

RESOLUTION No. 15-111

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE CONVEYANCE TO THE CITY OF A THIRTY FOOT (30') RIGHT-OF-WAY DEDICATION ALONG THE WESTERN EDGE OF THE PROPERTY IDENTIFIED BY FOLIO NUMBER 35-3019-001-0500 FOR THE CONSTRUCTION OF THE NW 109 AVENUE ROADWAY CONNECTION BETWEEN NW 42 STREET AND NW 43 STREET; AUTHORIZING THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY DEED AND OTHER DOCUMENTATION ACCOMPLISHING SAME; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Public Works and Planning and Zoning Departments for the City of Doral (the "City") are constantly evaluating opportunities to complete the roadway network in the City; and

WHEREAS, the 30 foot dedication along the western edge of the property, identified by folio number 35-3019-001-0500 (the "Property"), as further described in the legal description and survey included with the proposed Right-of-Way Deed, which is incorporated herein and made a part hereof by this reference (the "Deed"), was identified as necessary for the construction of a new roadway connection on NW 109 Avenue between NW 42 Street and NW 43 Street that will improve the Level of Service on NW 107 Avenue and expand the City's roadway network; and

WHEREAS, the City Council hereby finds the adoption of this resolution to be in the best interest and welfare of the residents of the City of Doral.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Approval. The conveyance of the right-of-way dedication, comprised of the thirty feet (30') along the western edge of the Property for the construction of the new roadway connection on NW 109 Avenue between NW 42 Street and NW 43 Street is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the Right-of-Way Deed, a copy which is attached hereto as Exhibit "A" and incorporated herein and made a part hereof by this reference, and to accept delivery of same. The City Manager is further authorized to execute such other contractual documents as may be necessary to formalize and/or memorialize the referenced conveyance, subject to approval by the City Attorney as to form and legal sufficiency.

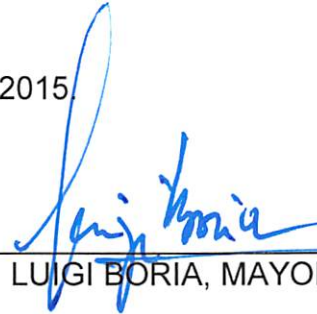
Section 4. Implementation. The City Manager and the City Attorney are further authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Rodriguez who moved its adoption. The motion was seconded by Councilmember Cabrera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 14 day of April, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY

EXHIBIT “A”

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, her heirs and assigns, and shall have the right to immediately re-possess the same.

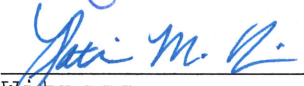
And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part, has hereunto set her hand(s) and seal(s), the day and year first above written.

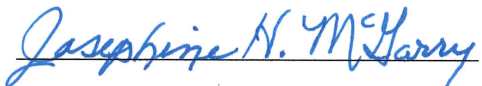
Signed, Sealed and Delivered in our presence:


Witness

Luis BARRERA
Witness Printed Name


Witness

Patricia M. Kaine
Witness Printed Name

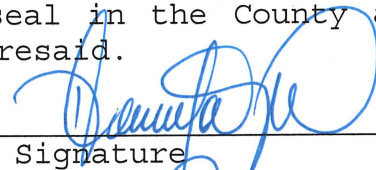
 (Sign)

Josephine H. McGarry
Printed Name

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 20 day of March, 2014⁵, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Josephine H. McGarry, personally known to me, or proven, by producing the following methods of identification: _____ to be the person(s) who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

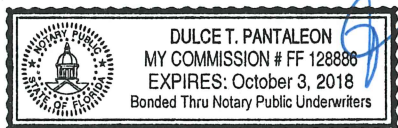


Notary Signature

DULCE PANTALEON

Printed Notary Name

NOTARY SEAL/STAMP



Notary Public, State of Florida

My commission expires: 10/03/2018

Commission/Serial No. #FF128886

The foregoing was accepted and approved on the _____ day of _____, A.D. 2014, by Resolution No. _____ of the City Council of the City of Doral, Florida.

City Manager

ATTEST: Connie Diaz,

By: _____
Deputy Clerk

Approved as to form
and legal sufficiency

City Attorney

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

for
City of Doral, Florida
prepared by:

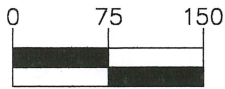


HADONNE

LAND SURVEYOR AND MAPPERS
3D LASER SCANNING
UTILITY COORDINATION
SUBSURFACE UTILITY ENGINEERING

December 2014

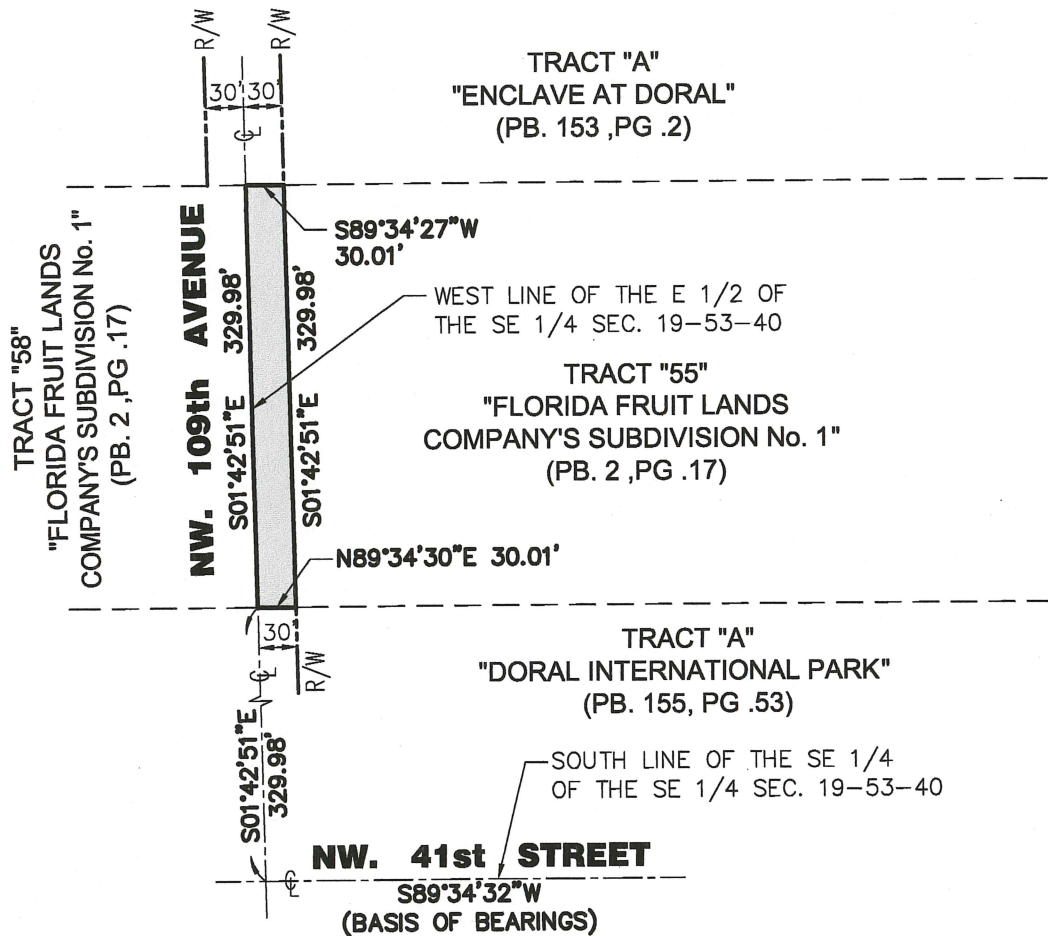
EXHIBIT "A"



SCALE
1" = 150'

LEGEND

P.B. = PLAT BOOK
PG. = PAGE
SEC. = SECTION
R/W = RIGHT OF WAY



LEGAL DESCRIPTION:

That portion of TRACT 55 of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1", according to the plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, lying within the West 30 feet of the E 1/2 of the SE 1/4 of Section 19, Township 53 South, Range 40 East.

Containing 9,899 square feet or 0.23 acres more or less by calculations.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

for
City of Doral, Florida

EXHIBIT "A"

SOURCES OF DATA:

The Legal Description of the Subject Property was generated from **Section 19, Township 53 South, Range 40 East, in Miami-Dade County**. In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

Sketch provided by the client showing the approximate portion of Land subject to Right-of-way Dedication.

Bearings as shown hereon are based upon the South Line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 53 South, Range 41 East, with an assumed bearing of S89°34'32"W, said line to be considered a well established and monumented line.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations portion with respect to possible restrictions of record and utility services.

LIMITATIONS:

Since no other information other than what is cited in the Sources of Data were furnished, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear. This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

INTENDED USE/EXPRESS PURPOSES:

It is understood by the Surveyor that the intended use of this document is to dedicate a Parcel of Land for Right of Way.

SURVEYOR'S CERTIFICATE:

I hereby certify to City of Doral: That this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 61G17-6 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By:  Date: 12/3/14

Abraham Hadad, P.S.M.
Professional Surveyor and Mapper LS6006
HADONNE CORP.
Land Surveyors and Mappers
Certificate of Authorization LB7097
8700 W. Flagler Street, Suite 420
Miami, Florida 33174
305.266.1188 phone
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 61G17-6 of the Florida Administrative Code.