

**RESOLUTION No. 18-09**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXECUTE A RIGHT-OF-WAY DEED DEDICATING A 30-FOOT PORTION OF THE WESTERN EDGE OF THE PROPERTY IDENTIFIED BY FOLIO NUMBER 35-3017-001-0210 TO THE CITY OF DORAL FOR THE CONSTRUCTION OF THE NW 104 AVENUE ROADWAY THREE LANE TYPICAL SECTION FRONTING THE PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral (the “City”), by and through the Public Works and Planning and Zoning Departments, is constantly evaluating opportunities to complete the roadway network throughout the City; and

**WHEREAS**, the parcel of land in the City, identified by Folio Number 35-3017-001-0210 (the “Property”) currently has no foreseeable plans for development, and NW 104 Avenue constricts to two lanes transitioning to and from the western half of the corridor fronting the Property; and

**WHEREAS**, a 30-foot dedication along the western edge of the Property would allow for the construction of NW 104 Avenue as a three lane typical section fronting the Property; and

**WHEREAS**, the City desires to acquire such a dedication and 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 MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

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

**Section 2. Approval.** The dedication of 30-foot segment along the western edge of the Property for right-of-way for the construction of the NW 104 Avenue three lane typical section fronting the property, is hereby approved, and the requisite right-of-way deed accomplishing such a dedication, a copy which is attached hereto as Exhibit "A", is hereby approved and accepted.

**Section 3. Implementation.** The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Absent/Excused
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 10 day of January, 2018.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.  
CITY ATTORNEY

# EXHIBIT “A”

**Return to:**

City of Doral, Public Works Department  
8401 N.W. 53rd Terrace  
Doral, FL 33166

**Instrument prepared by:**

Folio No. 35-3017-001-0210  
User Department: Public Works

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**RIGHT-OF-WAY DEED TO CITY OF DORAL  
CONVEYS THE TITLE FOR ROADWAY PURPOSES  
Limited Liability Company**

**STATE OF FLORIDA        )  
                                  ) SS  
COUNTY OF MIAMI-DADE)**

**THIS INDENTURE**, Made this 10 day of January, A.D. 2018, by and between Doral 10, LLC, a \_\_\_\_\_ limited liability company, whose address is 3441 Alhambra Circle, Coral Gables, Florida 33134, party of the first part, and **THE CITY OF DORAL**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 8401 NW 53 Terrace, Doral, Florida 33166, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in the City of Doral, Miami-Dade County, State of Florida, to-wit:

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, its heirs and assigns, and it shall have the right to immediately repossess 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, by its \_\_\_\_\_ has caused these presents to be signed for and on its behalf, the day and year first above written.

Signed, Sealed and Delivered  
in our presence: (**2 witnesses**  
for each signature or for all)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Name of LLC

\_\_\_\_\_  
By: Managing Member (Sign)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address (if different)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 201\_, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared \_\_\_\_\_ and \_\_\_\_\_ personally known to me, or proven, by producing the following forms of identification: \_\_\_\_\_ to be the General Partner(s) duly authorized on behalf of \_\_\_\_\_, a \_\_\_\_\_ limited partnership. Said Managing Member(s) 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

\_\_\_\_\_  
Printed Notary Signature

NOTARY SEAL/STAMP

Notary Public, State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission/Serial No. \_\_\_\_\_

The foregoing was accepted and approved on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 201\_, by Resolution No. \_\_\_\_\_ of the City Council of Doral, Florida.

\_\_\_\_\_  
Mayor

ATTEST: **Connie Diaz,**  
Clerk of said Board

Approved as to form  
and legal sufficiency

By: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
City Attorney