

**Miami-Dade County Tax Folio Numbers: 35-3022-032-0080 &
35-3022-032-0090**

**This instrument was prepared by:
Luis Figueredo, Esq.
City Attorney
8401 N.W. 53rs Terrace, 3rd Floor
Doral, Florida 33166**

(Spaced reserved for Clerk)

**COVENANT RUNNING WITH THE LAND
IN LIEU OF UNITY OF TITLE**

KNOW ALL BY THESE PRESENTS that the undersigned, City of Doral, a Florida municipal corporation (“Doral”), the owner of the real properties identified in Exhibit “A” hereto (“Doral Properties”) hereby makes, declares and imposes on the lands herein described, these easements and covenants running with the title to the land, which shall be binding on the Doral, including all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by , through or under them;

WHEREAS, Doral is the owner of the Doral Properties, which both parcels are within the City of Doral (“City”); and

WHEREAS, the City holds the fee simple title to the Properties which is supported by the attorney’s opinion of title attached as Exhibit “B,” and

WHEREAS, Doral is desirous of developing cultural arts facility on the which will part of the public park depicted on the site plan contained in Exhibit “C” herein (“Site Plan”);

NOW THEREFORE, in consideration of the premises, Owners hereby freely, voluntarily and without duress agree as follows:

1. This instrument executed by the City shall constitute a covenant running with the land and will be recorded, at City’s expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the heirs, successors and assigns of the respective parties hereto, until such time as the same is released in writing as hereinafter provided.

2. The Properties shall be developed in substantial conformity with the Site Plan approved by the Director of the City of Doral Planning and Zoning Department or her/his successor in accordance with the City of Doral Code Land Development Regulations and procedures in effect at the time. No modification shall be affected in said Site Plan without the written consent of the City's Planning & Zoning Department.
3. Any future owner, mortgagees, heirs, assigns and other parties in interest of the Properties shall be bound by the terms, provisions and conditions of this instrument.
4. Where necessary, and to the extent necessary, the City grants the necessary easements in and over the Properties in favor of its contractors, subcontractors and materialmen, which are reasonably necessary for the construction, maintenance and repair of the cultural arts facility.
5. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successor periods of ten (10) years each, unless released.
6. The provisions of this instrument may be released, amended or modified from time to time by recorded instrument by the then Owner or Owners of the Properties, with joinders by all mortgagees, if any, provided that the same is also approved by the Director of the City's Planning and Zoning Department, or its successor.
7. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect.
8. This Declaration shall be recorded in the public Records of Miami-Dade County at the Owners' expense.

EXHIBIT "A"

SURVEYOR'S NOTES:

- 1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 1, BLOCK 3 OF DOWNTOWN DORAL NORTHWEST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
SAID LINE BEARS NORTH 00°22'39" WEST, AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
- 3. SUBJECT TO EXISTING EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY.
- 4. THIS IS NOT A SURVEY, BUT ONLY A GRAPHICAL DEPICTION OF THE DESCRIPTION SHOWN HEREON.

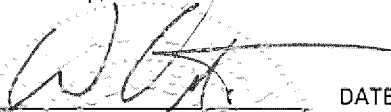
LEGAL DESCRIPTION:


PARCELS OF LAND BEING LOTS 1 AND 2, BLOCK 3, OF DOWNTOWN DORAL NORTHWEST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 1; THENCE N 00°22'39" W, A DISTANCE OF 476.79 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'59", A DISTANCE OF 39.27' TO THE POINT OF TANGENCY; THENCE N 89°37'21"E, A DISTANCE OF 174.63 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°32'41", A DISTANCE OF 16.82 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 64.50 FEET; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°05'09", A DISTANCE OF 86.78 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°32'41", A DISTANCE OF 16.82 FEET TO A POINT OF TANGENCY; THENCE N 89°37'21" E, A DISTANCE OF 161.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 62.00 FEET; THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°44'41", A DISTANCE OF 58.16 FEET TO A POINT OF TANGENCY; THENCE S 36°37'58" E, A DISTANCE OF 33.61 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY, AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 81°23'35", A DISTANCE OF 35.51 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 676.62 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°46'24", A DISTANCE OF 20.94 FEET TO A POINT OF TANGENCY; THENCE S 42°59'13" W, A DISTANCE OF 355.02 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 596.62 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°33'33", A DISTANCE OF 297.39 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY, NORTHWESTERLY, AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 108°04'35", A DISTANCE OF 47.16 FEET TO THE POINT OF BEGINNING.

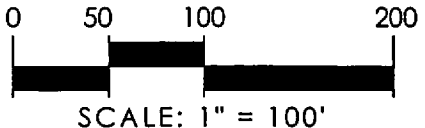
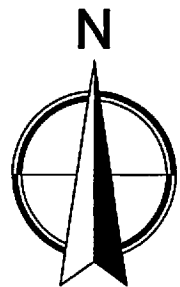
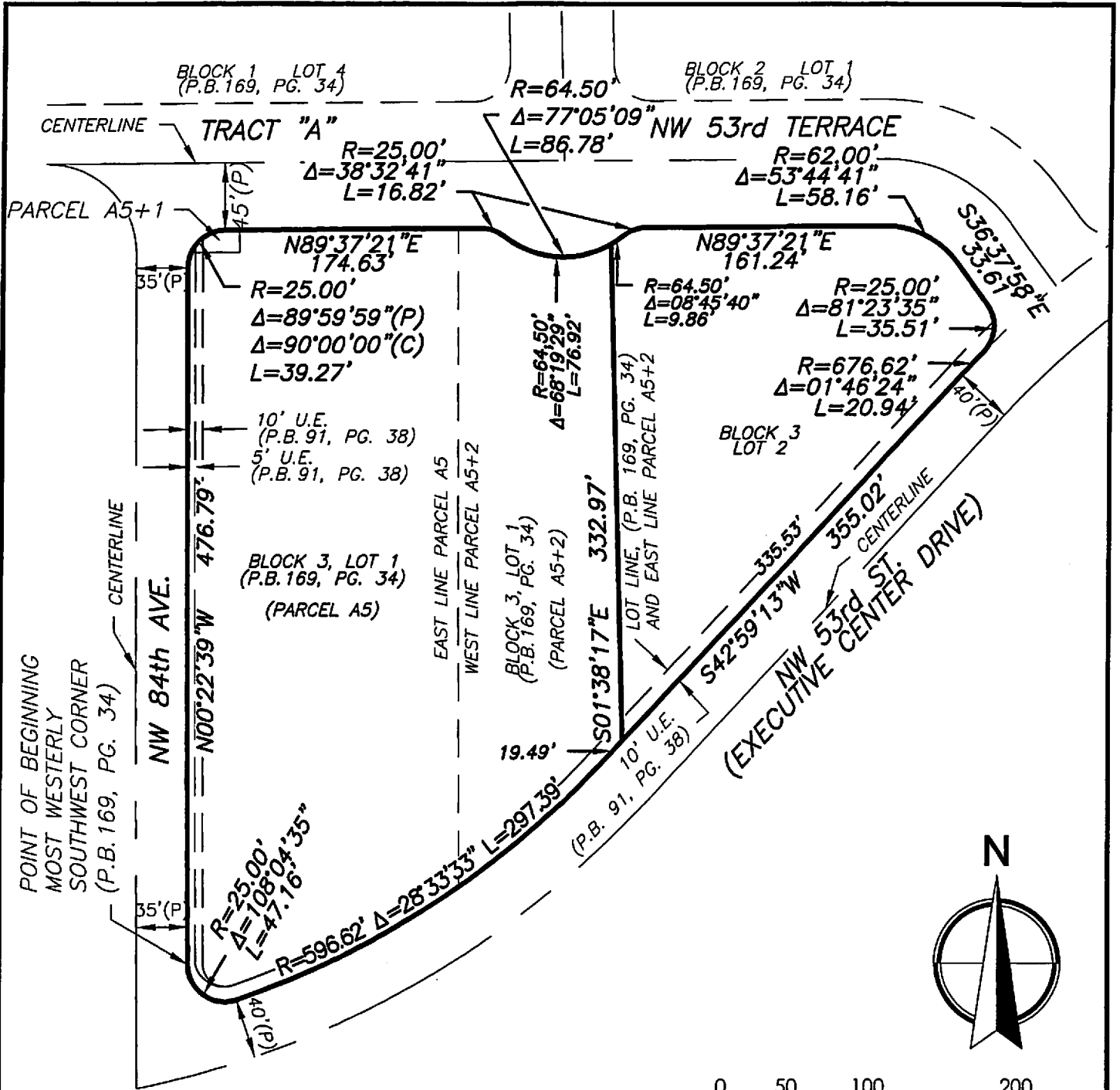
SAID LANDS LYING AND BEING IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA AND HAVING 183,946 SQUARE FEET, (4.22 ACRES), MORE OR LESS.

For The Firm:
Wantman Group, Inc.

BY:  DATE: 5/29/19
 WILLIAM ARATA, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE NO. 5082

PROJECT: DOWNTOWN DORAL PARK		TASK: DESCRIPTION & SKETCH	
PREPARED BY:  3230 W. Commercial Boulevard, Suite 300, Fort Lauderdale, FL 33309 Phone No. 954.660.1660 www.wginc.com Cert No. 6091 - LB No. 7055		CAD 306403-SV-SK2	
		DRAWN/DESIGNED P.S.R.	
		CHECKED/QC W.A.	
		JOB NO. 3064.03	
		DATE 05/15/2019	
		SHEET: 1	

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PROJECT: DOWNTOWN DORAL PARK		TASK: DESCRIPTION & SKETCH	
PREPARED BY: WGI		CAD 306403-SV-SK2	
3230 W. Commercial Boulevard, Suite 300, Fort Lauderdale, FL 33309 Phone No. 954.860.1860 www.wginc.com Cert No. 6091 - LB No. 7055		DRAWN/DESIGNED	P.S.R.
		CHECKED/QC	W.A.
		JOB NO.	3064.03
		DATE	05/15/2019
		SHEET: 2	

EXHIBIT "B"
Opinion of Title

LAW OFFICES
BLAXBERG, GRAYSON, KUKOFF & FORTEZA, P. A.

SUITE 730, INGRAHAM BUILDING
25 SOUTHEAST SECOND AVENUE
MIAMI, FLORIDA 33131-1506
www.blaxgray.com

Direct Dial: (305) 379-2300
Telefax (305) 371-6816
Moises.Grayson@blaxgray.com

I. Barry Blaxberg
Moises T Grayson*
Ian J. Kukoff**
Gaspar Forteza
Jacqueline Tornes+
Isabel Vals Colleran

*Also Licensed in New York
**Also Licensed in Texas (Inactive)
+Of counsel

May 29, 2019

ATTORNEY'S OPINION OF TITLE

To Whom It May Concern:

Re: Unity of Title to be recorded on:

Lots 1 and 2, Block 3, DOWNTOWN DORAL NORTHWEST PLAT, according to the Plat thereof, recorded in Plat Book 169, Page 34, of the Public Records of Miami-Dade County, Florida. ("The Property")

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

COMES NOW, your Affiant, Moises T Grayson, who after first being duly sworn, states:

1. Affiant is an attorney authorized to practice law in the State of Florida, Florida Bar No. 369519.
2. Affiant has conducted a search of the Public Records of Miami-Dade County, Florida, to determine the fee simple owner of the above described real property.
3. That based upon said search, from earliest possible record effective through April 11, 2019, fee simple title to the above referenced real property is currently in the name of CITY OF DORAL, FLORIDA. There are liens and encumbrances on the property as follows:
 - a. Plat recorded on June 12, 2012 in Official Records Book No. 169, Page 34.
 - b. Plat recorded on October 19, 1971 in Official Records Book No. 91, Page 38.
 - c. Master Development Agreement recorded on October 3, 2006, in Official Records Book No. 24968, Page 2689.
 - d. Memorandum of Amended and Restated Option Agreement recorded on February

May 29, 2019

Page 2 of 5

- 1, 2007, in Official Records Book No.: 25331, Page 3924.
- e. Declaration of Covenants, Restrictions and Easements for Downtown Doral recorded on April 18, 2008, in Official Records Book No.: 26333, Page 241.
 - f. Notice of Establishment of the Downtown Doral Community Development District recorded on July 16, 2008, in Official Records Book No.: 26482, Page 1879.
 - g. Declaration of Restrictive Covenants recorded on August 13, 2008, in Official Records Book No.: 26524, Page 1700.
 - h. Partial Assignment and Assumption of Agreement of Amended and Restated Option Agreement recorded on September 23, 2008 in Official Records Book No.: 26580, Page 899.
 - i. Termination of Partially Assigned Amended and Restates Option Agreement recorded on May 1, 2009 in Official Records Book No.: 26849, Page 4067.
 - j. Memorandum for a Special Taxing District Known as "Downtown Doral Multi. Maint. & Street Lighting" Ordinance 09-38 recorded on June 25, 2009, in Official Records Book No.: 26916, Page 945.
 - k. Memorandum for a Special Taxing District Known as "Downtown Doral Multi. Maint. & Street Lighting" R-606-09 recorded on June 25, 2009, in Official Records Book No.: 26916, Page 1011.
 - l. Re-recording Declaration of Restrictive Covenants recorded on May 14, 2010, in Official Records Book No.: 27285, Page 618.
 - m. Partial Termination of Amended and Restated Option Agreement recorded on May 17, 2010, in Official Records Book No.: 27287, Page 678.
 - n. Agreement for Water and Sanitary Sewage Facilities recorded on January 3, 2011, in Official Records Book No.: 27540, Page 2053.
 - o. First Amendment to Master Development Agreement recorded on May 4, 2012, in Official Records Book No.: 28099, Page 1.
 - p. Partial Release of Amended and Restated Option Agreement recorded on June 19, 2012, in Official Records Book No.: 28154, Page 3427.
 - q. Assignment of Development Rights (Doral City Hall Facilities) recorded on June 26, 2012, in Official Records Book No.: 28164, Page 4037.
 - r. Partial Release of Amended and Restated Option Agreement recorded on July 27,

May 29, 2019

Page 3 of 5

- 2012, in Official Records Book No.: 28206, Page 4408.
- s. Quitclaim Deed recorded on July 27, 2012, in Official Records Book No.: 28206, Page 4417.
 - t. Termination of Assignment of Development Rights recorded on January 3, 2013 in Official Records Book No.: 28427, Page 4979.
 - u. Notice and Waiver of Option recorded on March 7, 2013, in Official Records Book No.: 28520, Page 3555.
 - v. Re-recording Declaration of Restrictive Covenants recorded on June 18, 2013, in Official Records Book No.: 28682, Page 4656.
 - w. Assignment of Development Rights recorded on November 22, 2013, in Official Records Book No.: 28923, Page 4002.
 - x. Assignment of Development Rights recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3880.
 - y. Assignment of Development Rights recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3889.
 - z. Assignment of Development Rights recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3897.
 - aa. Supplemental Declaration recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3905.
 - bb. Supplemental Declaration recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3913.
 - cc. Supplemental Declaration recorded on February 6, 2014, in Official Records Book No.: 29020, Page 3920.
 - dd. Assignment of Development Rights recorded on May 27, 2014, in Official Records Book No.: 29166, Page 61.
 - ee. Assignment of Development Rights recorded on May 27, 2014, in Official Records Book No.: 29166, Page 76.
 - ff. Supplemental Declaration recorded on May 27, 2014, in Official Records Book No.: 29166, Page 90.
 - gg. Supplemental Declaration recorded on May 27, 2014, in Official Records Book

May 29, 2019

Page 4 of 5

- No.: 29166, Page 97.
- hh. Multi-Party Agreement recorded on August 11, 2015, in Official Records Book No.: 29732, Page 3271.
- ii. Declaration of Restrictions recorded on August 11, 2015, in Official Records Book No.: 29732, Page 3307.
- jj. Notice of Extension of Master Development Agreement recorded on August 19, 2015, in Official Records Book No.: 29745, Page 1401.
- kk. Notice of Lien of Record of the Downtown Doral Community Development District recorded on January 21, 2016, in Official Records Book No.: 29932, Page 2042.
- ll. Amended and Restated Master Development Agreement for Downtown Doral South recorded on November 4, 2016, in Official Records Book No.: 30296, Page 1525.
- mm. First Amendment to Master Development Agreement recorded on May 4, 2012, in Official Records Book No.: 28099, Page 1.
- nn. Assignment of Development Rights recorded on August 11, 2015, in Official Records Book No.: 29732, Page 3243.
- oo. Bill of Sale recorded on April 7, 2016, in Official Records Book No.: 30029, Page 2874.
- pp. Notice of Administrative Approval of an Extension to Development Order to the Downtown Doral South Mixed Use Planned Unit Development Project Pursuant to Section 252.363, Florida Statutes, recorded on July 25, 2017, in Official Records Book No.: 30627, Page 71.
- qq. Notice of Administrative Approval of Minor Modifications for the Downtown Doral Mixed Use Planned Unit Development Project, recorded on March 26, 2018, in Official Records Book No.: 30911, Page 7.
- rr. Notice of Financing Plan and Maintenance of Improvements Downtown Doral Community Development District, recorded on February 6, 2019, in Official Records Book No.: 31315, Page 1277.

All of the recording information contained herein refers to the Public Records of Miami-Dade County, Florida, unless otherwise indicated. Any reference herein to a Book and Page or Instrument Number is a reference to the Official Record Books of said county, unless indicated to the contrary.

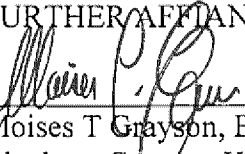
May 29, 2019

Page 5 of 5

4. Based on documents listed above, no lien, mortgage, or encumbrance has priority over nor does any restriction or easement of record conflict or interfere with the unity of title being recorded in connection with this Attorney's Opinion of Title.

5. This Opinion of Title is being furnished to the City of Doral for use by said party in the recording of a unity of title to be executed by Juan Carlos Bermudez, Mayor of the City of Doral, Florida, A Florida Municipal Corporation, relating to the property described herein and for no other purpose.

FURTHER AFFIANT SAYETH NAUGHT.

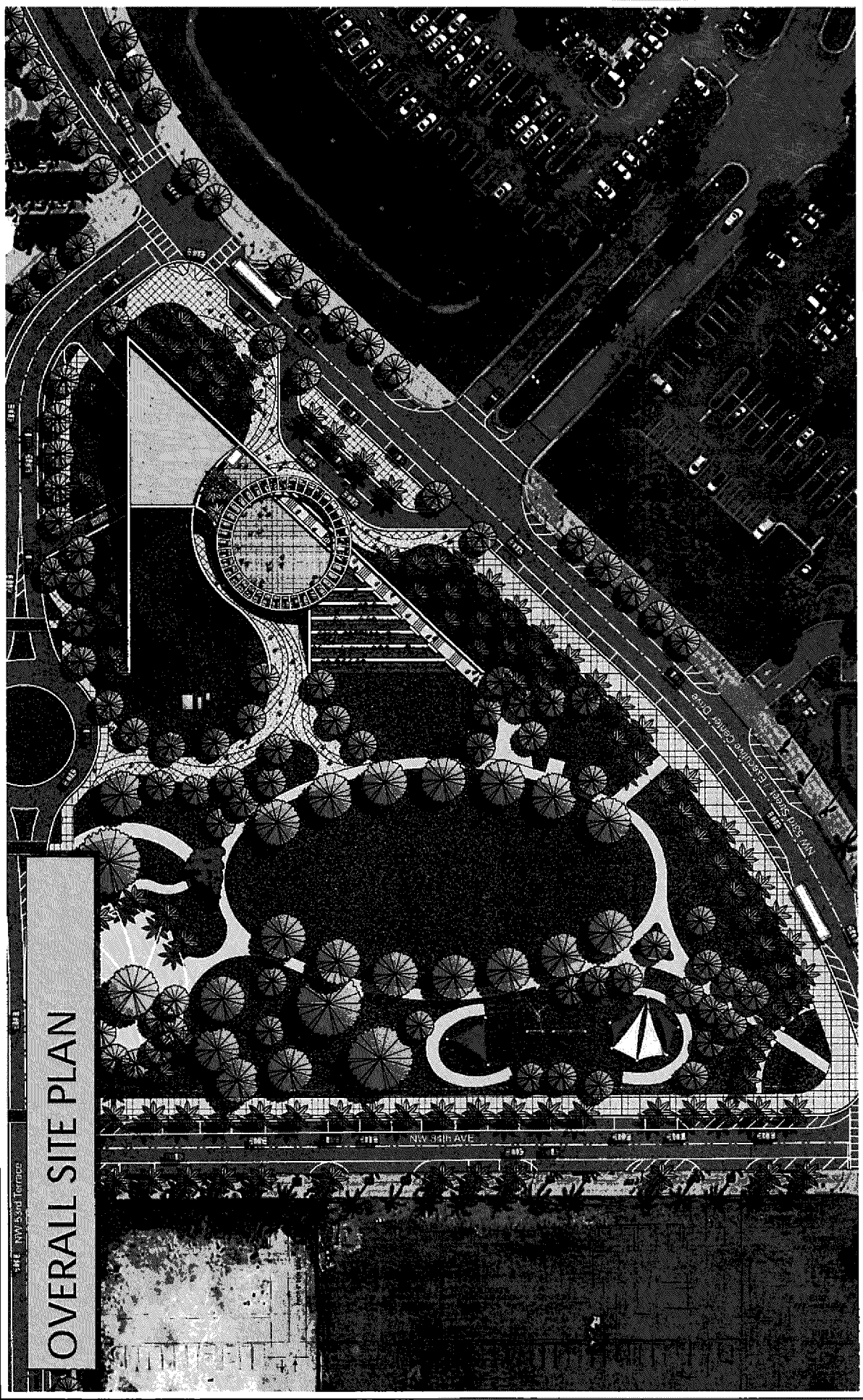


Moises T Grayson, Esq.
Blaxberg Grayson Kukoff & Forteza, PA
25 SE. 2nd Ave., Suite 730 Miami, FL 33131

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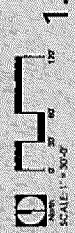
EXHIBIT "C"
SITE PLAN

(see attached)

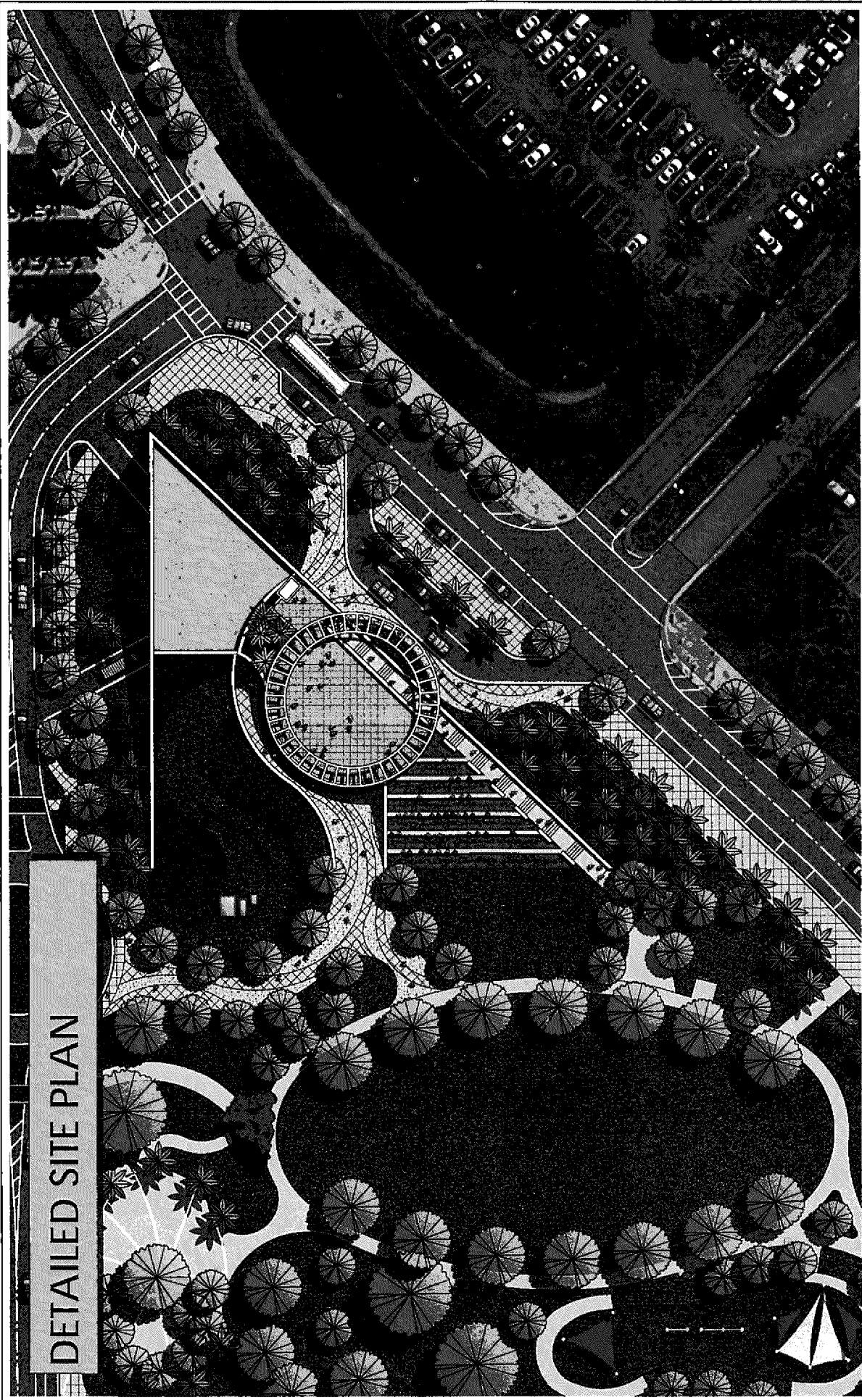


OVERALL SITE PLAN

DORAL CULTURAL PAVILION AT TRIANGLE PARK
DORAL, FLORIDA
 November 8, 2011



BA
 Architects & Planners



DETAILED SITE PLAN

DORAL CULTURAL PAVILION AT TRIANGLE PARK
DORAL, FLORIDA
November 9, 2011

