



Application No.: FLUM-2015-015

Appendix "E"

Water and Sewer Availability Letter

Arc/Treo, LLC

Amending the Future Land Use Map (FLUM) within the Town's Comprehensive Plan from Mixed-Use to Medium Density.

Water and Sewer
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MIAMI-DAD

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January 14, 2016

ARC/TREO 216 LLC
c/o Mike Freire, Holland and Knight
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

Re: Water and Sewer Availability for (15-309503) for "Cutler Bay", construction and connection of 180 townhouses, replacing vacant land, located at S.W. 216 Street and S.W. 89 Avenue, Miami, Florida 33131, Folio # 36-6016-00p-0027.

Ladies and Gentlemen:

This letter is in response to your inquiry regarding water and sewer availability to the above-referenced property for the construction and connection of one hundred eighty (180) townhouses, replacing vacant land.

The County owns and operates an existing sixteen (16) inch water main in S.W. 216 Street close to the northwestern corner of the property, to which the developer shall connect and extend a sixteen (16) inch water main easterly in S.W. 216 to a point close to the northeastern corner of the property, interconnecting to an existing sixteen (16) inch water main at that location. Any public water main extension within the property shall be twelve (12) inches minimum in diameter. If two (2) or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

For sewer, the developer shall connect to an existing eight (8) inch gravity sewer in S.W. 216 Street close to the northwestern corner of the property and extend an eight (8) inch gravity sewer main easterly in S.W. 216 Street as necessary to provide service to the subject property. If unity of title does not apply, then any gravity sewer within the property shall be public and eight (8) inch minimum in diameter.

Construction connection charges and connection charms shall be determined once the developer enters into an agreement for water and sewer service, provided the Department is able to offer those services at the time of the developer's request. Information concerning the estimated cost of facilities must be obtained from a consulting engineer. All costs of engineering and construction will be the responsibility of the developer. Easements must be provided covering any on-site facilities that will be owned and operated by the Department. Other points of connection may be established by the Department.

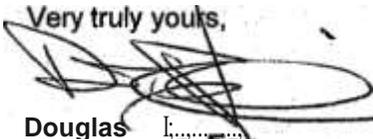
Please be advised that any right to connect the property to the County's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the county and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Decree entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12 cv-24400 FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

Please be advised that the subject property falls within a designated protected wetland area. The developer is not authorized to commence any work or activities pursuant to this permit until the developer obtains any and all approvals or permits, if necessary, from the County's Department of Regulatory and Economic Resources (RER). Please be advised that, even after work commences, if the County is advised by the Federal Government, the State of Florida, or a court that an activity on the subject property is in violation of Federal law, in violation of Florida law, or in violation of a permit or approval granted by the Federal Government, such violation may result in an immediate stop work order. The developer is strongly advised to consult with the necessary federal or state agencies before conducting any work or activities on the property. Please be aware that the Federal Government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that the developer consult with the Federal Government at an early stage in the process. In the event that the Federal Government advises that the plans for the subject property may result in a "take" of endangered or threatened species, the developer is strongly recommended to inform the County in writing at the earliest stage possible.

This letter is for informational purposes only and conditions remain in effect for thirty (30) days from the date of this letter. Nothing contained in this letter provides the developer with any vested rights to receive water and/or sewer service. The availability of water and/or sewer service is subject to the approval of all applicable governmental agencies having jurisdiction over these matters. When development plans for the subject property are finalized, and upon the developer's request, we will be pleased to prepare an agreement for service, provided the Department is able to offer those services at the time of the developer's request. The agreement will detail requirements for off-site and on-site facilities, if any, points of connection, connection charges, capacity reservation and all other terms and conditions necessary for service in accordance with the Department's rules and regulations.

If we can be of further assistance in this matter, please contact us.

Very truly yours,



Douglas L. [unclear]
New Business Contracting Officer