, for a distance of 38.50. feet through a central angle of 88°14'03" to the point of tangency and the Point of beginning.

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BECLANATION OF USE RE: 1301 181238	••
owner (b) of the property herein designated, hereby agree and bind myself, or ourselves, and my, or our, heirs, assignees, and successors as follows:	
The uses permitted shall be auditoriums, banks, private clubs, hotels, motels; offices, parkings, radio and television transmission towers and studios, police and fire stations, restaur schools, telephone exchanges, sales rooms and storage rooms or other uses as may be deemed similar in the opinion of the Dade County Building and Zoning Department Director.  On Lot Block of	ing rant
of the Public Records of Dade County, Florida.  SEE EXHIBIT A	•
also known as, Dade County, Florida.	
This agreement is hereby made and accepted as a condition of the rezoning to Industrial District, Conditional.	-טו
It is further understood and agreed that this agreement shall be deemed a covenant running with the land and shall remain in full force and effect and binding upon the undersigned, their heirs, and assigns until such time as the same may be released in writing by the Director of Dade County, Building and Zoning Department, or the executive director or executive officer, by his assistant in charge of the office in his absence.	be
As further part of this agreement, it is hereby understood and agreed that an official inspector of the Dade County Planning, Building and Zoning Departmen or its agents duly authorized, may have the privilege at any time of entering and investigating the use of the permises, to determine whether or not the requirements of the Building and Zoning Regulations and the conditions herein agreed to are being complied with.	t 📜
Signed, sealed, executed and acknowledged on this 10th day of July A.D. 19 86, at Miland, Florida.	
WITNESSES: Down Law Deerlas Executive Vole Provident	8 8
(For Corporation). Carl Manager & Corporation	<b>R30</b>
IN WITNESS WHEREOF, CAROL MANAGEMENT CORPORATION, a New York	53
corporation,	53
has libed these presents to be signed in its name by its proper officials, a	nd.
its for porate seal to be affixed.	٠.
CAROL MANAGEMENT CORPURATION,  a New York corporation:  (Corporate Name)	_
By Salman Drawent	
xkseckerek XRSeckerek Salvatore J. Branckerte, Executive Vice President	
STATE OF FLORIDA)	Ì
COUNTY OF DADE )	
I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgements, personally appeared Salvatore J. Branciforte to me known to be	
the persons described as <u>Executive Vice President</u> me known to be	•
who executed the foregoing instrument, and acknowledged before me that corporation, affixing the carporate seal of that corporation thereto; that as such corporate of HANS such persons are duly authorized by that corporate to do so; and that HANS recoing instrument is the act of that corporation.	ion
Witness my hand and tricial seal in the county and state named above this 10th day of	
AUG. 3, 1988 Lew Notary, Pul	bli

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# EXHIBIT "A"

# LEGAL DESCRIPTION

A parcel of land lying in the S.W. 1/4 of Section 22, Township 53 South, Range 40 Last, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of said Section 22; the ice run NORTH, along the West Line of the S.W. 1/4 of said Section 22 and along the centerline of N.W. 87th Avenue as shown on the plat of DCRAL RIGHT OF WAY, as recorded in Plat Book 104, at Page 93 of the Public Records of Dade County, Florida, for a distance of 103.05 feet to a point; thence run EAST for a distance of 40.00 feet to a point on the East Right-of-hay line of said N.W. 87th Avenue and the Point of Beginning of the following described parcel of land; thence run NORTH, along said East Right-of-Way Line of N. W. 87th Avenue, for a distance of 206.95 feet to the point of curvature of a circular curve to the right having a radius of 1869.86 feet; thence run Northeasterly, along said East Right-of-Way line of N.W. 87th Avenue and along the arc of said curve, for a distance of 183.57 feet, through a central angle of 5°37'30" to the point of tangency; thence run N 5°37'30" E, along said East Right-of-hay line of N.h. 87th Avenue, for a distance of 300.00 feet to the point of curvature of a circular curve to the left having a radius of 1949.86 feet; thence run Northerly, along said East Right-of-Way Line of N.W. 87th Avenue and along the arc of said curve, for a distance of 370.15 feet, through a central angle of 10°52'36" to a point; thence run N 84°44'54" E, along a line radial to the last mentioned survey for a distance of 10°00 feet to a point; thence mentioned curve, for a distance of 10.00 feet to a point; thence run \$ 75°16'20" E for a distance of 1206.67 feet to a point; thence run S 87°25'23" E for a distance of 335.10 feet to a point, thence run S 8°05'33" W for a distance of 216.10 feet to a point, thence run S 87°22'30" k for a distance of 401.82 feet to a point; thence run S 23°33'50" E for a distance of 325.00 feet to a point; thence run S 9°04'47" E for a distance of 274.75 feet to a point on the North Right-of-Way Line of N.K. 41st Street; thence run N 88°14'03" W, along the North Right-of-way Line of N.W. 41st Street and along a line parallel to and 80.00 feet North of the South Line of the S.W. 1/4 of said Section 22, for a distance of 1265.20 feet to the point of curvature of a circular curve to the right having a radius of 25.00 feet; thence run Northwesterly, along the East 25.00 feet; thence run Northwesterly, along the East Right-of-hay line of the aforementioned N.K. 87th Avenue and along the arc of said curve, for a distance of 38.50 feet through a central angle of 88°14'03" to the point of tangency and the Point of horizontal and the Point of beginning. : : : .

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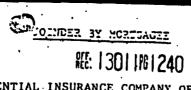
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The undersigned THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey
Corporation, Mortgagee, under that certain mortgage from See Exhibit "B"
which is attached hereto and made a part hereof by reference,
dated the day of , 19 , and recorded in
Official Records Book , Page , of the Public Records of
Dade County, Florida, in the original amount of S
covering all/or a portion of the property described in the
foregoing agreement, do hereby acknowledge that the terms of this agreement are
and shall be binding upon the undersigned and its successors in title.
IN WITNESS WHEREOF, these presents have been executed this and day of
JulyA.D., 19_86
THE PRUDENTIAL INSURANCE COMPANY OF AMERICA
Name of Corporation, All Car
RES ALL STATES
Viceresident
Da ( Clarent
Acceptany Societary
STATE OF GEORGIA
COUNTY OF DEKALB
BEFORE ME, the undersigned authority, this day appeared appeared N.W. Burt
and JOHN L. WESTNEY DR, both being to me well known and known by me to be the Vice
PRESIDENT and ASSISTANT - SCRETARY of The Prudential under the laws of the
State of New Jersey , and which said Corporation is known by me to
be the persons described in and which executed the foregoing inscrument, the
said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said
Corporation executed: signed and delivered the said instrument as the act and
deed of said Corporation, and the said officers of said Corporation them and
there severally acknowledged to and before me that they executed the said instrument, acting in their said official expedities, for and as so the act and
deed of said Corporation and in its name, and impressed thereon its Corporate
Seal for the uses and purposes therein mentioned, and after being dul!
authorized and directed.
WITNESS my hand and official Seal at Atlanta in the County
and State aforesaid, on this, the 2974 day of July  A.D. 19 86 .
Land should be the state of the
S. IVO K
Virginia D. Brownless: & 12
My Commission expires:  Notaty Public in and for Mile 5 15 0 15 Georgia at Large.
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My Commission Expires Nov. 48,1987

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#### EXHIBIT "B"

## SPECIAL EXCEPTIONS

- 1. That certain Mortgage recorded September 14, 1976 in Official Records Book 9441, at Page 1577, and those certain consolidated, modified, extended, and spread mortgages identified and sete forth in that Consolidation, Modification, Extension and Spreading Agreement, dated January 23, 1974, and recorded in Official Records Book 8574, at Page 1659, all of the Public Records of Dade County, Florida, all of which are more particularly described in that certain Modification and Extension Agreement, dated January 17, 1977, and recorded January 20, 1977 in Official Records Book 9563, at Page 1596, of the Public Records of Dade County, Florida, as the same may have been modified by that Mortgage and Option Agreement, Modification and Release dated September 22, 1981, recorded in Official Records Book 11249, at Page 1608, that certain Partial Release of Mortgage and Option Agreement and Grant of Easement dated September 29, 1982, recorded in Official Records Book 11607, at Page 1857, and that Partial Release of Mortgage and Option Agreement, dated September 6, 1983, and recorded September 28, 1983 in Official Records Book 11920, at Page 3262, and Spreader Agreement modifying Mortgage and Option Agreement dated September 18, 1984, and recorded October 5, 1984, in Official Records Book 12290, at Page 893, of the Public Records of Dade County, Florida.
  - Uniform Commercial Code Financing Statements recorded in connection with the instruments described in Item 1 hereof.
- Raskel, Anita Blum and Carole Schragis, as Ancillary Co-Executors of the Estate of Alfred L. Kaskel, Deceased, dated January 17, 1977, filed January 20, 1977, and recorded in Official Records Book 9563, at Page 1580, of the Public Records of Dade County, Florida, and that certain Option Agreement from Doris Kaskel, Howard Kaskel, Anita Blum and Carole Schragis, as Ancillary Co-Executors and Co-Executors of the Estate of Alfred L. Kaskel, Deceased, dated January 23, 1974 and recorded in Official Records Book 8574, at Page 1685, of the Public Records of Dade County, Florida.

This document prepared by Jules arkin 1111 Lincolistord Suite 600 Michigand, 12 33139

ACCORDED IN OFFICIAL RECORDS BOOK
OF CASE COUNTY, FLORIDA.
RECORD VERTILED
RICHARD P. BRINKER
CLERK CIRCUIT COURT