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Property Information

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Summary Details:

Folio No.	03-4117-005-4200
Property	2728 PONCE DE LEON BLVD
Mailing Address	SKYY PROP INC 6435 SW 100 ST MIAMI FL 33156-3351

Property Information:

Primary Zone:	6400 COMMERCIAL - CENTRAL
CLUC	0011 RETAIL OUTLET
Beds/Baths	0/0
Floors	1
Living Units	0
Adj Sq Footage:	5,477
Lot Size	10,700 SQ FT
Year Built:	1943
Legal Description:	C GABLES CRAFTS SEC PB 10-40 LOTS 27 TO 31 INC BLK 15 LOT SIZE 10700 SQUARE FEET OR 18506-3173 0399 1 COC 21784-2688 10 2003 6 OR 21784-2688 1003 03

Assessment Information:

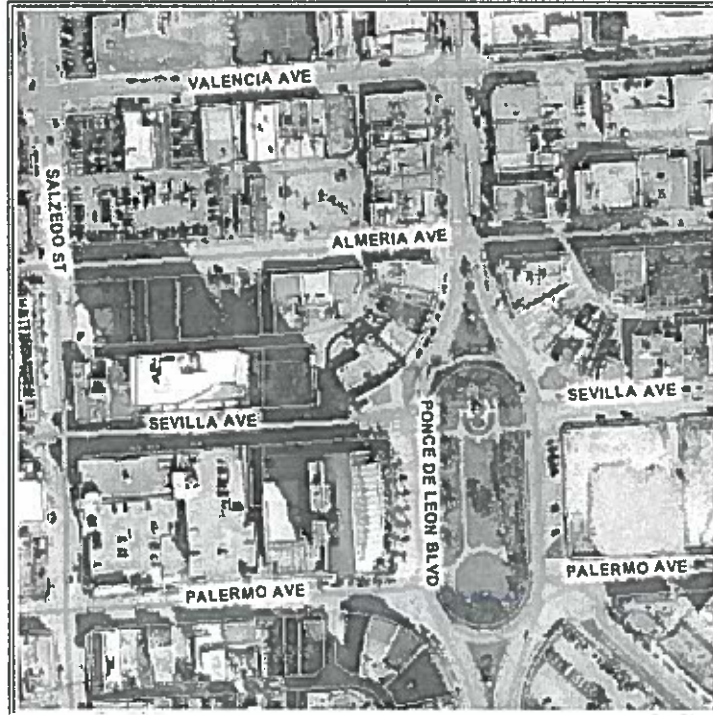
Year:	2012	2011
Land Value:	\$1,498,000	\$1,498,000
Building Value:	\$1,095,400	\$1,095,400
Market Value:	\$2,593,400	\$2,593,400
Assessed Value:	\$2,593,400	\$2,439,906

Taxable Value Information:

Year:	2012	2011
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$2,593,400	\$0/\$2,439,906
County:	\$0/\$2,593,400	\$0/\$2,439,906
City:	\$0/\$2,593,400	\$0/\$2,439,906
School Board:	\$0/\$2,593,400	\$0/\$2,593,400

Sale Information:

Sale Date:	10/2003
Sale Amount:	\$1,340,000
Sale O/R:	21784-2688
Sales Qualification Description:	Other disqualified
View Additional Sales	

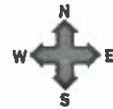


Aerial Photography - 2012

0 114 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



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CITY'S
EXHIBIT





The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

EXT TO 7/31
SEE EMAIL
ATT

Resent Regular mail
4-3-13
SEE ATTACH
Ext. to June 30,
2013

3/1/2013

SKYY PROP INC
6435 SW 100 ST
MIAMI, FL 33134-5903

VIA CERTIFIED MAIL
91 7108 2133 3932 6146 6108
305-479-6688
Greys

RE: 2728 PONCE DE LEON BLVD, CORAL GABLES, FL
Folio # 03-4117-005-4200
Recertification of Building 40 Years or older

Gentlemen:

This Department has been advised that the subject building is forty (40) years old, or older, having been built in 1943.

In accordance with the Miami-Dade County Code, Chapter 8, Section 8-11(f), a Florida Registered Architect or Professional Engineer must inspect said building and a report must be furnished to this Department with ninety (90) days from the date of this letter, indicating that the building meets the requirements of building recertification under the Code. In the event that repairs or modifications are found to be necessary resulting from the recertification inspection, the owner shall have a total of 150 days from the date of this Notice in which to complete indicted repairs or modifications.

The architect or engineer that you choose to do the inspection may obtain the required forms: "*Minimum Inspection Procedural Guidelines for Building Recertification*," from this link: <http://www.miamidade.gov/building/form-checklist.asp> to access the interactive structural and electrical forms. In addition to the forms, a cover letter must state that the property meets the requirement for building recertification; no additional documents or photographs are necessary.

The certification report, along with the filing fee in the amount of \$380.63; plus, \$2.45 per page document preservation fee must be paid with a check, or credit card payment to the "City of Coral Gables," and sent/delivered to:

BUILDING RECERTIFICATION SECTION
Coral Gables Building & Zoning Department
405 Biltmore Way
Coral Gables, FL 33134

Any questions may be directed to (305) 460-5228. Thank you for your prompt consideration.

Sincerely,

Manuel Z. Lopez

Manuel Z. Lopez, P.E.
Building Official

CITY'S

EXHIBIT 2



The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

June 2, 2015

SKY PROPERTIES INC ****FINAL NOTICE****
6435 SW 100 ST
MIAMI, FL 33156

VIA CERTIFIED MAIL

91 7108 2133 3932 7095 9653

Re: Building Recertification
2728 PONCE DE LEON BLVD
Folio # 03-4117-005-4200

Dear Property Owner:

In a certified letter dated 3/1/2013, this Department notified you the property referenced above requires a 40-year building recertification pursuant to Miami-Dade County Code, Chapter 8, Section 8-11(f). The letter informed you it was necessary to furnish this Department a report prepared by a licensed architect or engineer within 90-days specifying the building meets the requirements for building recertification provided under the Minimum Inspection Procedural Guidelines for Building Recertification.

Please be advised that as of 6/1/2015 the report will be overdue and this building will be deemed to be in NON-COMPLIANCE. This may result in the revocation of the Certificate of Occupancy, as well as, being subject to other penalties as provided in the Code.

Failure to contact us before 7/6/2015, will result in our forwarding this building information to the Miami-Dade County Unsafe Structures Board for further determination.

Please govern yourself accordingly.

Sincerely,

Manuel Z. Lopez

Manuel Z. Lopez, P.E.
Building Official



The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

July 8, 2015

VIA CERTIFIED MAIL

91 7108 2133 3932 5924 9225

Sky Properties Inc
Greg Yu, Manager.
6435 SW 100 St
Miami, Fl. 33156

Re: 2728 Ponce de Leon Blvd
Folio # 03-4117-005-4200

Dear Property Owner/Manager:

This Department has received your request dated June 8, 2015 for an extension to provide us with the Recertification Report for the above referenced property.

By these means, I am granting you sixty (60) days from the date of this letter to provide the Recertification Report. If you have further questions please contact me at (305) 460-5242.

Sincerely,

Manuel Z. Lopez

Manuel Z. Lopez, P.E.
Building Official

RC-13-08-1913

FORMGROUP
architecture + planning

August 28, 2013

Miami-Dade County Building Official
Miami-Dade County Building and Zoning Department
Attention: Permitting and Inspections Center
11805 SW 26th Street
Miami, FL 33175

Re: 40 Year Recertification
2728 Ponce De Leon Blvd, Coral Gables, FL 33134 – Folio no. 03-4117-005-4200

Dear Building Official,

I am a Florida registered Architect with an active license, no AR14851. I have been retained to perform an inspection of the above referenced building for compliance with Section 8-11(f) of Miami-Dade County Code for 40year recertification. I have over 15 years experience practicing in the South Florida Market and consider myself qualified to perform these inspections.

I performed a series of visual inspections from August 25th through August 27, 2013. Several concealed spaces were uncovered in order to provide visual access during my inspections. I did not find material deterioration warranting extensive material or laboratory testing and none were performed. The detailed findings of my report are found on the attached inspection report.

Ralph Pena Sr., from RPJ Engineering performed electrical inspections as per Section 8-11 requirements and his report is attached herein. Minor electrical repairs are recommended.

Based on my inspections, I hereby certify that the above referenced property meets the minimum standards for occupancy classification of the building as established in Section 8-11(f) of the code of Miami- Dade County and that the building is structurally sound for it's intended use and occupancy.

Please feel free to contact me with any questions you may have or if I can be of further assistance in this matter.

Sincerely,



Omar A. Morales, AIA
Architect: AR#14851

CITY'S
EXHIBIT

3



MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING STRUCTURAL RECERTIFICATION

INSPECTION COMMENCED Date: 8-25-13

INSPECTION MADE BY: FORMGROUP, Inc. SIGNATURE:

INSPECTION COMPLETED Date: 8-27-13

PRINT NAME: Omar A. Morales TITLE: President / Principal Architect

ADDRESS: FORMGROUP, Inc. 4300 SW 73 Avenue, Suite 106 Miami, FL 33155

1. DESCRIPTION OF STRUCTURE

Table with 2 columns: Field (a-h) and Value. Fields include Name on Title, Street Address, Legal Description, Owner's Name, Mailing Address, Folio Number, Building Code Classification, and Present Use.

i. General Description, Type of Construction, Size, Number of Stories, and Special Features

Additional Comments: One story CBS building, approximately 5,477s.f., original construction date is unknown (approx. 1929) last major remodeling done in 2000 included extensive facade renovations, new parapets, and new AC equipment. Building structure is made up of exterior load bearing masonry walls supported on continuous spread footings, interior steel columns supported on pad foundations, concrete slab on grade with 2x8 wood rafter roof system. Structure is generally in good condition with notable features as described herein.

Handwritten signature and date 8/27/13

Additions to original structure:

Minor one-story addition made to rear of building for use as storage room.

2. PRESENT CONDITION OF STRUCTURE

a. General alignment (not good, fair, poor, explain if significant) **Good**

1. Bulging **None noted**

2. Settlement **None noted**

3. Defections **None noted**

4. Expansion **Minor stucco expansion on front facade, not significant**


5. Contraction **None noted**

b. Portion showing distress (Note, beams, columns, structural walls, floors, roofs, other)

Roof appears to be approximately 20 years old, minor deterioration noted at parapet flashing along West wall.

c. Surface conditions – describe general conditions of finishes, noting cracking, spalling, peeling, signs of moisture penetration & stains.

Exterior surfaces appear in generally good condition, recent stucco repairs apparent to South (front) facade appear to be in good condition with exception of minor expansion/cracking above arches.


8/29/13

d. Cracks – note location in significant members. Identify crack size as HAIRLINE if barely discernible; FINE if less than 1 mm in width; MEDIUM if between 1 and 2 mm in width; WIDE if over 2 mm.

No cracks noted in slab, walls, beams. Minor ceiling stucco damage at interior dining room.

e. General extent of deterioration – cracking or spalling of concrete or masonry; oxidation of metals; rot or borer attack in wood.

**General deterioration noted at exterior electrical closet - wood deterioration at door jambs.
Electrical closet does not appear to meet electrical clearance requirements.
Electrical closet should be demolished/removed**

f. Previous patching or repairs **Minor interior ceiling patches noted, not significant**

g. Nature of present loading indicate residential, commercial, other estimate magnitude

Present use is Restaurant, 50psf.

3. INSPECTIONS

a. Date of notice of required inspection

b. Date(s) of actual inspection **8-25-13 through 8-27-13**

c. Name and qualifications of individual submitting inspection report:

Omar A. Morales, AIA, State registered Architect and General Contractor (AR#0014851)

d. Description of any laboratory or other formal testing, if required, rather than manual or visual procedures

None

e. Structural repair-note appropriate line:

1. None required **X**

2. Required (describe and indicate acceptance)

4. SUPPORTING DATA

a. _____ sheet written data

b. **X** _____ photographs

c. **X** _____ drawings or sketches:

[Handwritten signature]
8/29/13

5. MASONRY BEARING WALL = Indicate good, fair, poor on appropriate lines

a. Concrete masonry units	Good
b. Clay tile or terra cota units	None
c. Reinforced concrete tie columns	Good
d. Reinforced concrete tie beams	Good
e. Lintel	Good
f. Other type bond beams	none
g. Masonry finishes - exterior	
1. Stucco	Fair
2. Veneer	Good - keystone framing details
3. Paint only	Good
4. Other(describe)	
h. Masonry finishes - interior	
1. Vapor barrier	Good
2. Purring and plaster	Fair - minor repairs required
3. Paneling	None
4. Paint only	Good
5. Other (describe)	
i. Cracks:	
1. Location - note beams, columns, other	South facade - above arches
2. Description	Minor surface cracks associated with expansion
j. Spalling: None noted	
1. Location - note beams, columns, other	
2. Description	
k. Rebar corrosion-check appropriate line:	
1. None visible	X
2. Minor-patching will suffice	
3. Significant-but patching will suffice	
4. Significant-structural repairs required	

[Handwritten Signature]
9/28/13

1. Samples chipped out for examination in spall areas:

1. No. **X**

2. Yes - describe color, texture, aggregate, general quality

6. FLOOR AND ROOF SYSTEM

a. Roof:

1. Describe (flat, slope, type roofing, type roof deck, condition.

Low slope, built-up roofing over plywood deck

Fair condition with signs of wear associated with age. Parapet flashing in poor condition.

2. Note water tanks, cooling towers, air conditioning equipment, signs, other heavy equipment and condition of support.

Existing AC condensing units on alumn roof stands, flashing in fair condition.

3. Note types of drains and scuppers and condition:

Roof slopes to gutter/downspouts on North wall - drainage appears good.

b. Floor system(s)

1. Describe (type of system framing, material, spans, condition)

Concrete slab on grade with tile overlay. Generally good condition, not spalling noted.

Trench drain in kitchen in poor condition should be repaired or replaced.

c. Inspection – note exposed areas available for inspection, and where it was found necessary to open ceilings, etc. for inspection of typical framing members.

Ceiling access over bathrooms was used to examine roof structure. Framing appears to be in good to fair condition.

7. STEEL FRAMING SYSTEM

a. Description

**Structural steel interior columns support girder trusses at interior span.
Appear to be in good condition.**


2/28/13

b. Exposed Steel - describe condition of paint & degree of corrosion:

None

None

c. Concrete or other fireproofing – note any cracking or spalling, and note where any covering was removed for inspection

None

d. Elevator sheave beams & connections, and machine floor beams – note condition:

None

8. CONCRETE FRAMING SYSTEM

a. Full description of structural system

N/A

b. Cracking

1. Not significant

2. Location and description of members affected and type cracking

c. General condition

d. Rebar corrosion - check appropriate line.

1. None visible

2. Location and description of members affected and type cracking

3. Significant but patching will suffice

4. Significant - structural repairs required (describe)

e. Samples chipped out in spall areas:

1. No.

2. Yes, describe color, texture, aggregate, general quality:

(Handwritten signature and date) 8/29/13

9. WINDOWS

- | | |
|--|---|
| a. Type (Wood, steel, aluminum, jalousie, single hung, double hung, casement, awning, pivoted, fixed, other) | Aluminum |
| b. Anchorage – type & condition of fasteners and latches: | Anchor screws into wood jambs, fair condition |
| c. Sealant – type of condition of perimeter sealant & at mullions: | Caulking, fair condition |
| d. Interiors seals – type & condition at operable vents: | Caulking, fair condition |
| e. General condition: | Fair condition, additional maintenance should be performed |

10. WOOD FRAMING


- | | |
|---|--|
| a. Type – fully describe if mill construction, light construction, major spans, trusses; | See response below |
| b. Note metal fitting i.e., angles, plates, bolts, split pintles, pintles, other, and note condition: | See response below |
| c. Joints – note if well fitted and still closed: | Joints at rafter and beam in good condition |
| d. Drainage – note accumulations of moisture: | None noted |
| e. Ventilation –note any concealed spaces not ventilated: | Roof attic vented at perimeter exterior wall |
| f. Note any concealed spaces opened for inspection: | Attic access at restroom ceiling and storage room were available. |

SD.rs.vc.mb.js rtc1.2/11/2010.40yrtrackingsystem

- Response 10a. Roof framing consists of 2x8 rafters at 24" o.c., supported by intermediate wood beam 2x12(?). Limited access.**
- Response 10b. Rafters supported in masonry pockets at exterior wall with roofing paper base flashing
No metal supports noted.**


5/28/13




MIAMI-DADE COUNTY
OFFICE OF THE PROPERTY APPRAISER
PROPERTY SEARCH SUMMARY REPORT
Carlos Lopez-Centers
 Property Appraiser

Property Information:				
Folio	03-4117-005-4200			
Property Address	2728 PONCE DE LEON BLVD			
Owner Name(s)	SKYY PROP INC			
Mailing Address	6435 SW 100 ST MIAMI FL 33156 -3351			
Primary Zone	6400 COMMERCIAL - CENTRAL			
Use Code	0011 RETAIL OUTLET			
Beds/Baths/Half	0/0/0			
Floors	1			
Living Units	0			
Adj. Sq. Footage	5,477			
Lot Size	10,700 SQ FT			
Year Built	1943			
Full Legal Description	C GABLES CRAFTS SEC PB 10-40 LOTS 27 TO 31 INC BLK 15 LOT SIZE 10700 SQUARE FEET OR 18506-3173 0399 1 COC 21784-2688 10 2003 6			
Assessment Information:				
	Current	Previous	Previous 2	
Year	2013	2012	2011	
Land Value	\$1,498,000	\$1,498,000	\$1,498,000	
Building Value	\$1,095,400	\$1,095,400	\$1,021,420	
Market Value	\$2,593,400	\$2,593,400	\$2,519,420	
Assessed Value	\$2,593,400	\$2,593,400	\$2,439,906	
Benefits Information:				
	Current	Previous	Previous 2	
Benefit	Type	2013	2012	2011
Non-Homestead Caps	Assessment Reduction	\$0	\$0	\$79,514
Note: not all benefits are applicable to all Taxable Values (ie County, School Board, City, Regional).				



Aerial Photography 2012

Taxable Value Information:			
	Current	Previous	Previous 2
Year	2013	2012	2011
	Exemption/ Taxable	Exemption/ Taxable	Exemption/ Taxable
County	\$0/\$2,593,400	\$0/\$2,593,400	\$0/\$2,439,906
School Board	\$0/\$2,593,400	\$0/\$2,593,400	\$0/\$2,519,420
City	\$0/\$2,593,400	\$0/\$2,593,400	\$0/\$2,439,906
Regional	\$0/\$2,593,400	\$0/\$2,593,400	\$0/\$2,439,906
Sale Information:			
Date	Amount	OR Book-Page	Qualification Code
10/2003	\$1,340,000	21784-2688	Other disqualified
3/1999	\$950,000	18506-3173	Sales which are qualified
12/1986	\$800,000	13118-1750	Sales which are qualified
11/1973	\$374,000	00000-0000	Sales which are qualified

Disclaimer:

The Office of the Property Appraiser and Miami-Dade County are continually editing and updating the tax roll and GIS data to reflect the latest property information and GIS positional accuracy. No warranties, expressed or implied, are provided for data and the positional or thematic accuracy of the data herein, its use, or its interpretation. Although this website is periodically updated, this information may not reflect the data currently on file at Miami-Dade County's systems of record. The Property Appraiser and Miami-Dade County assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any information provided herein. See Miami-Dade County full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>.

Property information inquiries, comments, and suggestions email pawebmail@miamidade.gov

GIS inquiries, comments, and suggestions email: gis@miamidade.gov

Generated on: Tue Aug 20 2013

Handwritten signature and date: 8/28/13



C.C.
08-30-13



Handwritten signature
8/28/13

FRONT ELEVATION



(Handwritten signature)
9/28/13

WEST (SIDE)
ELEVATION

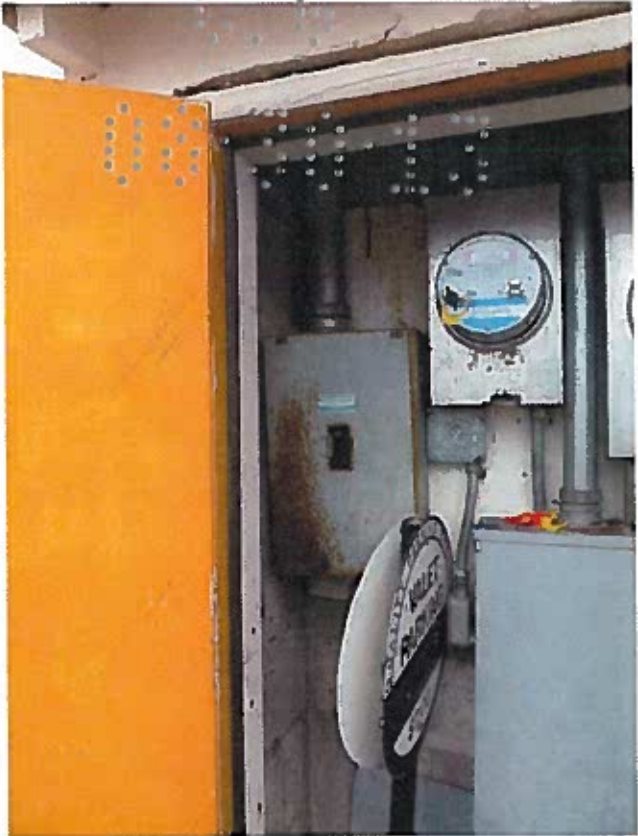


**NORTH (REAR)
ELEVATION**

Handwritten signature and date: 5/20/11



meter closet



parapet flashing

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8/26/15

**CERTIFICATION OF COMPLIANCE WITH PARKING LOT GUARDRAILS
REQUIREMENTS IN CHAPTER 8C OF THE CODE OF MIAMI-DADE COUNTY**

DATE:

8/28/13

Re: Case No.

Property Address: Bldg. No.: , Sq. Ft.:

Building

Description:

2728 PONCE DELEON BLVD. CONDO GRABLES, FL.

The undersigned states the following:

I am a Florida registered professional engineer or architect with an active license. On AUG 27, 2013, I inspected the parking lots servicing the above referenced building for compliance with Section 8C-6 and determined the following (check only one):

The parking lot(s) is not adjacent to or abutting a canal, lake or other body of water.

The parking lot(s) is adjacent to or abutting a canal, lake or other body of water and parked vehicles are protected by a guardrail that complies with Section 8C-6 of the Miami-Dade County Code.

The parking lot(s) is adjacent to or abutting a canal, lake or other body of water and parked vehicles are not protected by a guardrail that complies with Section 8C-6 of the Miami-Dade County Code. I have advised the property owner that he/she must obtain a permit for the installation of the guardrail and obtain all required inspection approvals to avoid enforcement action.



Signature and Seal
of Architect or Engineer

OMAR A. MORALES
(Print Name)



MIAMI-DADE COUNTY, FLORIDA



MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING'S ELECTRICAL RECERTIFICATION

INSPECTION COMMENCED

DATE: AUGUST 27, 2013

INSPECTION COMPLETED

DATE: AUGUST 27, 2013

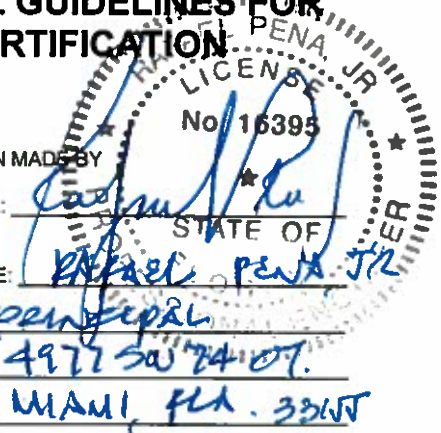
INSPECTION MADE BY

SIGNATURE: *Rafael Pena Jr*

PRINT NAME: RAFAEL PENA JR

TITLE: PRINCIPAL

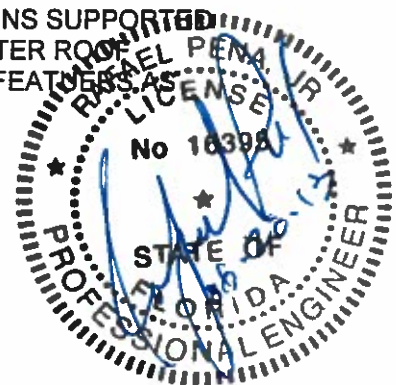
ADDRESS: 4977 SW 74 ST
MIAMI, FLA. 33147



- a. Name of Title: SKYY PROPERTIES, INC.
- b. Street Address: 2728 PONCE DE LEON BLVD., CORAL GABLES, FL 33134
- c. Legal Description: CORAL GABLES CRAFTS SEC PH 10-40
- d. Owners Name: SKYY PROPERTIES, INC.
- e. Owner's Mailing Address: 6435 S.W. 100 STREET – MIAMI, FL 33156-3351
- f. Folio Number of Building: 03-4117-005-4200
- g. Building Code Occupancy Classification: 03-4117-005-4200
- h. Present Use: A-2 ASSEMBLY (RESTAURANT OVER 50 SEATS)

i. General Description, Type of Construction, Size, Number of Stories, and Special Features
 Additional Comment: ONE STORY CBS BUILDING, APPROXIMATELY 5477 SQ. FT. ORIGINAL CONSTRUCTION DATE IS UNKNOWN (APPROXIMATELY 1929) LAST MAJOR REMODELING DONE IN 2000 INCLUDED EXTENSIVE FAÇADE RENOVATIONS, NEW PARAPETS, AND NEW AC EQUIPMENT.

BUILDING STRUCTURE IS MADE UP OF EXTERIOR LOAD BEARING MASONRY WALLS SUPPORTED ON CONTINUOUS SPREAD FOOTINGS, INTERIOR STEEL COLUMNS SUPPORTED ON PAD FOUNDATIONS, CONCRETE SLAB ON GRADE WITH 2 X 8 WOOD RAFTER ROOF SYSTEM. STRUCTURE IS GENERALLY IN GOOD CONDITION WITH NOTABLE FEATURES DESCRIBED HEREIN.



GUIDELINES AND INFORMATION FOR RECERTIFICATION OF ELECTRICAL SYSTEMS OF FORTY (40) YEAR STRUCTURES

1. ELECTRIC SERVICE: 120/240FV, 3 Ø, 4W (OPEN DELTA)

1. Size: Amperage () Fuses () Breakers (X)
 2. Phase: Three Phase (X) Single Phase ()
 3. Condition: Good () Fair () Needs Repair (X)
 4. Comments: THE BUILDING HAS TWO FPL POINT OF SERVICE TO TWO SEPERATE ELECTRICAL CLOSETS IN BACK OF THE BUILDING. ELECTRICAL CLOSET # 1 WITH ONE 200 AMPS SERVICE AND THE ELECTRICAL CLOSET # 2 WITH TWO 200 AMPS SERVICES (REFER ADDITIONAL COMMENTS AND PHOTOS).

2. METER AND ELECTRIC ROOM

1. Clearances: Good () Fair () Requires Correction (X)
 2. Comments: THE CODE REQUIRES CLEARANCES AT BOTH ELECTRICAL CLOSETS. DOES NOT COMPLY WITH CODE (REFER TO ADDITIONAL COMMENTS).

3. GUTTERS: N/A

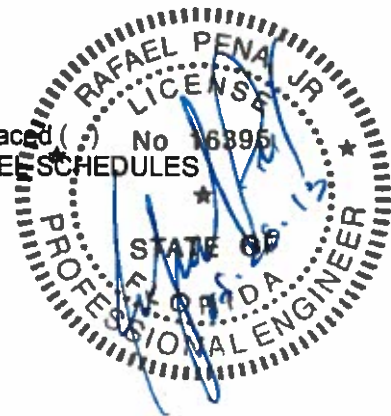
1. Location: Good () Requires Repair ()
 2. Taps and Fill: Good () Requires Repair ()
 3. Comments:

4. ELECTRICAL PANELS:

1. Panel # (A) Location: ELECTRICAL CLOSET # 1.
 Good () Needs Repair (X)
 2. Panel # (B) Location: ELECTRICAL CLOSET # 2.
 Good () Needs Repair (X)
 3. Panel # (C) Location: KITCHEN / BATH
 Good () Needs Repair (X)
 4. Panel # (D) Location: DINNING AREA CLOSET
 Good () Needs Repair (X)
 5. Panel # () Location:
 Good () Needs Repair ()
 6. Comments: PANEL C IS LOCATED INSIDE THE KITCHEN BATHROOM FACING THE TOILET. THIS PANEL LOCATION IS A CODE VIOLATION AND SHALL BE RELOCATED TO A NEW LOCATION TO COMPLY WITH CODE.

5. BRANCH CIRCUITS

1. Identified: Yes () Must be identified (X)
 2. Conductors: Good (X) Deteriorated () Must be replaced ()
 3. Comments: ALL THE EXISTING PANELS SHALL BE PROVIDED WITH NEW PANEL SCHEDULES WITH THE PROPER IDENTIFICATION OF EACH BRANCH BREAKER.



6. GROUNDING OF SERVICE

Condition: Good (X) Repairs Required (X)
Comments: THE GROUNDING AT THE ELECTRICAL CLOSET #2 IS IN GOOD CONDITION. ELECTRICAL CLOSET # 1 IS BEEN USED AS A STORAGE ROOM AND IT WAS IMPOSSIBLE TO VERIFY THE GROUNDING CONDITION. (REFER TO ATTACHED PHOTOS).

7. GROUNDING OF EQUIPMENT

Condition: Good (X) Repairs Required ()
Comments: THE GROUNDING OF THE EQUIPMENT AT THE CLOSET # 2 IS IN GOOD CONDITION. ELECTRICAL CLOSET # 1 IS BEEN USED AS A STORAGE ROOM AND IT WAS IMPOSSIBLE TO VERIFY THE CONDITION OF THE EQUIPMENT GROUNDING. (REFER TO ATTACHED PHOTOS).

8. SERVICE CONDUITS/RACEWAYS

Condition: Good (X) Repairs Required ()
Comments:

9. SERVICE CONDUCTORS AND CABLES

Condition: Good (X) Repairs Required ()
Comments:

10. TYPES OF WIRING METHODS

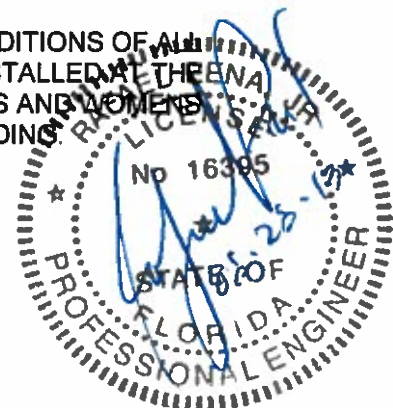
Condition:
Conduit Raceways: Good (X) Repairs Required ()
Conduit PVC: Good () Repairs Required ()
NM Cable: Good () Repairs Required ()
BX Cable: Good () Repairs Required (X)
Comments: THERE ARE SOME EXISTING ELECTRICAL INSTALLATIONS DONE WITH BX CABLE THAT NEED TO BE REPAIRED AND THE EXISTING INSTALLATIONS WITH EXTENSION CORDS SHALL BE REPLACED WITH NEW PERMANENT CONNECTIONS.

11. FEEDER CONDUCTORS

Condition: Good (X) Repairs Required ()
Comments:

12. EMERGENC LIGHTING

Condition: Good (X) Repairs Required (X)
Comments: AN ELECTRICAL CONTRACTOR SHALL VERIFY THE WORKING CONDITIONS OF ALL THE EXISTING EMERGENCY LIGHTS. NEW EMERGENCY LIGHTS SHALL BE INSTALLED AT THE KITCHEN AREA. THE DINNING AREA IN FRONT OF THE KITCHEN, AT THE MENS AND WOMENS BATHROOM, AND ALL THE EXISTING ROOMS OF THE WEST SIDE OF THE BUILDING.



13. BUILDING EGRESS ILLUMINATION

Condition: Good () Repairs Required (X)
Comments: THE BUILDING DOES NOT HAVE BUILDING EGRESS ILLUMINATIONS AT ALL BUILDING EXIT DOORS, PROVIDE NEW LIGHT FIXTURE AT EACH EXIT DOOR.

14. FIRE ALARM SYSTEM: N/A

Condition: Good () Repairs Required ()
Comments: THE BUILDING DOES NOT HAVE A FIRE ALARM SYSTEM.

15. SMOKE DETECTORS

Condition: Good () Repairs Required (X)
Comments: THERE ARE SMOKE DETECTORS IN SOME OF THE ROOMS; ELECTRICAL CONTRACTOR SHALL VERIFY WORKING CONDITIONS AND REPLACE THE ONES THAT ARE REFLECTIVE..

16. EXIT LIGHTS

Condition: Good (X) Repairs Required (X)
Comments: THERE IS ONE EXIT SIGN AT THE LARGE DINING AREA THAT IS BROKEN AND HAS TO BE REPLACED. NEW EXIT SIGNS SHALL BE PROVIDED AT THE BUILDING WEST SIDE AREA AND AT ALL EXIT DOORS. (REFER TO ATTACHED PHOTOS).

17. EMERGENCY GENERATOR; N/A

Condition: Good () Repairs Required ()
Comments:

18. WIRING IN OPEN OR UNDER COVER PARKING GARAGE AREAS: N/A

Condition: Good () Repairs Required ()
Comments:

19. OPEN OR UNDERCOVER PARKING SURFACE AND SECURITY LIGHTING

Condition: Good () Illumination Required (X)
Comments: PROVIDE NEW LIGHT FIXTURES TO COMPLY WITH THE MIAMI-DADE COUNTY MUNICIPAL CODE 8C.

20. SWIMMING POOL WIRING: N/A

Condition: Good () Repairs Required ()
Comments:



21. WIRING OF MECHANICAL EQUIPMENT

Condition: Good (X) Repairs Required
Comments:

0.6.
09.30.13

22. GENERAL ADDITIONAL COMMENTS: THE OWNER SHALL CONTRACT A LICENSING ELECTRICAL CONTRACTOR TO DO ALL NECESSARY REPAIRS INDICATED IN THIS REPORT AND TO OBTAIN NECESSARY PERMITS. REPAIR WORK WILL BE REINSPECTED AFTER COMPLETION.



ADDITIONAL COMMENTS:

ELECTRICAL SERVICE AND METER AND ELECTRICAL ROOM:

A. ELECTRICAL CLOSET # 1:

1. ELECTRICAL CLOSET HAS ONE 200 AMPS, 3Ø, 4W (OOPEN DELTA) FPL DROP TO AN EXISTING ELECTRICAL METER. THE MTER IS LOCATED UP IN THE WALL NEXT TO AN EXPOSE WOOD STRUCTURES, THERE IS SIGN OF WATER LIKING FROM THE ROOF ABOVE THE METER AND THE EXISTING DISTRIBUTION PANEL, THAT NEEDS TO BEL REPAIRED AND BRING TO CODE. (REFER TO ATTACHED PHOTOS).
2. THE EXISTING 200 AMPS, 3Ø, DISTRIBUTION PANEL NEEDS TO BE CLEANED AND PAINTED WITH ANTIRUST PAINT.
3. THE CLEARANCE IN FRONT OF THE ELECTRICAL EQUIPMENT DOES NOT COMPLY WITH THE 3'-0" REQUIRED BY CODE. THE PROPER CLEARANCE SHALL BE PROVIDED.
4. ELECTRICAL CLOSET IS BEEN USED AS STORAGE ROOM. STORAGE ITEMS SHALL BE REMOVED. (REFER TO ATTACHED PHOTOS).
5. THE DOOR OF THE CLOSET DOES NOT HAVE THE PROPER SIGN INDICATING THAT IS AN ELECTRICAL CLOSET.

B. ELECTRICAL CLOSET # 2:

1. ELECTRICAL CLOSET HAS TWOP SEPARATE 200 AMPS, 3Ø, 4W (OPEN DELTA) FPL DROPS, EACH ONE TO ONE ELECTRICAL METER. ONE SERVICE HAS THE METER AND ONE 3P-200 AMPS MAIN CIRCUIT BREAKER, THAT THE LOCATION DOES NOT COMPLY WITH THE 3'-0" CLEARANCE REQUIRED BY CODE, AND THE COVER IS BROKEN AND RUSTED. THIS MAIN CIRCUIT BREAKER SHALL BE REPLACED AND RELOCATED. (REFER TO ATTACHED PHOTOS).

THE SECOND FPL DROP FEEDS A SECOND METER AND A 200 AMPS 3Ø 4W DISTRIBUTION PANEL (IN NEMA – 3R ENCLOSURE) WITH A 3P-200 AMPS M.C.B. THE INTERIOR COVER OF THE PANEL HAS BEEN REMOVED AND NEED TO BE INSTALLED. (REFER TO ATTACHED PHOTOS).



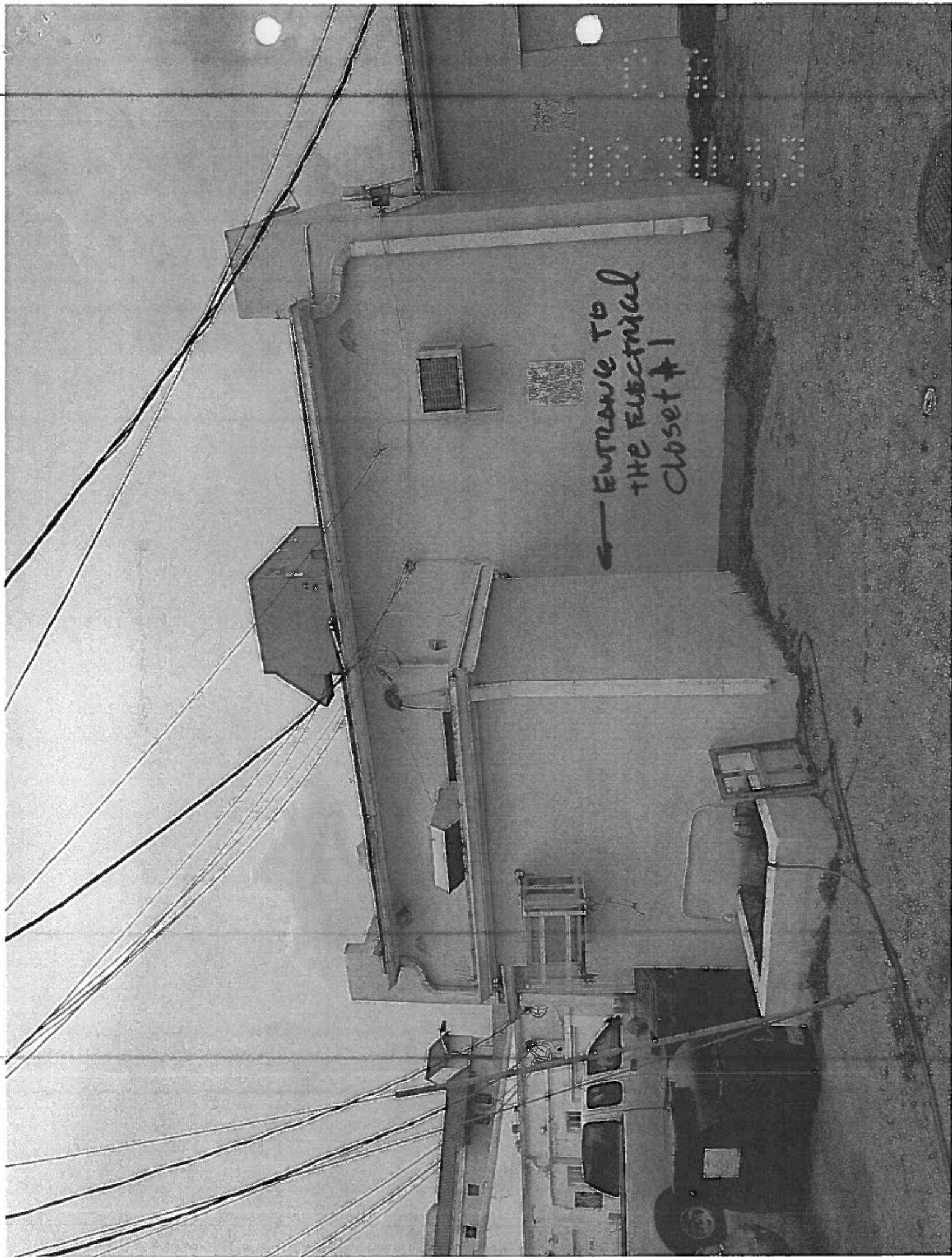
2. THE REQUIRED IDENTIFICATION OF EACH MAINS HAS NOT BEEN PROVIDED.

3. THE DOOR OF THE CLOSED DOES NOT HAVE THE PROPER SIGN INDICATING THAT IS AN ELECTRICAL CLOSET

C. A SIGN INDICATING THAT THIS BUILDING HAVE TWO SEPARATE POINT OF SERVICE SHALL BE PROVIDED AT EACH ELECTRICAL CLOSET DOORS.



Entrance to
the Electrical
Closet #1



METER

PAUFL. A

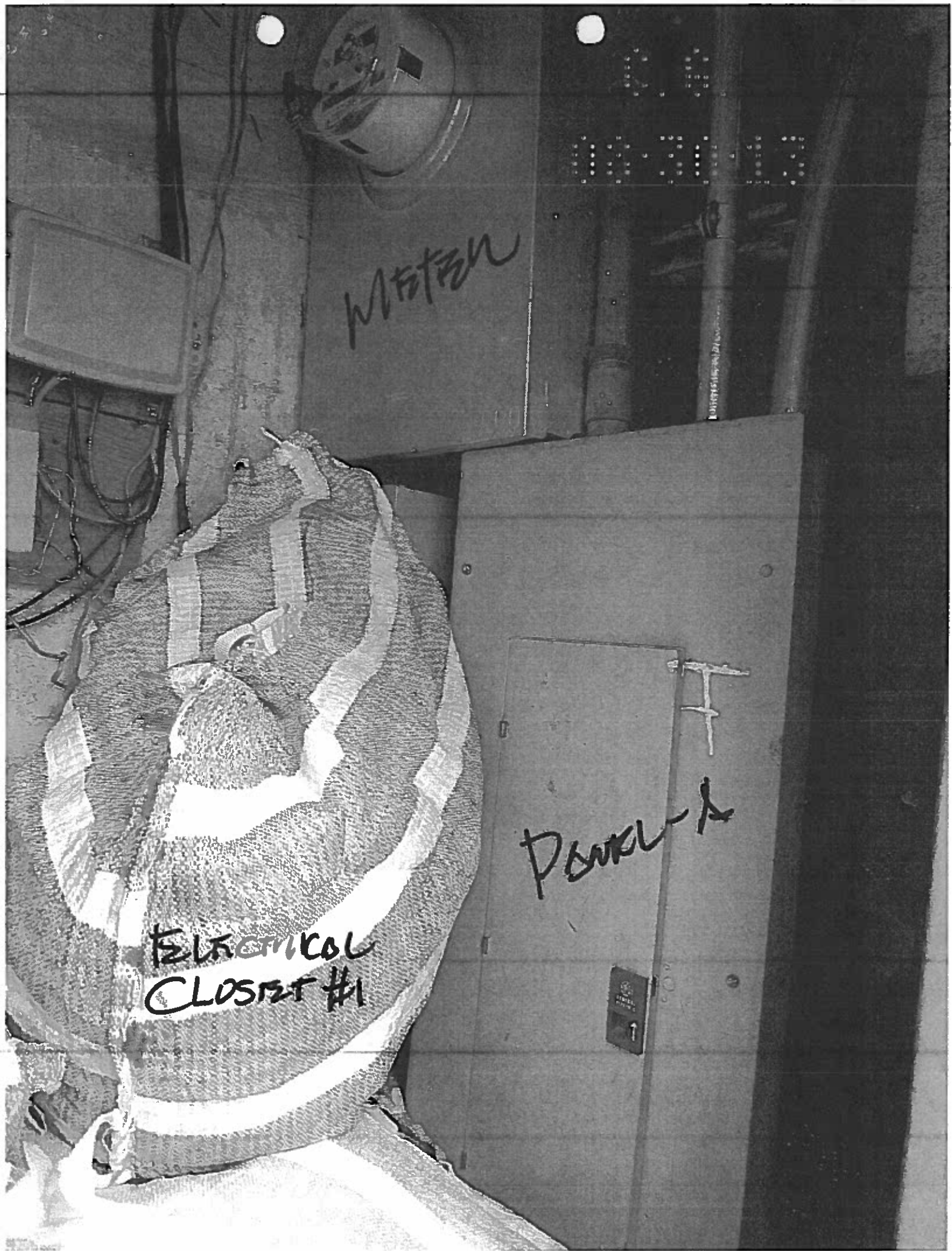
ELECTRICAL
CLOSET # 1



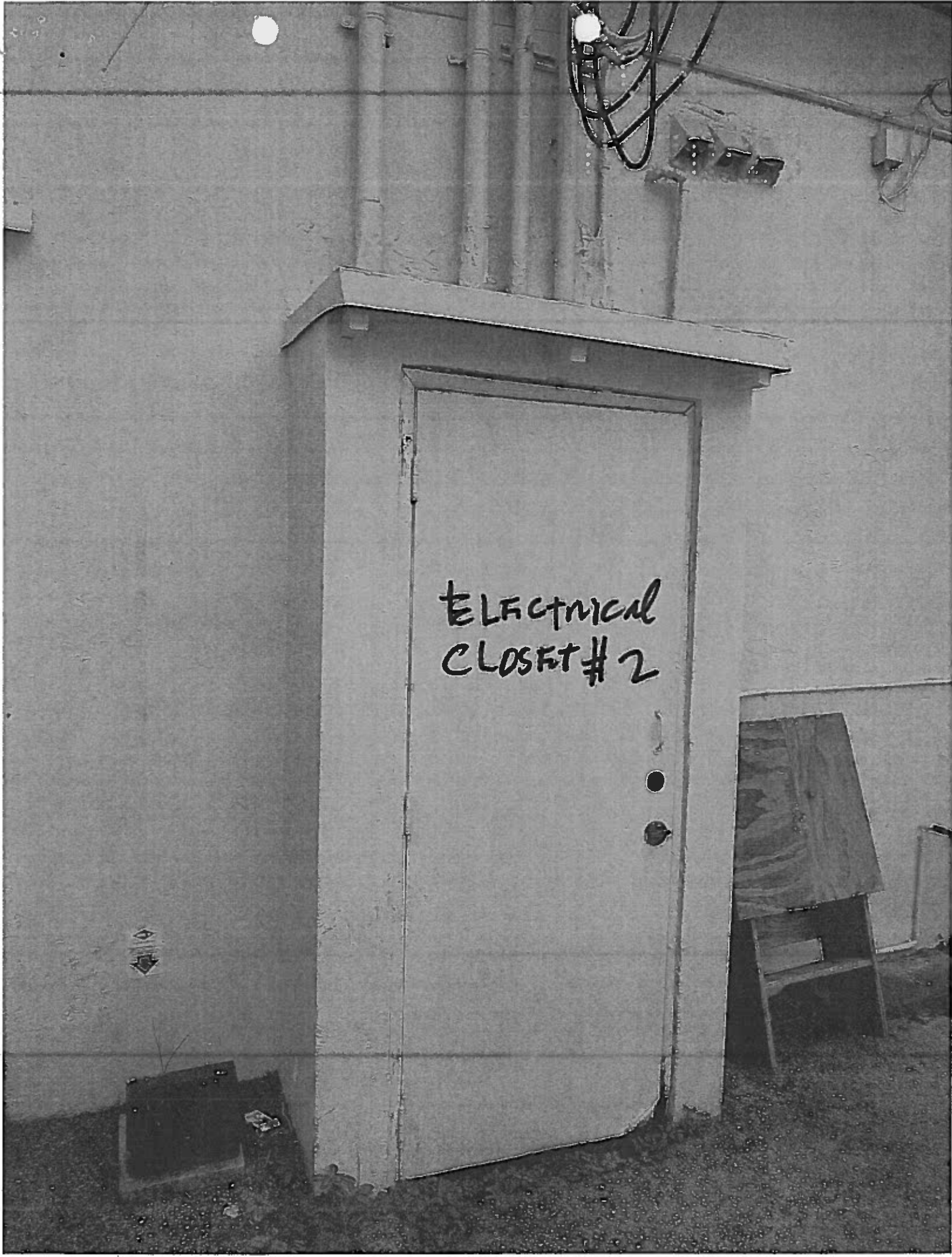
METER

POWER - 2

ELECTRICAL
CLOSET #1



ELECTRICAL
CLOSET # 2

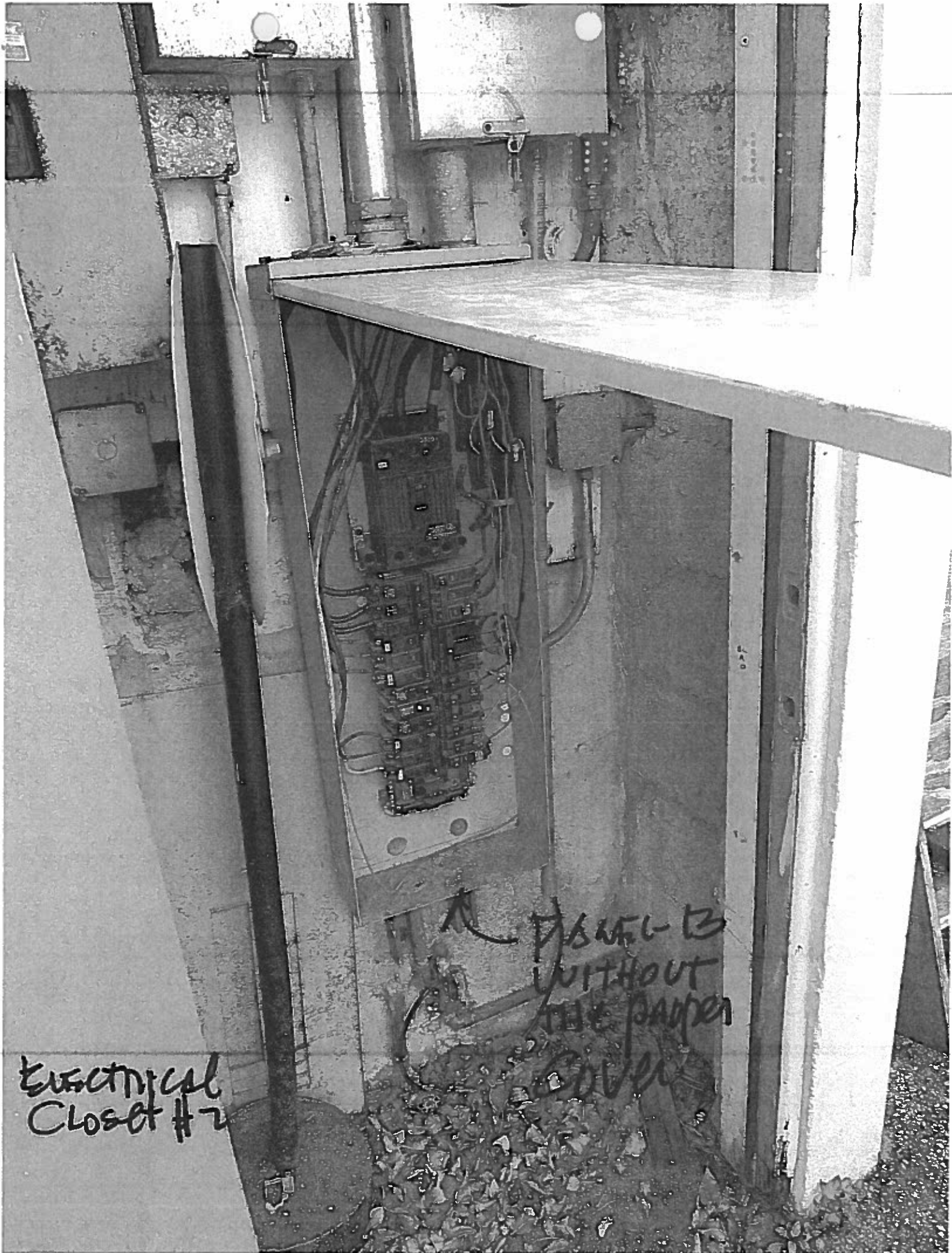


Main circuit
breaker that
is broken and
not comply
with code.

ELECTRICAL
CLOSET # 2

PANEL
"B"

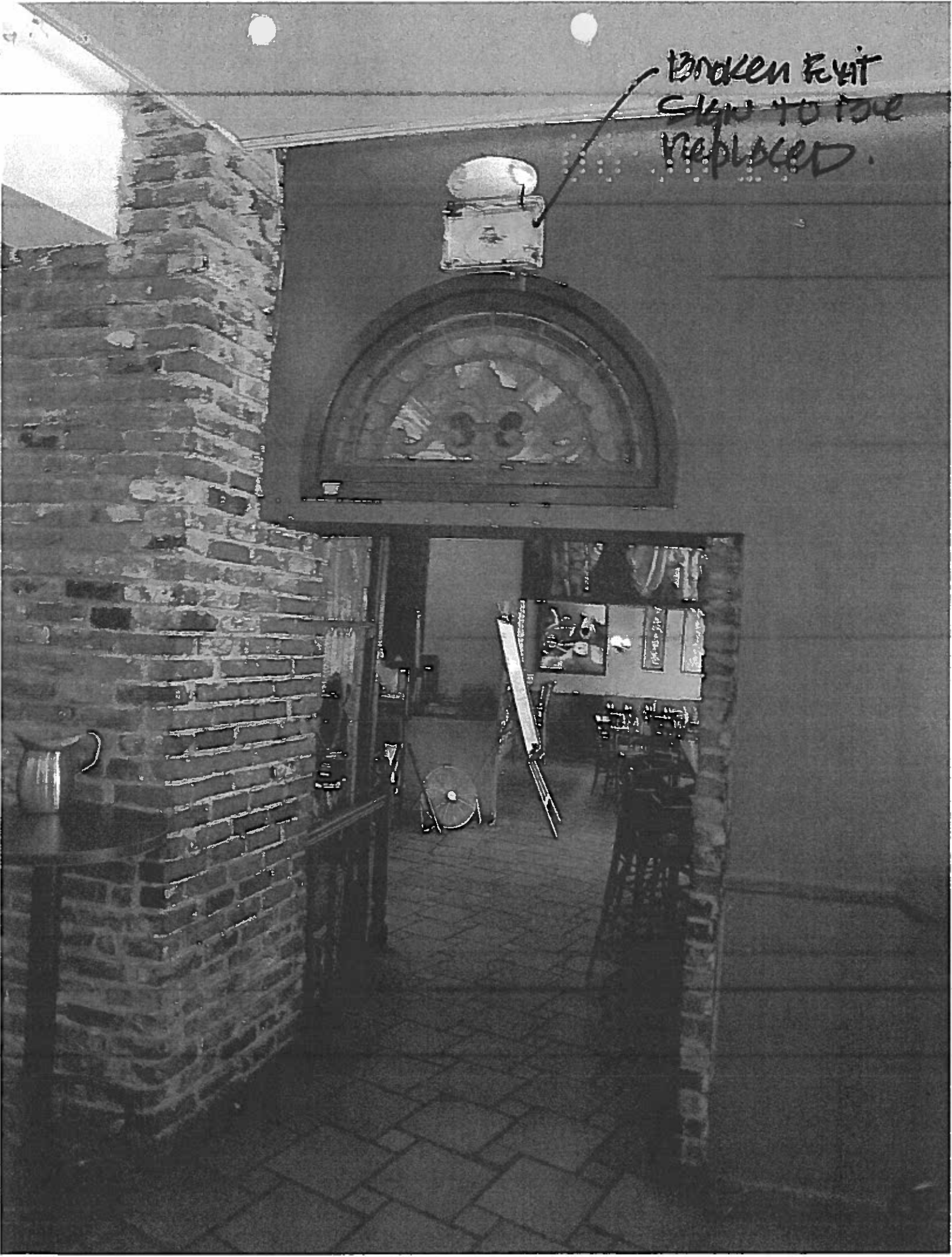




Electrical
Closet #2

ASAP-13
WITHOUT
THE PAPER
COVER

broken key
sign to be
replaced.



Permit #: RC-13-08-1913 Permit type: rc010 - BUILDING RE CERTIFICATION Address: 2728 PONCE DE LEON BLVD
 Master permit #: Routing queue: rc012 - STRUCTURE CERTIFICATION CORAL GABLES, FL 33134-6005

Group # - Name	Action Code	Action Description	Completion Date	Completion Code	Completed By	Comments
1 - BOARDS - GENERATE F	calc fees	CALCULATE FEES	8/30/2013	comp	asilio	
2 - CASHIER	collect	COLLECT FEES	8/30/2013		iwebuser	
3 - PLAN REVIEW	prbuild	BUILDING PLAN REVIEW	8/30/2013	apvd	mlopez	
3 - PLAN REVIEW	prelec	ELECTRICAL PLAN REVIEW				
3 - PLAN REVIEW	prelec	ELECTRICAL PLAN REVIEW				
4 - RE CERTIFIED LETTER	letter	GENERATE LETTER	9/3/2013	reject	areyes	ELECTRICAL CORRECTIONS REQUIRED

CITY'S
EXHIBIT

4

Permit #: RC-13-08-1913

Permit type: rc010 - BUILDING RE CERTIFICATION
Routing queue: rc012 - STRUCTURE CERTIFICATION

Address: 2728 PONCE DE LEON BLVD
CORAL GABLES, FL 33134-6005

Master permit #:

Group # - Name	Action Code	Action Description	Completion Date	Completion Code	Completed By	Comments
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4 - RE CERTIFIED LETTER	letter	GENERATE LETTER	9/3/2013	reject	areyes	ELECTRICAL CORRECTIONS REQUIRED

CITY OF CORAL GABLES,

Case # 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR
FAILURE TO RECERTIFY AND NOTICE OF HEARING**

Date: October 8, 2015

To:

Owner (Registered Agent)

Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3351

Return receipt number:

91 7108 2133 3932 6009 7334

Mortgagee

SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201

Return receipt number:

91 7108 2133 3932 6009 7327

and sent via email to Laura Russo at
laura@laurarussolaw.com

<p><u>Owner</u> Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: <u>91 7108 2133 3932 6009 7310</u></p>	<p><u>Mortgagee</u> SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: <u>91 7108 2133 3932 6009 7303</u></p>
--	---

Re: The one-story office building (“Structure”) built in 1943 and located at 2728 Ponce de Leon Blvd., Coral Gables, FL 33134-6005, legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida (“Property”).

The City of Coral Gables (“City”) Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code as follows:

On March 1, 2013, the City sent the Property Owner a 90-day Notice of Required Inspection requesting an inspection report conforming to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, pursuant to Section 8-11(f) of the Miami-Dade County Code (“Report”).

The Report, submitted to the City on August 30, 2013, stated that the Structure did not meet the minimum requirements to be recertified as structurally and electrically safe. The Report noted that the following items required repair or modification: **Electrical:** 1) clearances in electrical closets do not comply with code, 2) electrical closets, not property marked, 3) electrical panels need repair, 4) panel in kitchen bathroom must be relocated, 5) branch circuits must be identified, 6) electrical closets are being used for storage, 7) BX cable must be replaced and extension cords shall be replaced with new permanent connections, 8) electrical contractor must verify working of emergency lights, 9) new emergency lights required in specified locations, 10) new light fixtures required at exit doors, 11) building lacks a fire alarm system, and 12) new light fixtures required in parking lot.

On June 2, 2015, the City notified the Owner that it must [complete the repairs] and submit a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements (“Compliance Report”).

To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

Therefore, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134, on October 19, 2015, at 2:00 p.m.


You may appeal the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence, however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that, if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, bgarcia@coralgables.com, tel: (305) 460-5229.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and recover the costs incurred against the Property and the Owner of record.

If the Property Owner or other interested party does not take all Required Action or appeal the decision of the Building Official, the Construction Regulation Board may enter an order of demolition and assess all costs of the proceedings and demolition and other Required Action for which the City shall have a lien against the Property and the Property Owner.

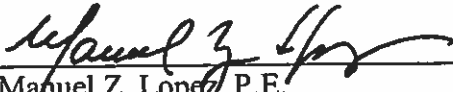
Please address any questions to Virginia Goizueta, Building Services Coordinator, Telephone: (305) 460-5250, or Manuel Z. Lopez, P.E., Building Official, Telephone: (305) 460-5242, Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.


Manuel Z. Lopez, P.E.
Building Official

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on October 8, 2015, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, on all of the parties listed above and by hand delivery or posting at the Property.


Manuel Z. Lopez, P.E.
Building Official

NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006 -11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

ADA Assistance: The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Ernesto Pino, Assistant Public Works Director, at (305) 460-5004, with requests for auxiliary aids or services at least one business day before the hearing in order to request such assistance.



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint/Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, Claudio Ramos, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 2728 Ponce de Leon Blvd, ON 10-9-15.
AT 11 am.

Claudio Ramos
Employee's Printed Name

[Signature]
Employee's Signature

STATE OF FLORIDA)
ss.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 12th day of October, in the
year 2015, by Claudio Ramos who is personally known to me
or has produced _____ as identification.

My Commission Expires:



Belkys Garcia
Notary Public

CITY OF CORAL GABLES,

Case #

Petitioner,

vs.

SKYY PROPERTIES, INC.,
a Florida corporation

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR
FAILURE TO RECERTIFY AND NOTICE OF HEARING**

Date: October 8, 2013

To:

Owner (Registered Agent)
Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3151

Mortgagee
Sun Trust Bank
301 Peachtree Street, Northeast
Atlanta, Georgia 30308-3701

Return receipt number

95 7108 2333 3999 6104 7387

Return receipt number

95 7108 2333 3999 6104 7387

and sent via email to Laura Raposo at
lraposo@coralga.gov

City of Coral Gables
Government

CITY OF CORAL GABLES,

Case #15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR
FAILURE TO RECERTIFY AND NOTICE OF HEARING**

Date: October 27, 2015

To:

Owner (Registered Agent)

Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3351

Return receipt number:

91 7108 2133 3932 6147 4837

and to Laura Russo, Counsel of Skyy
Properties, Inc., at
laura@laurarussolaw.com

Mortgagee

SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201

Return receipt number:

91 7108 2133 3932 6147 4844

<p><u>Owner</u> Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: 91 7108 2133 3932 6147 4851</p>	<p><u>Mortgagee</u> SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: 91 7108 2133 3932 6147 4868</p>
--	---

Re: The one-story office building (“Structure”) built in 1943 and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005, legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida (“Property”).

The City of Coral Gables (“City”) Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code as follows:

On March 1, 2013, the City sent the Property Owner a 90-day Notice of Required Inspection requesting an inspection report conforming to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, pursuant to Section 8-11(f) of the Miami-Dade County Code (“Report”).

The Report, submitted to the City on August 30, 2013, stated that the Structure did not meet the minimum requirements to be recertified as structurally and electrically safe. The Report noted that the following items required repair or modification: **Electrical:** 1) clearances in electrical closets do not comply with code, 2) electrical closets, not property marked, 3) electrical panels need repair, 4) panel in kitchen bathroom must be relocated, 5) branch circuits must be identified, 6) electrical closets are being used for storage, 7) BX cable must be replaced and extension cords shall be replaced with new permanent connections, 8) electrical contractor must verify working of emergency lights, 9) new emergency lights required in specified locations, 10) new light fixtures required at exit doors, 11) building lacks a fire alarm system, and 12) new light fixtures required in parking lot.

On June 2, 2015, the City notified the Owner that it must [complete the repairs] and submit a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements (“Compliance Report”).

To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

Therefore, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134, on November 9, 2015, at 2:00 p.m.

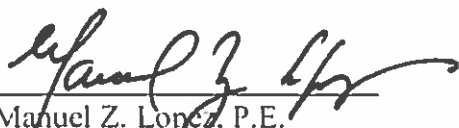
You may appeal the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence, however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that, if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, bgarcia@coralgables.com, tel: (305) 460-5229.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and recover the costs incurred against the Property and the Owner of record.

If the Property Owner or other interested party does not take all Required Action or appeal the decision of the Building Official, the Construction Regulation Board may enter an order of demolition and assess all costs of the proceedings and demolition and other Required Action for which the City shall have a lien against the Property and the Property Owner.

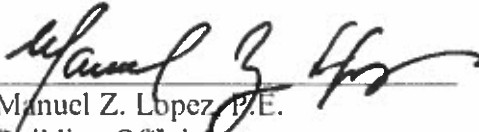
Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: vgoizueta@coralgables.com, or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: mlopez@coralgables.com. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.


Manuel Z. Lopez, P.E.
Building Official

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on October 27, 2015, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail, via e-mail at any e-mail address indicated above, and, on October 28, 2015, by hand-delivery or posting at the Property.


Manuel Z. Lopez, P.E.
Building Official

NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

ADA Assistance: The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Ernesto Pino, Assistant Public Works Director, at (305) 460-5004, with requests for auxiliary aids or services at least one business day before the hearing in order to request such assistance.



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint/Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, DANNIS POIN, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 2728 PONCE DE LEN BLVD. ON 10-28-15
AT 9:30 AM.

DANNIS POIN
Employee's Printed Name

Dennis Poin
Employee's Signature

STATE OF FLORIDA)
SS.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 28th day of October, in the
year 2015, by Dennis Poin who is personally known to me
or has produced _____ as identification.

My Commission Expires:



Belkys Garcia
Notary Public

2728 Ponce De Leon Blvd



After recording return to:
Belkys Garcia
Secretary to the Construction
Regulation Board
Development Services Department
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134-5717

**CITY OF CORAL GABLES
CONSTRUCTION REGULATION BOARD**

CITY OF CORAL GABLES,

CASE NO. 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

ORDER DECLARING STRUCTURE UNSAFE

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on November 9, 2015, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

Findings of Fact

1. The City properly served the Notice on the owner, Skyy Properties, Inc. ("Owner"), and any lienholders of record of the one-story office building ("Structure") built in 1943 and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005, legally described as Lots 27, 28, 29, 30 and 31, Block 15, of **CORAL GABLES CRAFTS SECTION**, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida ("Property").

2. The Notice alleges that the Structure is unsafe because an inspection report pursuant to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"), and furnished by or on behalf of the Owner on January 22, 2015, revealed that the Structure did not meet the minimum requirements to be recertified as structurally and electrically safe.

3. The Report revealed that the following items required repair or modification: **Electrical:** 1) branch circuits must be identified; 2) parking illumination certificate not provided; 3) wiring of mechanical equipment must be repaired; 4) all air conditioner

condensing units on roof have deteriorated wiring that must be replaced and disconnects must be added to each; **Structural:** 5) spalling at concrete lintels and sills; 6) overhead spalls at concrete beams; 7) spalling at concrete columns; 8) loose rail posts; 9) spalling at mechanical room roof slab; 10) meter room door framing damaged; 11) tie-down straps missing at rooftop air conditioning units; and 12) debris on roof top deck.

4. On March 1, 2013, the City notified the Owner that it must complete the repairs and submit a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements ("Compliance Report").

5. To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

Conclusions of Law

6. The Structure is presumed and is hereby declared unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Order

It is, therefore, ORDERED:

7. *Required Action.* The Owner shall take the Required Action as follows: a) the Owner shall obtain all required permits to meet the minimum requirements as noted in the Report ("Permits") within 30 days of the date of this Order; and b) the Owner shall pass final inspection on all Permits and shall submit a Compliance Report within 150 days from the date that the Permits are issued and, in any event, no later than 180 days from the date of this Order. **The City shall not issue a temporary or final certificate of occupancy and the Owner shall not occupy the Structure or permit the Structure to be occupied until the Owner has completed the re-certification process and obtained a letter of recertification from the City.**

8. *Request for compliance inspection.* It is the responsibility of the Owner to contact the Building Official to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order.

9. *Payment of costs and demolition by City.* The Owner shall pay, within 7 days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. **Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.**

10. *Requests for extension of time.* The Building Official, in his sole discretion, may extend any of the above deadlines for good cause beyond the control of the Owner and that the

Owner acted in good faith and exercised due diligence in the efforts to take all Required Action, to apply for any required permits, and to request an extension of any deadlines, as applicable.

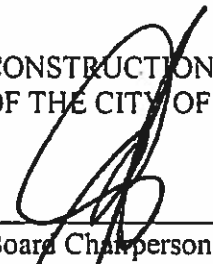
11. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs and the costs of corrective action, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

12. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

13. **NOTICE:** If the Respondent does not comply with the terms of this order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 10 day of November, 2015.

CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES



Board Chairperson

Notice of Deadline to Appeal

PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

Certificate of Filing and Service

I HEREBY CERTIFY that the original of this Order was filed with the Secretary of the Board, on this 10 day of November, 2015 and that, on the same date, a true and correct copy of the foregoing was posted on the door of each dwelling unit in the Structure (in the case of a multifamily structure) and was served by certified mail, return receipt requested, and by first class mail (and via e-mail at any e-mail address indicated below) on:

<p><u>Owner (Registered Agent)</u> Skyy Properties, Inc. c/o Gregory T. Yu Registered Agent 6435 SW 100 Street Miami, FL 33156-3351</p> <p>Return receipt number: 91 7108 2133 3932 6147 4905</p> <p>and to Laura Russo, Counsel for Skyy Properties, Inc., at laura@laurarussolaw.com.</p>	<p><u>Mortgagee</u> SunTrust Bank 303 Peachtree Street, Northeast Atlanta, Georgia 30308-3201</p> <p>Return receipt number: 91 7108 2133 3932 6217 1513</p>
<p><u>Owner</u> Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: 91 7108 2133 3932 6217 1520</p>	<p><u>Mortgagee</u> SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: 91 7108 2133 3932 6217 1537</p>



 Belkys Garcia
 Secretary to the Board



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint/Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, JOSE M. IGLESIAS, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 2728 PONCE DE LEON, ON 11-10-15
AT 3:00PM. BLVD

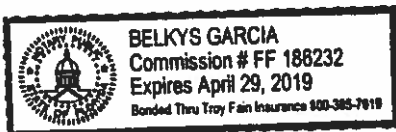
JOSE IGLESIAS
Employee's Printed Name

[Signature]
Employee's Signature

STATE OF FLORIDA)
SS.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 10 day of November, in the
year 20 15, by Jose M Iglesias who is personally known to me
or has produced _____ as identification.

My Commission Expires:



Belkys Garcia
Notary Public



2728 Ponce de Leon Boulevard

CITY OF CORAL GABLES.

CASE NO. 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

**NOTICE OF NON-COMPLIANCE WITH
UNSAFE STRUCTURES ORDER AND
RIGHT TO REQUEST HEARING**

Date: December 15, 2015

To:

<p><u>Owner (Registered Agent)</u> Skyy Properties, Inc. c/o Gregory T. Yu Registered Agent 6435 SW 100 Street Miami, FL 33156-3351</p> <p>Return receipt number: 91 7108 2133 3932 6217 1650</p> <p>and to Laura Russo, Counsel for Skyy Properties, Inc., at laura@laurarussolaw.com.</p>	<p><u>Mortgagee</u> SunTrust Bank 303 Peachtree Street, Northeast Atlanta, Georgia 30308-3201</p> <p>Return receipt number: 91 7108 2133 3932 6217 1711</p>
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<p>Owner Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: 91 7108 2133 3932 6217 1704</p>	<p>Mortgagee SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: 91 7108 2133 3932 6217 1698</p>
--	---

Re: The one-story office building ("Structure") built in 1943 and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005, legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida ("Property").

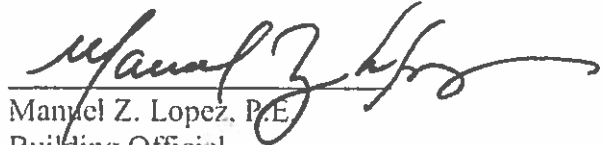
BEFORE ME, the undersigned authority, personally appeared Manuel Z. Lopez, P.E., Building Official for the City of Coral Gables ("City"), Florida who, after being duly sworn, deposes and says:

1. I am the City Building Official.
2. On November 9, 2015, the City Construction Regulation Board ("Board") held a public hearing and issued an Order Declaring Structure Unsafe, in the above-styled matter ("Order").
3. The Order found the Structure to be unsafe and ordered the above-listed owner of the Property ("Owner") to take action to recertify the Structure ("Required Action") or to demolish the Structure and pay the administrative costs by a certain deadline.
4. The deadline to take the Required Action or to demolish the Structure expired on December 1, 2015.
5. On December 15, 2015, I completed a review of the relevant City records and determined that the Owner has not taken the Required Action or demolished the Structure and that the Owner has not paid the administrative costs.
6. **NOTICE: The Owner may request an administrative hearing which shall be strictly limited to determining whether and when the Owner took the Required Action or demolished the Structure and paid the administrative costs as required by the Order. The Owner may file a written request for hearing within seven (7) days of the date of this notice. Failure to timely request an administrative hearing shall constitute a waiver of the Owner's right to the administrative hearing. The Owner shall be liable for the reasonable costs of the administrative hearing if the Owner is unsuccessful at the hearing.**

7. Requests for a hearing must be made in writing and addressed to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134. bgarcia@coralgables.com. tel: (305) 460-5229.

FURTHER AFFIANT SAYETH NOT:

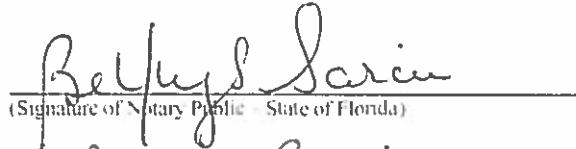
DATED: December 15, 2015.


Manuel Z. Lopez, P.E.
Building Official

STATE OF FLORIDA

COUNTY OF MIAMI-DADE


The foregoing was sworn to (or affirmed) and subscribed before me, on December 15, 2015, by Manuel Z. Lopez, P.E., as the Building Official for the City of Coral Gables, who is personally known to me.


(Signature of Notary Public - State of Florida)
BELKYS GARCIA
(Print, Type, or stamp Commissioned Name of Notary Public)



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 15, 2015, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail, via e-mail at any e-mail address indicated above, and by hand-delivery or posting at the Property.


Manuel Z. Lopez, P.E.
Building Official

NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

ADA Assistance: The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Ernesto Pino, Assistant Public Works Director, at (305) 460-5004, with requests for auxiliary aids or services at least one business day before the hearing in order to request such assistance.



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint/Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, JORGE PINO, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 2728 PONCE DE LEON ON 12/15/15
AT 2:20 PM.

J. PINO
Employee's Printed Name

[Signature]
Employee's Signature

STATE OF FLORIDA)
ss.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 15th day of December, in
the year 20 15, by Jorge Pino who is personally known to
me.

My Commission Expires:



Belkys Garcia
Notary Public

**GABLES
LATION BOARD**

CASE NO. 15-4114

CITY

**2728
PONCE
DE LEON**

CASE NO. 15-4114

Petitioner

**2728 Ponce de
Leon Blvd**

vs.

SKYY PROPERTIES, INC.
a Florida corporation.

Respondent.

**NOTICE OF NON-COMPLIANCE WITH
UNSAFE STRUCTURES ORDER AND
RIGHT TO REQUEST HEARING**

Date: December 15, 2015

To:

**Owner (Registered Agent)
Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3351**

**Mortgagee
SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201**

Return receipt number:

71 7108 2133 3932 6217 1650

Return receipt number:

91 7108 2133 3932 6217 1711

and to: **Laura Russo, Counsel for Skyy
Properties, Inc., at
laura@laurarussolaw.com**

12/15/2015 14:22

FORMGROUP
architecture + planning

ph: 305.443.4244 www.formgroup.net



12/15/2015 14:23

BEFORE THE CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

**NOTICE OF HEARING ON NON-COMPLIANCE
WITH UNSAFE STRUCTURES ORDER**

Date: December 29, 2015

To:

Owner (Registered Agent)

Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3351

Return receipt number:

91 7108 2133 3931 8979 7643

Mortgagee

SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201

Return receipt number:

91 7108 2133 3931 8979 7650

and to Laura Russo, Counsel for Skyy
Properties, Inc., at
laura@laurarussolaw.com.

Owner

Skyy Properties, Inc.
7991 SW 40 Street
Miami, FL 33155-6750

Return receipt number:

91 7108 2133 3931 8979 7667

Mortgagee

SunTrust Bank
Exceptions Department
P.O. Box 406400
Ft. Lauderdale, Florida 33340-6400

Return receipt number:

91 7108 2133 3931 8979 7674

Re: The one-story office building (“Structure”), built in 1943 (70-year recertification required), and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005. legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida. and having folio number 03-4117-005-4200 (“Property”).

You are directed to appear for a hearing before the before the City’s Construction Regulation Board (“Board”) in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134. on January 11, 2016, at 2:00 p.m.

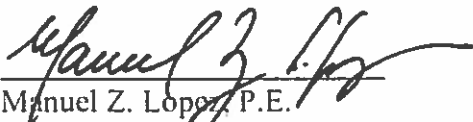
The hearing will be held regarding the Notice of Non-Compliance with Unsafe Structures Order and Right to Request Hearing. **The hearing shall be strictly limited to determining whether and when you took the Required Action or demolished the Structure and paid the administrative costs as required by the Order.**

You have the right to be represented by an attorney and may present and question witnesses and evidence. however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that, if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, bgarcia@coralgables.com, tel: (305) 460-5229.

If you do not prevail at the hearing, the Construction Regulation Board may enter an order of demolition and assess all costs of the proceedings and demolition and other Required Action for which the City shall have a lien against the Property and the Property Owner. The Violator may be liable for the reasonable costs of the administrative hearing, if found in violation.

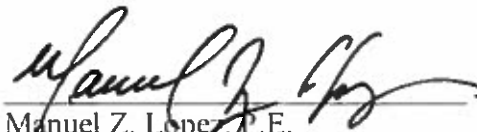
If you comply with the Board’s prior order before the hearing, please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: vgoizueta@coralgables.com, or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: mlopez@coralgables.com. The Development Services Department’s hours are Monday though Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.


Manuel Z. Lopez, P.E.
Building Official

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 29, 2015, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail and by hand-delivery or posting at the Property.


Manuel Z. Lopez, P.E.
Building Official

NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

ADA Assistance: The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Ernesto Pino, Assistant Public Works Director, at (305) 460-5004, with requests for auxiliary aids or services at least one business day before the hearing in order to request such assistance.



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint/Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, JORGE PINO, DO HEREBY SWEAR/AFFIRM THAT THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE ADDRESS OF 2728 Ponce de Leon, ON 12/29/15 AT Blvd.

J. PINO
Employee's Printed Name

[Signature]
Employee's Signature

STATE OF FLORIDA)
ss.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 29 day of December, in the year 2015, by Jorge A Pino who is personally known to me.

My Commission Expires:



[Signature]
Notary Public

44

BEFORE THE CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES

Petitioner:

Case # 15-414

2728 Ponce de Leon
Boulevard

SKYY PROPERTIES, INC.
a Florida corporation

Respondent:

**NOTICE OF HEARING ON NON-COMPLIANCE
WITH UNSAFE STRUCTURES ORDER**

Date: December 29, 2015

To

Owner (Registered Agent)
Skyy Properties, Inc.
c/o Gregory T. Yu
Registered Agent
6435 SW 100 Street
Miami, FL 33156-3351

Mortgage
SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201

Return receipt number:

91 7108 2133 3931 8779 7643

Return receipt number:

91 7108 2133 3931 8779 7650

and to Laura Russo, Counsel for Skyy
Properties, Inc., at
laura@laurarussolaw.com.

15-4414

Page 1 of 3

2728 12/29/2015 13:42

PONCE

records
Miami

pursuant
Board of Rules and Admin...
("Report"), and furnished...
pursuant to...

91 7108 2133 3932 6217 1650

91 7108 2133 3932

Office DE

OF NON-COMPLIANCE WITH
E STRUCTURES ORDER AND
HIT TO REQUEST HEARING

CASE NO. 15-414

Mortgage
SunTrust Bank
303 Peachtree Street, Northeast
Atlanta, Georgia 30308-3201

oup.r

FORMGROUP
architecture + planning

ph: 305.443.4244

up.net



12/29/2015 13:42

**SIDEWALK
CLOSED**

After recording return to:
Belkys Garcia
Secretary to the Construction
Regulation Board
Development Services Department
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134-5717

CFN: 20160026716 BOOK 29925 PAGE 1933
DATE:01/14/2016 10:44:57 AM
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

**CITY OF CORAL GABLES
CONSTRUCTION REGULATION BOARD**

CITY OF CORAL GABLES,

Case # 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

**ORDER ON NON-COMPLIANCE
WITH UNSAFE STRUCTURES ORDER**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on January 11, 2016 on the Notice of Non-Compliance with Unsafe Structures Order and Right to Request Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order on Non-compliance with Unsafe Structures Order ("Order") and finds, concludes, and orders as follows:

Findings of Fact

1. The City properly served the Notice on the owner, Skyy Properties, Inc. ("Owner"), and any lienholders of record of the one-story office building ("Structure"), built in 1943 (70-year recertification required), and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005, legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida, and having folio number 03-4117-005-4200 ("Property").

2. The Notice alleges non-compliance with the Board's prior Order Declaring Structure Unsafe ("Order") for failure to take action to recertify the Structure.

3. To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

Conclusions of Law

4. The Structure is in non-compliance with the Board's Order and, as such, is presumed to be and is hereby declared unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Order

It is, therefore, ORDERED:

5. *Required Action.* The Owner shall take the Required Action as follows: a) the Owner shall secure the structure and shall submit a complete application for all permits required to brace the structure within 20 days of the date of this Order; b) the Owner shall apply for all required permits to meet the minimum requirements as noted in the Report ("Permits") within 150 days of the date of this Order and c) the Owner shall obtain all Permits within 30 days from the date that the application is complete and, in any event, no later than 180 days from the date of this Order. The Owner shall also appear at the next hearing after this last deadline to provide a status report to the Board and a date by which the Owner shall pass final inspection on the Permits and submit a Compliance Report.

6. *Request for compliance inspection.* It is the responsibility of the Owner to contact the Building Official to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

7. *Payment of costs and demolition by City.* The Owner shall pay the City the administrative costs for the additional hearing of \$150 within 7 days of the date of this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. **Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.**

8. *Requests for extension of time.* The Building Official, in his sole discretion, may extend any of the above deadlines for good cause beyond the control of the Owner and that the Owner acted in good faith and exercised due diligence in the efforts to take all Required Action, to apply for any required permits, and to request an extension of any deadlines, as applicable.

9. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs and the costs of corrective action, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

10. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 13 day of January, 2016.

CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES



Board Chairperson

Notice of Deadline to Appeal

PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

Certificate of Filing and Service

I HEREBY CERTIFY that the original of this order was filed with the Secretary of the Board, on this 13 day of January, 2016 and that, on the same date, a true and correct copy of the foregoing was served by certified mail, return receipt requested, and by first class mail (and any e-mail address indicated below) to:

<p><u>Owner (Registered Agent)</u> Skyy Properties, Inc. c/o Gregory T. Yu Registered Agent 6435 SW 100 Street Miami, FL 33156-3351</p> <p>Return receipt number: 91 7108 2133 3932 6905 4420</p> <p>and to Laura Russo, Counsel for Skyy Properties, Inc., at laura@laurarussolaw.com.</p>	<p><u>Mortgagee</u> SunTrust Bank 303 Peachtree Street, Northeast Atlanta, Georgia 30308-3201</p> <p>Return receipt number: 91 7108 2133 3932 6905 4437</p>
<p><u>Owner</u> Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: 91 7108 2133 3932 6905 4444</p>	<p><u>Mortgagee</u> SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: N/A</p>



 Belkys Garcia
 Secretary to the Board

This instrument prepared by and
after recording return to:
Belkys Garcia
Secretary to the Construction
Regulation Board
Development Services Department
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134-5717

CFN: 20160101857 BOOK 29967 PAGE 1032
DATE: 02/18/2016 01:37:57 PM
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

**CITY OF CORAL GABLES
CONSTRUCTION REGULATION BOARD**

CITY OF CORAL GABLES,

CASE NO. 15-4414

Petitioner,

vs.

SKYY PROPERTIES, INC.
a Florida corporation,

Respondent.

**ORDER ON NON-COMPLIANCE
WITH UNSAFE STRUCTURES ORDER**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on February 8, 2016 on the Notice of Non-Compliance with Unsafe Structures Order and Right to Request Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order on Non-compliance with Unsafe Structures Order ("Order") and finds, concludes, and orders as follows:

Findings of Fact

1. The City properly served the Notice on the owner, Skyy Properties, Inc. ("Owner"), and any lienholders of record of one-story office building ("Structure") built in 1943 and located at **2728 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6005 and legally described as Lots 27, 28, 29, 30 and 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida ("Property").
2. The Notice alleges non-compliance with the Board's prior Order Declaring Structure Unsafe ("Order") for failure to take action to recertify the Structure.
3. To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

Conclusions of Law

4. The Structure is in non-compliance with the Board's Order and, as such, is presumed to be and is hereby declared unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Order

It is, therefore, ORDERED:

5. *Required Action.* The Owner shall take the Required Action as follows: a) the Owner shall submit a complete application for and shall obtain all permits required to brace the Structure ("Bracing Permits") within 30 days of the date of this Order; b) the Owner shall pass final inspection on the Bracing Permits within 30 days of the date that the Bracing Permits are issued, and, in any event, within 60 days of the date of this Order; c) the Owner shall apply for all required permits to meet the minimum requirements as noted in the Report ("Permits") within 120 days of the date of this Order and c) the Owner shall obtain all Permits within 30 days from the date that the application is complete and, in any event, no later than 150 days from the date of this Order. The Owner shall also appear at the next hearing after this last deadline to provide a status report to the Board and a date by which the Owner shall pass final inspection on the Permits and submit a Compliance Report.

6. *Request for compliance inspection.* It is the responsibility of the Owner to contact the Building Official to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

7. *Payment of costs, fines, and demolition by City.* The Owner shall pay the City the administrative costs for the additional hearing of \$150 within 7 days of the date of this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. **Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.**

8. *Requests for extension of time.* The Building Official, in his sole discretion, may extend any of the above deadlines for good cause beyond the control of the Owner and that the Owner acted in good faith and exercised due diligence in the efforts to take all Required Action, to apply for any required permits, and to request an extension of any deadlines, as applicable.

9. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs and the costs of corrective action, including but not

limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

10. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this Ndth day of February, 2016.

CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES



Board Chairperson

Notice of Deadline to Appeal


PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

Certificate of Filing and Service

I HEREBY CERTIFY that the original of this order was filed with the Secretary of the Board, on this Ndth day of February, 2016 and that, on the same date, a true and correct copy of the foregoing was served by certified mail, return receipt requested, and by first class mail to:

<p><u>Owner (Registered Agent)</u> Skyy Properties, Inc. c/o Gregory T. Yu Registered Agent 6435 SW 100 Street Miami, FL 33156-3351</p> <p>Return receipt number: 91 7108 2133 3932 6926 2238</p>	<p><u>Mortgagee</u> SunTrust Bank 303 Peachtree Street, Northeast Atlanta, Georgia 30308-3201</p> <p>Return receipt number: 91 7108 2133 3932 6926 2245</p>
<p>and to Laura Russo, Counsel for Skyy Properties, Inc., at laura@laurarussolaw.com.</p>	

<p>Owner Skyy Properties, Inc. 7991 SW 40 Street Miami, FL 33155-6750</p> <p>Return receipt number: 91 7108 2133 3932 6926 2252</p>	<p>Mortgagee SunTrust Bank Exceptions Department P.O. Box 406400 Ft. Lauderdale, Florida 33340-6400</p> <p>Return receipt number: <i>N/A</i></p>
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Belkys Garcia
Secretary to the Board

BEFORE THE CONSTRUCTION REGULATION BOARD
FOR THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,
Petitioner,

Case No. 15-4414

vs.

SKYY PROPERTIES, INC.
c/o Gregory T. Yu
Registered Agent
6435 S.W. 100th Street
Miami, Florida 33156-3351

Return receipt number:

91 7108 2133 3932 7177 0240

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY
AND NOTICE OF HEARING**

Date: June 22, 2016

Re: **2728 Ponce de Leon Boulevard**, Coral Gables, Florida 33134-6005 and legally described as Lot 27 to 31, Block 15, of CORAL GABLES CRAFTS SECTION, according to the Plat thereof, as recorded in Plat Book 10, Page 40, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-005-4200 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-1 86(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Therefore, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134, on July 11, 2016, at 2:00 p.m.

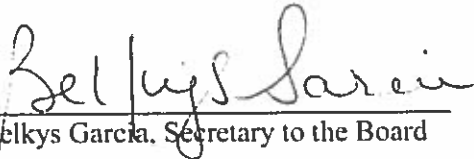
You may appeal the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence; however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, bgarcia@coralgables.com, tel: (305) 460-5229.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: vgoizueta@coralgables.com. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.


Belkys Garcia, Secretary to the Board

ADA NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

ADA Assistance: The City complies with the provisions of the Americans with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Dona M. Spain, ADA Coordinator, at (305) 460-5095, TTY/DD (305) 460-5010, with requests for auxiliary aids or services at least three business days before the hearing in order to request such assistance.

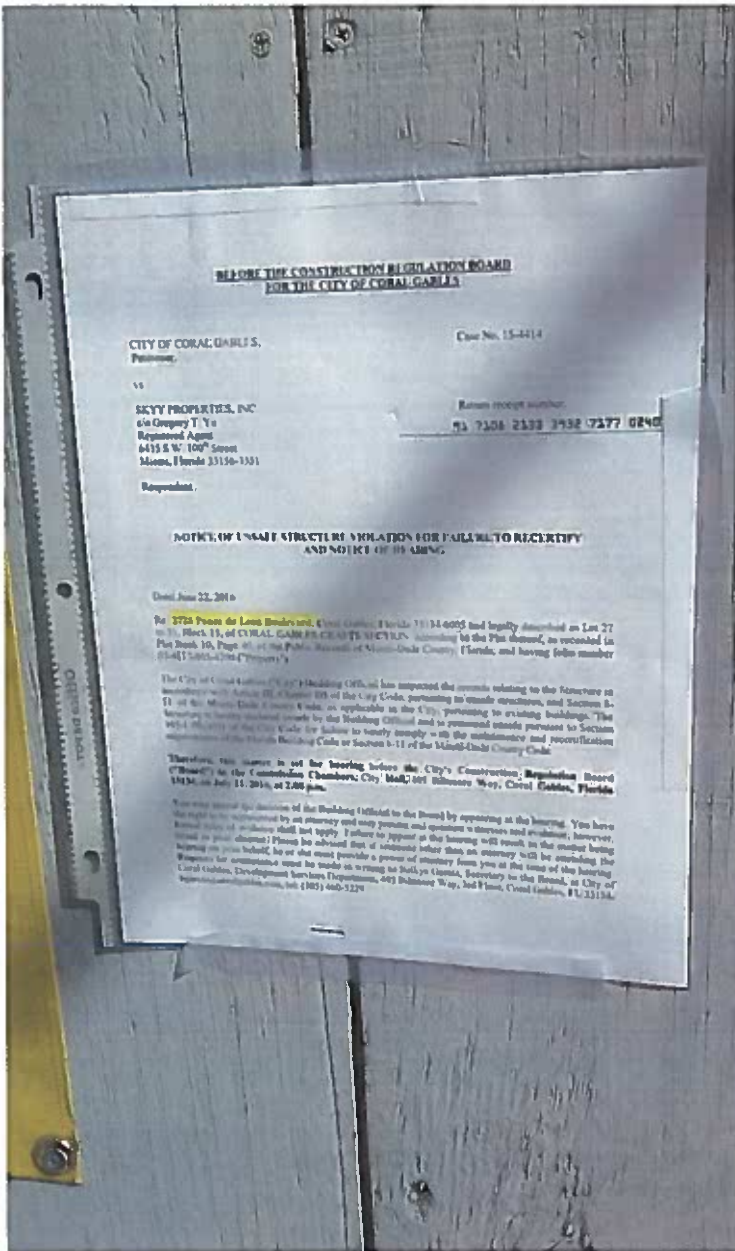
C:

Sun Trust Bank, 303 Peachtree Street, Northeast, Atlanta, Georgia 30308-3201

Sky Properties, Inc., 7991 S.W. 40th Street, Miami, Florida 33155-6750

Sun Trust Bank, Exceptions Department, P.O. Box 406400, Ft. Lauderdale, Florida 33340-6400

2728 Ponce de Leon Boulevard





CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Complaint Case #: 15-4414

Title of Document Posted: Construction Regulation Board Case

I, EDUARDO MARTIN, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 2728 Ponce de Leon Blvd., ON 6-22-16
AT 9:15.

EDUARDO MARTIN
Employee's Printed Name

Eduardo Martin
Employee's Signature

STATE OF FLORIDA)
ss.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me this 22nd day of June, in
the year 20 16, by Eduardo Martin who is personally known to
me.

My Commission Expires:



Belkys Garcia
Notary Public

This instrument prepared by and
after recording return to:
Belkys Garcia
Secretary to the Construction
Regulation Board
Development Services Department
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134-5717

BEFORE THE CONSTRUCTION REGULATION BOARD
FOR THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,
Petitioner,

Case No. 15-4414

vs.

SKYY PROPERTIES, INC.
c/o Gregory T. Yu, Registered Agent
6435 S.W. 100th Street
Miami, Florida 33156-3351

Return receipt number:

91 7108 2133 3932 7314 2069

Respondent.

NOTICE OF ORDER DECLARING STRUCTURE UNSAFE

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on July 11, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

Findings of Fact

1. The City properly served all required notices on the owner, SKYY PROPERTIES, INC., and any lienholders of record for the structure located on the property at **2728 Ponce de Leon Boulevard**, Coral Gables, Florida, 33134-6005, and having folio number 03-4117-005-4200 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Order

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall be present at the September 12, 2016 Board meeting with a copy of the issued Building Permit; b) the owner shall update the Board on the progress of the job at the meeting; c) no Certificate of Occupancy is to be issued by the Building Official until the property is recertified.
4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.
5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.
6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.
7. City's remedies are cumulative. This Order notwithstanding, the City may enforce its code by any other lawful means.
8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 13th day of July, 2016.

CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES


Secretary to the Board

Notice of Deadline to Appeal

PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

C:

Sun Trust Bank, 303 Peachtree Street, Northeast, Atlanta, Georgia 30308-3201

Skyy Properties, Inc., 7991 S.W. 40th Street, Miami, Florida 33155-6750

Sun Trust Bank, Exceptions Department, P.O. Box 406400, Ft. Lauderdale, Florida 33340-6400

This instrument prepared by and
after recording return to:
Belkys Garcia
Secretary to the Construction
Regulation Board
Development Services Department
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134-5717

BEFORE THE CONSTRUCTION REGULATION BOARD
FOR THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,
Petitioner.

Case No. 15-414

vs.

SKYY PROPERTIES, INC.
c/o Gregory T. Yu, Registered Agent
6435 S.W. 100th Street
Miami, Florida 33156-3351

Return receipt number:

91 7108 2133 3932 7314 2069

Respondent.

NOTICE OF ORDER DECLARING STRUCTURE UNSAFE

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on July 11, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

Findings of Fact


1. The City properly served all required notices on the owner, SKYY PROPERTIES, INC., and any lienholders of record for the structure located on the property at 2728 Ponce de Leon Boulevard, Coral Gables, Florida, 33134-6005, and having folio number 03-4117-005-4200 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Order

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall be present at the September 12, 2016 Board meeting with a copy of the issued Building Permit; b) the owner shall update the Board on the progress of the job at the meeting; c) no Certificate of Occupancy is to be issued by the Building Official until the property is recertified.
4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.
5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.
6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.
7. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.
8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 13th day of July, 2016.

CONSTRUCTION REGULATION BOARD
OF THE CITY OF CORAL GABLES


Secretary to the Board

Notice of Deadline to Appeal

PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

C:
Sun Trust Bank, 303 Peachtree Street, Northeast, Atlanta, Georgia 30308-3201
Skyy Properties, Inc., 7991 S.W. 40th Street, Miami, Florida 33155-6750
Sun Trust Bank, Exceptions Department, P.O. Box 406-000, Ft. Lauderdale, Florida 33340-6400