

On Mar 26, 2018, at 10:45 AM, Les Stevens

<lesstevens@earthlink.net<<mailto:lesstevens@earthlink.net>>> wrote:

Dear Mr. Feldman:

This letter shall serve as a formal request on behalf of my client, 301 Second Corp., pursuant to Paragraph 9 of the Lien Settlement Agreement effective August 16, 2016 ("Settlement Agreement") between the City of Fort Lauderdale and 301 Second Corp., for an extension of the deadline for obtaining the Certificate of Occupancy as set forth in the Settlement Agreement for the project due to delays in construction that were beyond the control of my client. Set forth herein are the some of the events which form the basis upon which this extension is requested:

1. Underground gas tanks were discovered during initial excavation which needed to be removed. The removal required the obtaining of the proper environmental and removal permits, plus the work to remove same. This caused a delay in the construction of two (2) months;
2. The month of June 2017 brought three (3) straight weeks of rain which brought all construction to a halt as the property had not as yet been roofed-in;
3. When work began involving the Historical Building, which had to be preserved as part of the site plan approval, structural issues were discovered regarding its roof, which needed to be reinforced to avoid future danger. This added construction time to the original timeline;
4. September 2017 brought Hurricane Irma and the attendant delays of (i) preparation to shut down construction - 1 week; (ii) actual shut down of all construction - 1 week; and (iii) re-start preparation - 1 week;
5. In early 2018, there was a delay which precluded my client from seeking a tie-in to the city sewer line as the City was conducting construction work on an adjoining roadway which was closed down, and thus, the road for my client's tie-in could not be closed simultaneously. This delay was only recently resolved;
6. and Most recently, when the tie-in to the sewer line was commenced, it was discovered that a concrete drainage line was discovered, which line was not noted in the City's plans. An alternative tie-in is being investigated due to a prior sewer tie-in from the old gas station house; however, if that cannot be

done, there is a several week delay in order to circumvent the concrete drainage line hindering the direct tie-in to the sewer line.

My client has diligently pursued the construction of the project, and wanted to avoid this request; however, circumstances have brought the need to request same.

Therefore, it is requested that a formal extension of ninety (90) days is hereby made to the City Commission for their approval for the completion and obtaining of the Certificate of Occupancy.

It is possible that the Certificate of Occupancy may be obtained prior to the meeting at which this matter may be heard, but, in an abundance of caution, the request is hereby made.

My client appreciates the assistance it has received during the construction phase, and I am sure the City is almost as anxious as my client to open to the public.

Please advise of the placement of this request on the earliest City Commission Agenda.

Should you have any questions, or need to discuss further, please do not hesitate to contact me.

Thank you for your time and consideration in this matter.

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