



Florida Department of Transportation

Right of Way Administration

1000 NW 111th Avenue, Room 6105-B

Miami, Florida 33172

Tel: 305-470-5150 / Fax: 305-499-2340

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

November 20, 2006

CERTIFIED MAIL # 7001 2510 0002 9269 6375

Mr. Alfred J. Treppeda
Village Manager
Village of Bal Harbour
655 96th Street
Bal Harbour, FL 33154

RE: Lease agreement dated June 20th, 2003, for parking and public beach access
beneath Haulover Bridge.

Dear Mr. Treppeda:

This letter is formal notification of the Department of Transportation's termination of its lease with the City of Bal Harbour. Following reports from concerned parties, the subject site was visited on November 15, 2006 by a Department representative who was denied access. Circumstances at the site indicated the area was being used exclusively by a third party in a manner that precluded public access, and in violation of law regarding public purpose use of right of way.

The City is in default of clause 2 and clause 9 (d) of the agreement and in accordance with clause 9 (a) such default will terminate the lease without prior notice. The Department also considers this breach contrary to City resolution 644.

Use of the site by the City or any other party must cease immediately. The Department requires immediate possession of the property, which must be cleared of all debris or other materials. Please notify the Department not later than close of business on Wednesday, November 22, 2006, when a Town representative can meet on site to facilitate the handover.

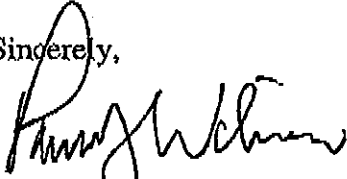
The Department has been provided with a copy of a signed license agreement indicating considerable sums were paid to the City for the use of the parking area. All sums paid to the City pursuant to any unauthorized use of Department property must be transferred to the Department.

Mr. Alfred J. Treppeda
Village of Bal Harbour

Page - 2

I can be contacted on (305) 470-5178, if you have any questions.

Sincerely,



Paul D. Wilson
Property Management Administrator

Cc: Javier Rodriguez, Director of Transportation Development
Gus F. Pego, Director of Transportation Operations
Michael Schloss, General Counsel
Alex G. Casals, District Right of Way Manager