



# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 7/8/2015

Property Information	
Folio:	03-4117-005-1890
Property Address:	2530 PONCE DE LEON BLVD
Owner	2530 PONCE LLC & ANNE C & JOHN A HEWITT JR TRS
Mailing Address	2801 FLORIDA AVE #14 COCONUT GROVE , FL 33133-1903
Primary Zone	6400 COMMERCIAL - CENTRAL
Primary Land Use	2111 RESTAURANT OR CAFETERIA : RETAIL OUTLET
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	5,440 Sq.Ft
Lot Size	3,885 Sq.Ft
Year Built	1924



Assessment Information			
Year	2015	2014	2013
Land Value	\$621,600	\$598,290	\$446,775
Building Value	\$1,088,000	\$1,088,000	\$1,025,000
XF Value	\$0	\$0	\$0
Market Value	\$1,709,600	\$1,686,290	\$1,471,775
Assessed Value	\$1,709,600	\$1,618,952	\$1,471,775

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction		\$67,338	

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

Short Legal Description
CORAL GABLES CRAFTS SEC
PB 10-40
LOT 27 BLK 7
LOT SIZE 37.000 X 105
OR 18246-1743 0898 1

Taxable Value Information			
	2015	2014	2013
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,709,600	\$1,618,952	\$1,471,775
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,709,600	\$1,686,290	\$1,471,775
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,709,600	\$1,618,952	\$1,471,775
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,709,600	\$1,618,952	\$1,471,775

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/01/2008	\$0	26324-1964	Qual by exam of deed
08/01/1998	\$693,000	18246-1743	2008 and prior year sales; Qual by exam of deed
10/01/1993	\$575,000	16094-3071	2008 and prior year sales; Qual by exam of deed
05/01/1993	\$0	15931-0352	Qual by exam of deed

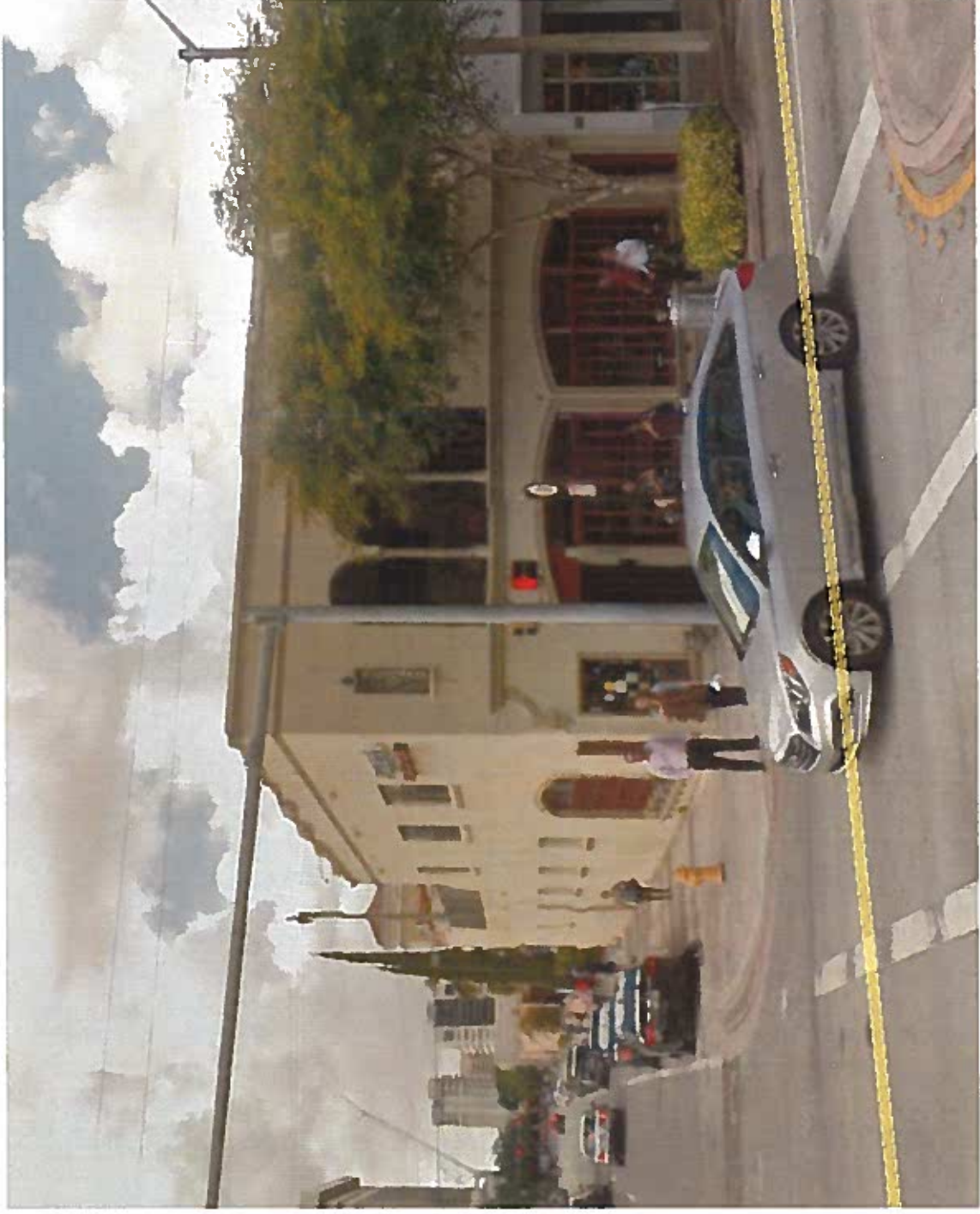
The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidadade.gov/info/disclaimer.asp>

Version:

CITY'S

EXHIBIT 1

2530 Ponce De Leon Blvd



2014



The City of Coral Gables

S-26 Not Complied

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

4/1/2014

VIA CERTIFIED MAIL

2530 PONCE LLC &  
2801 FLORIDA AVE #14  
COCONUT GROVE, FL 33133-1903

91 7108 2133 3932 6024 3151

RE: 2530 PONCE DE LEON BLVD, CORAL GABLES, FL  
Folio # 03-4117-005-1890  
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 year 1924.

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

7/22/2014

2530 PONCE LLC &  
2801 FLORIDA AVE #14  
COCONUT GROVE, FL 33133-1903

VIA CERTIFIED MAIL

91 7106 2133 3932 6262 1827

Re: Building Recertification  
2530 PONCE DE LEON BLVD  
Folio # 03-4117-005-1890

Dear Property Owner:

In a certified letter dated 4/1/2014, 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 7/1/2014 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 10/22/2014, 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

6/2/2015

2530 PONCE LLC &  
2801 FLORIDA AVE #14  
COCONUT GROVE, FL 33133-1903

**\*\*FINAL NOTICE\*\***

**VIA CERTIFIED MAIL**

Re: Building Recertification  
2530 PONCE DE LEON BLVD  
Folio # 03-4117-005-1890

91 7108 2133 3932 5924 9058

Dear Property Owner:

In a certified letter dated 4/1/2014, 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

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2530 PONCE LLC &  
2801 FLORIDA AVE #14  
COCONUT GROVE, FL 33133-1903

2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Edward Creel*

- Agent
- Addressee

B. Received by (Printed Name)

*E. D. Creel*

C. Date of Delivery

*6/13*

D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail®
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

*91 7108 2133 3932 5924 9058*

Domestic Return Receipt





## The City of Coral Gables

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

July 9, 2015

### VIA CERTIFIED MAIL

91 7108 2133 3932 5924 9195

2530 Ponce LLC & Anne C & John A Hewitt Jr Trs.  
2801 Florida Ave #14  
Coconut Grove, FL 33133-1903

Re: Address: 2530 Ponce De Leon Blvd  
Folio # 03-4117-005-1890

Dear Property Owner/Manager:

This Department has received the 40-year Building Recertification Report you submitted for the above referenced property address. Please note the Report indicates remedial repairs must be done to the building in order for it to meet minimum requirements stipulated for safe occupancy as prescribed in the Miami-Dade County Code, Section 8-11.

Pursuant to the Code you must complete the repairs within one hundred fifty days (150) days from the date the Report was submitted to this Department, July 8, 2015. Once the repairs have been completed the original architect/engineer will need to provide a follow-up letter indicating the building is now recommended for recertification.

If you have any questions regarding the specific repairs identified in the Report please contact the original architect/engineer which prepared the Report. If you have further questions please contact us at (305) 569-1807.

Sincerely,

*Manuel Z. Lopez*

Manuel Z. Lopez, P.E.  
Building Official

RC-15-<sup>017</sup>-4674



# ARC BUILDERS + GROUP INC.

7301 Southwest 83 Court, Miami, Florida 33143 Telephone 305.275.6310 Facsimile 305.275.6309  
Lic. AAC001931

RE: 03-4117-005-1890

DATE: July 8, 2015

OWNER NAME: 2530 Ponce LLC & Anne C & John A Hewitt Jr TRS

Property Address: 2530 Ponce de Leon Blvd.

Date of Inspection for Purposes of this report: May 9, 2014

ORIGINAL

Dear Mr. Manuel Lopez, PE, Building Official:

Based on my evaluation as attached hereto of the aforementioned property, this building(s) is structurally safe yet requires electrical repair/correction/alteration for a safe continued use and occupancy as provided for Re-Certification.

Therefore, on behalf of my client, I am respectfully requesting that this building(s) be \*granted Re-certification per Section 8-11(f) of the Code of Miami-Dade County upon the proper completion of the items as contained herein, our subsequent verification and written notification to your office.

As routine matter, in order to avoid possible misunderstanding, nothing in this report should be construed directly or indirectly as a guarantee or warranty for any portion of the structure(s). To the best of my knowledge and ability, this report represents an accurate appraisal of the applicable and present condition of the building(s) based upon the careful evaluation of the observed conditions and documentation as provided by property owner, to the extent reasonably possible. Further it is understood by all parties to include the property owner that the recommendation for \*Re-Certification by Arcbuilders and Group, Inc. or the granting of \*Re-Certification by the Building Department does not release or indemnify the property owner in any way or form from properly maintaining the subject property safe for continued use and occupancy at all times.

Thank you for your attention to this matter.

Very truly yours,

*[Signature]*  
Rick Hernandez Capote, R.A.

Vice President, AR13379

Dade County Building and Roofing Inspector BN2418

Special Inspector State of Florida No.0976

#### Additional

Comments: \*This report is prepared and is to be submitted to the Building Official as may be required for Re-Certification as referenced above, this report is not intended to be a buyer/seller inspection report nor is it to be used for any other purpose than that specifically stated herein. Arcbuilders and Group, Inc makes no claim as to the validity of any documentation provided by owner and which we rely on for validity. Neither permit nor property history was made available or examined for purposes of this report. This report is not a zoning or code compliance report. The contents of this report is based on applicable areas made accessible at the time of the scheduled inspection, all other areas are excluded. No testing is part of this report. This report is not to be copied, faxed or altered in any way, additionally each page must bear the original signature and seal on each page or all contents is void and null. There is no warranty or guarantee expressed or implied and this document is not transferrable to any person or entity for any purpose. Any repairs/corrections/alterations must be performed in compliance with FBC, NEC and all applicable codes and ordinances. Should any violations or open permits exist all must be corrected prior to granting of Re-Certification. Accordingly the Building Official at his or her discretion or interpretation of the applicable codes may refuse to grant a recommendation of Re-Certification.

CITY'S

◇ ARCHITECTS ◇ ENGINEERS ◇ SPECIAL INSPECTORS ◇ BUILDING AND FIRE CODE MITIGATORS

EXHIBIT

3



MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING RECERTIFICATION

INSPECTION COMMENCE  
DATE: May 9, 2014

INSPECTION MADE BY  
SIGNATURE: *[Signature]*  
5/9/14

INSPECTION COMPLETED  
DATE: May 9, 2014

PRINT NAME: Rick Hernandez-Capote, R.A.  
TITLE: AR 73379, AAC 001931

MUST BE SIGNED AND  
SEALED BY ARCHITECT OR  
ENGINEER

ADDRESS: 7301 SW 83 Court  
Miami-Dade, FL 33143  
PHONE: (305) 275-6310  
FAX: (305) 275-6309

1. Description of Structure:

- a. Name or Title: 2530 PONCE LLC & ANNE C & JOHN A HEWITT JR TRS
- b. Property address: 2530 PONCE DE LEON BLVD CORAL GABLES, FL 33134-6013
- c. Legal description: CORAL GABLES CRAFTS SEC PB 10-40 LOT 27 BLK 7
- d. Owner's name: Same as title
- e. Owner's mail address: 2801 FLORIDA AVE #14 COCONUT GROVE, FL 33133-1903
- f. Building Official Folio Number: 03-4117-005-1890
- g. Building Code Occupancy Classification: M
- h. Present use: RESTAURANT
- i. General description, type of construction, size, number of stories, and special features.  
CBS, two stories, per Dade County Property Appraiser was built 1924, and has 5440 ASF.
- j. Additions to original structure: **NONE OBSERVED**. No property permit history was either made available or reviewed for purposes of this report. Areas inspected were those made available by property owner/representative on day of inspection. All gas lines, meters and appliances and equipment are specifically excluded for purposes of this report, however we urge property owner to take any and all necessary precautions to assure that these items are properly maintained to protect property and above all life safety.

2. Present Condition of Structure:

- a. General alignment (note, good, fair, poor, explain if significant)
  - 1. Bulging- Fair, for age of structure
  - 2. Settlement- Fair, for age of structure
  - 3. Deflections- Fair, for age of structure
  - 4. Expansion- Fair, for age of structure
  - 5. Contraction- Fair, for age of structure

This report is not a Buyers Report, Due Diligence, Insurance Inspection, Mitigation Document or for any other purpose other than to be prepared and submitted to the Building Official solely in accordance and with the purpose of compliance with Section 8-11 (f) of the Code of Miami-Dade County, any other use is strictly prohibited and voids all content. This report must bear the original signature and embossed seal on each page or it is void of all contents. This report is not transferable to any party. Copying, faxing and/or any alteration of this report is strictly prohibited and voids all content. Both Building (Structural) and Electrical Reports must be attached and accompanied by a cover letter to the building official. As routine matter, in order to avoid possible misunderstanding, nothing in this report should be construed directly or indirectly as a guarantee for any portion of the structure(s). We rely on the validity of documentation provided by owner for repairs/alterations/corrections. No property/permit history was either made available or reviewed for purposes of this report. No testing is part of this inspection, only visual observations were conducted of areas and components as made accessible by property owner. Any repairs/alterations/modifications must be in compliance with FBC, NEC and all applicable codes and ordinances. If any violations or open permits exist all must be corrected prior to granting of Re-Certification. Further, it is understood by all parties that regardless of the content of this report, by submitting this report to the Building Department, property owner is not exempt, released or indemnified from any responsibility and liability to continuously verify, correct, repair and maintain all components of this building safe for continued use and occupancy whether included in this limited inspection report or not.

- b. Portions showing distress (note beams, columns, structural walls, floors, roofs, other)

Normal condition for age and use of structure. Any required corrections/repairs/alterations must be in compliance with FBC, NEC and all applicable codes and ordinances. This report is not for bidding or for permitting purposes. Additionally, property owner is responsible and liable to continuously maintain property safe for continued use and occupancy.

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

Surface conditions have normal appearance 90 years +. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

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

Normal condition for age and use of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

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

Normal condition for age and use of structure. Provide continued observations and inspections for termites and other possible agents that may cause deterioration, due to age of building. Also proactive preventive maintenance should be practiced. No testing for termites, other pest, deteriorating agent, contaminant or other is part of this examination or report. Fumigation to be provided on a regular basis by owner as needed.

- f. Previous patching or repairs

Continue preventative maintenance and repairs as may be necessary. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

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

Structural mercantile loading remains stable, built 1924.

- h. Availability of original construction drawings - location description

Not at premise, during visual observations.

3. Inspections:

- a. Date of notice of required inspection: Not provided
- b. Date(s) of actual inspection: May 9, 2014
- c. Name and qualification of individual submitting inspection report: RICARDO HERNANDEZ-CAPOTE  
Rick Hernandez-Capote, R.A. AR13379, AAC001931
- d. Description of any laboratory or other formal testing, if required, rather than manual or visual procedures:

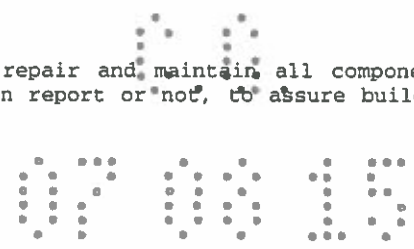
Visual observations conducted at present. This report is a "snapshot" of observed conditions of accessible and applicable components on the day of inspection. No testing is part of this report. Additionally, we rely on the validity of documentation as may be provided by owner for repairs performed to their property and for which they are solely responsible and liable for assuring they meet proper compliance with all applicable codes and life safety. Owner is to conduct proactive preventive maintenance to include any possible testing that may be necessary. It is the

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owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

e. Structural repair - note appropriate line:

- 1. None required- ( X )
- 2. Required- ( )-



4. Supporting data:

- a. See this report, sheets written data and hold harmless executed by owner.
- b. N/A photographs.
- c. N/A drawings or sketches.

5. Masonry Bearing Walls - indicate good, fair, poor on appropriate lines:

- a. Concrete masonry units- Fair, for age of structure.
- b. Clay tile or terra cotta units- N/A
- c. Reinforced concrete tie columns- Fair, for age of structure.
- d. Reinforced concrete tie beams- Fair, for age of structure.
- e. Lintels- Fair, for age of structure.
- f. Other type bond beams- Fair, for age of structure.
- g. Masonry finishes - exterior:
  - 1. Stucco- Fair, for age of structure.
  - 2. Veneer- Fair, for age of structure.
  - 3. Paint only- Fair, for age of structure.
  - 4. Other (describe)- N/A
- h. Masonry finished - interior:
  - 1. Vapor barrier- Seemingly watertight at time of inspection. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.
  - 2. Furring and plaster- Fair appearance
  - 3. Panelling- Fair appearance
  - 4. Paint only- Fair appearance
  - 5. Other (describe)- N/A
- i. Cracks:
  - 1. Location - note beams, columns, other- Exterior bearing walls
  - 2. Description- Normal age stress cracks hairline, fine to medium sizes.
- j. Spalling:
  - 1. Location - note beams, columns, other- None observed
  - 2. Description- N/A

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- k. Rebar corrosion - check appropriate line:
  - 1. None visible- (√)
  - 2. Minor - Patching will suffice- N/A
  - 3. Significant - but patching will suffice- N/A
  - 4. Significant - structural repairs required (describe) - N/A
- 1. Samples chipped out for examination in spall areas:
  - 1. No- (√)
  - 2. Yes - describe color texture, aggregate, general quality- N/A

6. Floor and Roof Systems:

- a. Roof:
  - 1. Describe (flat, sloped, type roofing, type roof deck, condition)
 

Hip with tile mansard roof seemingly in fair condition for age of building as visibly observed at units/areas made accessible at time of inspection. No testing is part of this report. Owner is to assure that roof is properly maintained to include proper drainage, preventive measures and upgrades as may be necessary. Age of roof, life expectancy or guarantee of condition is not part of this inspection report. Owner must keep in mind that the average life expectancy of a roof in South Florida can vary by design, age, maintenance and material. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.
  - 2. Note water tanks, cooling towers, air conditioning equipment, signs, other heavy equipment and condition of supports:
 

Central AC equipment, seemingly secure.
  - 3. Note types of drains and scuppers and condition:
 

Gutters, Downspouts: Fair condition for age of structure.
- b. Floor system(s):
  - 1. Describe (type of system framing, material, spans, condition)
 

Concrete slabs on fill, ground floor; Wood framing, second floor: Fair condition for age of structure.
- c. Inspection - note exposed areas available for inspection and where it was found necessary to open ceilings, etc. for inspection of typical framing members.
 

Visual observations conducted of open accessible framing.

7. Steel Framing Systems:

- a. Description: None observed
- b. Exposed Steel - describe condition of paint and degree of corrosion: N/A
- c. Concrete or other fireproofing - note any cracking or spalling, and note where any covering was remove for inspection.
 

Visual observations done of open accessible areas on day of inspection
- d. Elevator sheave beams and connections, and machine floor beams - note condition:
 

None

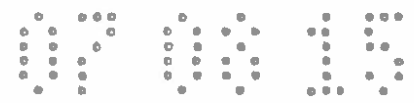
JULY 8 2011

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8. Concrete Framing Systems:



a. Full description of structural system

Concrete masonry units (C.M.U.), Concrete tie beams, grade beams, tie columns.

b. Cracking:

1. Not significant- Normal age stress cracks.
2. Location and description of members effected and type cracking - Exterior bearing walls

c. General condition:

Seemingly stable concrete framing, built 1924. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

d. Rebar corrosion - check appropriate line:

1. None visible- (✓)
2. Minor - Patching will suffice- N/A
3. Significant but patching will suffice- N/A
4. Significant - structural repaired (describe)- N/A

e. Samples chipped out in spall areas:

1. No- (✓)
2. Yes - describe color, texture, aggregate, general quality: N/A

9. Windows:

a. Type (wood, steel, aluminum, jalousie, single hung, double hung, casement, awning, pivoted, fixed, other)

Awning, Affixed, Storefront

b. Anchorage - type and condition of fasteners and latches:

Machine screws and bolts

c. Sealants - type and condition of perimeter and sealants & at mullions:

Fair for age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

d. Interior seals - type & condition at operable vents:

Fair for age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

e. General condition:

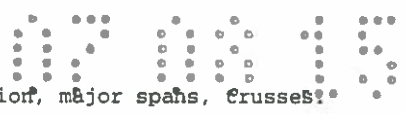
Fair for age of structure, preventative maintenance should continue. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

July 8, 2015

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10. Wood Framing:



- a. Type - fully describe if mill construction, light construction, major spans, crusses!  
Hand-framed wood joist members and tongue and groove decking.
- b. Note metal fittings i.e., angles, plates, bolts, split rings, pintles, other and note condition:  
Suspected toe nailed angles, plates and bolts.
- c. Joints - note if well fitted and still closed:  
Seemingly well fitted and still closed as visibly observed for age and use of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.
- d. Drainage - note accumulations of moisture:  
Seemingly watertight at time of inspection. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.
- e. Ventilation - note any concealed spaces not ventilated:  
N/A
- f. Note any concealed spaces opened for inspection:  
Visual observations conducted of open and visibly accessible spaces.

Handwritten signature and date "July 8, 2015" over a circular embossed seal.

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MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING ELECTRICAL RECERTIFICATION

INSPECTION COMMENCE  
DATE: May 9, 2014

INSPECTION MADE BY  
SIGNATURE: *[Signature]*

INSPECTION COMPLETED  
DATE: May 9, 2014

PRINT NAME: Rick Hernández-Capote, R.A.  
TITLE: AR 13379, AAC001931

MUST BE SIGNED AND  
SEALED BY ARCHITECT OR  
ENGINEER

ADDRESS: 7301 SW 83 Court  
Miami-Dade, FL 33143  
PHONE: (305) 275-6310  
FAX: (305) 275-6309

**Description of Structure:**

- a. Name or Title: 2530 PONCE LLC & ANNE C & JOHN A HEWITT JR TRS
- b. Property address: 2530 PONCE DE LEON BLVD CORAL GABLES, FL 33134-6013
- c. Legal description: CORAL GABLES CRAFTS SEC PB 10-40 LOT 27 BLK 7
- d. Owner's name: Same as title
- e. Owner's mail address: 2801 FLORIDA AVE #14 COCONUT GROVE, FL 33133-1903
- f. Building Official Folio Number: 03-4117-005-1890
- g. Building Code Occupancy Classification: M
- h. Present use: RESTAURANT
- i. General description, type of construction, size, number of stories, and special features.  
CBS, two stories, per Dade County Property Appraiser was built 1924, and has 5440 ASF.
- j. Additions to original structure: **NONE OBSERVED**. No property permit history was either made available or reviewed for purposes of this report. Areas inspected were those made available by property owner/representative on day of inspection. All gas lines, meters and appliances and equipment are specifically excluded for purposes of this report, however we urge property owner to take any and all necessary precautions to assure that these items are properly maintained to protect property and above all life safety.

- 1. ELECTRICAL SERVICE: Over head service to from FPL, two feeders each with three wires approx. 3/0 in size. Three individual disconnects each at
  - a. SIZE: AMPERAGE ( 125/125/200 ); FUSES (    ); BREAKER ( X )
  - b. PHASE:            3φ ( X );            1φ (    );
  - c. CONDITION:    GOOD (    );    FAIR (    );    NEED REPAIR ( X )
  - d. COMMENTS: **Master electrician to verify and correct entire electrical service to include, but not limited to: all overheated panels and electrical grounding. PERMITS WILL BE REQUIRED.** It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

- 2. METER AND ELECTRICAL ROOM:
  - a. CLEARANCES: GOOD (    ); FAIR (    ); CORRECTION REQ. ( X )

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COMMENTS: Exterior type meters. **Repairs required, please refer to 1d.**

3. GUTTERS:

a. LOCATION: Line  
GOOD ( ); REQUIRES REPAIR ( X )

b. LOCATION: Load  
GOOD ( ); REQUIRES REPAIR ( X )

c. COMMENTS: **Repairs required, please refer to 1d.**

c. TAPS AND FILL:  
GOOD ( ); REQUIRES REPAIR ( X )

4. ELECTRICAL PANELS:

a. PANEL # ( A,B ): GOOD ( ); REQUIRES REPAIR ( X )  
Location: **Repairs required, please refer to 1d.** Any required corrections/repairs/alterations must be in compliance with FBC, NEC and all applicable codes and ordinances. This report is not for bidding purposes. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

5. BRANCH CIRCUITS:

a. IDENTIFIED: YES ( ); MUST BE IDENTIFIED ( X )

b. CONDUCTORS: GOOD ( ); DETERIORATED ( ); REPLACE ( X )

c. COMMENTS: **Please refer to 1d.** As observed at time of inspection based on age of structure, It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

6. GROUNDING OF SERVICE: GOOD ( ); REQUIRES REPAIR ( X )

COMMENTS: **Repairs required, please refer to 1d.** It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

7. GROUNDING OF EQUIPMENT: GOOD ( ); REQUIRES REPAIR ( X )

COMMENTS: **Please refer to 1d.** As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

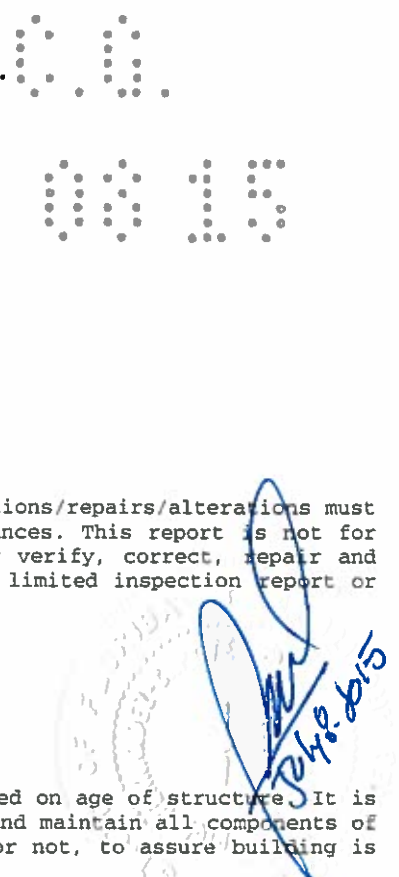
8. SERVICE CONDUITS RACEWAYS; CONDITION: GOOD ( ); REQUIRES REPAIR ( X )

COMMENTS: **Repairs required, please refer to 1d.** It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

9. SERVICE CONDUCTOR & CABLES; CONDITION: GOOD ( X ); REQUIRES REPAIR ( X )

COMMENTS: **Repairs required, please refer to 1d.** It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

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10. TYPES OF WIRING METHODS:

CONDUIT RACEWAYS; RIGID:	GOOD ( ) ; REQUIRES REPAIR ( X )
CONDUIT; PVC:	GOOD ( ) ; REQUIRES REPAIR ( )
NM CABLE:	GOOD ( ) ; REQUIRES REPAIR ( )
BX CABLE:	GOOD ( ) ; REQUIRES REPAIR ( )

COMMENTS: **Please refer to 1d.** As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

11. FEEDER CONDUCTORS; CONDITION: GOOD ( ) ; REQUIRES REPAIR ( X )

COMMENTS: **Repairs required, please refer to 1d.** It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

12. EMERGENCY LIGHTING: GOOD ( ) ; REQUIRES REPAIR ( X )

COMMENTS: **OWNER TO PROVIDE ANNUAL FIRE DEPARTMENT INSPECTION SHOWING "NO VIOLATIONS"**. As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

13. BLDG. EGRESS ILLUMINATION: GOOD ( X ) ; REQUIRES REPAIR ( )

COMMENTS: As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

14. FIRE ALARM SYSTEM: GOOD ( X ) ; REQUIRES REPAIR ( )

COMMENTS: **OWNER TO PROVIDE ANNUAL FIRE DEPARTMENT INSPECTION SHOWING "NO VIOLATIONS"**. As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

15. SMOKE DETECTORS: GOOD ( ) ; REQUIRES REPAIR ( X )

COMMENTS: **OWNER TO PROVIDE ANNUAL FIRE DEPARTMENT INSPECTION SHOWING "NO VIOLATIONS"**. Property owner is responsible and liable to provide continued testing, maintenance and upgrades as may be necessary to assure all smoke detectors are continuously operable. Special care should be taken to assure units and their wiring are neither tampered with nor malfunctioning. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy. In addition, property owner is responsible to assure compliance with any requirement, code or ordinance that may require a hardwired carbon monoxide detector.

16. EXIT LIGHTS: GOOD ( ) ; REQUIRES REPAIR ( X )

COMMENTS: **OWNER TO PROVIDE ANNUAL FIRE DEPARTMENT INSPECTION SHOWING "NO VIOLATIONS"**. As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

17. EMERGENCY GENERATOR: GOOD ( ) ; REQUIRES REPAIR ( )

COMMENTS: None observed.

Handwritten signature and date '7/14/11' over a circular official seal.

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18. WIRING IN OPEN OR UNDER COVER PARKING, GARAGE AREAS: N/A GOOD ( );

ADDITIONAL ILLUMINATION REQUIRED ( )

COMMENTS: None observed. Curbside parking only.

19. OPEN OR UNDER COVER PARKING SURFACE AND SECURITY LIGHTING: N/A GOOD ( );

ADDITIONAL ILLUMINATION REQUIRED ( )

COMMENTS: None observed. Curbside parking only

20. SWIMMING POOL WIRING: GOOD ( ); REQUIRES REPAIR ( )

COMMENTS: N/A.

21. WIRING OF/TO MECHANICAL EQUIPMENT: GOOD ( ); REQUIRES REPAIR ( X )

COMMENTS: As observed at time of inspection based on age of structure. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy. Any machinery or equipment which is for tenant use is excluded for the purposes of this report.

22. GENERAL ADDITIONAL COMMENTS: THIS REPORT IS NOT FOR BIDDING PURPOSES. Continue with proactive maintenance and provide repairs as may be necessary to maintain property safe for continued use and occupancy. Please note that this report does not include testing of any component, it is based on visual observations of applicable and accessible areas on day of inspection. Additionally, we rely on the validity of documentation as may be provided by owner for repairs performed to their property and for which they are solely responsible and liable for assuring they meet proper compliance with all applicable codes and life safety. It is the owner's responsibility to continuously verify, correct, repair and maintain all components of this building, whether included in this limited inspection report or not, to assure building is safe for continued use and occupancy.

*[Handwritten signature and date: July 8, 2017]*

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

03-4117-005-1890

DATE: July 8, 2015

Re: Folio No. 03-4117-005-1890  
Property Address: 2530 Ponce de Leon  
Building Description: Two Story Restaurant

The undersigned states the following:

On May 9, 2014 I inspected the cited property. All parking is frontage (curbside) parking. There is no parking on the property. Therefore, parking illumination is non-applicable.

Please refer to 19 of Electrical Portion attached hereto.

July 8, 2015  
(Signature)

Rick Hernandez Capote  
(Print Name)

Seal of Architect or Engineer Executing the  
Certification Must Be Affixed in the Above Space



00  
21 00 70



City of Coral Gables  
Development Services



**RC-15-07-4674**

2530 PONCE DE LEON BLVD #

Folio #: 03-4117-005-1890  
Permit Description: 10 YEAR BUILDING  
RECERTIFICATION OR OLDER BUILT (1924)

EL \_\_\_\_\_  
ME \_\_\_\_\_  
PL \_\_\_\_\_

# OFFICE SET

Section	Approved	
	By	Date
<input type="checkbox"/> BUILDING	<i>elf</i>	<i>7/9/15</i>
<input type="checkbox"/> CONCURRENCY		
<input type="checkbox"/> ELECTRICAL		
<input type="checkbox"/> FEMA		
<input type="checkbox"/> FIRE		
<input type="checkbox"/> HANDICAP		
<input type="checkbox"/> HISTORICAL		
<input type="checkbox"/> MECHANICAL		
<input type="checkbox"/> PLUMBING		
<input type="checkbox"/> PUBLIC WORKS		
<input type="checkbox"/> STRUCTURAL		
<input type="checkbox"/> ZONING		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/> OWNER BUILDER		

*R*

Subject to compliance with all Federal, State, County and City rules and regulations. City assumes no responsibility for accuracy of or results from these plans.  
THIS COPY OF PLANS MUST BE AVAILABLE ON BUILDING SITE OR AN INSPECTION WILL NOT BE MADE.

APPROVAL OF THIS SET OF PLANS DOES NOT CONSTITUTE APPROVAL OF ANY STRUCTURE OR CONDITION NOT IN COMPLIANCE WITH ANY APPLICABLE CODES



Permit #: RC-15-07-4674  
Master permit #:

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

Address: 2530 PONCE DE LEON BLVD  
CORAL GABLES, FL 33134-6013

Group # - Name	Action Code	Action Description	Completion Date	Completion Code	Completed By	Comments
1 - BOARDS - GENERATE F	calc fees	CALCULATE FEES	7/8/2015	comp	cgonzalez	
2 - CASHIER	collect	COLLECT FEES	7/8/2015		iwebuser	
3 - PLAN REVIEW	prbuild	BUILDING PLAN REVIEW	7/9/2015	apvd	mlopez	
3 - PLAN REVIEW	collect	COLLECT FEES				
3 - PLAN REVIEW	prelec	ELECTRICAL PLAN REVIEW				
3 - PLAN REVIEW	prelec	ELECTRICAL PLAN REVIEW	7/9/2015	reject	gmoreno	NEEDS REPAIR
4 - RE CERTIFIED LETTER	letter	GENERATE LETTER				

CITY'S  
EXHIBIT

4

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4615

Petitioner,

vs.

2530 PONCE, LLC,  
a Florida limited liability company,

Respondent.

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

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Date: December 29, 2015

To:

<p><b><u>Owner (Registered Agent)</u></b> 2530 Ponce, LLC c/o Peter Wenzel Registered Agent 2801 Florida Avenue, Suite 14 Coconut Grove, FL 33133-1903</p> <p>Return receipt number: 91 7108 2133 3932 7181 7389</p>	<p><b><u>Mortgagee</u></b> Employers Insurance Company of Wausau 175 Berkeley Street Boston, MA 02216-5066</p> <p>Return receipt number: 91 7108 2133 3932 7181 7396</p>
--	--

<p><b><u>Mortgagee (Registered Agent)</u></b>  Liberty Life Assurance Company of Boston  c/o Lawyers Incorporating Service  Registered Agent  14 Centre Street  Concord, NH 03301-6302</p> <p>Return receipt number:  91 7108 2133 3932 7181 7402</p>	<p><b><u>Mortgagee</u></b>  Liberty Mutual Fire Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 7181 7419</p>
<p><b><u>Mortgagee (Registered Agent)</u></b>  Liberty Mutual Insurance Company  c/o Corporation Service Company  Registered Agent  84 State Street  Boston, MA 02109-2202</p> <p>Return receipt number:  91 7108 2133 3932 7181 7426</p>	<p><b><u>Mortgagee</u></b>  The Ohio Casualty Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 7181 7433</p>
<p><b><u>Mortgagee</u></b>  Peerless Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 7181 7440</p>	<p><b><u>Mortgagee (Registered Agent)</u></b>  Safeco Insurance Company of America  c/o Lawyers Incorporating Service  Registered Agent  14 Centre Street  Concord, NH 03301-6302</p> <p>Return receipt number:  91 7108 2133 3932 7181 7457</p>

Re: The two-story commercial building ("Structure"), built in 1924 (90-year recertification required), and located at **2530 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6013, legally described as Lot 27, Block 7, 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 03-4117-005-1890 ("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 April 1, 2014, the City sent the Property Owner a 90-day Notice of Required Inspection for the Property's 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").

On July 22, 2014 and June 2, 2015, the City sent the Property Owner the City sent the Property Owner notices that the Report was past due.

To date, the Owner has not a) submitted the Report; b) completed the required repairs and c) submitted a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements ("Compliance Report")(collectively referred to as "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 January 11, 2016, at 2:00 p.m.**

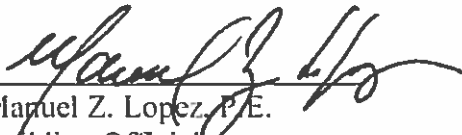
You may appeal the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence, however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the 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](mailto: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 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](mailto:vgoizueta@coralgables.com), or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: [mlopez@coralgables.com](mailto:mlopez@coralgables.com). The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

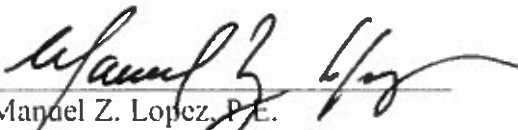
Please govern yourself accordingly.



Manuel Z. Lopez, P.E.  
Building Official

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 29, 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 #: 15-4615

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 2530 Ponce de Leon Blvd, ON 12/29/15  
AT \_\_\_\_\_.

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 20 15, by Jorge A Pino who is personally known to  
me.

My Commission Expires:



[Signature]  
Notary Public



2530

2530  
2530  
2530

12/29/2015 13:39

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES

Case # 15-4615

Petitioner,

vs.

2530 PONCE, LLC,  
a Florida limited liability company.

Respondent.

*2530 Ponce de Leon Blvd*

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

Date: December 29, 2015

To:

**Owner (Registered Agent)**  
2530 Ponce, LLC  
c/o Peter Wenzel  
Registered Agent  
241 Florida Avenue, Suite 14  
Coconut Grove, FL 33133-1903

Return receipt number:

91 7108 2133 3932 7181 7389

**Mortgage**

Employers Insurance Company of Wausau  
175 Berkeley Street  
Boston, MA 02216-5066

Return receipt number:

91 7108 2133 3932 7181 7396

*15-4615*

*PONCE*

*25312/29/2015 13:38*

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: 20160026919 BOOK 29925 PAGE 2441  
DATE:01/14/2016 11:17:35 AM  
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

**CITY OF CORAL GABLES  
CONSTRUCTION REGULATION BOARD**

CITY OF CORAL GABLES,

Case # 15-4615

Petitioner,

vs.

2530 PONCE, LLC,  
a Florida limited liability company,

Respondent.

**ORDER DECLARING STRUCTURE UNSAFE**

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 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, 2530 Ponce, LLC ("Owner"), and any lienholders of record of the two-story commercial building ("Structure"), built in 1924 (90-year recertification required), and located at **2530 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6013, legally described as Lot 27, Block 7, 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 03-4117-005-1890 ("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 July 8, 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) electrical service, master electrician to verify and correct entire electrical service to include, but not limited to all overhead panels and electrical grounding, permits will be

required; 2) meter and electrical room; 3) gutters; 4) electrical panels; 5) branch circuits; 6) grounding of service; 7) grounding of equipment; 8) service conduits raceways; 9) service conductor and cables; 10) wiring: conduit raceways; rigid; 11) feeder conductors; 12) emergency lighting; 13) smoke detectors, owner to provide annual fire department inspection showing "no violations"; and 12) exit lights.

4. On July 9, 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").

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](mailto: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 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 12 day of January, 2016 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><b><u>Owner (Registered Agent)</u></b>            2530 Ponce, LLC            c/o Peter Wenzel            Registered Agent            2801 Florida Avenue, Suite 14            Coconut Grove, FL 33133-1903</p> <p>Return receipt number:            91 7108 2133 3931 8979 7834</p>	<p><b><u>Mortgagee</u></b>            Employers Insurance Company of Wausau            175 Berkeley Street            Boston, MA 02216-5066</p> <p>Return receipt number:            91 7108 2133 3931 8979 7841</p>
<p><b><u>Mortgagee (Registered Agent)</u></b>            Liberty Life Assurance Company of Boston            c/o Lawyers Incorporating Service            Registered Agent            14 Centre Street            Concord, NH 03301-6302</p> <p>Return receipt number:            91 7108 2133 3931 8979 7858</p>	<p><b><u>Mortgagee</u></b>            Liberty Mutual Fire Insurance Company            175 Berkeley Street            Boston, MA 02216-5066</p> <p>Return receipt number:            91 7108 2133 3931 8979 7865</p>
<p><b><u>Mortgagee (Registered Agent)</u></b>            Liberty Mutual Insurance Company            c/o Corporation Service Company            Registered Agent            84 State Street            Boston, MA 02109-2202</p> <p>Return receipt number:            91 7108 2133 3931 8979 7872</p>	<p><b><u>Mortgagee</u></b>            The Ohio Casualty Insurance Company            175 Berkeley Street            Boston, MA 02216-5066</p> <p>Return receipt number:            91 7108 2133 3931 8979 7889</p>



<p><b><u>Mortgagee</u></b> Peerless Insurance Company 175 Berkeley Street Boston, MA 02216-5066</p> <p>Return receipt number: 91 7108 2133 3931 8979 7896</p>	<p><b><u>Mortgagee (Registered Agent)</u></b> Safeco Insurance Company of America c/o Lawyers Incorporating Service Registered Agent 14 Centre Street Concord, NH 03301-6302</p> <p>Return receipt number: 91 7108 2133 3932 6905 4505</p>
---	--

  
\_\_\_\_\_  
Belkys Garcia  
Secretary to the Board

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4615

Petitioner,

vs.

2530 PONCE, LLC,  
a Florida limited liability company,

Respondent.

---

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

---

Date: January 22, 2016

To:

**Owner (Registered Agent)**

2530 Ponce, LLC  
c/o Peter Wenzel  
Registered Agent  
2801 Florida Avenue, Suite 14  
Coconut Grove, FL 33133-1903

Return receipt number:

91 7108 2133 3932 6905 4253

**Mortgagee**

Employers Insurance Company of Wausau  
175 Berkeley Street  
Boston, MA 02216-5066

Return receipt number:

91 7108 2133 3932 6905 4260

<p><b><u>Mortgagee (Registered Agent)</u></b>  Liberty Life Assurance Company of Boston  c/o Lawyers Incorporating Service  Registered Agent  14 Centre Street  Concord, NH 03301-6302</p> <p>Return receipt number:  91 7108 2133 3932 6905 4277</p>	<p><b><u>Mortgagee</u></b>  Liberty Mutual Fire Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 6905 4284</p>
<p><b><u>Mortgagee (Registered Agent)</u></b>  Liberty Mutual Insurance Company  c/o Corporation Service Company  Registered Agent  84 State Street  Boston, MA 02109-2202</p> <p>Return receipt number:  91 7108 2133 3932 6905 4291</p>	<p><b><u>Mortgagee</u></b>  The Ohio Casualty Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 6905 4307</p>
<p><b><u>Mortgagee</u></b>  Peerless Insurance Company  175 Berkeley Street  Boston, MA 02216-5066</p> <p>Return receipt number:  91 7108 2133 3932 6905 4314</p>	<p><b><u>Mortgagee (Registered Agent)</u></b>  Safeco Insurance Company of America  c/o Lawyers Incorporating Service  Registered Agent  14 Centre Street  Concord, NH 03301-6302</p> <p>Return receipt number:  91 7108 2133 3932 6905 4321</p>

Re: The two-story commercial building ("Structure"), built in 1924 (90-year recertification required), and located at **2530 Ponce de Leon Boulevard**, Coral Gables, FL 33134-6013, legally described as Lot 27, Block 7, 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 03-4117-005-1890 ("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 February 8, 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](mailto: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.


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](mailto:vgoizueta@coralgables.com), or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: [mlopez@coralgables.com](mailto: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 January 22, 2016, 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 #: 15-4615

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 2530 Ponce de Leon Blvd ON 1-22-16  
AT 8 am.

Claudio Ramos  
Employee's Printed Name

[Signature]  
Employee's Signature

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

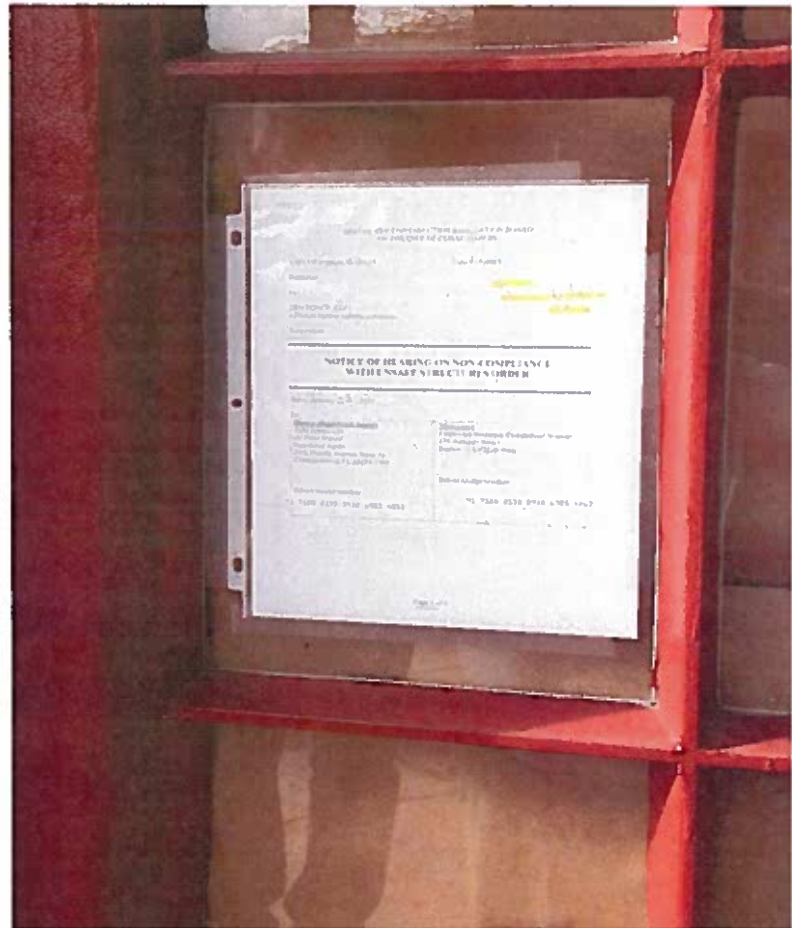
Sworn to (or affirmed) and subscribed before me this 22<sup>nd</sup> day of January, in  
the year 20 16, by Claudio Ramos who is personally known to  
me.

My Commission Expires:



Belkys Garcia  
Notary Public

2530 Ponce de Leon Blvd.







CFN 2008R0304903  
 OR Bk 26324 Pgs 1964 - 1966i (3pgs)  
 RECORDED 04/14/2008 15:29:42  
 DEED DOC TAX 0.60  
 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

This document prepared by and  
 when recorded return to:  
 Daniel P. Heller  
 Bilzin Sumberg Baena Price & Axelrod LLP  
 200 South Biscayne Blvd., Suite 2500  
 Miami, Florida 33131-5340

Folio No. 03-4117-005-1890

(Above Space for Recorder's Use Only)

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 12<sup>th</sup> day of January, 2008, by and between **PETER WENZEL** and **KRISTINE TAMBURINO WENZEL**, husband and wife (a 50% undivided interest), whose address is 2801 Florida Avenue, #14, Coconut Grove, Florida 33133 (collectively "Grantor"), and **2530 PONCE, LLC**, a Florida limited liability company, whose address is 2801 Florida Avenue, #14, Coconut Grove, Florida 33133 ("Grantee").

Grantor does grant, bargain, alien, remise, release, convey and confirm unto Grantee all of Grantor's right, title and interest in the following described real property, located and situated in the County of Miami-Dade, State of Florida, more particularly described as follows (the "Property"):

Lot 27, in Block 7, of CORAL GABLES CRAFT SECTION, according to the Plat thereof, as recorded in Plat Book 10, at Page 40, of the Public Records of Miami-Dade County, Florida

Together with all tenements, hereditaments, and appurtenances thereto belonging or any way appertaining.

This conveyance is subject to the following:

1. Real estate taxes, drainage district taxes, pending municipal liens, and any other taxes and assessments imposed by other taxing authorities.
2. Conditions, restrictions, reservations, agreements, covenants, limitations, dedications, existing zoning ordinances, easements, and other matters of public record, including, but not limited to, water, sewer, gas, electric, and other utility agreements of record, or other restrictions upon the use of the Property as may be imposed by governmental authorities having jurisdiction thereof.

MIAMI 1485776.1 7785229589

Book26324/Page1964 CFN#20080304903

**CITY'S**  
 Page 1 of 3  
**EXHIBIT** 6

TO HAVE AND TO HOLD the same as set forth above.

The Grantor covenants with Grantee that they are lawfully seized of said Property in fee simple; that they have good right and lawful authority to sell and convey said Property and; that they specially warrant the title to said Property and will defend the same against the lawful claims of any persons claiming by, through or under Grantor.

[Signatures on following page.]

MIAMI 1485776.1 7785229589

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the date set forth above.

Signed, sealed and delivered  
in the presence of:

Sign Name: [Signature]  
Print Name: WIFE HEIBLON

Sign Name: [Signature]  
Print Name: Rebecca Cadena

Sign Name: [Signature]  
Print Name: WIFE HEIBLON

Sign Name: [Signature]  
Print Name: Rebecca Cadena

[Signature]  
PETER WENZEL

[Signature]  
KRISTINE TAMBURINO WENZEL

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

The foregoing instrument was acknowledged before me this 12 day of January 2008, by **PETER WENZEL** and **KRISTINE TAMBURINO WENZEL**, husband and wife. They are  personally known to me or \_\_\_\_\_ each has produced Florida driver's license as identification.

[Signature]  
Signature of Notary Public  
Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]



MIAMI 1485776.1 7785229589  
1/18/08 11:24 AM



## Detail by Entity Name

### Florida Limited Liability Company

2530 PONCE, LLC

### Filing Information

Document Number	L08000004379
FEI/EIN Number	26-4095885
Date Filed	01/11/2008
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	07/06/2015
Event Effective Date	NONE

### Principal Address

2801 FLORIDA AVE. SUITE 14  
C/O WENZEL INVESTMENTS GROUP  
COCONUT GROVE, FL 33133

### Mailing Address

2801 FLORIDA AVE. SUITE 14  
C/O WENZEL INVESTMENTS GROUP  
COCONUT GROVE, FL 33133

### Registered Agent Name & Address

WENZEL, PETER  
2801 FLORIDA AVE. SUITE 14  
COCONUT GROVE, FL 33133

### Authorized Person(s) Detail

#### Name & Address

Title MGR

WENZEL, PETER  
2801 FLORIDA AVE. SUITE 14  
COCONUT GROVE, FL 33133

Title MGR

WENZEL, KRISTINE

2801 FLORIDA AVE. SUITE 14  
COCONUT GROVE, FL 33133

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
2013	04/10/2013
2014	04/24/2014
2015	04/22/2015

### Document Images

<u><a href="#">07/06/2015 -- LC Amendment</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/22/2015 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/24/2014 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/10/2013 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">03/06/2012 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/06/2011 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/26/2010 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">04/13/2009 -- ANNUAL REPORT</a></u>	<a href="#">View image in PDF format</a>
<u><a href="#">01/11/2008 -- Florida Limited Liability</a></u>	<a href="#">View image in PDF format</a>

Prepared By: Kendra Verus  
**STANCORP MORTGAGE INVESTORS, LLC**  
19225 NW TANASBOURNE DRIVE  
HILLSBORO, OR 97124

Recording Requested and When  
Recorded, return to:  
Rae Bodonyi  
Lenders Recording Services (2012)  
33700 Lear Industrial Parkway  
Avon, Ohio 44011

**ASSIGNMENT OF BENEFICIAL INTEREST IN MORTGAGE  
AND RELATED LOAN DOCUMENTS**

FOR VALUE RECEIVED, the undersigned ("Assignor") hereby grants, assigns and transfers to Employers Insurance Company of Wausau, a Wisconsin stock insurance company (2.8251%), Liberty Life Assurance Company of Boston, a New Hampshire stock insurance company (3.542%), Liberty Mutual Fire Insurance Company, a New Hampshire stock insurance company (1.8975%), Liberty Mutual Insurance Company, a Massachusetts stock insurance company (8.1804%), The Ohio Casualty Insurance Company, an Ohio stock insurance company (0.8434%), Peerless Insurance Company, a New Hampshire corporation (1.6866%), Safeco Insurance Company of America, a New Hampshire stock insurance company (1.265%), (hereinafter collectively, "Assignee"), each to an undivided interest, of the beneficial interest under the following loan documents:

Trustor or Grantor	Loan Number	Date of Recording	Recording No.
2530 PONCE LLC	B2012901	Mortgage: 3/25/2013 Assignment of Lessor's Interest in Leases: 3/25/2013	Mortgage: 2012R0207260 BK 28044 PG 4269 Assignment of Lessor's Interest in Leases: 2012R0207261 BK 28044 PG 4294

Tax Account Number: 0341170051890.

Commonly known as: 2530 PONCE DE LEON BLVD., CORAL GABLES, FL, 33134. See Exhibit "A" attached hereto and by this reference made a part hereof for legal description.

All as described in the Official Records in the Office of the County Recorder of Miami-Dade County, Florida together with the note(s) described therein, the money due and to become due therein with interest, all rights accrued to or to accrue under the Mortgage and all rights under the separate Assignment of Lessor's Interest in Leases of even date with the Mortgage.

See following page(s) for Assignor and Assignee (hereinafter collectively "Lender"), Addresses.

**SEE EXHIBIT "A"**



Dated effective April 9, 2012

"ASSIGNOR"

Standard Insurance Company,  
an Oregon corporation

Witness to each signature:

By: [Signature]  
Assistant Vice President

[Signature]  
Print Name: Quendra Venus  
Dacey Long

[Signature]  
Print Name: KALY LONG

Attest: [Signature]  
Assistant Vice President

[Signature]  
Print Name: Quendra Venus  
Dacey Long

Print Name: KALY LONG

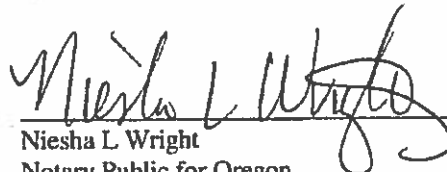


STATE OF OREGON                    )  
  ) ss:  
COUNTY OF WASHINGTON        )

On this 24<sup>th</sup> day of October, 2013, before me, Niesha L Wright, a Notary Public in and for said County and State, personally appeared AMY FRAZEY and GREGG HARROD, both to me personally known, who being duly sworn did say that she, the said AMY FRAZEY is the Assistant Vice President, and he, the said GREGG HARROD is the Assistant Vice President of STANDARD INSURANCE COMPANY, an Oregon corporation, the within named corporation, and that the seal affixed to said document is the corporate seal of said corporation, and that the said document was signed and sealed in behalf of said corporation by authority of its Board of Directors, and AMY FRAZEY and GREGG HARROD acknowledged said document to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.



  
\_\_\_\_\_  
Niesha L Wright  
Notary Public for Oregon  
My Commission Expires: September 20, 2015

**LENDER ADDRESSES**

Standard Insurance Company  
19225 NW Tanasbourne Drive  
Hillsboro, OR 97124

Liberty Life Assurance  
175 Berkeley Street  
Boston, MA 02116

Liberty Mutual Fire Ins. Co.  
175 Berkeley Street  
Boston, MA 02116

Ohio Casualty Ins Co  
175 Berkeley Street  
Boston, MA 02116

Safeco Insurance Co.  
175 Berkeley Street  
Boston, MA 02116

Employers Ins Co - Wausau  
175 Berkeley Street  
Boston, MA 02116

Liberty Life Assurance  
175 Berkeley Street  
Boston, MA 02116

Liberty Mutual Insurance Co.  
175 Berkeley Street  
Boston, MA 02116

Peerless Insurance Company  
175 Berkeley Street  
Boston, MA 02116

**Exhibit "A" Legal Description**

Lot 27, in Block 7, of CORAL GABLES CRAFT SECTION,  
according to the Plat thereof, as recorded in Plat Book 10, at Page 40,  
of the Public Records of Miami-Dade County, Florida.



CFN 2012R0207260  
DR Bk 28044 Pgs 4269 - 4293 (25pgs)  
RECORDED 03/22/2012 15:56:23  
MTG DOC TAX 2,012.50  
INTANG TAX 1,150.00  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

Prepared by Sharon Ehly  
When Recorded Return to:

STANCORP MORTGAGE INVESTORS, LLC  
19225 NW TANASBOURNE DRIVE  
HILLSBORO, OR 97124

*assigned*

ATTN: COMPLIANCE, T3A

SIC Loan No. B2012901

**MORTGAGE, ASSIGNMENT OF RENTS,  
SECURITY AGREEMENT AND FIXTURE FILING**

THIS MORTGAGE made this February 29, 2012, is between 2530 Ponce, LLC, a Florida limited liability company, and John A. Hewitt, Jr. and Anne Christine Hewitt, as Trustees of the John A. Hewitt, Jr. and Anne Christine Hewitt Revocable Living Trust w/d/t/, dated August 29, 1990 and restated June 19, 1995 ("Mortgagor"), having a mailing address of 2801 Florida Avenue, Suite 14, Coconut Grove, Florida 33133 and Standard Insurance Company, an Oregon corporation ("Mortgagee") having a mailing address of 19225 NW Tanasbourne Drive, Hillsboro, Oregon 97124.

The Tax Account Number for the property subject to the lien of this instrument is:  
03 41170051890.

Commonly known as: 2530 Ponce De Leon Blvd., Coral Gables, Florida, 33134.

Mortgagor irrevocably mortgages to Mortgagee, with power of sale, that property in the City of Coral Gables, County of Dade, State of Florida, described as follows (the "Real Property"):

See Exhibit "A" attached hereto and by this reference made a part hereof for legal description.

Together with (a) all rents, income, contract rights, issues and profits now due or which may become due under or by virtue of any lease, rental agreement or other contract, whether written or oral, for the use or occupancy of the Real Property, or any part thereof, together with all tenant security deposits, subject, however, to the right, power and authority hereinafter given to and conferred upon Mortgagor to collect and apply such rents, issues, income, contract rights, security deposits and profits prior to any default hereunder; (b) all buildings and improvements now or hereafter thereon, and all appurtenances, easements, rights in party walls, water and water rights, pumps and pumping plants and all shares of stock evidencing the same; (c) all fixtures

EXHIBIT "A"  
LOAN NO. B2012901  
DATED: February 29, 2012

Lot 27, in Block 7, of CORAL GABLES CRAFT SECTION,  
according to the Plat thereof, as recorded in Plat Book 10, at Page 40,  
of the Public Records of Miami-Dade County, Florida.





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Permits and Inspections: Search Results

New Permit Search

Permit Search Results

Permit#:	App. Date	Street Address	Type	Description	Status	Issue Date	Final Date	Fees Due
BL-08-02-0004	02/01/2008	2530 PONCE DE LEON BLVD	SIGNS	ELECTRICAL SIGN (ANACAPRI RESTAURANT ON PONCE) \$2,200	final	09/15/2009	11/21/2011	0.00
BL-15-11-5300	11/09/2015	2530 PONCE DE LEON BLVD	DEMOLITION	COMM INTER DEMO ONLY \$3,500	issued	12/10/2015		0.00
CE-08-02-0119	02/04/2008	2530 PONCE DE LEON BLVD	CODE ENF TICKET PROCESS - NO RUNNING FINE	WT77478 SEC 5-1907 ZC (SNR) BANNERS, BALLOONS, FLAGS & OTHER ATTENTION ATTRACTORS ARE PROHIBITED.	canceled	02/04/2008		0.00
CE-08-02-0170	02/05/2008	2530 PONCE DE LEON BLVD	CODE ENF WARNING PROCESS	WT 77478 (BAN) ZC SEC5-1902 BANNERS, BALLOONS, FLAGS & OTHER ATTENTION ATTRACTORS AND ADVERTISING DEVICES ARE PROHIBITED.	final	02/05/2008	02/05/2008	0.00
CE-13-02-0571	02/11/2013	2530 PONCE DE LEON BLVD	CODE ENF WARNING PROCESS	VERBAL WARNING FOR OUTDOOR SEATING @ ANA CAPRI RESTAURANT. COMPLAINT FROM PLANNING DEPT	final	02/11/2013	02/11/2013	0.00
CE-15-08-4075	08/03/2015	2530 PONCE DE LEON BLVD	CODE ENF LIEN SEARCH	LIEN SEARCH	final	08/13/2015	08/13/2015	0.00
EL-15-11-6174	11/23/2015	2530 PONCE DE LEON BLVD	ELEC COMMERCIAL / RESIDENTIAL WORK	COMM INTER DEMO ONLY electrical	pending			0.00
EX-11-10-7063	10/20/2011	2530 PONCE DE LEON BLVD	PERMIT EXTENSION	PERMIT EXTENSION FOR #BL08020004 FOR ELECTRICAL SIGN	final	11/18/2011	11/18/2011	0.00
PL-15-12-4728	12/02/2015	2530 PONCE DE LEON BLVD	PLUMB COMMERCIAL / RESIDENTIAL WORK	PLUMBING WORK FOR COMM INTER DEMO ONLY	pending			0.00
PU-09-10-1968	10/01/2009	2530 PONCE DE LEON BLVD	PUBLIC RECORDS SEARCH	REQ CERT DWGS TO CLOSE SEVERAL EXP PERMITS#93020818, 01010100 & 01120022 CRM INV#8594	final	10/05/2009	10/05/2009	0.00

CITY'S

EXHIBIT 7

RC-15-07-4674	07/08/2015	2530 PONCE DE LEON BLVD	BUILDING RE CERTIFICATION	10 YEAR BUILDING RECERTIFICATION OR OLDER BUILT (1924)	issued	07/08/2015		0.00
UP-15-11-5301	11/09/2015	2530 PONCE DE LEON BLVD	UPFRONT FEE	UPFRONT FEE FOR COMM INTER DEMO ONLY \$3500	final	11/09/2015	11/09/2015	0.00

The City's online services are protected with an **SSL encryption certificate**. For technical assistance, please call 305-569-2448 (8am-5pm, M-F).



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### Permit Search Results

Permit#:	App. Date	Street Address	Type	Description	Status	Issue Date	Final Date	Fees Due
BL-08-02-0004	02/01/2008	2530 PONCE DE LEON BLVD	SIGNS	ELECTRICAL SIGN (ANACAPRI RESTAURANT ON PONCE) \$2,200	final	09/15/2009	11/21/2011	0.00
BL-15-11-5300	11/09/2015	2530 PONCE DE LEON BLVD	DEMOLITION	COMM INTER DEMO ONLY \$3,500	issued	12/10/2015		0.00
CE-08-02-0119	02/04/2008	2530 PONCE DE LEON BLVD	CODE ENF TICKET PROCESS - NO RUNNING FINE	WT77478 SEC 5-1907 ZC (SNR) BANNERS, BALLOONS, FLAGS & OTHER ATTENTION ATTRACTORS ARE PROHIBITED.	canceled	02/04/2008		0.00
CE-08-02-0170	02/05/2008	2530 PONCE DE LEON BLVD	CODE ENF WARNING PROCESS	WT 77478 (BAN) ZC SEC5-1902 BANNERS, BALLOONS, FLAGS & OTHER ATTENTION ATTRACTORS AND ADVERTISING DEVICES ARE PROHIBITED.	final	02/05/2008	02/05/2008	0.00
CE-13-02-0571	02/11/2013	2530 PONCE DE LEON BLVD	CODE ENF WARNING PROCESS	VERBAL WARNING FOR OUTDOOR SEATING @ ANA CAPRI RESTAURANT. COMPLAINT FROM PLANNING DEPT	final	02/11/2013	02/11/2013	0.00
CE-15-08-4075	08/03/2015	2530 PONCE DE LEON BLVD	CODE ENF LIEN SEARCH	LIEN SEARCH	final	08/13/2015	08/13/2015	0.00
EL-15-11-6174	11/23/2015	2530 PONCE DE LEON BLVD	ELEC COMMERCIAL / RESIDENTIAL WORK	COMM INTER DEMO ONLY electrical	pending			0.00
EX-11-10-7063	10/20/2011	2530 PONCE DE LEON BLVD	PERMIT EXTENSION	PERMIT EXTENSION FOR #BL08020004 FOR ELECTRICAL SIGN	final	11/18/2011	11/18/2011	0.00
PL-15-12-4728	12/02/2015	2530 PONCE DE LEON BLVD	PLUMB COMMERCIAL / RESIDENTIAL WORK	PLUMBING WORK FOR COMM INTER DEMO ONLY	pending			0.00
PU-09-10-1968	10/01/2009	2530 PONCE DE LEON BLVD	PUBLIC RECORDS SEARCH	REQ CERT DWGS TO CLOSE SEVERAL EXP PERMITS#93020818, 01010100 & 01120022 CRM INV#8594	final	10/05/2009	10/05/2009	0.00

RC-15-07-4674	07/08/2015	2530 PONCE DE LEON BLVD	BUILDING RE CERTIFICATION	CONSTRUCTION REGULATION BOARD CASE #15-4615 AND UNSAFE STRUCTURE BOARD FEE	issued	07/08/2015		150.00
UP-15-11-5301	11/09/2015	2530 PONCE DE LEON BLVD	UPFRONT FEE	UPFRONT FEE FOR COMM INTER DEMO ONLY \$3500	final	11/09/2015	11/09/2015	0.00

The City's online services are protected with an **SSL encryption certificate**. For technical assistance, please call 305-569-2448 (8am-5pm, M-F).



**City of Coral Gables**  
**Fire Department**  
**Fire Prevention Division**  
2815 Salzedo Street, Coral Gables, FL 33134  
Fax (305) 460-5598

The items noted below are in violation of the Florida Fire Prevention Code and/or the Florida Administrative Code. Nothing in this report supersedes any previously written, still existing violations for this occupancy/building. You are directed to comply with corrective measures as indicated.

---

<b>Occupant Name:</b>	VACANT	<b>Inspection Date:</b>	12/18/2015
<b>Address:</b>	2530 Ponce De Leon Boulevard	<b>Inspection Type:</b>	Under Construction
<b>City:</b>	Coral Gables	<b>Inspected By:</b>	Madelaine Mendez 305-460-5563 mmendez@coralgables.com
<b>Suite:</b>		<b>Occ. Sq. Ft.:</b>	5440

---

**No violations noted at this time.**

**Inspector Comments:**

DEMOLITION PERMIT BL-15-11-5300

---

<b>Company Representative:</b>	Signature on file Currently under construction 12/18/2015
<b>Inspector:</b>	Signature on file Madelaine Mendez 12/18/2015

**CITY'S**

**EXHIBIT** 8

## Goizueta, Virginia

---

**From:** Lopez, Manuel  
**Sent:** Wednesday, December 16, 2015 10:18 AM  
**To:** Goizueta, Virginia  
**Subject:** FW: Folio 03-4117-005-1890 - 40 year certification -

Is this in our list for the BOARD?

Manuel Z. Lopez P.E.  
Building Official  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables Florida, 33134  
305-460-5242



CORAL GABLES  
1925-2015

*Celebrating 90 years of a dream realized.*

**From:** [wenzelinv@aol.com](mailto:wenzelinv@aol.com) [<mailto:wenzelinv@aol.com>]  
**Sent:** Wednesday, December 16, 2015 10:10 AM  
**To:** Lopez, Manuel  
**Subject:** Fwd: Folio 03-4117-005-1890 - 40 year certification -

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

**From:** wenzelinv <[wenzelinv@aol.com](mailto:wenzelinv@aol.com)>  
**To:** mlopez <[mlopez@coralgables.com](mailto:mlopez@coralgables.com)>  
**Sent:** Thu, Dec 10, 2015 1:18 pm  
**Subject:** Folio 03-4117-005-1890 - 40 year certification -

**RE:** 2530 Ponce de Leon Blvd.  
Folio 03-4117-005-1890  
40-year Building Re-certification

Mr. Lopez:

I am requesting an extension to the 150 day period provided to complete repairs to the above referenced property for the 40-year building re-certification.

CITY'S

EXHIBIT

9



I currently have a new tenant in the space who will be making alterations. Within that scope of work he will be taking care of the items on the re-certification report.

Thank you for your consideration to this matter.

Sincerely,

Peter Wenzel  
2530 Ponce LLC  
2801 Florida Avenue, Suite #14  
Coconut Grove, FL 33133  
305-448-2266

2530 Ponce De Leon Blvd.

Goizueta, Virginia

**From:** wenzelinv@aol.com  
**Sent:** Wednesday, December 30, 2015 10:49 AM  
**To:** Goizueta, Virginia  
**Subject:** Fwd: Folio 03-4117-005-1890 - 40 year certification -

Ms. Goizueta:

I would appreciate a call from you at 305-448-2266.

I would like to get on the agenda for the January 11, 2016 agenda.

Thank you,

Peter Wenzel

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

**From:** Lopez, Manuel <mlopez@coralgables.com>  
**To:** 'wenzelinv@aol.com' <wenzelinv@aol.com>  
**Cc:** Goizueta, Virginia <vgoizueta@coralgables.com>  
**Sent:** Wed, Dec 16, 2015 12:55 pm  
**Subject:** RE: Folio 03-4117-005-1890 - 40 year certification -

Since we have given you extensions we will refer this case to the Construction Regulation Board and you can ask them for additional extensions. The next meeting is in January.

Manuel Z. Lopez P.E.  
Building Official  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables Florida, 33134  
305-460-5242



CORAL GABLES  
CELEBRATING 90 YEARS

*Celebrating 90 years of a dream realized.*

**From:** wenzelinv@aol.com [<mailto:wenzelinv@aol.com>]  
**Sent:** Wednesday, December 16, 2015 10:10 AM  
**To:** Lopez, Manuel  
**Subject:** Fwd: Folio 03-4117-005-1890 - 40 year certification -

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

From: wenzelinv <[wenzelinv@aol.com](mailto:wenzelinv@aol.com)>

To: mlopez <[mlopez@coralgables.com](mailto:mlopez@coralgables.com)>

Sent: Thu, Dec 10, 2015 1:18 pm

Subject: Folio 03-4117-005-1890 - 40 year certification -

RE: 2530 Ponce de Leon Blvd.  
Folio 03-4117-005-1890  
40-year Building Re-certification

Mr. Lopez:

I am requesting an extension to the 150 day period provided to complete repairs to the above referenced property for the 40-year building re-certification.

I currently have a new tenant in the space who will be making alterations. Within that scope of work he will be taking care of the items on the re-certification report.

Thank you for your consideration to this matter.

Sincerely,

Peter Wenzel  
2530 Ponce LLC  
2801 Florida Avenue, Suite #14  
Coconut Grove, FL 33133  
305-448-2266

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

**Garcia, Belkys**

---

**From:** Goizueta, Virginia  
**Sent:** Friday, January 15, 2016 9:10 AM  
**To:** alp@alp-law.com; Garcia, Belkys  
**Subject:** FW: Case # 15-4615, Folio 03-4117-005-1890,  
**Attachments:** DOC011416-001.pdf

FYI

*Virginia Goizueta*  
Building Service Coordinator  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables, Florida 33134  
Office: 305-460-5250



CORAL GABLES  
90th ANNIVERSARY

*Celebrating 90 years of a dream realized.*

**From:** wenzelinv@aol.com [mailto:wenzelinv@aol.com]  
**Sent:** Thursday, January 14, 2016 4:42 PM  
**To:** Goizueta, Virginia  
**Subject:** Case # 15-4615, Folio 03-4117-005-1890,

**RE:** Folio 03-4117-005-1890  
2530 Ponce de Leon Blvd.  
Case #: 15-4615

Ms. Goizueta:

Thank you for placing us on the agenda of the Construction Regulation Boards next meeting on February 8, 2016. The purpose of my request is to modify your required 30 day Order of January 13, 2016, as the timeline is beyond the control of the Owner. Please recognize that we are working in good faith and exercising due diligence in the efforts to satisfy all required actions, however, our repair is also subject to The City approving our new renovation plan.

Under the circumstances, your order dated January 13, 2016, "all required permits to meet the minimum requirements..." within 30 days is not feasible for me to comply with because

the interior has been partially demolished to make way for the new restaurant build-out. This interior renovation will include the work required to satisfy the re-certification of the property.

We need the extension to be at least 90 days from receipt of a building permit to do the interior build-out.

**THE BUILDING IS SECURE AND SAFE.** Attached please find copy of letter dated July 8, 2015 from Rick Hernandez Capote, R.A. of ArcBuilders Group, Inc. stating “this building(s) is structurally safe yet requires electrical repair/correction/alteration for a safe continued use and occupancy as provided for Re-Certification” which will be complied with the new build-out.

Sincerely,

Peter Wenzel, Manager  
2530 Ponce LLC