

LEGEND AND ABBREVIATIONS

CONCRETE POLE
CONCRETE POWER POLE
CONCRETE LIGHT POLE
ALUMINUM POLE
WOOD POLE
WOOD POWER POLE
WOOD LIGHT POLE
STREET LIGHT BOX
PHONE BOX
ELECTRIC BOX
COMMUNICATION BOX
CABLE TV BOX
UNKNOWN BOX
TRAFFIC CONTROL BOX
BILLBOARD
ARM GATE
ANCHOR
WATER METER
IRIGATION METER
GAS METER
ELECTRIC METER
SQUARE/COLUMBIA
ROUND COLUMN
MAIL BOX
GUARD POST
GROUND LIGHT
FLAG POLE
DRAINAGE WELL
SQUARE DRAINAGE
PS INLET
CURB INLET
CIRCULAR DRAINAGE
CATCH BASIN
ACCESS MANHOLE
TRAFFIC SIGNAL POLE
TRAFFIC SIGN
PEDESTRIAN CROSS SIGNAL
PAVEMENT ASPHALT
CURB & GUTTER
VALLEY CUTTER

HANDICAP PAINT MARK
BABY STROLLER PAINT MARK
UNKNOWN MANHOLE
WATER MANHOLE
SEWER MANHOLE
PHONE MANHOLE
IRIGATION MANHOLE
GREASE TRAP MANHOLE
GAS MANHOLE
FORCED AIR MANHOLE
ELECTRICITY MANHOLE
DRAINAGE MANHOLE
COMMUNICATION MANHOLE
BELL SOUTH MANHOLE
PARKING METER
PARKING METER
WATER VALVE
SEWER VALVE
IRIGATION VALVE
GAS VALVE
FORCED AIR VALVE
VACUUM BREAKER ASSEMBLY
SAMOSE CONNECTION
POST INDICATOR VALVE
FIRE HYDRANT
DOUBLE DETECTOR CHECK VALVE
BACK FLOW PREVENTOR
PROPERTY LINE
CENTERLINE
RIGHT-OF-WAY
DELTA ANGLE
WIRE DISTANCE
PERMANENT CONTROL POINT
PERMANENT REFERENCE MONUMENT
FLAT ROAD AND PACE
OVERHEAD UTILITY WIRES
OFFICIAL RECORDS BOOK
CONCRETE BLOCK STRUCTURE
CONCRETE
CHAINLINK FENCE
WOOD FENCE
FOUND IRON PIPE
FOUND MAIL & BRASS DISC
CLEAR ENCROACHMENT
DEED OR LEGAL DISTANCE
MEASURED DISTANCE
RECORD OR PLATTED DISTANCE
RECORD CALCULATED
UTILITY EASEMENT
CONCRETE

LOCATION MAP

W. 42 STREET
W. 41 STREET
W. 40TH STREET
W. 39 STREET
INDIAN CREEK DR
COLLINS AVENUE
SUBJECT AREA
HOTEL UNIT
ATLANTIC OCEAN

A PORTION OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA SCALE 1" = 300'

DATUM AND BENCHMARKS

- ELEVATIONS SHOWN HEREON REFER TO NATIONAL VERTICAL DATUM OF 1929 (N.G.V.D. 1929) AND ARE EXPRESSED IN FEET.
- BENCHMARK:
MIAMI DADE B-313
ELEVATION: 4.33
36.57' - 61.7' SOUTH OF SOUTH CURB
HWY A-1-A (COLLINS AVE) - 57.8' EAST OF EAST CURB
DESCRIPTION: 1" US C & G BRASS DISC ON TOP OF CONC RAMP DIRECTLY OVER A CATCH BASIN.

ENCROACHMENTS

- BUILDING, ALONG THE WEST SIDE, ENCOACH ONTO AN FP&L EASEMENT
- THERE ARE NO OBSERVED, ENCROACHMENTS ONTO THE SUBJECT PROPERTY FROM ADJOINING LANDS, OR FROM THE SUBJECT PROPERTY ONTO ADJOINING LANDS, UNLESS OTHERWISE NOTED.

NOTES REGARDING ZONING REPORT

PZR REPORT FOR: SOV OMB HOTEL OWNER LLC ITS SUCCESSORS AND/OR ASSIGNS
VMC MASTER LENDER UPPER REIT LLC ITS SUCCESSORS AND/OR ASSIGNS
4000 COLLINS AVENUE
MIAMI BEACH, FLORIDA 33140

PZR PREPARE BY: THE PLANNING & ZONING RESOURCE COMPANY

PZR PREPARE ON: MAY 27, 2022

EXISTING LAND USE AND ZONING

- ZONING DESIGNATION: RM-2: RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY WITHIN THE COLLINS WATERFRONT HISTORIC DISTRICT
- BUILDING SETBACK APPROVED BY HISTORIC PRESERVATION BOARD (O.R.B. 30589, PG. 3325)
FRONT (COLLINS AVENUE): 15 FEET (PER HPB 21-0480)
SIDE (41 STREET): 5 FEET (PER HPB 21-0480)
SIDE (40 STREET): 5 FEET (PER HPB 21-0480)
REAR: 5 FEET (PER HPC 21-0480)

REVISIONS			
DATE	JOB No.	REV.	BY:
06/02/22	152917	UPDATE TITLE, CERT. & PZR REPORT	R.J.G.
06/21/22	152917	UPDATE TITLE COMMIT. AND LEGAL DESC.	J.G.H.

NOTES REGARDING TITLE COMMITMENT

THIS ALTA/NSPS LAND TITLE SURVEY REFLECTS PLOTTABLE EASEMENTS AND RIGHT-OF-WAYS SHOWN IN SCHEDULE B-II OF TITLE COMMITMENT FILE NUMBER 1062-5417332, REVISION 1, (6-19-20), ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, HAVING AN EFFECTIVE DATE OF MAY 27, 2022 AT 8:00 AM

NOTES REGARDING SCHEDULE B-II

ITEM 9. INTENTIONALLY DELETED.

ITEM 10. INTENTIONALLY DELETED.

ITEM 11. INTENTIONALLY DELETED.

ITEM 12. INTENTIONALLY DELETED.

ITEM 13. INTENTIONALLY DELETED.

ITEM 14. INTENTIONALLY DELETED.

ITEM 15. HISTORIC PRESERVATION BOARD OF THE CITY OF MIAMI BEACH, FLORIDA, CERTIFICATES OF A APPROPRIATENESS AND VARIANCES RECORDED IN OFFICIAL RECORDS BOOK 30589, PAGE 3325 AND OFFICIAL RECORDS BOOK 30837, PAGE 1565, TOGETHER WITH CONDITIONAL USE PERMIT RECORDED IN OFFICIAL RECORDS BOOK 30863, PAGE 1728, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AFFECTS PROPERTY - NOT DEPICTABLE.

ITEM 16. EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED OCTOBER 23, 2020 IN OFFICIAL RECORDS BOOK 32161, PAGE 937, AFFECTS PROPERTY - DEPICTED ON SURVEY.

ITEM 17. TERMS AND PROVISIONS OF THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS REGARDING IMPROVEMENTS IN THE PUBLIC RIGHT OF WAY ATTACHED TO AND AS EVIDENCED BY RESOLUTION 2020-31404 RECORDED NOVEMBER 18, 2020 IN OFFICIAL RECORDS BOOK 32201, PAGE 4008, AFFECTS PROPERTY - NOT DEPICTABLE.

ITEM 18. INTENTIONALLY DELETED.

ITEM 19. HISTORIC PRESERVATION BOARD OF THE CITY OF MIAMI BEACH, FLORIDA ORDER RECORDED NOVEMBER 22, 2021 IN OFFICIAL RECORDS BOOK 32854, PAGE 3381 - AFFECTS PROPERTY - NOT DEPICTABLE.

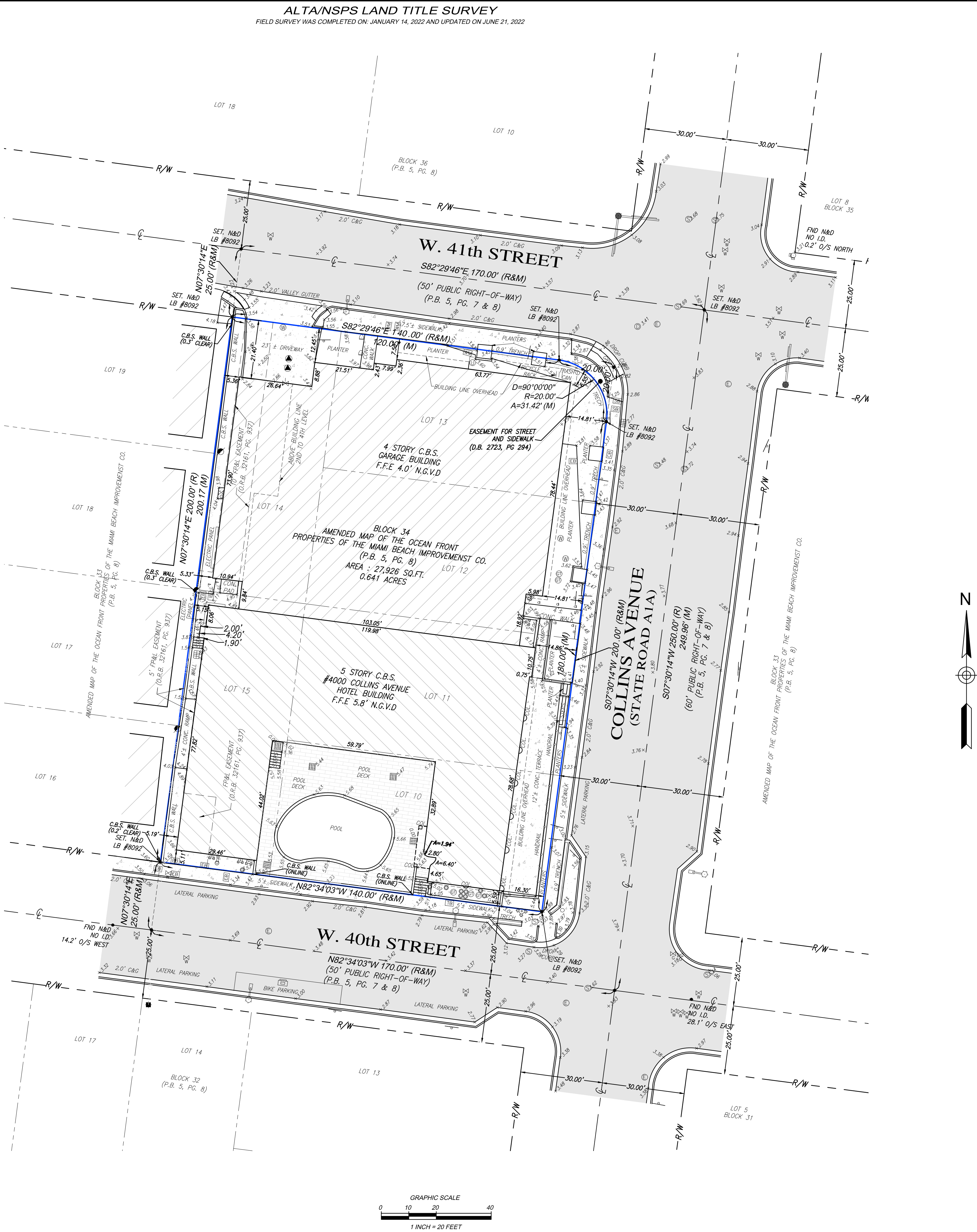
ITEM 20. TERMS, PROVISIONS, RESTRICTIVE COVENANTS, CONDITIONS, RESERVATIONS, RIGHTS, DUTIES AND EASEMENTS, CONTAINED IN THE DECLARATION OF CONDOMINIUM OF 4000 COLLINS CONDOMINIUM, AND ALL EXHIBITS ANNEXED THERETO, INCLUDING BUT NOT LIMITED TO, A LIEN FOR CHARGES AND ASSESSMENTS, RECORDED IN OFFICIAL RECORDS BOOK 33153, PAGE 4458, AS AMENDED, BUT DELETING ANY COVENANT, CONDITION, OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C) - AFFECTS PROPERTY - NOT DEPICTABLE.

ITEM 21. SURVEY PREPARED BY J.HERNANDEZ & ASSOCIATES INC. DATED JANUARY 14, 2022, REVISED JUNE 2, 2022 UNDER PROJECT NO. MD-425(A) SHOWS THE FOLLOWING:
(a) INTENTIONALLY DELETED.
(b) INTENTIONALLY DELETED.
(c) INTENTIONALLY DELETED.
(d) INTENTIONALLY DELETED.
(e) C.B.S. WALL, CONCRETE RAMP, AND STAIRS EXTEND INTO 5' FP&L EASEMENT IN O.R.B. 32161, PAGE 937 IN LOT 15.
(f) INTENTIONALLY DELETED.

ITEM 22. HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT RECORDED IN BOOK 33026, PAGE 1568 - AFFECTS PROPERTY - NOT DEPICTABLE.

ITEM 23. TERMS AND CONDITIONS CONTAINED IN THE MEMORANDUM OF PARKING LICENSE AGREEMENT DATED 2022, RECORDED IN 2022 IN BOOK _____, AFFECTS PROPERTY - NOT DEPICTABLE.

ITEM 23. LEASE AGREEMENT, DATED DECEMBER 7, 2016, BY AND BETWEEN SELLER, AS LANDLORD, AND P75 LLC, A FLORIDA LIMITED LIABILITY COMPANY (THE ORIGINAL TENANT), AS TENANT, AS AMENDED BY THAT CERTAIN LANDLORD'S CONSENT TO ASSIGNMENT AND ASSUMPTION OF LEASE AND FIRST AMENDMENT TO LEASE, DATED MAY 8, 2018, BY AND AMONG SELLER, AS LANDLORD, ORIGINAL TENANT, AS ASSIGNEE, AND J&BFL FOOD LLC, A FLORIDA LIMITED LIABILITY COMPANY (THE TENANT), AS ASSIGNEE, AND AS FURTHER AMENDED BY THAT CERTAIN SECOND AMENDMENT TO LEASE AGREEMENT, DATED MARCH 5, 2019, BY AND BETWEEN SELLER, AS LANDLORD, AND TENANT, AS TENANT - AFFECTS PROPERTY - NOT DEPICTABLE.



ALTA/NSPS LAND TITLE SURVEY

PREPARED FOR:
KAPP MORRISON LLP
LYING AND BEING IN SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

J. Hernandez & Associates Inc.
LAND SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION No. LB8092
3300 NW 112th AVE, SUITE #10, DORAL, FL 33172
P: 305-526-0906 (E) info@jhsurveys.com

DRAWN BY: J.A.C. JOB NUM.: 152967
DATE: 01/19/22 DATE: 01/19/22 F.B. MD-33, PG. 23

LEGAL DESCRIPTION

"HOTEL UNIT" OF 4000 COLLINS CONDOMINIUM, A CONDOMINIUM, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS APPURTENANT THERETO, ACCORDING TO THE DECLARATION OF CONDOMINIUM RECORDED IN OFFICIAL RECORDS BOOK 33153, PAGE 4459, AS AMENDED FROM TIME TO TIME OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID PARCEL OF LAND WHOLLY WITHIN.

LOTS 10 THRU 15 INCLUSIVE, BLOCK 34, LESS A PART OF LOT 13 AT THE NORTHEASTERLY CORNER THEREOF, BOUNDED BY THE TANGENTS AND AN ARC OF A CIRCULAR CURVE HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 20.00 FEET, SAID EXCEPTED PART OF LOT 13 RECORDED IN DEED BOOK 2723, AT PAGE 284, DADE COUNTY, FLORIDA, ALL SHOWN ON THE AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT CO., PLAT BOOK 5, AT PAGE 8 AND 8 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

TOGETHER WITH:

ANY AND ALL REAL PROPERTY INTERESTS PURSUANT TO THAT CERTAIN PARKING LICENSE AGREEMENT, AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF PARKING LICENSE AGREEMENT DATED 2022, AND RECORDED IN BOOK _____, PAGE _____ OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S NOTES

- FIELD SURVEY WAS COMPLETED ON JANUARY 14, 2022 AND UPDATED ON JULY 21, 2022.
- SUBJECT PROPERTY AREA: 27,926 ± Sq. ft. (0.641 ACRES)
- BEARINGS BASED ON AN ASSUMED BEARING OF S07°30'14"W ALONG THE CENTER LINE OF COLLINS AVENUE.
- DISTANCES ALONG BOUNDARY LINES, AS SHOWN HEREON, ARE RECORD AND/OR MEASURED UNLESS OTHERWISE NOTED.
- INTERIOR LOT LINES, AS SHOWN HEREON, ARE FOR INFORMATIONAL PURPOSE ONLY, UNLESS OTHERWISE NOTED.
- UNDERGROUND FOOTINGS, FOUNDATIONS AND UTILITIES HAVE NOT BEEN LOCATED AT THE TIME OF THIS SURVEY, UNLESS OTHERWISE NOTED.
- ABOVEGROUND AND/OR VISIBLE UTILITIES HAVE BEEN LOCATED AT THE TIME OF THIS SURVEY, UNLESS OTHERWISE NOTED.
- SUBJECT PROPERTY HAS A DIRECT PHYSICAL ACCESS TO AND FROM COLLINS AVENUE, W. 41th STREET AND W. 40th STREET, PUBLIC DEDICATED RIGHT-OF-WAYS.
- TREES WITHIN SUBJECT PROPERTY HAS NOT BEEN SURVEYED AT THE TIME OF THIS SURVEY.
- THERE ARE NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES.
- THERE ARE NO RECENT STREET OR SIDEWALK CONSTRUCTION ON SURVEY.
- THERE ARE NOT OBSERVED WETLANDS WITHIN SUBJECT PROPERTY.
- THERE ARE 68 REGULAR PARKING AND 1 HANDICAP PARKING SPACES WITHIN GARAGE BUILDING.
- THERE ARE NO PLOTTABLE OFFSITE EASEMENTS SERVING THE PROPERTY.
- THE ATTESTING LAND SURVEYOR CARRIES PROFESSIONAL LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000.
- THE ACCURACY OBTAINED BY FIELD MEASUREMENTS AND OFFICE CALCULATIONS OF CLOSED GEOMETRY FIGURES MEETS AND EXCEEDS THE MINIMUM TECHNICAL STANDARDS OF PRACTICE REQUIREMENTS FOR COMMERCIAL/HIGH RISK LINEAR 1 FOOT IN 10,000 FEET AS DEFINED IN RULE 5A-17.051 OF THE FLORIDA ADMINISTRATIVE CODE.

PROPERTY INFORMATION

- PROPERTY ADDRESS: 4000 COLLINS AVENUE, FL 33434
- FOLIO NUMBER: 02-3226-001-1930

FLOOD ZONE INFORMATION

- SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE "AE" (EL 7 FEET) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 12086C0328L, DATED SEPTEMBER 11, 2009
- ELEVATION REFER TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND IS EXPRESSED IN FEET.

CERTIFY TO:

- VMC MASTER LENDER UPPER REIT LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS.
- SOV CMB HOTEL OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY
- FIRST AMERICAN TITLE INSURANCE COMPANY.
- KAPP MORRISON LLP

SURVEYOR'S CERTIFICATION:

THIS IS CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(A), 8, 9, 10, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 14, 2022 AND UPDATED ON JUNE 21, 2022.

I HEREBY CERTIFY THAT THIS "ALTA/NSPS LAND TITLE SURVEY" OF THE PROPERTY DESCRIBED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION AND DIRECTION. THIS SURVEY COMPLIES WITH THE STANDARDS OF PRACTICE REQUIREMENT ADOPTED BY THE FLORIDA STATE BOARD OF SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5A-17, FLORIDA ADMINISTRATIVE CODE.

THIS CERTIFICATION DOES NOT EXTEND TO UNLOCATED PARTIES.

BY: JOSE G. HERNANDEZ, PRESIDENT
PROFESSIONAL LAND SURVEYOR No. 69476
FLORIDA

DIGITALLY SIGNED BY: J.HERNANDEZ AND ASSOCIATES, INC.
cjh-jose.hernandez@jhsurveys.com
e-mail=jhsurveys.com
PHONE: 305-526-0906
113837-0400

THE ELECTRONIC SEAL AND SIGNATURE APPEARING ON THIS SURVEY WAS AUTHORIZED BY JOSE G. HERNANDEZ, PROFESSIONAL LAND SURVEYOR NO. 69476 OF THE STATE OF FLORIDA ON JUNE 21, 2022.

THIS IS A BOUNDARY SURVEY
PROJECT NUMBER: MD-425(A)
SHEET NUMBER: 1 OF 1