



CITY OF DORAL RECORD (MASTER) COPY TRANSMITTAL FORM

OFFICE OF THE CITY CLERK
Page 1 of 1

Transmittal From: Planning and Zoning Department
Department

Delivered by: Mercy Arce
Name

Date of Transmittal : July 20, 2011

City Clerk's Date Stamp

07-20-11A10:03 RCVD

The following record (master) copy is being transmitted to the Office of the City Clerk:

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Is this record (master) copy to be recorded with the County Clerk? Yes No

Description of Record Copy:

Modification of Declaration of Restrictions for Growinvest LLC. (modifications approved by resolution Z10-08)

Office of the City Clerk Administrative Use Only

Received by: Yamilet Hernandez

Reviewed for completion by Yamilet Hernandez

Returned to originating Department for the following corrections on
Date

Archived in the Office of the City Clerk on 7/20/2011 (Date)

Copy provided in electronic format to originating Department on 7/20/2011 (Date)

This instrument was prepared by:

Name: Juan J. Mayol, Jr., Esq.
Address: Holland & Knight, LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

MODIFICATION OF DECLARATION OF RESTRICTIONS RECORDED AT OFFICIAL RECORDS BOOK 17216, PAGE 0835 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS MODIFIED BY THAT CERTAIN MODIFICATION OF DECLARATION OF RESTRICTIONS, RECORDED AT OFFICIAL RECORDS BOOK 18163, PAGE 0187, AND MODIFICATION OF THAT CERTAIN DECLARATION OF RESTRICTIONS, RECORDED AT OFFICIAL RECORDS BOOK 17944, PAGE 1273 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY

THIS MODIFICATION OF DECLARATIONS OF RESTRICTIONS is made this 10 day of JUNE, 2011, by Growinvest, LLC, a Florida limited liability company and Social Entrepreneurial Enterprises, Inc., a Florida corporation (as successor in interest to MD International, Inc.) (collectively, the "Owners"), in favor of the City of Doral, Florida, a municipal corporation of the State of Florida (the "City").

WITNESSETH:

WHEREAS, the Owners hold fee simple title to those certain parcels of land more particularly described in the attached Exhibit "A" (the "Property");

WHEREAS, the Owners applied to the City of Doral for approval of (1) the modification of Paragraph 2 (b) of that certain Declaration of Restrictions recorded at Official Records Book 17216, Page 0835 of the Public Records of Miami-Dade County, Florida, as modified by that certain Modification of Declaration of Restrictions, recorded at Official Records Book 18163,

Page 0187, and (2) the modification of Paragraph 1 (a) of that certain Declaration of Restrictions, recorded at Official Records Book 17944, Page 1273 of the Public Records of Miami-Dade County (the "Previous Declarations");

WHEREAS, on October 13, 2010, the City Council held a public hearing, at which time the Council adopted Resolution No. Z10-08 (the "Resolution"); and

WHEREAS, the Resolution approved, subject to conditions, the following modifications to the previous Declarations:

1) A modification of Paragraph 2 (b) of Declaration of Restrictions recorded at Official Records Book 17216, Page 0835 of the Public Records of Miami-Dade County, Florida, as modified by that certain Modification of Declaration of Restrictions recorded at Official Records Book 18163, Page 0187.

From:

2(b) Those areas of the Property that are now designated on the Land Use Plan map of the County's Comprehensive Development Master Plan for Office/Residential development, which are more particularly described as Lots 1 and 2 of Block 3, as depicted on the Plans, may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; and (4) restaurants.

To:

(2)(b) Those areas of the Property that are now designated on the Land Use Plan map of the City's Comprehensive Plan for Business development, which are more particularly described as

Lots 1 and 2 of Block 3, as depicted on the Plans, may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

2) A modification of Paragraph 1 (a) of Declaration of Restrictions recorded at Official Records Book 17944, Page 1273 of the Public Records of Miami-Dade County.

From:

1(a) The Owner shall not apply to rezone the Property to either the IU-2 or IU-3 zoning districts, nor request approval for any use similar to the uses authorized solely in the IU-2 or IU-3 zoning districts classifications. Furthermore, notwithstanding the IU-1 zoning classification of the Property, the Property may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; and (4) restaurants.

To:

(1)(a) Those areas of the Property that are now designated on the Land Use Plan map of the City's Comprehensive Plan for Business development, which are more particularly described as Lots 1 and 2 of Block 3, as depicted on the Plans, may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which

ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

WHEREAS, in satisfaction of Condition No. 1 of the Resolution, the Owners obtained the required consents of the adjacent property owners, copies of which are attached hereto as Composite Exhibit "B."

NOW, THEREFORE, IN ORDER TO ASSURE the City that the representations made by the Owners during its consideration of the proposed modifications will be abided by, the Owners freely, voluntarily, and without duress, hereby agree as follows:

1. Paragraph No. 2 (b) of that certain Declaration of Restrictions recorded at Official Records Book 17216, Page 0835 of the Public Records of Miami-Dade County, Florida, as modified by that certain Modification of Declaration of Restrictions, recorded at Official Records Book 18163, Page 0187, of the Public Records of Miami-Dade County, now reads as follows:

(2)(b) Those areas of the Property that are now designated on the Land Use Plan map of the City's Comprehensive Plan for Business development, which are more particularly described as Lots 1 and 2 of Block 3, as depicted on the Plans, may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

2. Paragraph No. 1 (a) of that certain Declaration of Restrictions recorded at Official Records Book 17944, Page 1273 of the Public Records of Miami-Dade County, now reads as follows:

(1)(a) Those areas of the Property that are now designated on the Land Use Plan map of the City's Comprehensive Plan for Business development, which are more particularly described as Lots 1 and 2 of Block 3, as depicted on the Plans, may be used only for one or more of the following purposes or uses: (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

3. Except as hereby amended, all other restrictions in the Previous Declarations shall remain in full force and effect.

[Execution Pages Follow]

Signed, witnessed, executed and acknowledged on this 19 day of May, 2011.

IN WITNESS WHEREOF, Growinvest, LLC has caused these presents to be signed in its name by its proper officials.

WITNESSES:

Growinvest, LLC, a Florida limited liability company

Manuel Diner

Signature

Manuel Diner

Print Name

By: Diego De Lamo

Diego De Lamo, Managing Member

Luis J. Dorta

Signature

Luis J. Dorta

Print Name

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

The foregoing instrument was acknowledged before me by Diego De Lamo, as Managing Member of Growinvest, LLC, a Florida limited liability company, on behalf of the LLC. He is personally known to me or has produced Driver's License as identification.

Witness my signature and official seal this 19 day of May, 2011, in the County and State aforesaid.

My Commission Expires:



Manuel Diner

Notary Public, State of Florida

Manuel Diner

Print Name

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

The East 128.03 feet of the North 208.55 feet of Lot 1, Block 5, MIAMI INTERNATIONAL BUSINESS PARK SECTION 3, according to the Plat thereof, as recorded in Plat Book 151, at Page 71, of the Public Records of Miami-Dade County, Florida.

and

Lot 2, Block 5, MIAMI INTERNATIONAL BUSINESS PARK SECTION 3, according to the Plat thereof, as recorded in Plat Book 151, Page 71, of the Public Records of Miami-Dade County, Florida.

EXHIBIT "B"

COPIES OF CONSENTS

**CONSENT OF OWNER TO MODIFICATION OF
DECLARATIONS OF RESTRICTIVE COVENANTS
RECORDED AT Official Records Book 17216, Pages 835-843, AS MODIFIED AND
Official Records Book 17944, Pages 1273-1283**

Under the terms of those certain Declarations of Restrictions, recorded at Official Records Book 17216, Pages 835-843 of the Official Records of Miami-Dade County, Florida, as modified, and Official Records Book 17944, Pages 1273-1283 (the "Declarations"), the development of the property described in Exhibit A (the "Property") to this Consent is, among other things, restricted to (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; and (4) restaurants.

I/We hereby consent to the modification, amendment or release of the Declarations to permit the development of the Property with (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date below.

OWNER(S):

S. HADIB - U - KHAN
Owner Signature

S. HADIB - U - KHAN
Print Name:

2-17-11
Date

WITNESS:

Witness Signature:

Print Name:

**CONSENT OF OWNER TO MODIFICATION OF
DECLARATIONS OF RESTRICTIVE COVENANTS
RECORDED AT Official Records Book 17216, Pages 835-843, AS MODIFIED, AND
Official Records Book 17944, Pages 1273-1283**

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I/We hereby consent to the modification, ^{or} amendment ~~or release~~ of the Declarations to permit the development of the Property with (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date below.

OWNER(S): *McDonald's Corporation*

TRP By: *PA Mollay*
Owner Signature

Padraic Mollay, Irb
Print Name: *Managing Counsel*

1/31/11
Date

WITNESS:

[Signature]
Witness Signature:

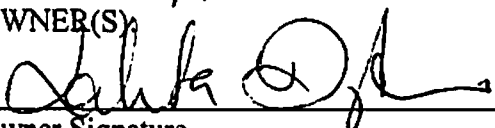
Thomas R. Pickett
Print Name:

**CONSENT OF OWNER TO MODIFICATION OF
DECLARATIONS OF RESTRICTIVE COVENANTS
RECORDED AT Official Records Book 17216, Pages 835-843, AS MODIFIED, AND
Official Records Book 17944, Pages 1273-1283**

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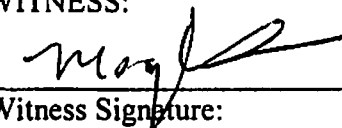
I/We hereby consent to the modification, amendment or release of the Declarations to permit the development of the Property with (1) hotels; (2) offices (including ancillary warehouse/storage, display and repair of products being distributed from or through the office building, which ancillary uses may occupy up to a maximum of forty percent of the total gross area of the building); (3) banks; (4) restaurants; and (5) all other uses consistent with the City's Business land use designation.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date below.

114th Ave LLC
OWNER(S)

Owner Signature

LILITHA D. HIRANI
Print Name: Managay Pawher

1/25/11
Date

WITNESS:

Witness Signature:
Megha M. Mahajan
Print Name: