

OPINION OF TITLE

To:

Mayor and Commissioners of the City of Miami Beach
c/o Office of the City Attorney
Attn: Ricardo J. Dopico, City Attorney
1700 Convention Center Drive
Miami Beach, Florida 33139
ricardodopico@miamibeachfl.gov

With the understanding that this Opinion of Title is being furnished to the Mayor and Commission of the City of Miami Beach, as inducement for acceptance of a conveyance from the City of Miami Beach of air rights easement to the owners of the real property located at **6 Farrey Lane**, Miami Beach Florida, 33139 and **7 Farrey Lane**, Miami Beach Florida, 33139, it is hereby certified that I have examined a complete Title Search Report Nos. 110424948 and 110424958, prepared by First American Title Insurance Company, covering the period from December 13, 2021 to the 23rd day of July, 2024 at the hour of 8:00 a.m. inclusive, of the following property more particularly described in the following:

Lot 6, SECOND SECTION BELLE ISLE VILLAS, according to the Plat thereof, recorded in Plat Book 42, Page 100, of the Public Records of Miami-Dade County, Florida

Folio No. 02-3233-003-0060

Address: 6 Farrey Lane, Miami Beach, Florida 33139 ("**Lot 6**")

Lot 7, SECOND SECTION BELLE ISLE VILLAS, according to the Plat thereof, recorded in Plat Book 42, Page 100, of the Public Records of Miami-Dade County, Florida

Folio No. 02-3233-003-0070

Address: 7 Farrey Lane, Miami Beach, Florida 33139 ("**Lot 7**")

As to Lot 6

Warranty Deed, dated October 26, 2021, and recorded in Official Records Book 32828, at Page 3063, of the Public Records of Miami-Dade County, Florida, attached hereto as Exhibit "A" (the "* Lot 6 Warranty Deed"):

Quit Claim Deed, dated June 26, 2024, and recorded in Official Records Book 34295, at Page 350, of the Public Records of Miami-Dade County, Florida, attached hereto as Exhibit "B" (the "* Lot 6 Quit Claim Deed"):

As to Lot 7

Warranty Deed, dated December 3, 2021, and recorded in Official Records Book 32899, at Page 3535, of the Public Records of Miami-Dade County, Florida, attached hereto as Exhibit "C" (the "* Lot 7 Warranty Deed"):

Quit Claim Deed, dated June 26, 2024, and recorded in Official Records Book 34294, at Page 4349, of the Public Records of Miami-Dade County, Florida, attached hereto as Exhibit "D" (the "* Lot 7 Quit Claim Deed"):

I am of the opinion that on the last-mentioned date, the fee simple title to the above-described real property was vested in:

MMS 7 FARREY LLC, A FLORIDA LIMITED LIABILITY COMPANY AS TO 50% AND FARREY LN DG MASTER PLAN, LLC, A DELWARE LIMITED LIABILITY COMPANY, AS TO 50%, AS TENANTS IN COMMON

The Persons authorized to execute are:

For MMS 7 FARREY LLC: **Gregory Mirmelli**

For FARREY LN DG MASTER PLAN, LLC: **Daniel Kodsi**

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. Unsatisfied Encumbrances

As to Lot 6

Mortgage, Assignment of Rents and Security Agreement dated October 25, 2021, and recorded in Official Records Book 32828, at Page 3065, of the Public Records of Miami-Dade County, Florida

06/24 Mortgage Modification and Future Advance Agreement dated June 26, 2024, and recorded in Official Records Book 34295, at Page 352, of the Public Records of Miami-Dade County, Florida

UCC Financing Statement dated June 26, 2024, and recorded in Official Records Book 34295, at Page 359, of the Public Records of Miami-Dade County, Florida

As to Lot 7

Mortgage, Assignment of Rents and Security Agreement dated December 2, 2021, and recorded in Official Records Book 32899, at Page 3537, of the Public Records of Miami-Dade County, Florida

Mortgage and Security Agreement dated August 23, 2022, and recorded in Official Records Book 33351, at Page 371, of the Public Records of Miami-Dade County, Florida

Assignment of Leases and Rents dated August 23, 2022, and recorded in Official Records Book 33351, at Page 391, of the Public Records of Miami-Dade County, Florida

UCC Financing Statement dated August 23, 2022, and recorded in Official Records Book 33351, at Page 399, of the Public Records of Miami-Dade County, Florida

Subordination of Mortgage Documents dated June 13, 2024, and recorded in Official Records Book 34294, at Page 4351, of the Public Records of Miami-Dade County, Florida

06/24 Mortgage Modification Agreement dated June 26, 2024, and recorded in Official Records Book 34294, at Page 4354, of the Public Records of Miami-Dade County, Florida

Mortgage Modification Agreement dated June 26, 2024, and recorded in Official Records Book 34294, at Page 4361, of the Public Records of Miami-Dade County, Florida

UCC Financing Statement dated June 26, 2024, and recorded in Official Records Book 34294, at Page 4367, of the Public Records of Miami-Dade County, Florida

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

As to Lot 6: None

As to Lot 7: None

3. Special Easements, Restrictions, and Other Matters Affecting Title

As to Lot 6 and Lot 7:

Restrictions, Dedications, Conditions, Reservations, Easements on the Plat of Second Section Belle Isle Villas, recorded in Plat Book 42, Page 100, of the Public Records of Miami-Dade County, Florida

Easement Granted to Southern Bell Telephone and Telegraph Company recorded under Clerk's File No. T-66446

Reservation of the Oil, Gas, and Mineral Rights recorded in Official Records Book 135, at Page 274, of the Public Records of Miami-Dade County, Florida

[End of Opinion – Certification on Following Page]

I HEREBY CERTIFY that I have reviewed all the encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the conveyance of air rights easement.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the Covenant a valid and binding covenant on the lands described herein:


MMS 7 FARREY LLC, A FLORIDA LIMITED LIABILITY COMPANY AS TO 50% AND FARREY LN DG MASTER PLAN, LLC, A DELWARE LIMITED LIABILITY COMPANY, AS TO 50%, AS TENANTS IN COMMON

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

[Notary on Following Page]

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 12 day of August 2024


Joseph I. Pardo, Esq.
Florida Bar No. 1003339

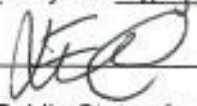
STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me, by means of (☒) physical presence or () online notarization.

Witness my signature and official seal this 12 day of August, 2024, in the County and State aforesaid.

My Commission Expires: 03/03/28


Notary Public-State of FLORIDA

Elidja Clinton
Print Name

