



Water and Sewer
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November 8, 2013

Earlington Square Apartments, LLC
315 S. Biscayne Blvd., 4th Floor
Miami, FL 33131

Re: Water and Sewer Availability (13-287101) for "Earlington Square Apartments - Site 1" (F.K.A. Santo Domingo Apartments - Site 1) for the construction of 109 apartment units for new multifamily development located at 1536 NW 36 Street, Miami, Florida, Folios # 01-3126-038-0090 and -0100.

Ladies and Gentlemen:

This letter is in response to your inquiry regarding water and sewer availability to the above-referenced project for the construction of 109 apartment units

The County owns and operates existing twelve (12) inch water mains located in N.W. 15 Avenue at N.W. 36 Street, to which the property owner shall connect and install a sixteen (16) inch water main westerly in N.W. 36 Street to the northwestern corner of the property interconnecting to an existing eight (8) inch water main at that location. Any public water main extension within the property shall be twelve (12) inch minimum diameter. If two (2) or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection.

The County also owns and operates existing eight (8) inch gravity sewers in N.W. 36 Street abutting the northern boundary of the property, to which the property owner shall connect. However, the County's Sewage Pumping Station No. 30-0054 (PS 54) serving the abutting gravity sewer basin is reported under Temporary Moratorium by Miami-Dade Department of Regulatory and Economic Resources (RER). Therefore, the Department is not able to offer gravity sewer service to the property at this time. Corrective action needed to recertify said PS 54 and allow additional connections to said basin is expected to be completed by the Department, after which time applications for connections may be submitted, or if the customer can provide an active allocation letter or a N.N.I (No Net Increase) letter issued by Miami-Dade Department of Regulatory and Economic Resources (RER).

If at the time this project is ready for construction PS 54 is still in Moratorium Status, thence a private pump station is needed, as long as all legal requirements are met. The Owner shall connect to an existing eighteen (18) inch force main in N.W. 36 Street at N.W. 22 Avenue and extend an eight (8) inch force main as required to provide sewer service to the subject property. If unity of title does not apply, then any gravity sewer within the property shall be public and eight (8) inch minimum in diameter. Other points of connection may be established subject to approval of the Department.

Construction connection charges and connection charges shall be determined once the property owner enters into an agreement for water and/or sewer service, provided the Department is able to offer those services at the time of the owner's request. Information concerning the estimated cost of facilities must be obtained from a consulting engineer. All costs of engineering and construction will be the responsibility of the property owner. Easements must be provided

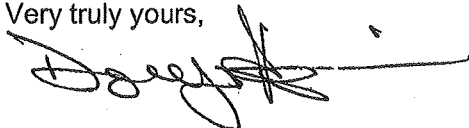
covering any on-site facilities that will be owned and operated by the Department. Other points of connection may be established by the Department.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in the Settlement Agreement between the Florida Department of Environmental Protection ("DEP") and the County dated July 27, 1993, the First Amendment to Settlement Agreement between DEP and the County dated December 21, 1995, the First Partial Consent Decree and the Second and Final Partial Consent Decree entered in the United States of America Environmental Protection Agency vs. Metropolitan Dade County (Case Number 93-1109 CIV-MORENO), as currently in effect or as modified in the future, and all other current, subsequent or future agreements, court orders, judgments, consent orders, the consent order between DEP and the County filed on April 4, 2004, consent decrees and the like entered into between the County and the United States of America, State of Florida and/or any other governmental entity, and all other current, subsequent, or future enforcement and regulatory actions and proceedings.

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

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

Very truly yours,



Douglas Pile, Esq.
New Business Contract Officer