



To: Mario Garcia-Serra

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "CL", is written over the name "Craig E. Leen".

RE: Legal Opinion Regarding 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination

Date: June 10, 2016

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I have considered the matter, reviewed your analysis and the attachments, and met with you as well. Your analysis is consistent with what we discussed at the meeting. I agree with the analysis and view this as a clear scrivener's error that must be corrected.

As mentioned, the Miami-Dade County Property Appraiser's website has the correct legal descriptions, and the draft corrected declaration of restrictive covenant corrects the scrivener's error to be consistent with the Miami-Dade Property Appraiser's information. In such circumstances, the corrected declaration of restrictive covenant should be executed and recorded. The City may then proceed with the building site determination, followed by issuance of the after-the-fact permit, and then closing of the citation.

This opinion, interpretation, and ruling is issued pursuant to section 2-702 of the Zoning Code, as well as sections 2-201(e)(1) and (8) of the City Code.

May 27, 2016

**VIA ELECTRONIC MAIL**

Craig E. Leen, Esq.  
City Attorney  
City of Coral Gables  
405 Biltmore Way  
2nd Floor  
Coral Gables, Florida 33134

**Re: 3901 Alhambra Circle / Request for Correction of Declaration of Restrictive Covenant and Confirmation of Two Separate Building Sites**

Dear Mr. Leen:

As we discussed at our meeting on May 19<sup>th</sup>, I am requesting your written confirmation of the conclusion reached at that meeting that the Declaration of Restrictive Covenant dated October 21, 1975 and recorded at Book 9134, Page 1628 of the Public Records of Miami-Dade County (the "Covenant"), attached as **Exhibit A**, which encumbers Lots 1, 2, 23, and 24 of Block 54 of the Revised Plat of Coral Gables Country Club Section, Part 4 (the "Property")<sup>1</sup>, should be amended so as to correctly reflect the legal description of each building site the Covenant originally intended to create and recognize.

The intent of the Covenant, as evidenced by the permit history and Property Appraiser records was to establish two building sites with the northern building site composed of Lots 1, 2, and the north 22 feet of Lot 24 (hereinafter, the "Northern Building Site") and the southern building site composed of Lot 23 and 24 less the north 22 feet (hereinafter, the "Southern Building Site"). Unfortunately, the Covenant as originally drafted, had numerous errors. As written, Lots 1, 2, and 23 are designated as a single building site, while Lot 24 is designated as its own building site. As you can see from the survey of the Property, attached as **Exhibit B**, Lots 1 and 2 are not contiguous to Lot 23 so it is obvious that this is a scrivener's error since it would make no practical sense and would violate applicable City regulations to have a building site composed of non-contiguous lots. More subtle, but evident after the review of the permit history and property appraiser history provided below, is the omission of the north 22 feet of Lot 24 as part of the Northern Building Site.

The permit history for this Property demonstrates that the intent of the Covenant was to separate the Property into the Northern Building Site and the Southern Building Site. Permit plans from 1950 through 1962, attached as **Exhibit C**, document a single building site as Lots 1, 2, 23 and 24. In 1972, permit plans, attached as **Exhibit D**, graphically depict a building site with a 142-foot frontage along Alhambra Circle. The corresponding legal description for this building

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<sup>1</sup> All lots referenced within this letter are part of Block 54, of the Revised Plat of Coral Gables Country Club Section, Part 4, according to the Plat thereof as recorded in Plat Book 10, Page 57, of the Public Records of Miami-Dade County, Florida.

would only total 120 feet of frontage. To account for the additional 22 feet depicted, the legal description should have included the northern 22 feet of Lot 24. In September of 1975, the legal description on a permit application, attached as **Exhibit E**, reads “Lots 1, 2, 23, 24” but the number 24 is crossed out leaving “Lots 1, 2, 23.” The corresponding graphic depiction, however, clearly does not identify Lots 1, 2, and 23 (the last of which is not contiguous to the first two) as a single building site. The depiction even includes what looks like a hand-drawn line between Lots 23 and 24. Clearly, these plans were altered by hand at the “last minute” to revise the legal description by crossing out Lot 24 and to partition the building site on the graphic depiction such that Lot 23 would be separate. Likely, this was an effort to be consistent with the 1972 depiction, but it failed in that it did not include Lot 24 less the north 22 feet in the Southern Building Site, as depicted in the 1972 plans. Subsequently, in October of 1975, the Covenant was drafted to be consistent with the 1975 plans and the mistake of including a non-contiguous Lot was carried over to the Covenant, as well as the mistake of excluding the north 22 feet of Lot 24 in the Northern Building Site (and thus excluding Lot 24 less the north 22 feet in the Southern Building Site).

Consistent with the analysis of the permit history set forth above, the Miami-Dade County Property Appraiser’s records reflect that the Northern Building Site is composed of Lots 1, 2, and the north 22 feet of Lot 24, while the Southern Building Site is composed of Lot 23 and Lot 24 less the northern 22 feet of Lot 24. The earliest Property Appraiser records available were those from 1979, attached at **Exhibit F**, which indicate that Lot 23 and Lot 24 less the north 22 feet was established as a single building site since at least that date, which is just a few years subsequent to the date of the Covenant. Likewise, the Property Appraiser records at present, attached at **Exhibit G**, reflect the same division of the Northern Building Site and the Southern Building Site.

Based on the permit history and the Property Appraiser’s records for the Property, the Covenant clearly intended to include Lots 1, 2, and the northern 22 feet of Lot 24 as the Northern Building Site and Lots 23 and 24 less the northern 22 feet of Lot 24 as the Southern Building Site. Please confirm your agreement with our interpretation of the intent of the Covenant and review the draft instrument modifying and correcting the Covenant so as to reflect the original intent of the Covenant, attached as **Exhibit H**, and advise if you have any comments. Once the Covenant has been corrected and recorded in the public records, the pending application for a building site determination may then be finalized consistent with the corrected covenant and your determination. If you would like to discuss this request further, please contact me at 305-376-6061. Thank you for your attention to this matter.

Sincerely,



Mario Garcia-Serra

cc: Mr. Ramon Trias, Planning and Zoning Director  
Ms. Elizabeth Gonzalez, Zoning Tech Lead

# Exhibit A

75R219850

75 OCT 23 PM 3:13

RE 9134 #1628

DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned, SAMUEL A. GRAY, and MARILYN GRAY, his wife, are the owners of the fee simple title to the following described property situated in the City of Coral Gables, Florida:

1. Lots 1, 2, and 23, Block 54, REVISED PLAT OF CORAL GABLES COUNTRY CLUB SECTION, PART 4, according to the plat thereof recorded in Plat Book 10, Page 57 of the Public Records of Dade County, Florida.
2. Lot 24, Block 54, REVISED PLAT OF CORAL GABLES COUNTRY CLUB SECTION, PART 4, according to the Plat thereof as recorded in Plat Book 10, Page 57, of the Public Records of Dade County, Florida.

and it is the desire of the undersigned to utilize the above described parcels of property, on the basis of the first described parcel being used for one building site only, and the second above described parcel being used for only one building site.

NOW THEREFORE, in consideration of the premises and of the issuance by the City of Coral Gables of a building permit for division of the subject property into two (2) building sites, the undersigned, SAMUEL A. GRAY, and MARILYN GRAY, His wife, do hereby declare and agree as follows:

1. Lots 1, 2, and 23, Block 54, REVISED PLAT OF CORAL GABLES COUNTRY CLUB SECTION, PART 4, shall be used as one building site only, and
2. Lot 24, Block 54, REVISED PLAT OF CORAL GABLES COUNTRY CLUB SECTION, PART 4, shall be used as one building site only.

*Charles J. Buzzard*  
 Witness  
*John Montgomery*  
 Witness

*Samuel A. Gray*  
 SAMUEL A. GRAY  
*Marilyn Gray*  
 MARILYN GRAY

- 1 -

THIS INSTRUMENT PREPARED BY:  
HARRY G. WAGNER  
3020 S.W. 102 Place  
Miami, Florida 33166

*Bill*

9134 1629

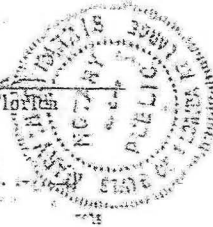
STATE OF FLORIDA )  
                          ) ss.  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, SAMUEL A. GRAY and MARILYN GRAY, his wife, to me well known to be the persons described in and who executed the same freely and voluntarily for the purpose therein expressed.

WITNESS my hand and official seal at Coral Gables, Dade County, Florida, this 21 day of October, 1975.

*[Signature]*  
Notary Public, State of Florida

My commission expires:

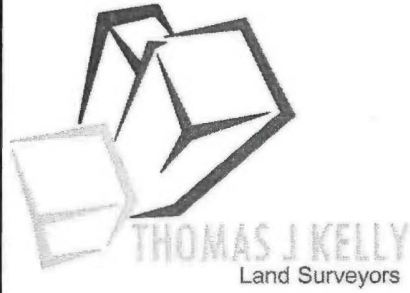


APPROVED AS TO FORM

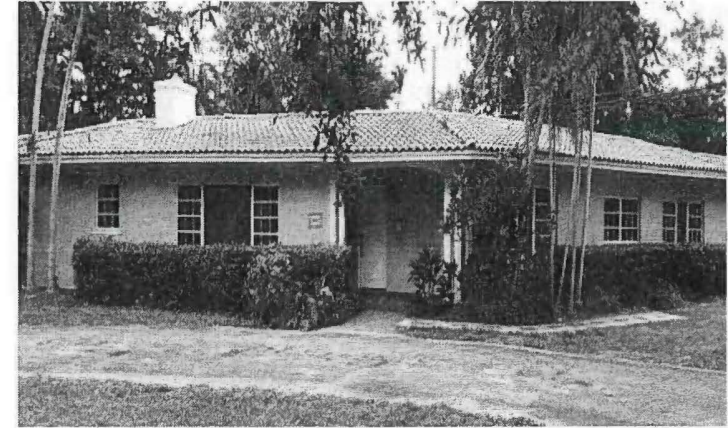
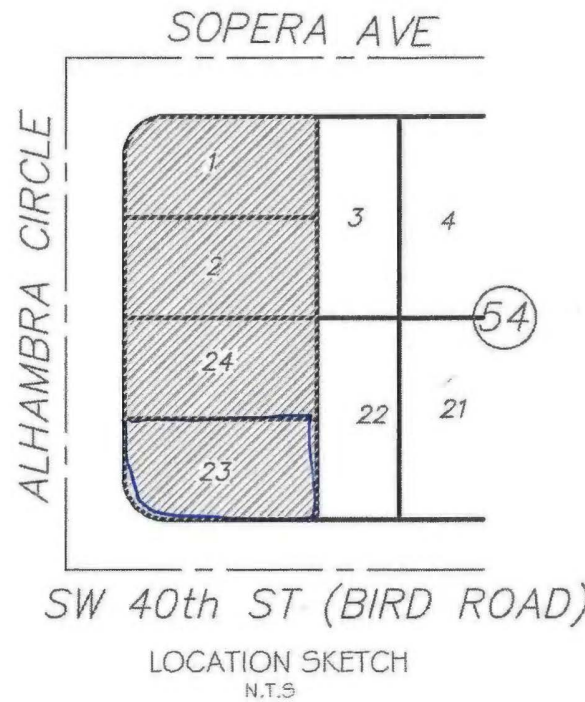
*[Signature]* 10-21-75  
City Clerk

SEAL OF THE CITY CLERK OF DADE COUNTY, FLORIDA  
RICHARD P. BRINARD  
CITY CLERK

# Exhibit B



# BOUNDARY SURVEY



VIEW OF SUBJECT PROPERTY

**CERTIFY TO:**  
C.I.M. TRINITY GROUP, LLC.

**LEGAL DESCRIPTION:**

LOT: 1, 2, 23 AND 24  
BLOCK: 54  
SUBDIVISION: CORAL GABLES CLUB SECTION FOUR  
ACCORDING TO THE PLAT THEREOF AS RECORDED IN  
PLAT BOOK: 10 PAGE: 57  
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

**PROPERTY ADDRESS:**  
3901 ALHAMBRA # VACANT LOT  
CORAL GABLES, FLORIDA 33134

8127 SW 120 ST, PINECREST, FL 33156  
TEL: (786) 242-7692 DADE, (954) 779-3268 BRWD  
FAX: (786) 242-6494 DADE, (954) 779-3260 BRWD  
E-MAIL: tjksurveyors@gmail.com

THOMAS J. KELLY  
SURVEYORS-MAPPERS  
LAND PLANNERS

BOUNDARY SURVEY

- Notes:**
- A) All Clearances and / or encroachments shown hereon are of apparent nature. Fence ownership by visual means. Legal ownership of fences not determined.
  - B) This survey is intended for mortgage or refinance purposes only exclusively for this use by those to whom it is certified. This survey is not to be used for construction, permitting, design, or any other use without written consent of Thomas J. Kelly Inc.
  - C) Code restriction and title search are not reflected on this survey.
  - D) The flood information shown hereon does not imply that the referenced property will or will not be free from flooding or damage and does not create liability on the part of the firm, any officer or employee thereof for any damage that results from reliance on said information.
  - E) The lands depicted hereon were surveyed per the legal description and no claims as to ownership or matters of title are made or implied.
  - F) Underground Encroachments, if any, not located.
  - G) I hereby certify that the survey represented hereon meets the minimum technical standards set forth by the Board of Land Surveyors in Chapter 5J-17.050 to 17.052 Florida Administrative Code pursuant to Section 472.027 Fla. Statutes.
  - H) If shown, bearings are to an assumed meridian (by plat)
  - I) If shown, elevations are referred to N.G.V.D. 1929
  - J) This is a boundary survey

TREE TABLE: VACANT LOT

No.	NAME	DIAMETER	HEIGHT	FOLIAGE	No.	NAME	DIAMETER	HEIGHT	FOLIAGE
7	UNKNOWN	1.0	20	14	20	UNKNOWN	1.0	25	10
2	UNKNOWN	1.5	20	14	21	ARECA CLUSTER	4.0	20	12
3	OAK	2.0	32	20	22	ARECA CLUSTER	4.0	20	12
4	PINE	2.0	50	20	23	PINE	2.0	50	20
5	ARECA CLUSTER	4.0	20	12	24	UNKNOWN	1.0	15	10
6	PINE	3.0	80	40	25	PINE	2.0	50	20
7	ARECA CLUSTER	2.0	15	12	26	ARECA CLUSTER	4.0	20	12
9	ARECA CLUSTER	2.0	15	10	27	UMBRELLA	3.0	30	20
10	ARECA CLUSTER	2.0	15	10	28	PINE	3.0	50	20
11	PALM	1.0	20	10	29	UMBRELLA	1.3	20	12
12	UMBRELLA	1.5	25	20	30	UMBRELLA			
13	UMBRELLA	1.5	25	20	31	UMBRELLA	3.0	30	20
14	UMBRELLA	1.0	20	18	32	UMBRELLA	2.0	30	20
15	PINE	1.5	50	18	33	UMBRELLA	4.0	40	30
16	PINE	1.5	50	18	34	ARECA CLUSTER	4.0	20	12
17	PINE	1.5	50	18	35	UMBRELLA	3.0	40	36
18	ARECA CLUSTER	6.0	20	10	36	SEA GRAPES	3.0	40	34
19	OAK	3.0	45	10	37	UMBRELLA	4.0	40	32
					38	ROYAL PALM	0.5	24	10

TREE TABLE: LOT WITH RESIDENCE

NUMBER	TREE	DIAMETER	HEIGHT	CANOPY
1	SEA GRAPE	1.5	40	30
2	OAK	1.5	24	16
3	OAK	2	40	30
4	OAK	4	50	40
5	PALM	0.7	25	8
6	PALM	0.7	25	8
7	PALM	0.7	25	8
8	PALM	1	20	8
9	UMBRELLA PALM	0.8	20	12
10	PALM	0.7	20	12
11	PALM	0.7	20	12
12	PALMA CANA	1.3	8	8
13	PALM	1	20	12
14	PALM	1	20	12
15	PALM	1	30	12
16	PALM	1	30	12
17	PALM	1.3	30	12
18	CLUSTER OF PALMS	0.5	20	12
19	OAK	1	20	20
20	OAK	1	20	20
21	OAK	1	20	20
22	GUMBO LIMBO	1.6	35	25
23	ARECA	3	30	10
24	ARECA	2	20	8

**FLOOD ZONE INFORMATION:**

THE NFIP FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE SITUATED IN:  
FLOOD ZONE: X  
PANEL NO: 456/L  
COMMUNITY NO: 120639  
DATE OF FIRM: 09/11/2009  
THE SUBJECT PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA

**LEGEND OF SURVEY ABBREVIATIONS**

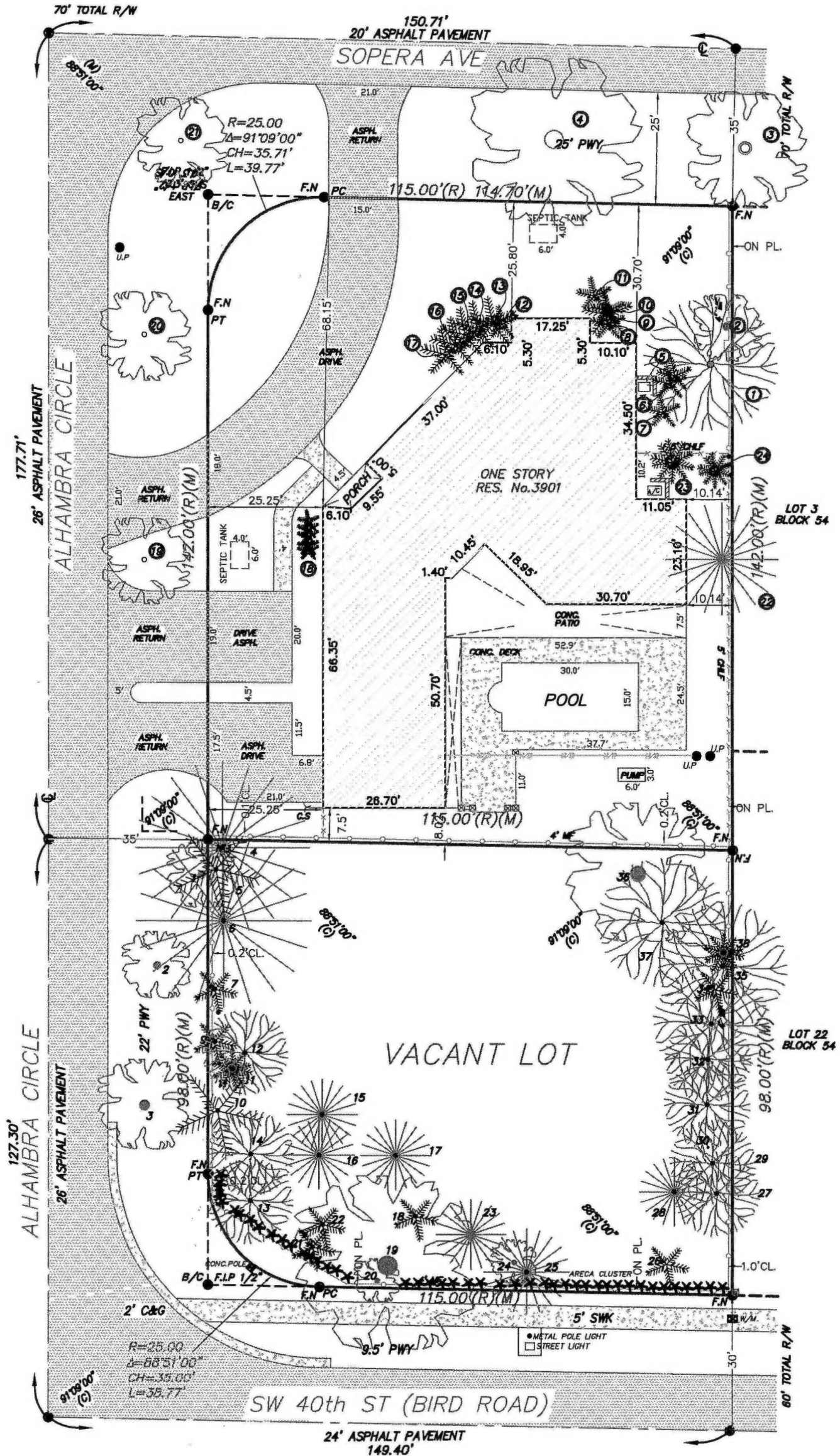
ADJ. ADJACENT	(M) MEASURED
A/C AIR CONDITIONER	N NORTH
ASPL PAV. ASPHALT PAVEMENT	N/D NAIL AND DISC
B/C BLOCK CORNER	N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
BLDG. BUILDING	N.T.S. NOT TO SCALE
BLK. BLOCK	O/H OVER HANG
B.M. BENCH MARK	O.R.B. OFFICIAL RECORD BOOK
B.C.R. BROWARD COUNTY RECORD	O.U.L. OVERHEAD UTILITY LINE
C/G CURB AND GUTTER	(P) PLAT
C.B. CATCH BASIN	P.B. PLAT BOOK
CH. CHORD DISTANCE	P.C. POINT OF CURVATURE
CH.F. CHAIN LINK FENCE	P.C.C. POINT OF COMPOUND CURVATURE
CL.P. COMB-LIGHT POLE	P.C.P. PERMANENT CONTROL POINT
C/L CENTER LINE	PG. PAGE
(C) CALCULATED	P.I. Point of Intersection
C.B.S. CONCRETE BLOCK AND STUCCO	(R) RECORD
CL. CLEAR	RE-BAR REINFORCEMENT BAR
C.M.E. CANAL MAINTENANCE EASEMENT	(R/M) RECORD AND MEASURED
CONC. CONCRETE	RES. RESIDENCE
COR. CORNER	R/W RIGHT-OF-WAY
CT. COURT	S. SOUTH
D.B. DEED BOOK	SEC. SECTION
D.C.R. DADE COUNTY RECORD	S.I.P. SET IRON PIPE
D.E. DRAINAGE EASEMENT	SW. SIDEWALK
D/H DRILL HOLE	(TYP.) TYPICAL
D/W DRIVEWAY	TER. TERRACE
E. EAST	U.E. UTILITY EASEMENT
ENC. ENCROACHMENT	U.P. UTILITY POLE
E.O.W. EDGE OF WATER	W.F. WOOD FENCE
F. FENCE	WM. WATER METER
FD. FOUND	W. WEST
F.D. IP. FOUND IRON PIPE	11.25 DENOTES ELEVATION
F.F.ELEV. FINISH FLOOR ELEVATION	
F.P.L. FLORIDA POWER AND LIGHT CO.	
L. LENGTH	
L.M.E. LAKE MAINTENANCE EASEMENT	
M.E. MAINTENANCE EASEMENT	
M.F. METAL FENCE	
M.H.S.S. MANHOLE SANITARY SENER	
M/L MONUMENT LINE	

03/23/2016 REV. 04/05/2016  
JOSE A. PEREA, P.S & M # 4858  
STATE OF FLORIDA  
NOT VALID UNLESS IMPRINTED WITH EMBOSSED SURVEYOR'S SEAL

SEE SHEET 2 FOR SURVEY DETAIL

DATE 03/23/16  
SCALE N/A  
DRAWN BY R.R.R.  
ORDER NO. 16-0498  
SHEET 1 of 2





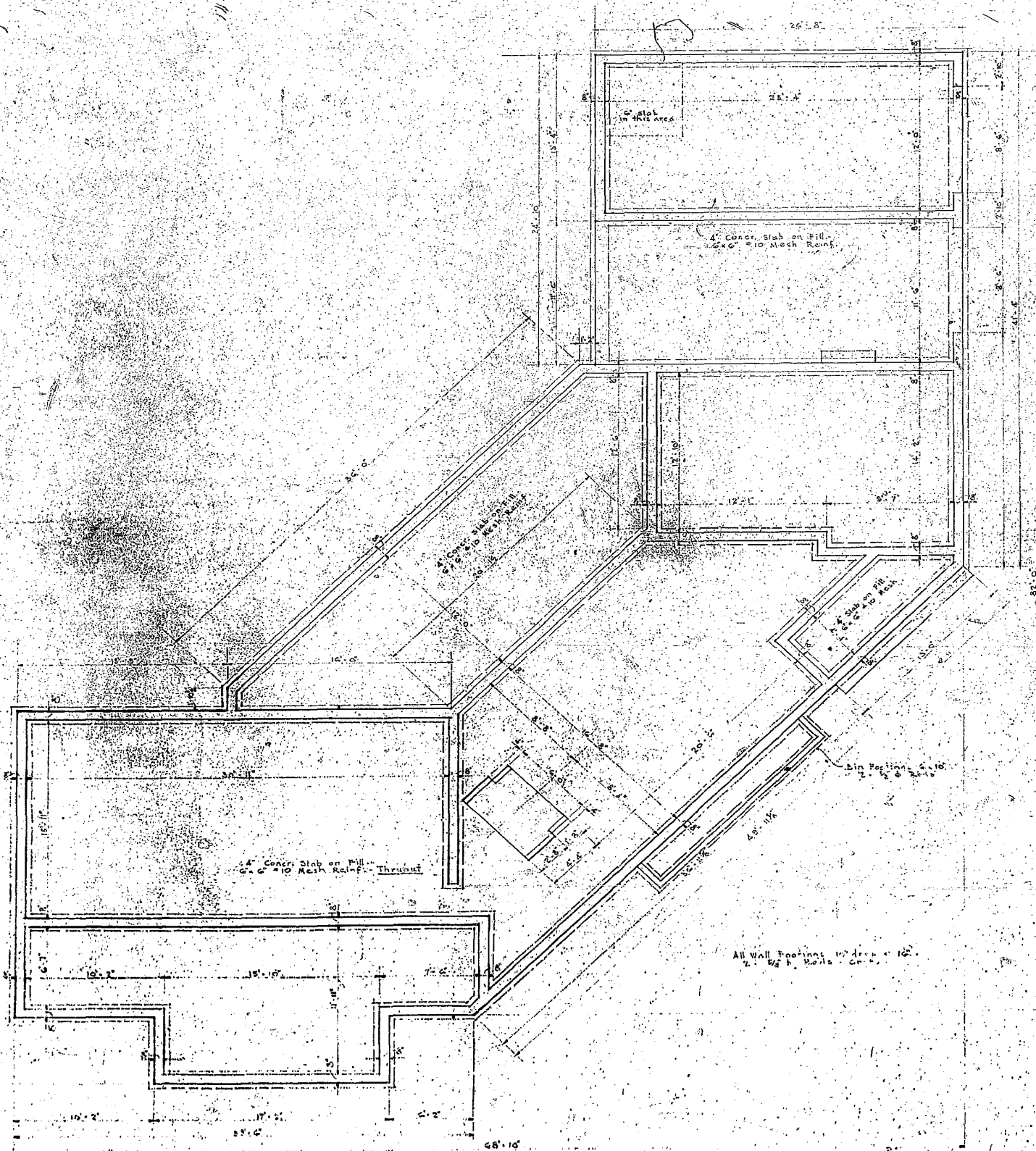
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SHEET	2
DRAWN BY	R.R.R.

BOUNDARY SURVEY

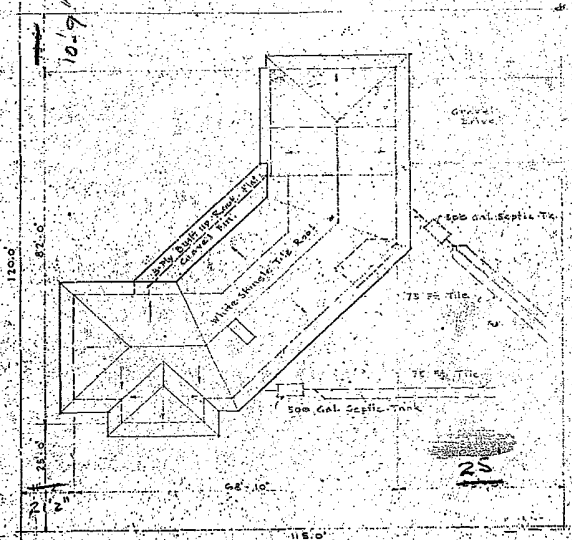
THOMAS J. KELLY  
SURVEYORS-MAPPERS  
LAND PLANNERS

L.B. # 8077  
6127 SW 120 ST, PINECREST, FLORIDA 33156  
TEL:(786) 242-7692 DADE, (954) 779-3268 BRWD  
FAX:(786) 242-6494 DADE, (954) 779-3260 BRWD  
E-MAIL: tjksurveys@gmail.com

# Exhibit C

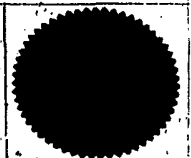


FOUNDATION PLAN  
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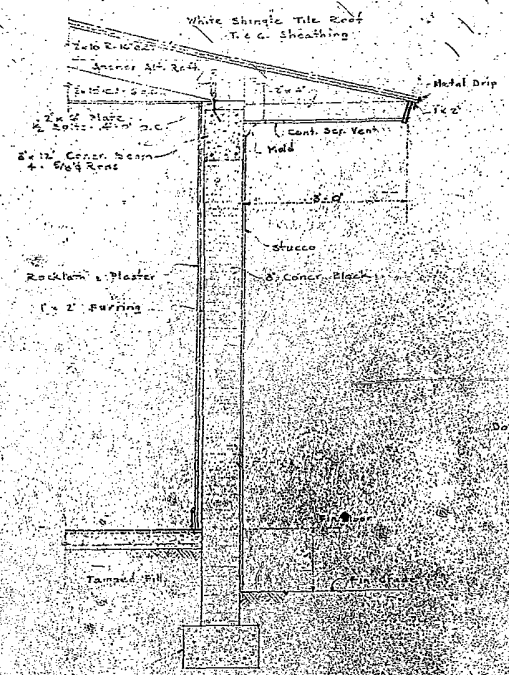
ROOF & PLOT PLAN  
Scale: 1/2" = 1'-0"

RESIDENCE FOR  
T. H. WISSELL - CONSTRUCTION  
1000 GAL. SEPTIC TANK  
75 PS. TILE  
1000 GAL. SEPTIC TANK  
PLAN

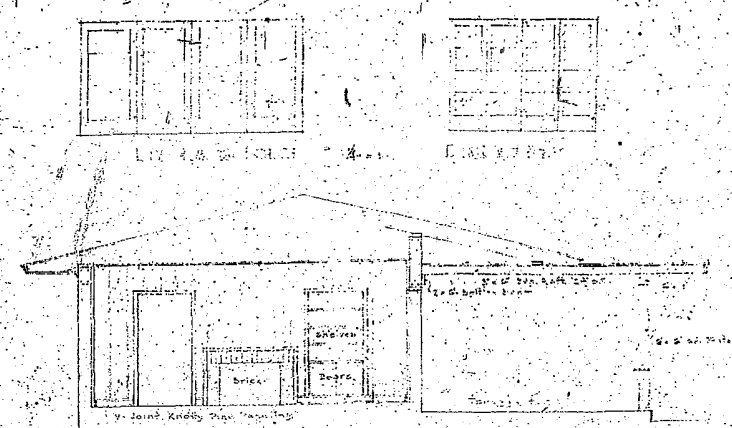
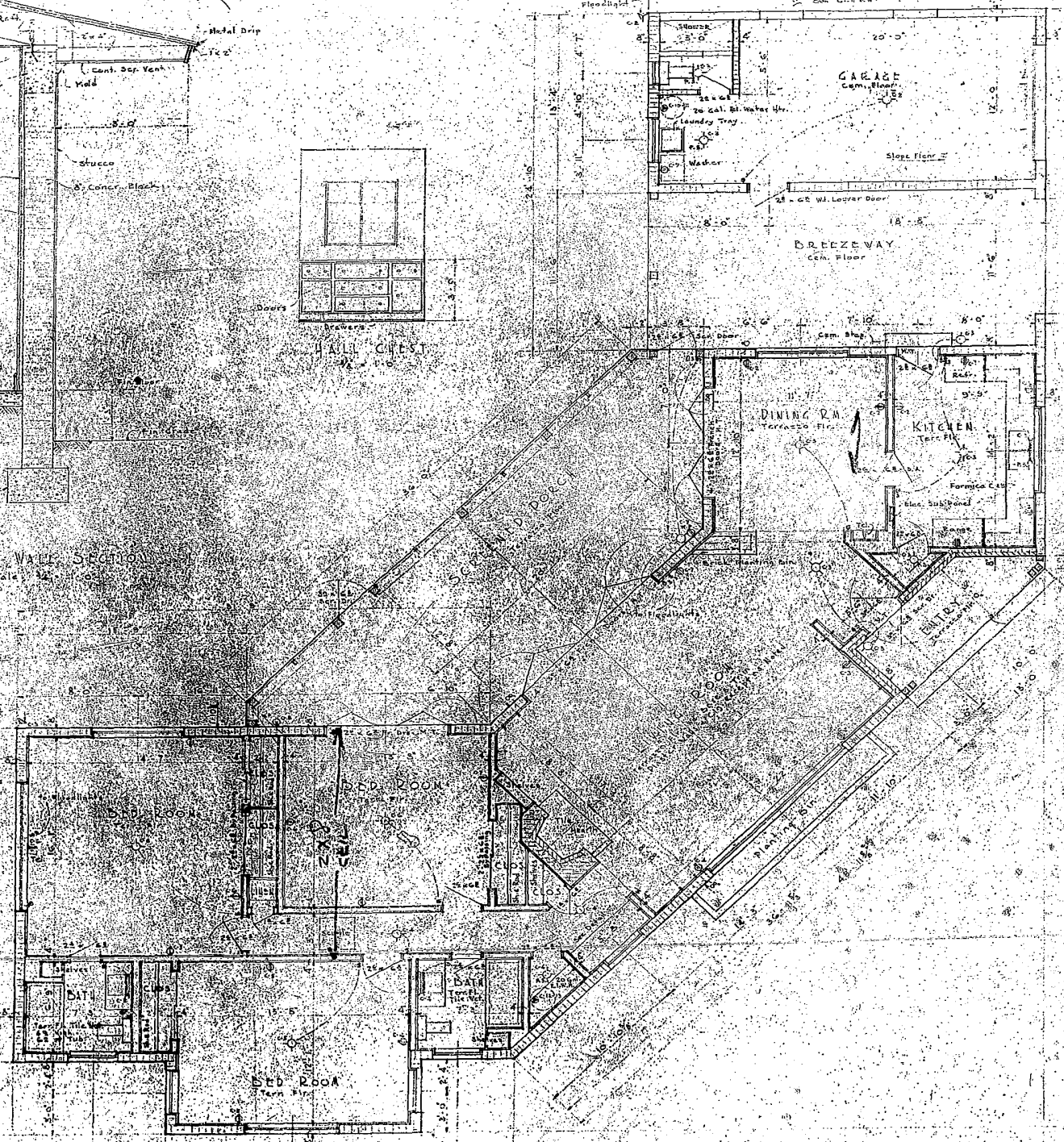


9489

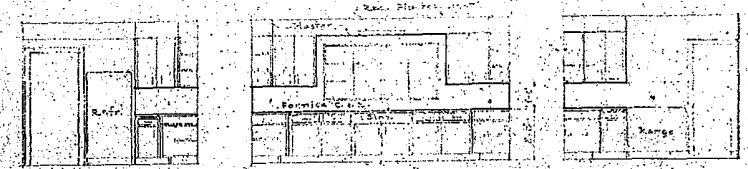
1950



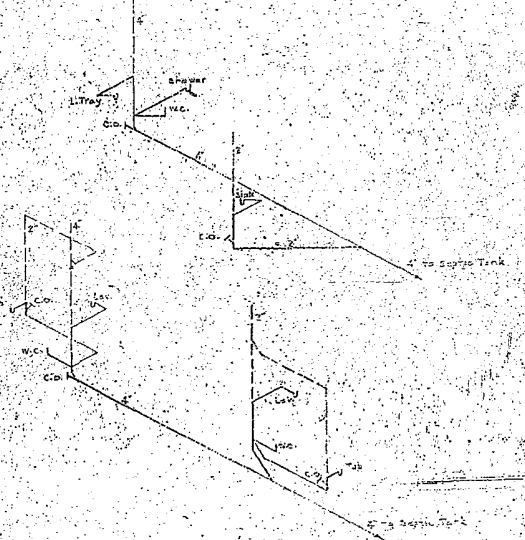
TYPICAL WALL SECTION  
Scale: 1/2" = 1'-0"



SECT. TERR. L. R. PORCH  
Scale: 1/2" = 1'-0"



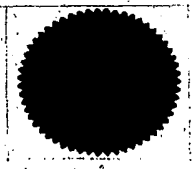
KITCHEN ELEV.  
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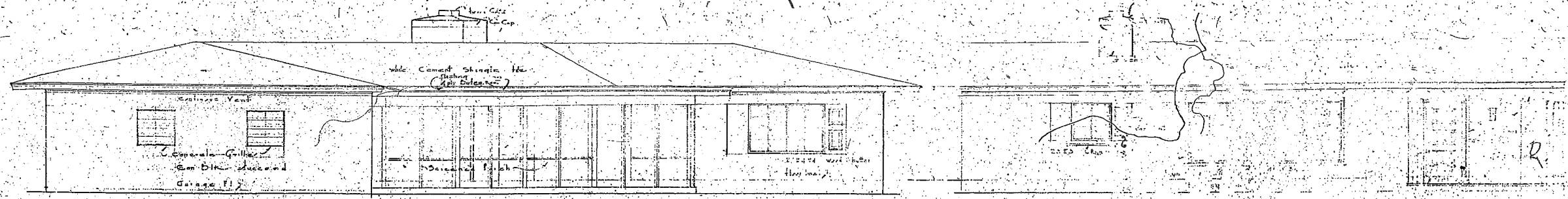
Electrical Notes

- Service - 3.5" 100 Amp. wires in 1 1/2" conduit
- Runns - 2-4-6
- Circuits - 1-2-3, 10-11-12, 13-14, 15-16
- 14 Circuit Switch Panel
- Check location of Panel

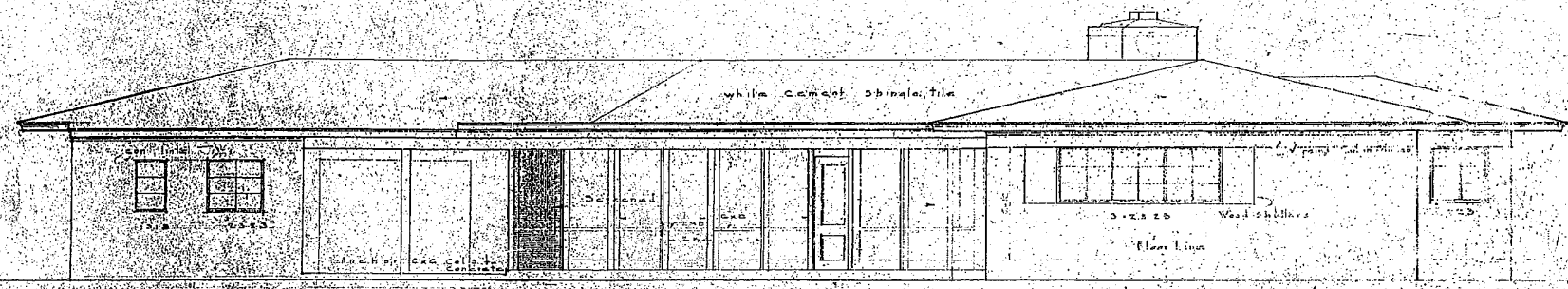
RESIDENCE FOR  
THE WELLS CONTRACTING CO.  
LOTS 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200



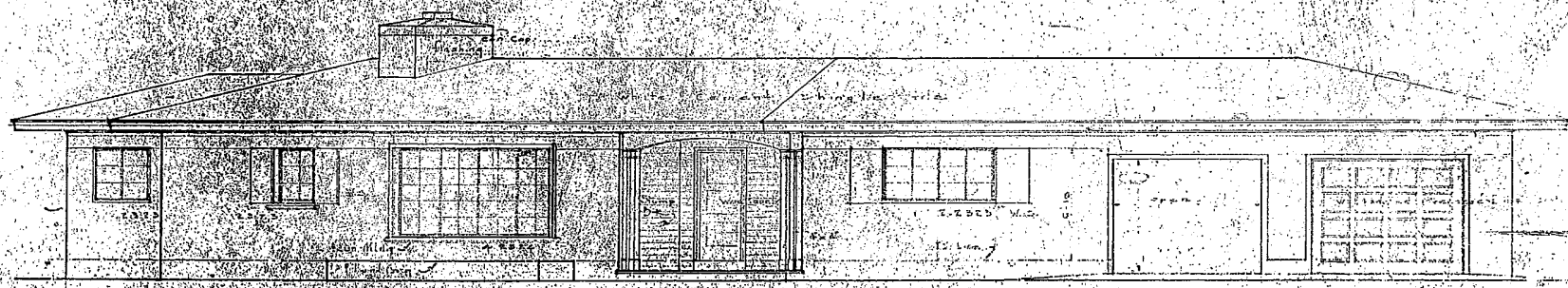
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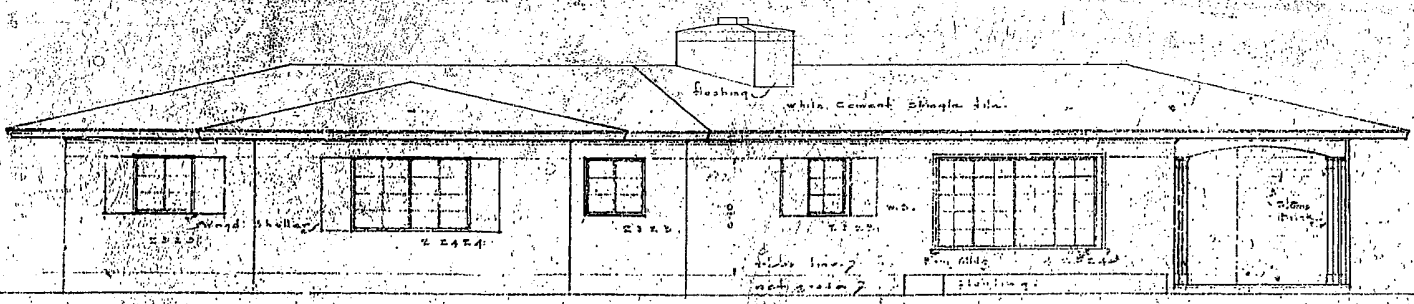
SOUTH ELEVATION



EAST ELEVATION



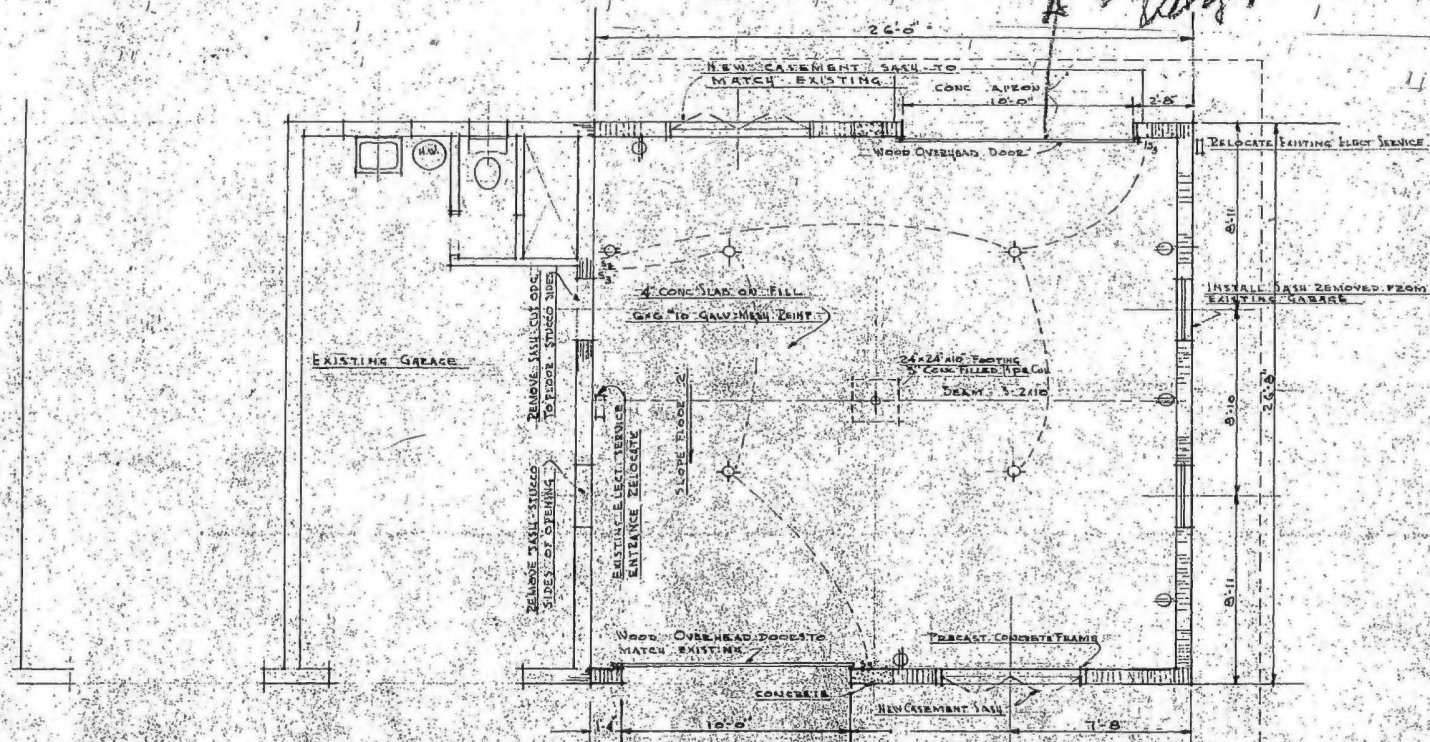
NORTH ELEVATION



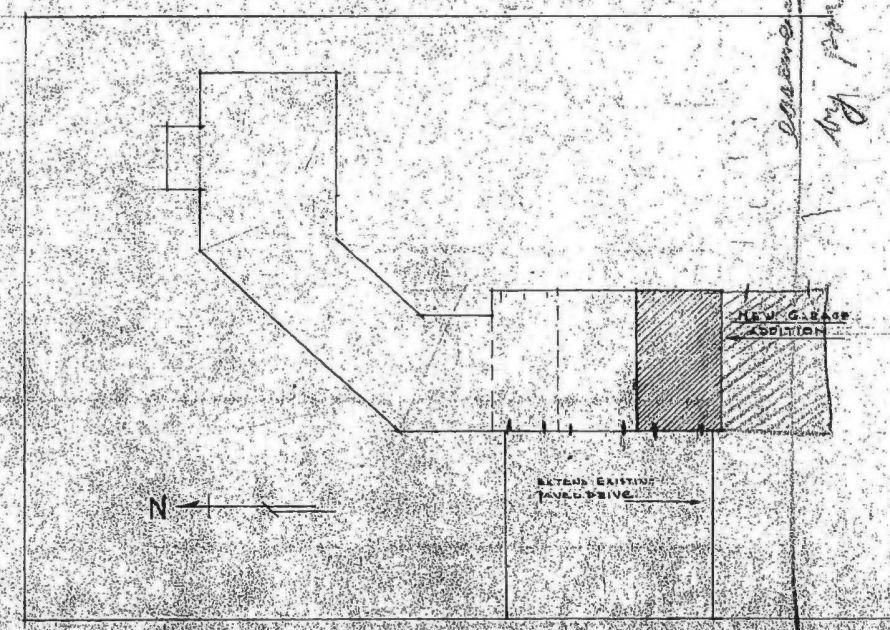
WEST ELEVATION

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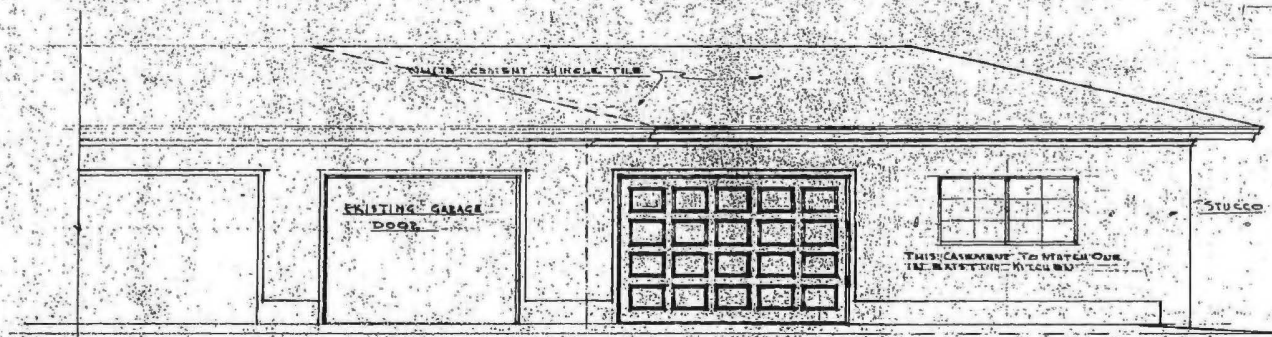




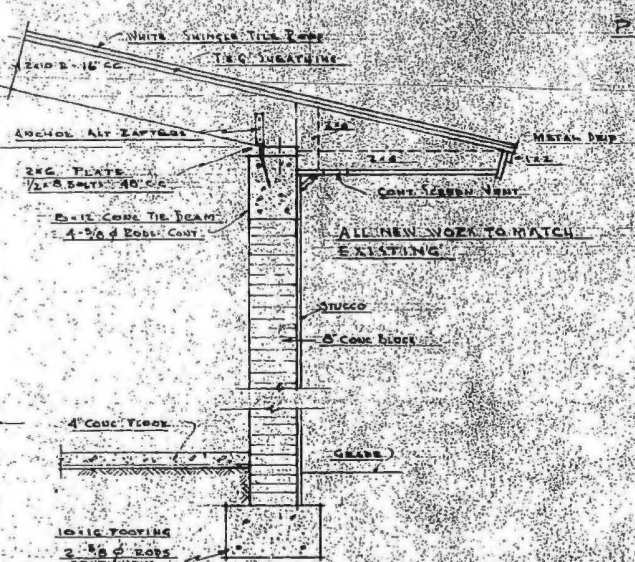
FLOOR PLAN  
SCALE 1/4" = 1'-0"



PLOT PLAN  
SCALE 1" = 30'



FRONT ELEVATION  
SCALE 1/4" = 1'-0"

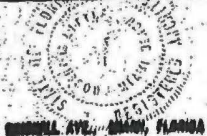


TYPICAL WALL SECTION  
SCALE 3/8" = 1'-0"

Country Club Sec 4  
Lots 1 & 2  
Sub 23-24  
BL 5-56

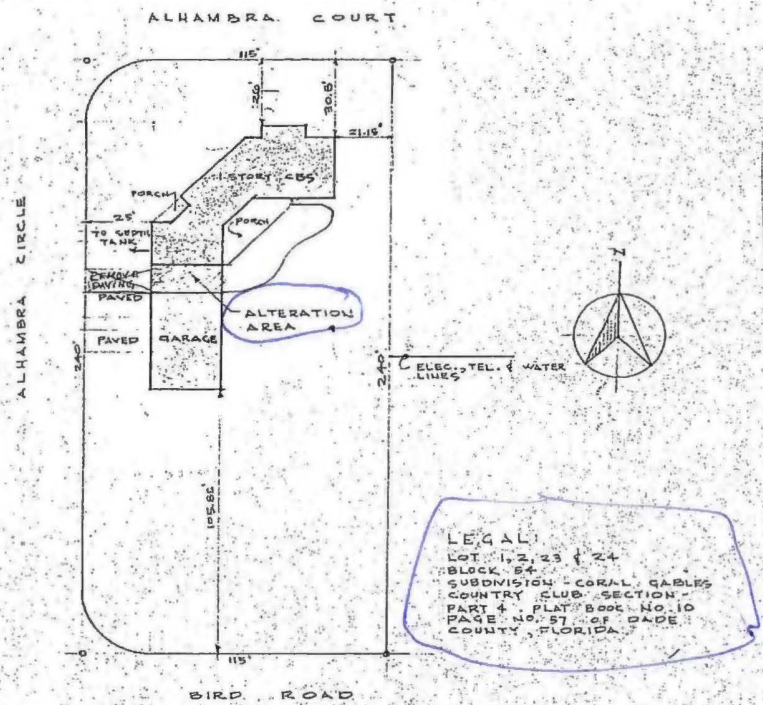
NAME W.L. Philbrick  
LEGAL  
ADDITION TO RESIDENCE  
ALHAMBRA CIRCLE AT  
SOPERA AVE  
CORAL GABLES, FLA.  
3901 ALHAMBRA CIRCLE

OWN. NO. 56-19  
DATE NOV 25 1955  
SCALE AS NOTED  
DRAWN BY WFM



ARCHITECT ROBERT H. LITTLE, A. L. A. 2100 CORNELL AVE., MIAMI, FLORIDA

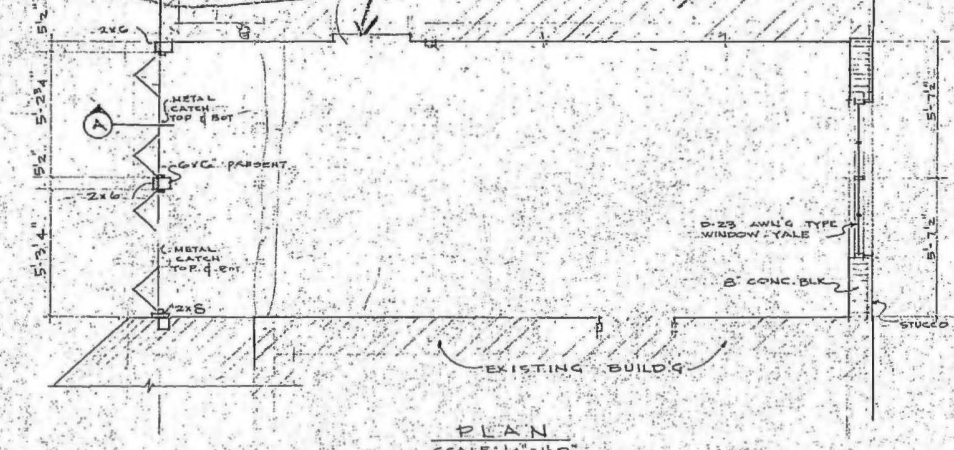
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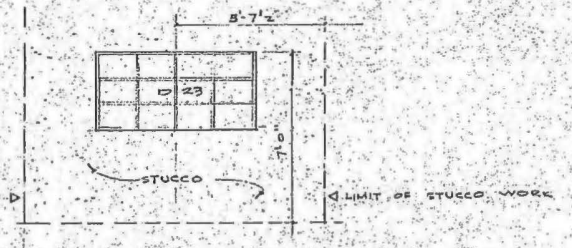
**SITE PLAN**  
SCALE: 1" = 40'

LEGAL  
LOT 1, 2, 23 & 24  
BLOCK 54  
SUBDIVISION - CORAL GABLES  
COUNTRY CLUB SECTION -  
PART 4 PLAT BOOK NO. 10  
PAGE NO. 57 OF 64 DE  
COUNTY, FLORIDA

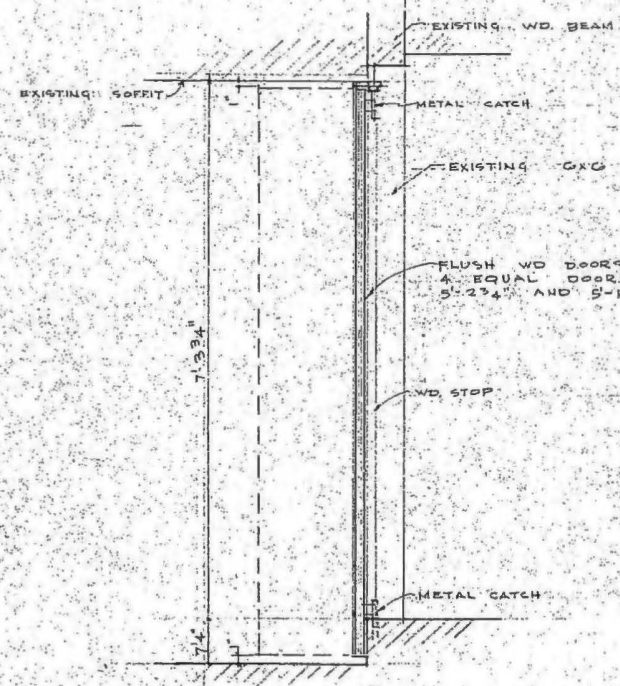
METAL CLAD DOOR  
REQ'D ON garage side  
ANTE ROOM REQ'D  
BETWEEN GARAGE & NEW ROOM



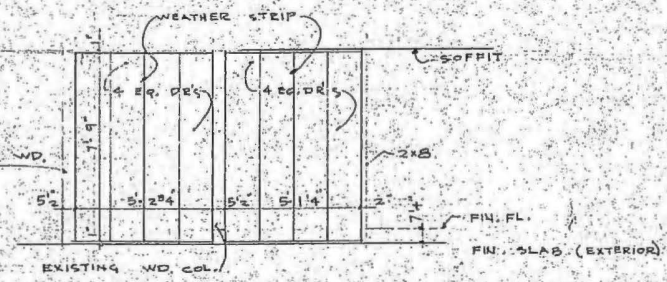
**PLAN**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION**  
SCALE: 1/2" = 1'-0"



**SECTION A**  
SCALE: 3/4" = 1'-0"



**EAST ELEVATION (EXTERIOR)**  
SCALE: 1/4" = 1'-0"

OWNER  
PHILBRICK RESIDENCE ALTERATION  
3901 ALHAMBRA CIRCLE C.C., FLA.

ARCHITECT  
ROBERT M. LITTLE, F.A.I.A. 2180 BRICKELL AVE., MIAMI, FLORIDA

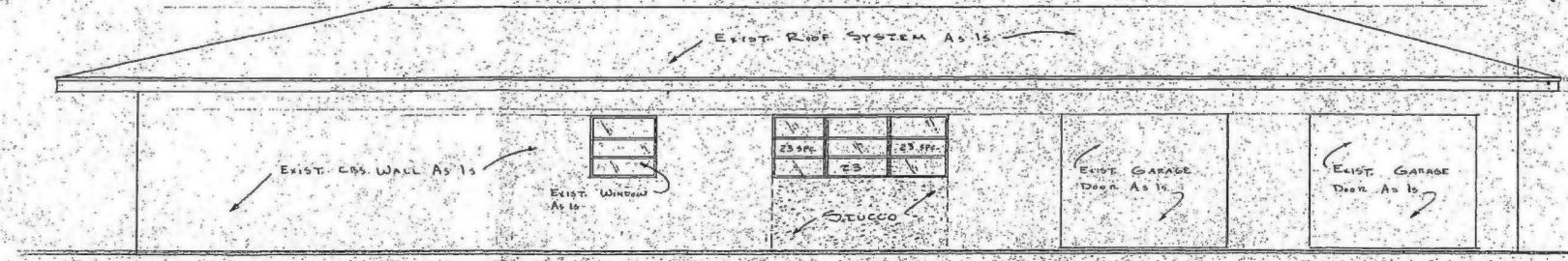
COMM. NO. 62-11  
DATE APRIL 11, 1962  
SCALE AS SHOWN  
DRAWN BY DJ

17453

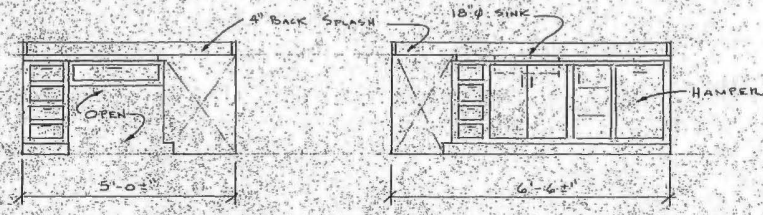
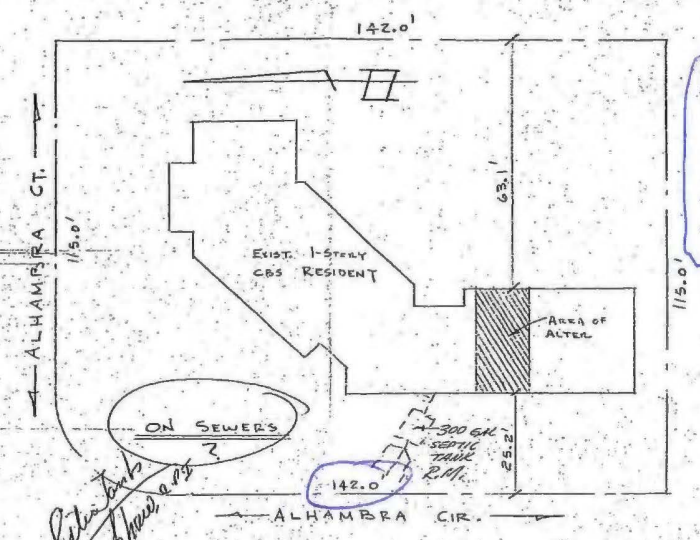
# Exhibit D



LOT 1 & 2 Block 54  
 CORAL GABLES SEC. PART 4  
 PLAT BOOK 10 PAGE 57  
 DADE CO. FLORIDA  
**COUNTRY CLUB**  
 PLOT PLAN 1"=20'



W. ELEV. 1/4"=1'-0"



VANITY DETAIL SCALE 1/2"=1'

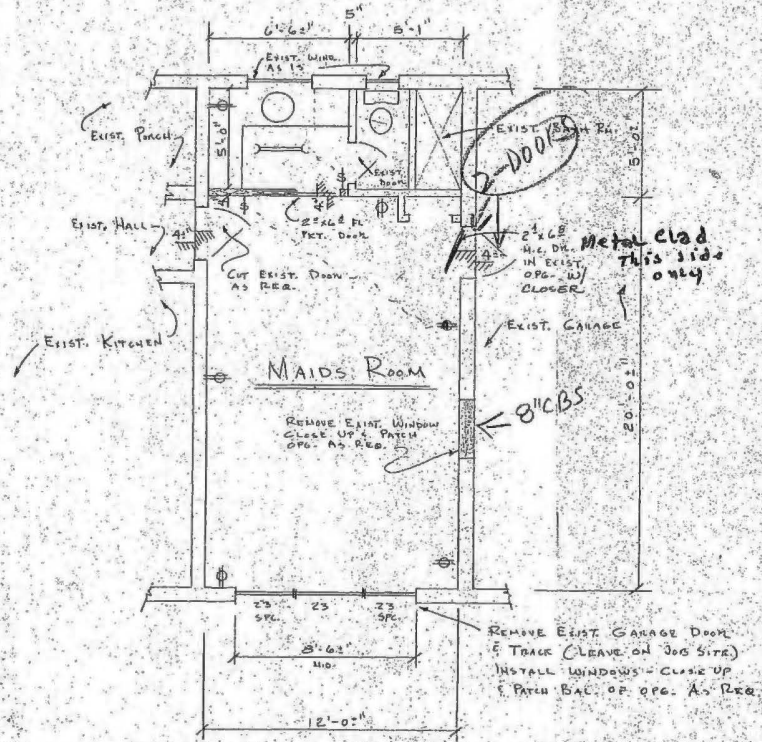
**GEN. NOTES & SPEC'S**

1. ROOF - EXISTING AS IS
2. CEILING - ACOUSTIC TILE @ MAIDS RM. & DRESSING RM. BAL. AS IS
3. EXISTING WALLS - FOR LATH & PLASTER @ MAIDS RM. & DRESSING RM.
4. NEW MASONRY WALLS - STUCCO EXTERIOR, FOR LATH & PLASTER INTERIOR
5. INTERIOR PARTITIONS - LATH & PLASTER
6. FLOOR FINISH - CONCRETE @ MAIDS RM. BAL. EXISTING AS IS
7. WINDOWS - ANHUNG TYPE - NARROW NEAT CLEAR GLASS
8. WINDOW SILL - CERAMIC TILE
9. PAINTING - BY OWNER
10. DEMOLITION - OWNER TO REMOVE ALL OBSTRUCTIONS IN WAY OF NEW CONSTRUCTION
11. RELOCATIONS - OWNER TO RELOCATE EXIST. WASHING MACHINE, DRYER, HOT WATER HEATER, & SINK AS REQUIRED
12. CABINETS - FURNISH & INSTALL FLOPPY MICA FACE VANITY (SEE DETAILS)
13. CERAMIC TILE BATH - 6" HIGH @ SHOWER WALLS - 4" HIGH @ BAL. OF BATH RM. WALLS AND @ SHOWER & BATH RM. FLOOR
14. ELECTRICAL
15. PLUMBING - ALL INCLUSIVE BY OWNER

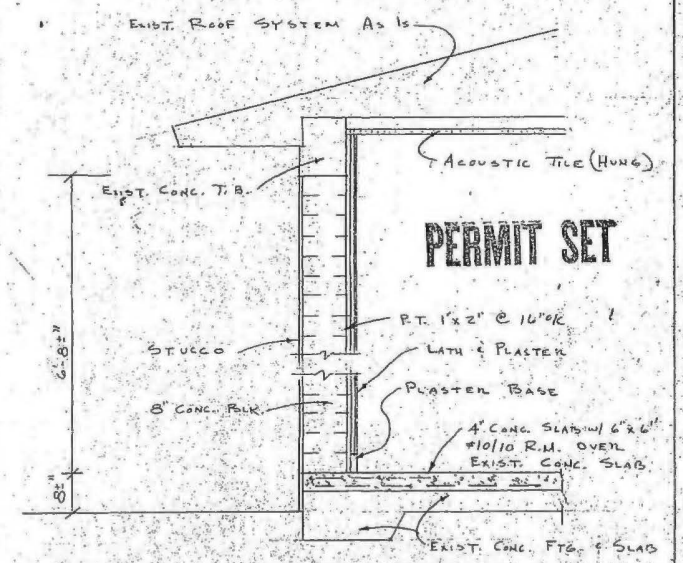
ALL ELECTRICAL ITEMS AS NOTED ON FLOOR PLAN ARE TO BE SERVICED BY EXISTING ELECTRICAL WORK AND SERVICE - NO SERVICE INCREASES OR RELOCATION IS INCLUDED IN WORK CONTAINED HEREIN, UNLESS OTHERWISE SPECIFIED

NOTE: This contract does not include any resodding or landscaping

THE CONTENTS AS NOTED HEREIN REPRESENTS THE ENTIRE CONTRACT AGREEMENT FOR WORK TO BE PERFORMED. ACCEPTED AND APPROVED FOR ALL NOTES - DIMENSIONS - FLOOR PLAN & SPECIFICATIONS AS CONTAINED HEREIN



FL. PLAN 1/4"=1'-0"



TYP. SECT. 3/4"=1'-0"

PERMIT TO: CORAL GABLES  
 PERMIT No. \_\_\_\_\_

Job No. SCHILLER

NO.	DATE	BY	REVISIONS
1			
2			
3			
4			
5			
6			
7			
8			

DATE: 5-12-72  
 DRAWN: RDB  
 CHECKED: [Signature]  
 SHEET: 1 OF 1

SALESMAN	JIM L.	CARL V.	BILL G.	REMARKS
----------	--------	---------	---------	---------

NO STEEL REQUIRED - ROADS MESH FROM WAREHOUSE STOCK

21988-B



THESE PLANS ARE APPROVED  
SUBJECT TO RELOCATION OF  
ANY EXISTING UTILITY  
SERVICES.

The design of this structure shall not be altered in any respect without prior approval of the BOARD OF SUPERVISING ARCHITECTS. A complete set of all Contractors who work on the job must be furnished to the City. All such Contractors must have current occupational licenses in their respective CERTIFICATE OF INSPECTION OR CERTIFICATE OF OCCUPANCY and on hand until the above has been complied with.

"Exposed piping of any type (Plumbing, Electrical etc.) will not be permitted without prior approval of the Board of Architects."

I hereby certify that I have read, understood, and agree to abide by this notice and its terms.  
Owner or Contractor: William B. Johnson

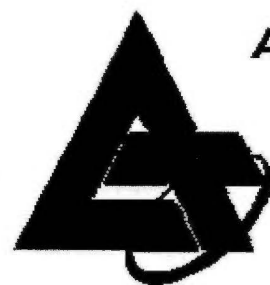
APPROVED

ARCHITECTURAL DESIGN <u>W. H. H. H.</u> <u>S. Glasgow</u>	PLUMBING <u>Little</u>
DATE <u>5/17/72</u>	ELECTRICAL <u>Little</u>
DATE ISSUED <u>June 12, 1972</u>	MECHANICAL <u>Little</u>
<u>3201 Alameda Cr.</u>	STRUCTURAL ENGR. <u>W. C. C.</u>
<u>21988 B</u>	FIRE DEPT.
BUILDING PERMIT ISSUED BY <u>R. S. J. J.</u>	PUBLIC WORKS <u>W. C. C.</u>
BUILDING OFFICIAL	



21988-B

# Exhibit E



**Applied Digital Programming Technologie, Inc.**

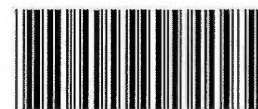
**A Full Document Management Company**

14355 SW 142nd Street Miami, Fl.33186

Tel. (305) 254-7658 Fax (305) 254-5523

Web [www.adpt.net](http://www.adpt.net) e-mail [adpt@bellsouth.net](mailto:adpt@bellsouth.net)

**Starting Set of Images For ICN**



**368519**

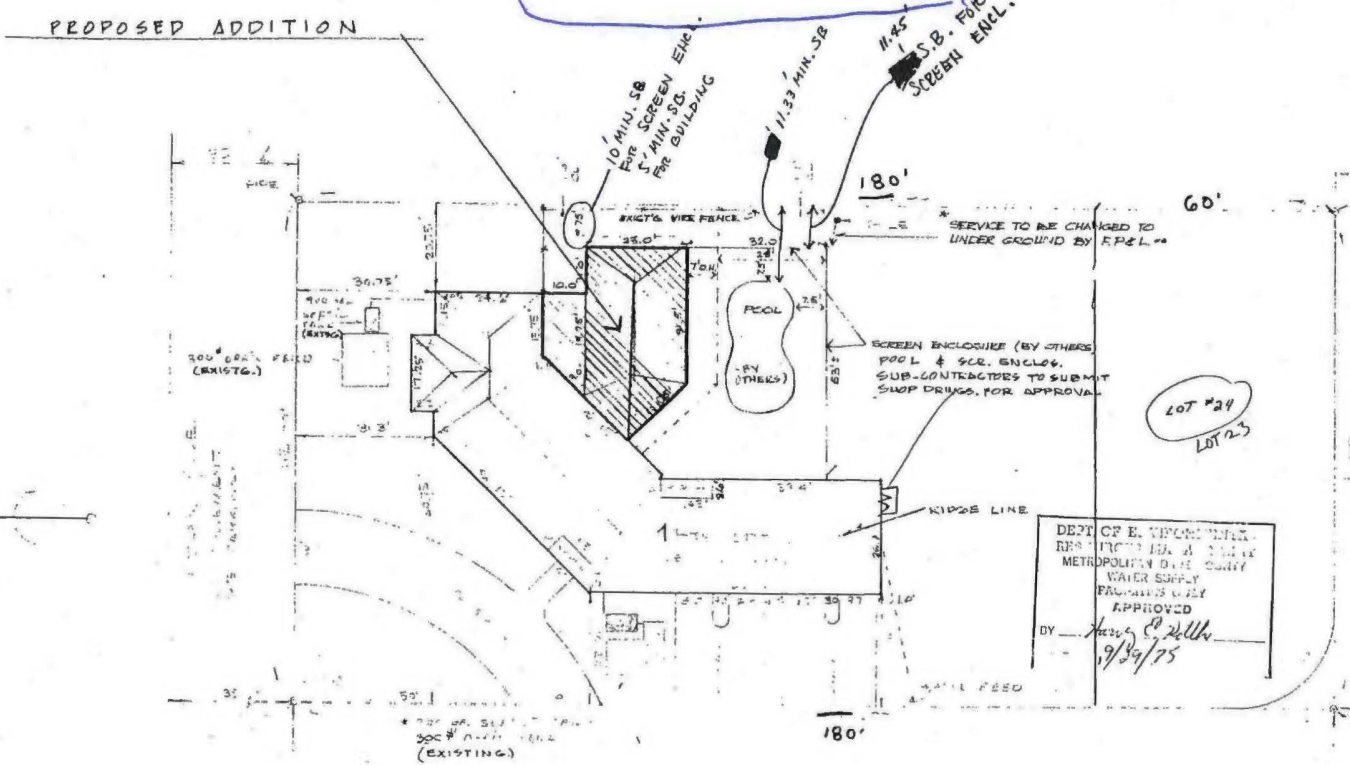
<b>Application No.</b>	<b>Permit No.</b>	<b>Address</b>
<b>0</b>	<b>23787-B</b>	<b>3901 ALHAMBRA CIR.</b>

**QC By : Operator No. 12**

**LEGAL:**  
 LOTS 1, 2, 23  
 BLOCK 34 SECTION: COUNTRY CLUB PART 4  
 PLAT BOOK 10  
 PAGE 57  
 ZONING: R-9

**AREA:**

LOT SIZE	27 600 SF
EXISTING BLDG	3 267 SF
PROPOSED ADDITION	1 028 SF
UNCOVERED	23 305 SF



DEPT OF E. W. V. ...  
 METROPOLITAN DISTRICT ...  
 WATER SUPPLY ...  
 APPROVED  
 BY: *[Signature]*  
 9/30/75

**POLLUTION CONTROL**  
 METROPOLITAN DISTRICT COUNTY  
 SEWER DISPOSAL  
 FACILITIES ONLY  
 APPROVED  
 BY: *[Signature]*  
 DATE: 9-29-75

**SKETCH OF SURVEY  
 AND PLOT PLAN**

SCALE 1" = 20'  
 ALL UTILITY ...  
*[Signature]*

LOWEST FINISHED FLOOR ELEVATION  
 (including finished)  
 X X  
 Note: Floor  
 align to  
 match  
 existing

**Wagner BUILDERS**

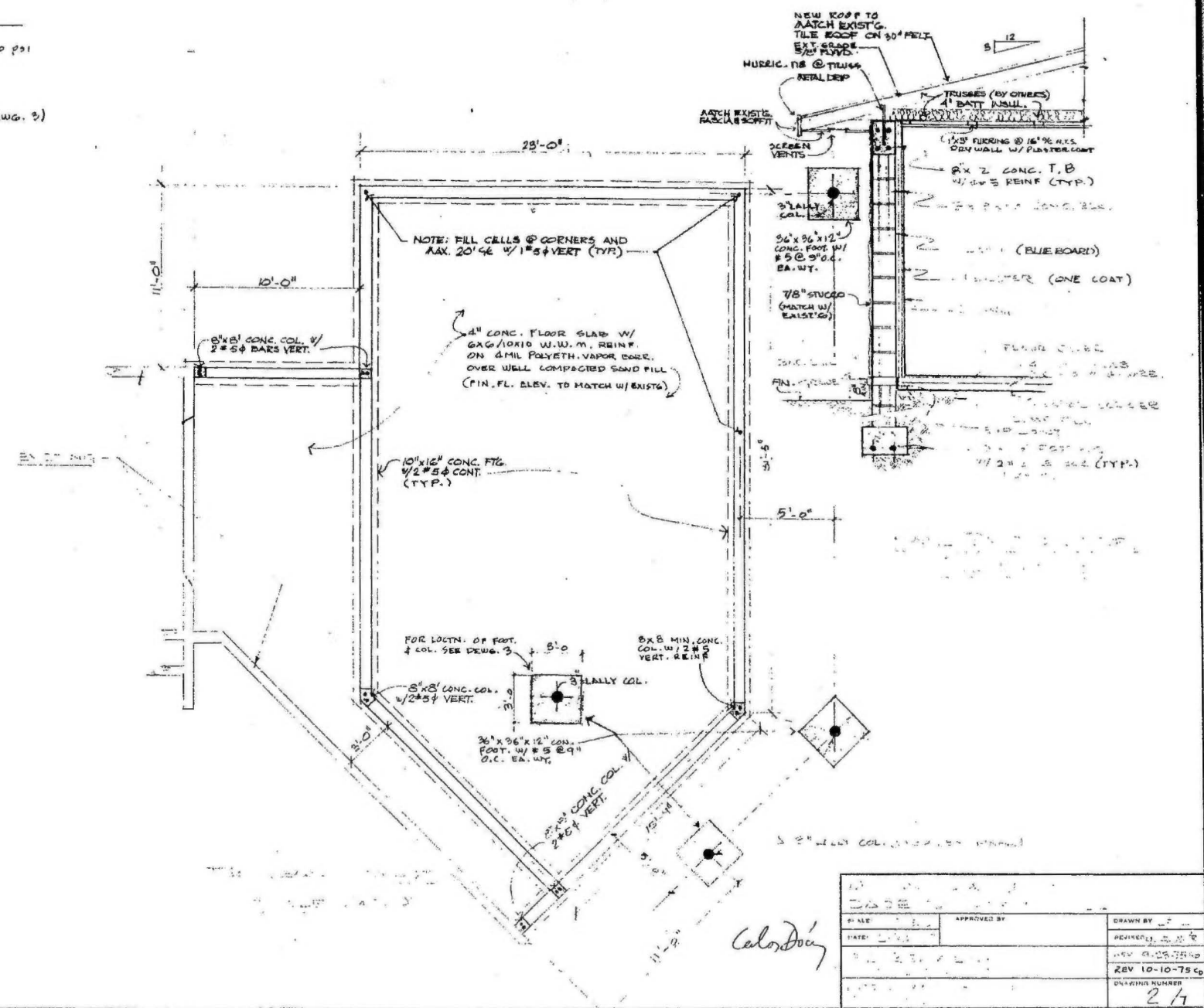
SCALE:	APPROVED BY:	DRAWN BY:
DATE:		REVISED 9-25-75
		REVISED 9-25-75
		DRAWING NUMBER 1/1

1975

**23787 B**

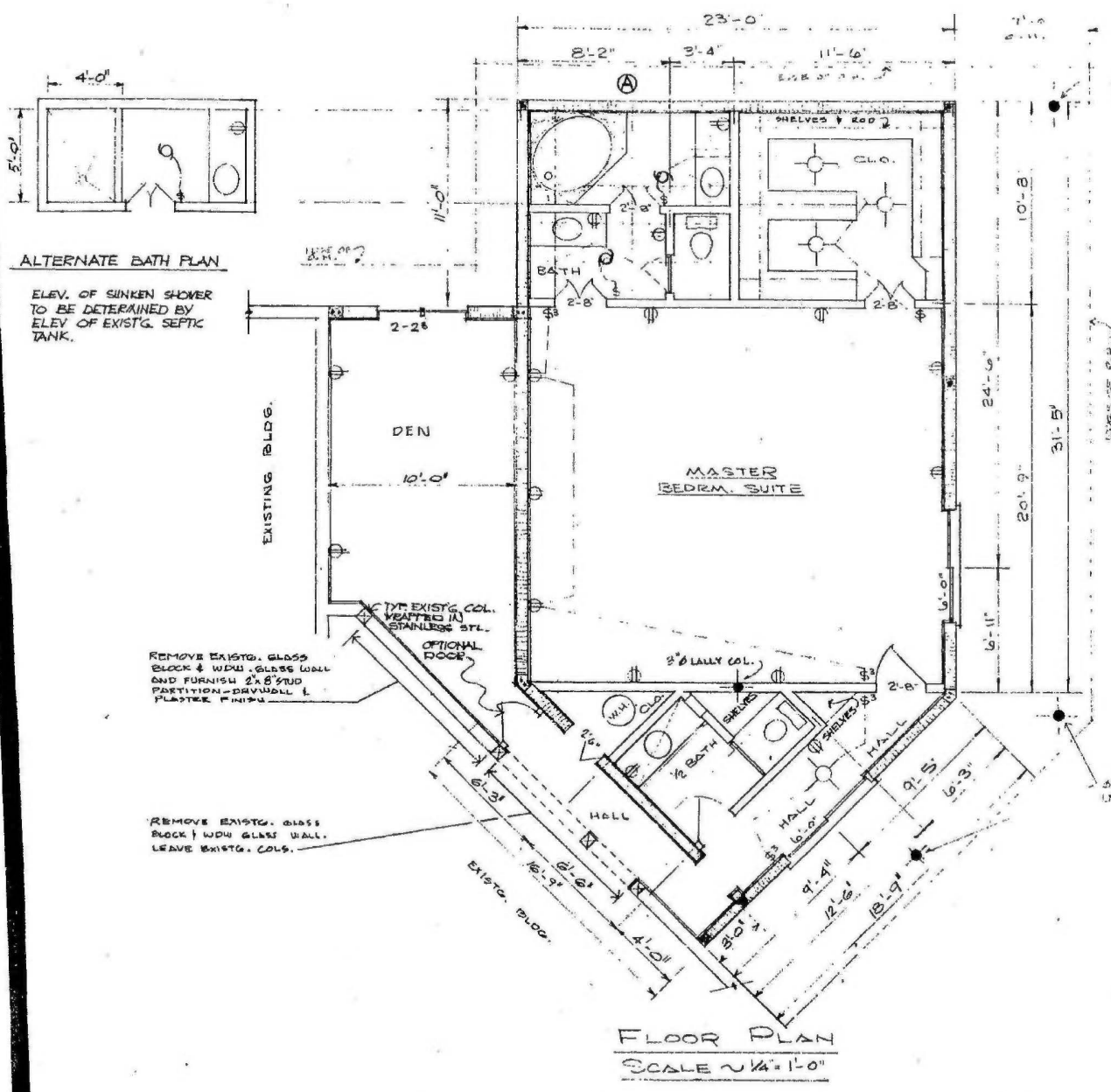
**NOTES:**

- 1- ALL CONCRETE TO BE  $f'c = 3,000$  PSI AT 28 DAYS
- 2- SOIL BEARING CAPACITY: 2,500 P/SF
- 3- ALL PLUMBING TO BE CONN. TO EXISTG. (SEE NOTE ON DRWG. 2)



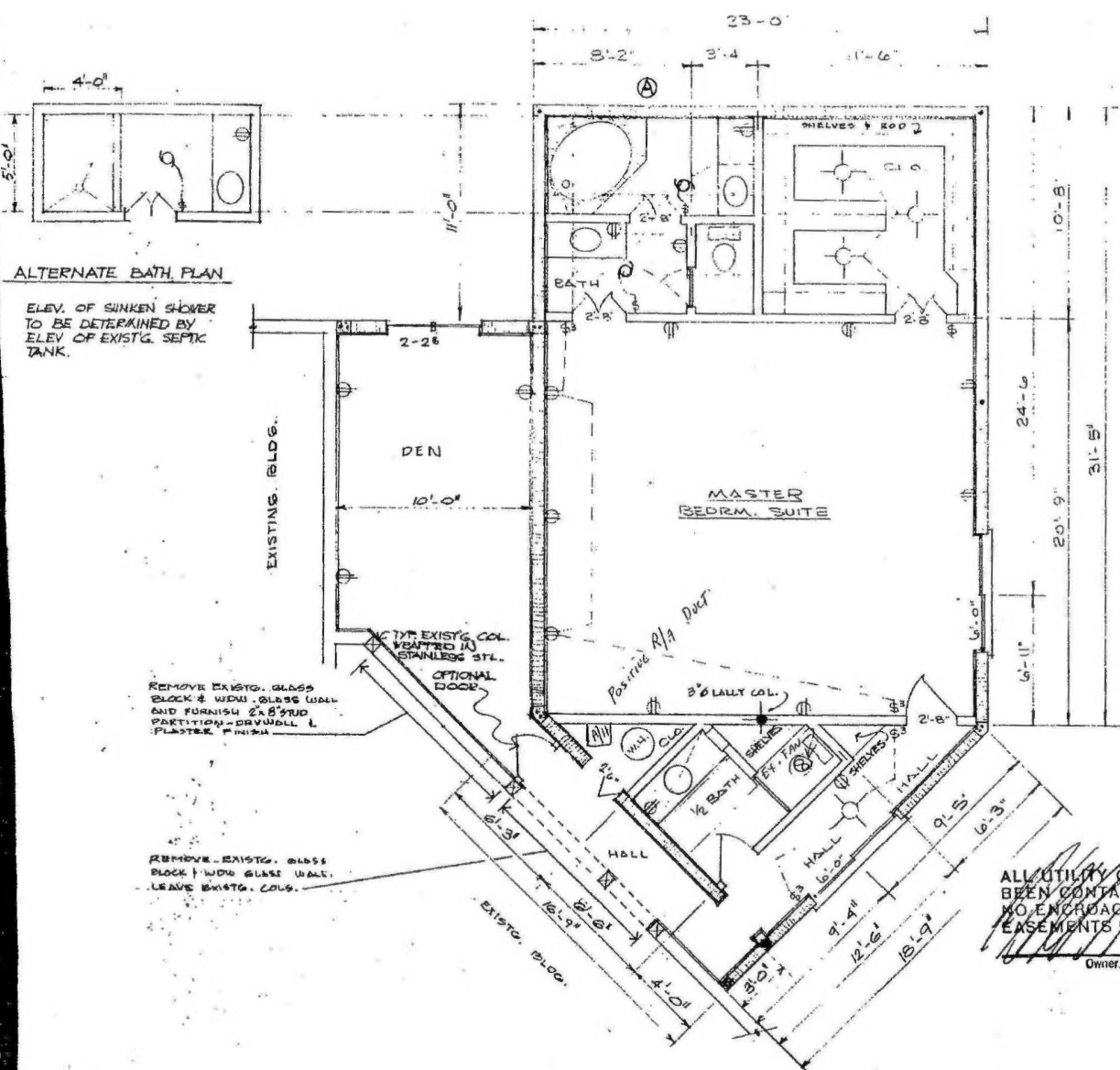
DATE: 10-10-75	APPROVED BY:	DRAWN BY: C. J. ...
		REVISED: 2-10-76
		REV 10-10-75
		DRAWING NUMBER: 2/1

**23787 B**



M. & M. SAM GRAY DADE COUNTY, FLORIDA		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: JCR
DATE: 5-10-75		REVISED: 9-5-75
FLOOR PLAN ADDITION		REV. 9-22-75 CC
LOT(S) 1, 2, 23, 24 - BLK. 54 PLAT BOOK 10, PG. 57		REV. 10-7-75 CC
		DRAWING NUMBER 3/1

**23787 B**



*show etc.*

**ALTERNATE BATH PLAN**

ELEV. OF SUNKEN SHOWER TO BE DETERMINED BY ELEV. OF EXIST'G. SEPTIC TANK.

**NOTE:**  
ELECTRICAL CONTRACTOR SHALL SUBMIT BU RAISER DIAGRAM & LOADS FOR APPROVAL.  
PLUMBING CONTRACTOR SHALL SUBMIT PLUMB. DIAGRAMS FOR APPROVAL.

REMOVE EXIST. GLASS BLOCK & WOOD GLASS WALL AND FURNISH 2x8 STUD PARTITION - DRYWALL & PLASTER FINISH.

REMOVE EXIST. GLASS BLOCK & WOOD GLASS WALL. LEAVE EXIST. COLS.

ALL UTILITY COMPANIES HAVE BEEN CONTACTED AND THERE ARE NO ENCROACHMENTS INTO UTILITY EASEMENTS BY THIS PROJECT.

Owner or Contractor Signature

**FLOOR PLAN**  
SCALE 1/4" = 1'-0"

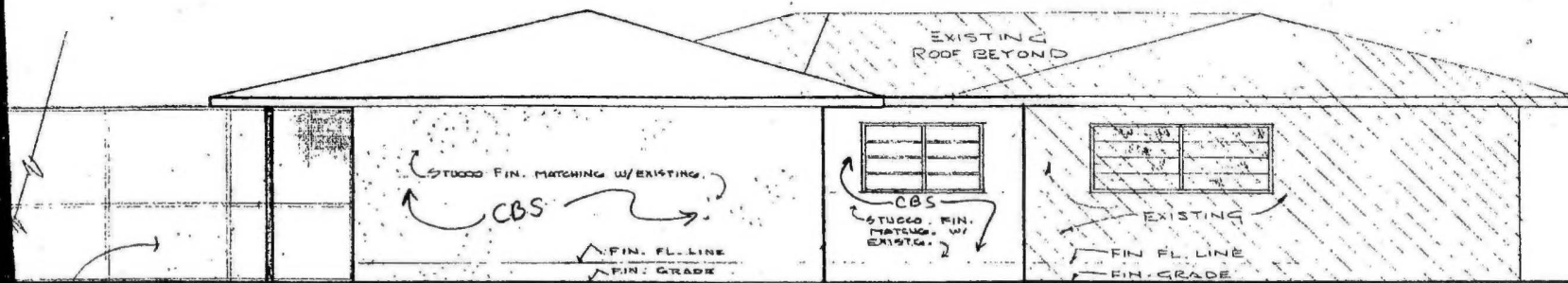
M. & M. SAM GRAY		DADE COUNTY, FLORIDA	
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY JFR	
DATE: 5-10-75		REVISED 4-9-75	
FLOOR PLAN ADDITION		REV. 9-22-75	
LOT(S) 1, 2, 23, 24 - BLK. 54		DRAWING NUMBER	
PLAT BOOK 10, PG. 57		3/7	

*Celan Donly*

**23787 B**





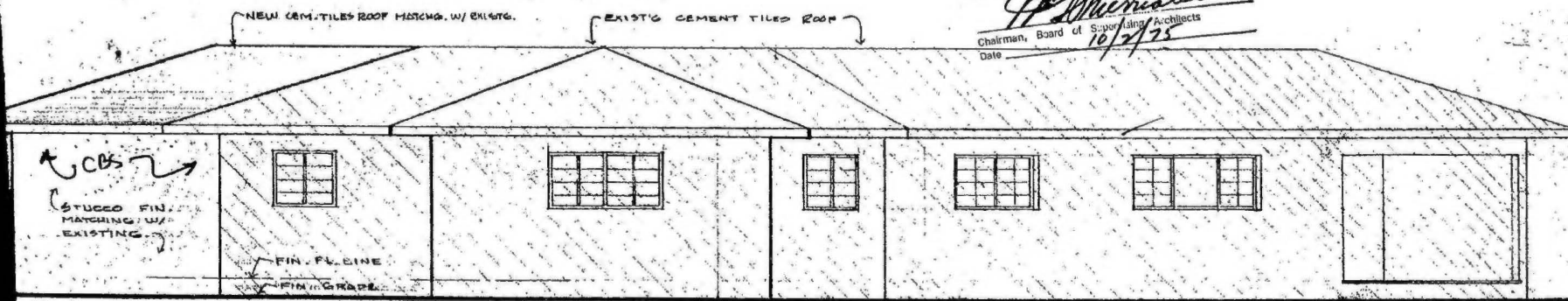


EAST ELEVATION  
SCALE 1/4" = 1'-0"

THIS PRELIMINARY IS FOR ARCHITECTURAL DESIGN ONLY and is approved subject to submission of full size details on final plans. Zoning Code, Building Code, Plu - 311 C-2 and all other regulations must be complied with. "SUBMIT THIS DRAWING WITH FINAL PLANS"

*William*  
Chairman, Board of Supervising Architects  
Date 10/27/75

SCREEN ENCLDS. CONTRACTOR TO SUBMIT SHAP. DWGS. FOR APPROVAL



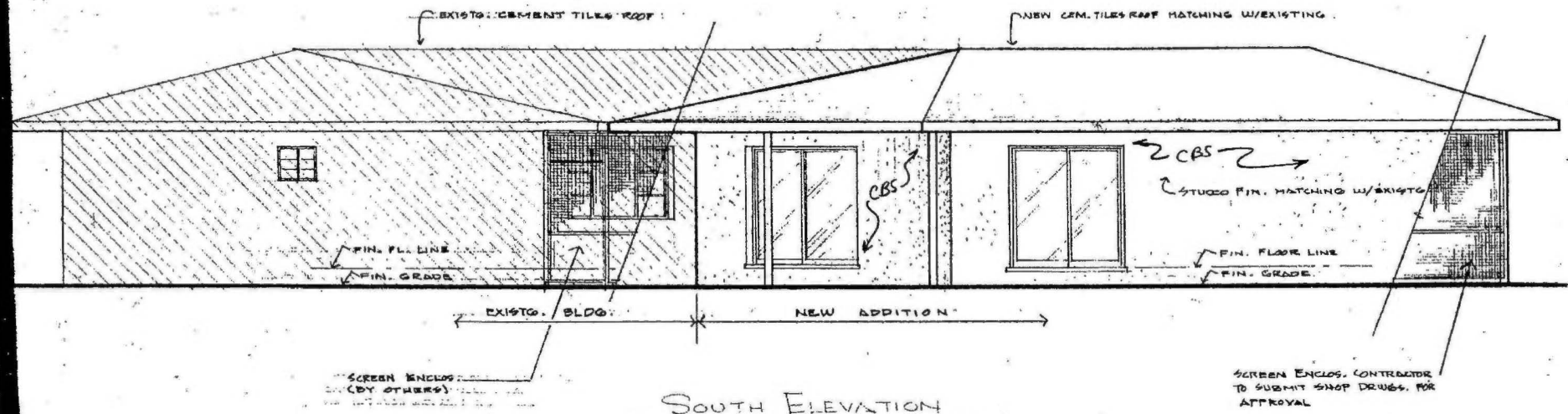
NORTH ELEVATION  
SCALE 1/4" = 1'-0"

NEW ADDITION \* EXISTING BLDG

M. & M. SAM GRAY		DAGE COUNTY, FLORIDA	
SCALE 1/4" = 1'-0"	APPROVED BY:	DRAWN BY JFR	
DATE 5-19-76		REVISED 4-8-76	
ELEVATIONS		REV. 9-23-75	
PAT(S) 1, 2, 23, 24 - 3 LE 54		DRAWING NUMBER	
PLAT BOOK 10, PL. 57		5/1	

*Calderon*

23787 B

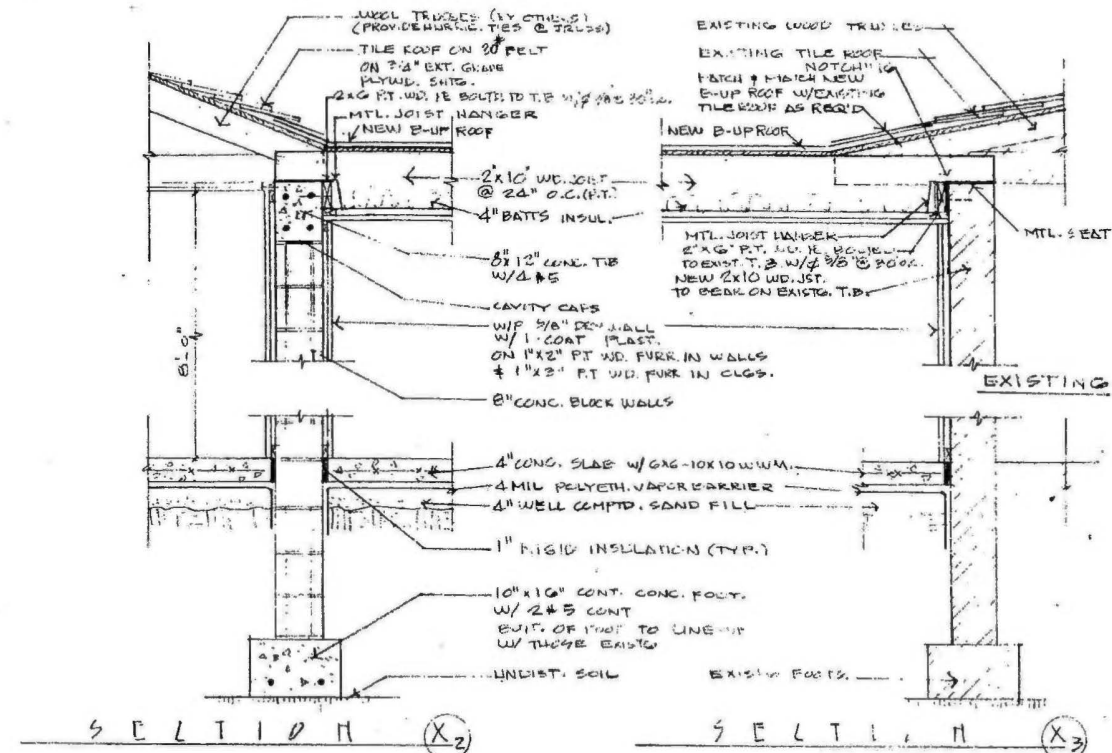
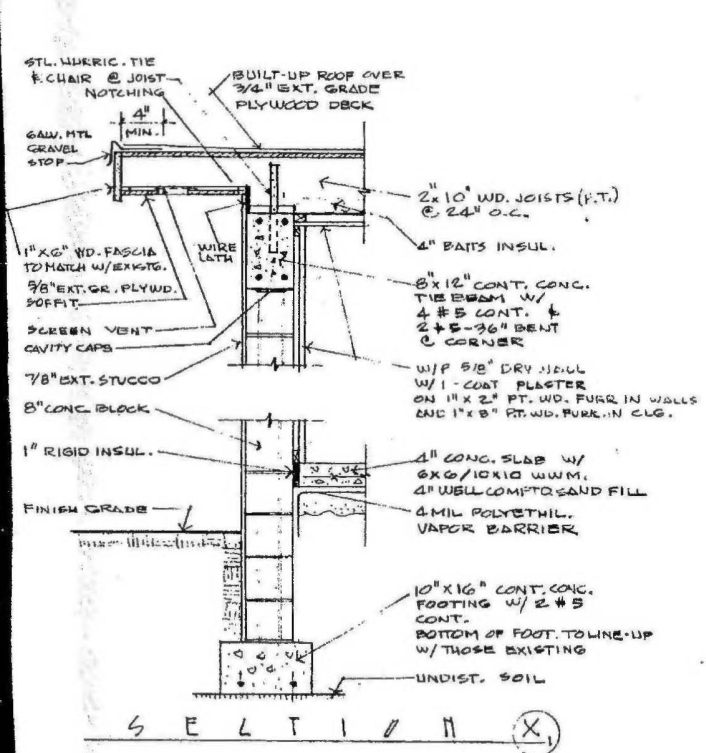


SOUTH ELEVATION  
SCALE 1/4" = 1'-0"

**Wagner** BUILDERS

M. & M. DATA TO BE DADE COUNTY FLORIDA		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY - P.R.
DATE: 8-17-75		REVISED 7-5-75
SOUTH ELEVATION		REV. 9-22-75 CD
LOT 1, 2, 23, 24 - BLK 34 PLAT 2006-0 P. 37.		DRAWING NUMBER 67

**23787 B**



*Calhoun*

M. & M. SAM GRAY		DADE CO. FLORIDA	
3/4" x 10"		CD	
SECTIONS X1 - X2 - X3		10-10-79	
LOTS 1-2-23-24	BLK 54		
P.B. 10	PAGE 57		7A/7

**23787 B**

# Exhibit F

FOLIO 03 4118 06 1130 3 PROP ADDR 1445 BIRD RD MCD 030

11/26/79 LAST INSP ZNG 8 CLUC 81 YR SLUC

NAME AND LEGAL \* PREV-CHG=79330 \* VALUE HISTORY

01 RAFAEL H FERNANDEZ & MARRIA YEAR 1975 1978 06/09/80

02 307 NE 23 TERR LAND 12640 16520 33530

03 FT LAUDERDALE FL 33301 BLDG

04 TOTAL ....12640 ....16520 ....33530

HEX

01 18 54 41 PB 10-57 NYD

02 CORAL GABLES COUNTRY CLUB SEC 4 TOTEX

03 LOT 22 BLK 54 11 NOMEX ....12640 ....16520 ....33530

04 LOT SIZE 50.000 X 120 SR HEX

05 DR 10524-2269 0979 1 CD ME 12640 16520 3353

06 SCH EX

07 SYDNEY S DIAMOND & HELEN R SCH ME 33530

08 ALGUSTO CORP SALES DATE TYPE

09 CASALMAR CORPORATION 45000 09/79 1 SALE 1

10 TROPIC CONST CD 36000 09/79 1 SALE 2

11 DR 10503-359 0979 1 24000 05/79 1 SALE 3

12 MUNICIPAL TAX STATUS: TAXABLE

13 IMPROVEMENTS XF BDR BTH AJFT UNITS

14

15 WATER

16 ROAD

17 SEWER

18 OTHER MAC 14527

19 ST CD

20 INTEREST CODES: HEX SR CT

FOLIO 03 4118 06 1131 2 PROP ADDR MCD 030

08/08/79 LAST INSP ZNG 9 CLUC 81 YR SLUC

NAME AND LEGAL \* PREV-CHG=80001 \* VALUE HISTORY

01 PASCUAL DAGOSTINO YEAR 1978 1979 06/09/80

02 3901 ALHAMBRA CIR LAND 22180 31420 54060

03 CORAL GABLES FLA 33134 BLDG

04 TOTAL ....22180 ....31420 ....54060

HEX

01 PB 10-57 NYD

02 CORAL GABLES COUNTRY CLUB SEC 4 TOTEX

03 ALL LOT 23 & LOT 24 LESS 432FT NOMEX ....22180 ....31420 ....54060

04 BLK 54 SR HEX

05 LOT SIZE 98.000 X 115 CD ME 22180 31420 54060

06 DR 10433-1813 0678 2 SCH EX

07 SCH ME 54060

08 SAMUEL A GRAY & MARILYN SALES DATE TYPE

09

10

11 MUNICIPAL TAX STATUS: TAXABLE

12 IMPROVEMENTS XF BDR BTH AJFT UNITS

13

14 WATER

15 ROAD

16 SEWER

17 OTHER MAC 14527

18 ST CD

19 INTEREST CODES: HEX SR CT

20

03 4118 006 1130

\*\*\* GRID C10 \*\*\*

FOLIO 03 4118 006 1130 PROP ADDR 1455 BIRD RD MCD 0300  
10/14/97 BASE 1994 LAST INSP 12/1989 ING 0900 CLUC 0001 SLUC 0100 BLD YR 1985

NAME AND LEGAL + PREV CNG 05/07/96 VALUE HISTORY RES YR 1994

01	RAFAEL M FERNANDEZ B	YEAR	1995	1996	01/01/97
02	MARIA A FERNANDEZ	LAND	68040	68040	68040
03	1455 BIRD RD	BLDG	93970	93970	98474
04	CORAL GABLES FL	MARKT	142018	142018	144514
	331461056 ASSD		142018	142018	144514
01	18 54 41	PD 10-37	MEZ	25000	25000
02	CORAL GABLES COUNTRY CLUB SEC 4	MVD			
03	LOT 22	BLK 54	TOT EX		
04	LOT SIZE 50.000 X 120	TXABLE	137010	137010	141514

05 OR 14980-3454 0895 4  
06 ----- SALES DATE TYPE I/V

07	SYDNEY S DIAMOND BM HELEN R		08/1995	4	
08	ALGUSTO CORP		08/1995	4	
09	CASALMAR CORPORATION	45000	09/1979	1	V SALE 3

MUNICIPAL TAX STATUS: TAXABLE DIST:04  
STATE EXEMPT:

10	TROPIC CONST CO	STRIP	PLATE	IF	DATA	DDR	UNIT	BLDG
11	OR 10503-359 0979 1							
12	RAFAEL M FERNANDEZ BM MARIA	31	4	3	3	1	1	1

14	MARIA A FERNANDEZ	AJFT	2533	OWNERS	02	IN-RESIDENCE	02	
15	OR 13208-1050 0207 4	IMPROVEMENT	TYP	NO.	DATE	TYP	NO.	DATE
16	RAFAEL M FERNANDEZ B	EXC	1	0296	CO		0180	
17	MARIA A FERNANDEZ	MLC	40047	0894	MCV			
18	OR 14880-1513 0895 4	MBC	99999	0492	ERC			
19		MISC	24	0190	ERC			
20		RC		0307	LRC			

FOLIO 03 4118 006 1131 PROP ADDR MCD 0300

10/14/97 BASE 0000 LAST INSP 00/0000 ING 0900 CLUC 0001 SLUC 0000 BLD YR

NAME AND LEGAL + PREV CNG 01/01/96 VALUE HISTORY RES YR

01	ALBERTO E TORRES BM MARIA C	YEAR	1995	1996	01/01/97
02	3901 ALHAMBRA CIR	LAND	97695	97695	97695
03	CORAL GABLES FL	BLDG			
04		MARKT	97695	97695	97695
	331344221 ASSD		97695	97695	97695

01		PD 10-37	MEZ		
02	CORAL GABLES COUNTRY CLUB SEC 4	MVD			
03	ALL LOT 23 & LOT 24 LESS 422FT	TOT EX			
04	BLK 34	TXABLE	97695	97695	97695

05 LOT SIZE 98.000 X 115  
06 OR 12901-495 0584 3  
07 ----- SALES DATE TYPE I/V

08	SAMUEL A GRAY BM MARILYN				
09	PASCUALE BAGOTTINO				
10	OR 10433-1019 0479 2				

MUNICIPAL TAX STATUS: TAXABLE DIST:04  
STATE EXEMPT:

11	IGNACIO ALOIZIURI TR	STRIP	PLATE	IF	DATA	DDR	UNIT	BLDG
12	OR 10957-1019 1200 5							
13	PASCUALE BAGOTTINO	31	0	0	0	0	0	0

14	OR 11082-231 0481 3	AJFT	OWNERS	IN-RESIDENCE				
15		IMPROVEMENT	TYP	NO.	DATE	TYP	NO.	DATE
16		MLC	40047	0894	PRD			
17		MISC	01202	0704	ERC			

WinRDE - 2016

CAMA Edit Detail Action Navigate Bookmarks Plugins Tools Search Help

Folio #: 03-4118-006-1131 Parcel Status: AC Active N Cap Base Year: Maintenance: 11/14/2012

DOR Code: 0081 VACANT RESIDENTIAL - VACANT LANE Neighborhood: 1120 GRANADA Percent Cap: 0.00% Database: 2015

Owner Names (1) | Tenancy (0)

#	Owner Name	M	Role	S#
1	FANNY CAICEDO		S	

Owner Address:  
 Address: 7114 SW 114 AVE  
 Address:  
 City: MIAMI  
 State: FL Zip: 33176  
 Country: USA

Legal Lines (7)

#	Legal Description
1	PS 10-57
2	CORAL GABLES COUNTRY CLUB SEC 4
3	ALL LOT 23 & LOT 24 LESS N22FT
4	BLK 54
5	LOT SIZE 98.000X 115
6	OR 17904-3801 1297 4
7	CCC 26148-3489 12 2007 2

Account Agents

#	Entered By	Entered On	Reason	PRCT	Note
			PO		ALBERTO TORRES & MARIA C
			PO		OR 12901-455 0566 5
			PO		MARIA CRISTINA TORRES
			PO		OR 17904-3801 1297 4
		01/01/1990	RC		0000000
		01/01/1990	CD		0000000
		04/10/2008	ML		0031004
		07/18/1995	NS		0081202

Account Relationships

#	R	Rev Date	Tic ID	Agent Name	#	Relationship	Account #	Land %	Blkg %	XFOB %

Notes marked in **blue** or **red** will be truncated on the PRC. Agents marked in **red** have all expired roles.

Account Detail (1) | Land Lines (2) | Evaluations | Sales History (8) | Site & Flage (7) | Sales History (8) | Work Flow (7) | GIS (1)

Logged in as 'you' Folio # Order Maintenance Mode

jcmederos@aol.com  
 robert.almirall@gmail.com  
~~jcmederos@aol.com~~  
 +  
 786 290 7862  
 ROBERT



# Exhibit G



# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 5/19/2016

Property Information	
Folio:	03-4118-006-1000
Property Address:	3901 ALHAMBRA CIR Coral Gables, FL 33134-6221
Owner	C I M TRINITY GROUP LLC
Mailing Address	PO BOX 521155 MIAMI, FL 33173 USA
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 4 / 0
Floors	1
Living Units	1
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	3,869 Sq.Ft
Lot Size	16,330 Sq.Ft
Year Built	1950



Assessment Information			
Year	2015	2014	2013
Land Value	\$726,663	\$492,652	\$409,609
Building Value	\$252,247	\$244,661	\$245,147
XF Value	\$46,093	\$46,586	\$47,079
Market Value	\$1,025,003	\$783,899	\$701,835
Assessed Value	\$849,219	\$772,018	\$701,835

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction	\$175,784	\$11,881	

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
PB 10-57
CORAL GABLES COUNTRY CLUB SEC 4
LOTS 1 & 2 & N22FT OF LOT 24
BLK 54
LOT SIZE IRREGULAR

Taxable Value Information			
	2015	2014	2013
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$849,219	\$772,018	\$701,835
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,025,003	\$783,899	\$701,835
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$849,219	\$772,018	\$701,835
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$849,219	\$772,018	\$701,835

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/27/2016	\$1,100,800	29942-4239	Financial inst or "In Lieu of Foreclosure" stated
07/15/2011	\$100	28329-1714	Corrective, tax or QCD; min consideration
07/15/2011	\$100	27764-2089	Corrective, tax or QCD; min consideration
12/01/2007	\$1,700,000	26146-3469	Deeds that include more than one parcel

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Version:



# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 5/19/2016

Property Information	
Folio:	03-4118-006-1131
Property Address:	
Owner	C I M TRINITY GROUP LLC
Mailing Address	PO BOX 521155 MIAMI, FL 33173 USA
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0081 VACANT RESIDENTIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	11,270 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$382,733	\$356,030	\$303,315
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$382,733	\$356,030	\$303,315
Assessed Value	\$367,010	\$333,646	\$303,315

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction	\$15,723	\$22,384	

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
PB 10-57
CORAL GABLES COUNTRY CLUB SEC 4
ALL LOT 23 & LOT 24 LESS N22FT
BLK 54
LOT SIZE 98.000 X 115

Taxable Value Information			
	2015	2014	2013
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$367,010	\$333,646	\$303,315
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$382,733	\$356,030	\$303,315
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$367,010	\$333,646	\$303,315
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$367,010	\$333,646	\$303,315

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/27/2016	\$1,100,800	29942-4239	Financial inst or "In Lieu of Foreclosure" stated
07/15/2011	\$100	28329-1714	Corrective, tax or QCD; min consideration
07/15/2011	\$100	27764-2089	Corrective, tax or QCD; min consideration
12/01/2007	\$1,700,000	26146-3469	Deeds that include more than one parcel

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Version:

# Exhibit H

This instrument was prepared by and after recording  
return to:

Mario Garcia-Serra, Esq.  
Gunster, Yoakley & Stewart, P.A.  
600 Brickell Avenue, Suite 3500  
Miami, Florida 33131

(Space reserved for Clerk)

---

**CORRECTIVE DECLARATION OF  
RESTRICTIVE COVENANT**

THIS CORRECTIVE DECLARATION OF RESTRICTIVE COVENANT (this “Covenant”), which corrects and replaces the Declaration of Restrictive Covenant dated October 21, 1975 and recorded at Book 9134, Page 1628 of the Public Records of Miami-Dade County, (the “Incorrect Covenant”) is made this \_\_\_ day of \_\_\_\_\_ 2016, by C.I.M. Trinity Group, LLC (the “Declarant”).

WHEREAS, the Declarant is the owner of the fee simple title to the following described property situated in the City of Coral Gables:

1. Lots 1, 2, and the northern 22 feet of Lot 24, Block 54, Revised Plat of Coral Gables Country Club Section, Part 4, according to the plat thereof recorded in Plat Book 10, Page 57 of the Public Records of Miami-Dade County, Florida (hereinafter, the “Northern Building Site”); and
2. Lots 23, and 24 less the northern 22 feet Block 54, Revised Plat of Coral Gables Country Club Section, Part 4, according to the plat thereof recorded in Plat Book 10, Page 57 of the Public Records of Miami-Dade County, Florida (hereinafter, the “Southern Building Site”);

WHEREAS, it is the desire of the undersigned to utilize the above-described parcels of property, on the basis of the Northern Building Site as a single building site, and the Southern Building Site as a separate building site; and

WHEREAS, the Incorrect Covenant did not provide a correct legal description for the Northern Building Site and the Southern Building.

NOW THEREFORE, in consideration of the premises, and other good and valuable consideration, the receipt of which are hereby acknowledged, the Declarant hereby freely, voluntarily, and without duress covenants and agrees as follows:

1. The above recitations are true and correct and incorporated herein in their entirety.
2. The Northern Building Site shall be used as one building site only.

3. The Southern Building Site shall be used as one building site only.
4. This Covenant corrects and replaces the Incorrect Covenant dated October 21, 1975 and recorded at Book 9134, Page 1628 of the Public Records of Miami-Dade County.

[Signature Page Follows]

SIGNATURE PAGE FOR CORRECTIVE DECLARATION OF RESTRICTIVE COVENANT

IN WITNESS WHEREOF, the undersigned has/have caused \_\_\_\_\_ hand(s) and seal(s) to be affixed hereto on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

DECLARANT:

C.I.M. Trinity Group, LLC, a Florida limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
\_\_\_\_\_  
(Print or Type Name)

STATE \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2016, by \_\_\_\_\_, the \_\_\_\_\_ C.I.M Trinity Group, LLC, a Florida limited liability company, on behalf of the company, who has taken an oath and is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Craig E. Leen, City Attorney

\_\_\_\_\_  
Miriam S. Ramos, Deputy City Attorney

**From:** [Garcia-Serra, Mario](#)  
**To:** [Garcia-Serra, Mario](#)  
**Subject:** FW: Demolition Citation @ Lot Next to 3901 Alhambra Circle  
**Date:** Tuesday, June 07, 2016 4:04:26 PM  
**Attachments:** [image001.png](#)

---



Mario Garcia-Serra | Shareholder  
600 Brickell Avenue  
Brickell World Plaza  
Suite 3500  
Miami, Florida 33131

P 305-376-6061 F 786-425-4104  
[gunster.com](http://gunster.com)

**From:** [jcmaderos@aol.com](mailto:jcmaderos@aol.com) [mailto:[jcmaderos@aol.com](mailto:jcmaderos@aol.com)]  
**Sent:** Tuesday, June 07, 2016 11:03 AM  
**To:** Garcia-Serra, Mario  
**Subject:** Fwd: Demolition Citation @ Lot Next to 3901 Alhambra Circle

Good morning Mario. See below an email that we received from the Code enforcement officer who cited us for not having a demolition permit for the gazebo of the lot. I spoke to her supervisor regarding this and informed him that we are still waiting for the building site determination letter from the City so we may get the demo permit to comply with the violation. As you know, for some reason, the demo permit is stuck with zoning and they won't release it until I get the letter.

Can you make an inquiry please as to the status of this letter? I would like to put this violation thing behind me.

Thank you Mario.

## Jorge C. Mederos

President  
Trinity Affordable Housing Corporation  
7221 Coral Way, Suite B  
Miami, Florida 33155  
Office: 305-271-9250  
Cell: 786-261-4920  
Email: [jcmaderos@aol.com](mailto:jcmaderos@aol.com)

-----Original Message-----

From: Sheppard, Terri <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>  
To: 'Robert Almirall' <[robert.almirall@gmail.com](mailto:robert.almirall@gmail.com)>  
Cc: Jorge Mederos AOL <[jcmaderos@aol.com](mailto:jcmaderos@aol.com)>; Kattou, Michael <[Mkattou@coralgables.com](mailto:Mkattou@coralgables.com)>  
Sent: Mon, Jun 6, 2016 1:43 pm



Subject: RE: Demolition Citation @ Lot Next to 3901 Alhambra Circle

Robert,

Good afternoon. My apologies for not responding to your email sooner. A Notice of Violation is due to be posted on the property today. You will have another 30 days from the date of the letter and you should have your letter from the Zoning Department and perhaps the permit by that time. Please continue to keep me advised of the progress you are making.

Regards,

**Terri Sheppard**

Code Enforcement Officer

Code Enforcement Department

427 Biltmore Way, Suite 100

Coral Gables, FL 33134

(305) 460-5239

(305) 460-5348 fax

[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

**From:** Robert Almirall [<mailto:robert.almirall@gmail.com>]

**Sent:** Monday, May 23, 2016 12:43 PM

**To:** Sheppard, Terri

**Cc:** Jorge Mederos AOL; Kattou, Michael

**Subject:** Re: Demolition Citation @ Lot Next to 3901 Alhambra Circle

Good afternoon Terri. Please be advised the Permit # is **BL-16-03-7158**.

Building department has already approved it. However, we are still waiting on Planning and Zoning to approve it. Please be advised we met with Planning and Zoning on Friday regarding the building site determination. They have agreed to grant us the letter and we are waiting on them to give us the actual letter. That was one of the conditions before they could approve the demo permit. So its a matter of time at this point.

In the meantime, we would need another extension from you. What is your comply date? I never heard back from you last time we emailed with the actual extension date? Please advise so I know what we're working with. Thank you very much Terri. Please advise on the new comply date.

Thanks again.

On Mon, May 23, 2016 at 10:44 AM, Sheppard, Terri <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)> wrote:

Hi Robert.

I was just following up with you in regards to the permit. Have you been able to obtain it yet? Would you please provide me with the application number?

Thank you,

Terri Sheppard

Code Enforcement Officer

Code Enforcement Department

427 Biltmore Way, Suite 100

Coral Gables, FL 33134

[\(305\) 460-5239](tel:(305)460-5239)

[\(305\) 460-5348](tel:(305)460-5348) fax

[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

**From:** Robert Almirall [mailto:[robert.almirall@gmail.com](mailto:robert.almirall@gmail.com)]

**Sent:** Tuesday, April 26, 2016 11:55 AM

**To:** Sheppard, Terri

**Cc:** Jorge Mederos AOL

**Subject:** Demolition Citation @ Lot Next to 3901 Alhambra Circle

Good afternoon Terry. Hope this email finds you well.

As per our conversation yesterday, the compliance due date for the ticket you issued to the lot next to 3901 Alhambra Circle expired on Friday, August 22nd. Like I had mentioned before the expiration date and I also explained over the phone yesterday, we applied for the after the fact demo permit on March 31st, which was approved by Building but Zoning has it held up.

With that said, we have submitted paperwork to Zoning as of April 7th and awaiting to hear back from them regarding what they required prior to approving the demo permit.

**As per our conversation, please provide us with an extension on the compliance date for this citation.**

**Thank you in advance! We look forward to hearing back from you.**

--

**Robert Almirall**

*Director of Operations*

Mederos & Associates Real Estate, Inc.

7221 Coral Way, Suite 205  
Miami, FL 33155  
Office [305-271-9250](tel:305-271-9250)  
Fax [305-271-9260](tel:305-271-9260)  
Cell [786-290-7862](tel:786-290-7862)

[robert.almirall@gmail.com](mailto:robert.almirall@gmail.com)

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--

**Robert Almirall**

*Director of Operations*

Mederos & Associates Real Estate, Inc.  
7221 Coral Way, Suite 205  
Miami, FL 33155  
Office 305-271-9250  
Fax 305-271-9260  
Cell 786-290-7862

[robert.almirall@gmail.com](mailto:robert.almirall@gmail.com)

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Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

**From:** [Leen, Craig](#)  
**To:** [Paulk, Enga](#)  
**Subject:** FW: 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination  
**Date:** Friday, June 10, 2016 4:42:48 PM  
**Attachments:** [Letter to C. Leen regarding 3901 Alhambra Covenant.pdf](#)  
[FW Demolition Citation @ Lot Next to 3901 Alhambra Circle.msg](#)  
[image001.png](#)  
[image002.png](#)

---

Please publish.

**Craig E. Leen, City Attorney**

*Board Certified by the Florida Bar in  
City, County and Local Government Law*  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134  
Phone: (305) 460-5218  
Fax: (305) 460-5264  
Email: [cleen@coralgables.com](mailto:cleen@coralgables.com)



*Celebrating 90 years of a dream realized.*

---

**From:** Leen, Craig  
**Sent:** Friday, June 10, 2016 4:42 PM  
**To:** 'Garcia-Serra, Mario'  
**Cc:** Trias, Ramon; 'jcmederos@aol.com'; Gonzalez, Elizabeth; Ramos, Miriam; Ortiz, William; Wu, Charles  
**Subject:** RE: 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination

Mr. Garcia-Serra,

I have considered the matter, reviewed your analysis and the attachments, and met with you as well. Your analysis is consistent with what we discussed at the meeting. I agree with the analysis and view this as a clear scrivener's error that must be corrected.

As mentioned, the Miami-Dade County Property Appraiser's website has the correct legal descriptions, and the draft corrected declaration of restrictive covenant corrects the scrivener's error to be consistent with the Miami-Dade Property Appraiser's information. In such circumstances, the corrected declaration of restrictive covenant should be executed and recorded.

The City may then proceed with the building site determination, followed by issuance of the after-the-fact permit, and then closing of the citation.

This opinion, interpretation, and ruling is issued pursuant to section 2-702 of the Zoning Code, as well as sections 2-201(e)(1) and (8) of the City Code.

**Craig E. Leen, City Attorney**

*Board Certified by the Florida Bar in  
City, County and Local Government Law*

City of Coral Gables

405 Biltmore Way

Coral Gables, Florida 33134

Phone: (305) 460-5218

Fax: (305) 460-5264

Email: [cleen@coralgables.com](mailto:cleen@coralgables.com)



**CORAL GABLES**  
THE CITY BEAUTIFUL

*Celebrating 90 years of a dream realized.*

---

**From:** Garcia-Serra, Mario [mailto:MGarcia-Serra@gunster.com]

**Sent:** Tuesday, June 07, 2016 5:27 PM

**To:** Leen, Craig

**Cc:** Trias, Ramon; 'jcmederos@aol.com'; Gonzalez, Elizabeth

**Subject:** FW: 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination

Dear Craig,

Please remember to provide your confirmation regarding the attached as soon as possible. Aside from how long the request for building site determination has been pending, there is an open code violation on the property which needs to be addressed. As explained in the attached e-mail chain, an after the fact permit is required for the demolition of a gazebo that existed on the Southerly lot. Zoning is not signing off on the after the fact permit because of the pending building site determination. We need you to provide your confirmation so that the building site determination can be issued, the after the fact permit issued, and the citation closed. Thanks for your help with this matter.

Best regards,

Mario



Mario Garcia-Serra | Shareholder  
600 Brickell Avenue  
Brickell World Plaza  
Suite 3500  
Miami, Florida 33131

P 305-376-6061 F 786-425-4104  
[gunster.com](http://gunster.com)

---

**From:** Garcia-Serra, Mario  
**Sent:** Friday, June 03, 2016 3:26 PM  
**To:** 'Leen, Craig'  
**Subject:** FW: 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination

Hey Craig,

If you can take a look at the attached letter by Monday or Tuesday and confirm that it correctly summarizes the conclusions which we reached for this matter, it would be greatly appreciated. The client's application for building site determination has been pending for some time and he is anxious to get it finalized. Thanks.

Best regards,

Mario



Mario Garcia-Serra | Shareholder  
600 Brickell Avenue  
Brickell World Plaza  
Suite 3500  
Miami, Florida 33131

P 305-376-6061 F 786-425-4104  
[gunster.com](http://gunster.com)

---

**From:** Garcia-Serra, Mario  
**Sent:** Friday, May 27, 2016 5:53 PM  
**To:** 'Leen, Craig'

**Cc:** Trias, Ramon; 'Gonzalez, Elizabeth'

**Subject:** 3901 Alhambra Circle / Corrective Covenant and Pending Building Site Determination

Dear Craig,

Hope that you are well. Please see the attached letter regarding the above referenced topic which we met to discuss last week. Hope that you have a great weekend!

Best regards,

Mario



Mario Garcia-Serra | Shareholder  
600 Brickell Avenue  
Brickell World Plaza  
Suite 3500  
Miami, Florida 33131

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