Ms. Carol Helene, President   September 4, 1995
Arch Creek Trust, Inc.
431 NW 146 Street
Miami, Fl 33168

RE: Historic Arch Creek Road (Military Trail)

Dear Carol:

I have enclosed the latest draft of the easement proposal prepared by Alan Rosenthal, a private attorney. As you recall, after Mr. Weiser met with the Trust, the Board stated that they wanted a written statement from the City of North Miami Beach on the proposal of protecting necessary access to Arch Creek Park from Biscayne Blvd. Several weeks passed after our meeting in July before I received anything in response to the Trust's request. We still do not have a written statement from the City of North Miami Beach describing their commitment to Park access.

Please review the enclosed Easement agreement. Dade County Parks is not willing at this time to accept a parallel easement along with the City of North Miami Beach. Although I was not invited to be present when this was discussed, they are concerned about issues of liability since the access will also be used to service a shopping center.

There are two important dates to calendar:
* **9/14/95 9:00am County Commission Meeting.** Mr. Rosenthal, who has filed an appeal to, the Historic designation Order is requesting a remand back to the Historic Preservation Board so that the settlement can be incorporated into the designation.
* **9/20/95 2:00 pm. Historic Preservation Board meeting** to accept the details of the settlement,, i.e. change the placement of the Biscayne Blvd entrance (the Weiser proposal); reduce the width of the designated road from 40 feet to 23 feet. If the Board does not accept the settlement, then Mr. Rosenthal will go back to the County Commission to amend the designation.

Please schedule a meeting of the Board before the 9/14/95 Commission meeting so that this can be discussed and voted on. Mr. Rosenthal and North Miami Beach officials wish to be present to answer questions.

    Very truly yours,

    Maureen Brody Harwitz
c.c. Wesley Wilson, Henny Roth, Elmore Kerkela, Alice Baggett