

MAUREEN BRODY HARWITZ

ATTORNEY AT LAW
2390 BAYVIEW LANE
NORTH MIAMI, FLORIDA 33181

TELEPHONE (305) 891-3121
TELECOPIER (305) 891-2658

Howard B. Lenard, Esq.
North Miami Beach City Hall
17011 NE 19 Ave
N. Miami Beach, Fl 33162

August 30, 1997

RE: Military Trail: Historic Arch Creek Road Easement

Dear Howard:

As you will recollect, the Trust originally objected to the City plan to vacate the historic public access road to the Arch Creek Park and allow it to be used for a commercial parking lot. After many meetings, a presentation and commitments from Larry Weiser and the City, the Trust voted to accept a City of North Miami Beach easement agreement which we negotiated, even though the historic entrance to the access road was relocated from the traffic light entrance at NE 139th Street, to a driveway entrance to the south.

On September 22, 1995, the Arch Creek Trust, inc. received a copy of the amended designation report for the reconfiguration of the original designation of the Historic Arch Creek Road. The Trust was instrumental in assisting the City to gain the approval of the Historic Preservation Board to amend its designation, since access issues to the park had been settled by the easement agreement and commitments between the Trust, the City, and the developer Larry Weiser for signage and striping the right of way.

Unfortunately, neither the City nor Mr. Weiser have complied with the agreements regarding signage and clear designation of the access road to the Arch Creek Park. I have attached a copy of the letter provided by Mr. Weiser, dated September 13, 1995 in which he agrees that "...the right of way road will be stripped[sic] all the way down to the entrance of Arch Creek Park, on both sides of the R.O.W. so as to distinguish the road from the parking spaces." (Attachment A) That striping does not exist, nor is there an entrance sign.

The Trust has lived up to its part of the agreement. Please investigate this matter so that the City can take appropriate action to fulfill its part. If there are any questions, please do not hesitate to call me.

Very truly yours,


Maureen Brody Harwitz

c.c. Ms. Judy Abrell, Chairperson, Historic Preservation Board
Bob Carr, Historic Preservation Division
Carol Helene, ACT
Tom Logue, Esq., County Attorney
Henny Roth, ACT