

RESOLUTION NO. R2025-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN THE RELEASE OF DECLARATION OF RESTRICTED COVENANTS ATTACHED IN “EXHIBIT C” FOR THE PROPERTY LOCATED AT 1699, 1750, AND 1775 NE 167TH STREET, ATTACHED IN “EXHIBIT D”, PREVIOUSLY OCCUPIED BY NOVA SOUTHEASTERN UNIVERSITY SUBJECT TO DECLARATION OF RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 15029 PAGE 786 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA ATTACHED AS “EXHIBIT A” , WHICH RECEIVED SITE PLAN APPROVAL BY CITY OF NORTH MIAMI BEACH RESOLUTION R2023-105 ON OCTOBER 17, 2023, ATTACHED AS “EXHIBIT B”, FOR A SEVEN HUNDRED TWENTY-EIGHT (728) DWELLING UNIT MIXED USE DEVELOPMENT, PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, PPG Ark Equishares Owner, LLC, a limited liability company is the Owner holding fee simple title to the Property described in EXHIBIT D; and

WHEREAS, the Owner’s predecessor-in-interest entered into the Declaration of Restrictive Covenants with the City of North Miami Beach on May 9, 1991, as described in EXHIBIT A; and

WHEREAS, the Owner has requested the City of North Miami Beach execute a Release of the Declaration of Restrictive Covenants as described in EXHIBIT C; and

WHEREAS, on October 17, 2023, the Owner obtained site plan approval for the Property from the City of North Miami Beach for the construction of a seven hundred and twenty-eight (728) dwelling unit mixed use development, as further described in EXHIBIT B; and

WHEREAS, the Owner and the City, after public hearing has determined that the Declaration of Restrictive Covenants executed on May 16, 1991, no longer serves a public purpose and interest; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, incorporated herein, and made a part hereof.

Section 2. Authorization to City Manager. The City Council hereby grants Interim City Manager, Andrew Plotkin, the authority to sign the Release of Declaration of Restrictive Covenants

on behalf of the City of North Miami Beach, based on the findings and concurrence described above.

Section 3. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. Recording. A certified copy of this Resolution and executed Release of Declaration of Restrictive Covenants shall be sent by the City Clerk to the Clerk of the Circuit Court for recording in the Public Records of Miami-Dade County, Florida.

Section 5. Effective Date. This Resolution shall be in force and take effect immediately upon its passage and adoption.

[SIGNATURE PAGE TO FOLLOW]

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this ____ day of _____, 2025.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

(CITY SEAL)

MICHAEL JOSEPH, ESQ.
MAYOR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND RELIANCE OF
THE CITY OF NORTH MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: _____
CITY ATTORNEYS

Sponsored By: _____

QUASI JUDICIAL:

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph				
Vice Mayor Jay R. Chernoff				
Commissioner Phyllis Smith				
Commissioner Daniela Jean				
Commissioner McKenzie Fleurimond				
Commissioner Lynn Su				
Commissioner Fortuna Smukler				

EXHIBIT “A”

DECLARATION OF RESTRICTIVE COVENANTS – BOOK 15029 PAGE 786

RESOLUTION NO. 2025-XX

EXHIBIT “B”

SITE PLAN APPROVAL - RESOLUTION NO. R2023-105

RESOLUTION NO. 2025-XX

EXHIBIT “C”

RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS

EXHIBIT “D”

PROPERTY APPRAISER OF MIAMI-DADE COUNTY - PROPERTY RECORDS