

RESOLUTION NO. 2013-27-1823-Z-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THAT CERTAIN WARRANTY DEED AND DEDICATION FROM SECOND SUNRISE INVESTMENT CORPORATION, FOR PUBLIC RIGHT-OF-WAY PURPOSES, FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF N.W. 27TH COURT AND N.W. 177TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant, Second Sunrise Investment Corporation, is the owner of the parcel of land generally located at the southeast corner of N.W. 27th Court and N.W. 177th Street, and

WHEREAS, the property is currently being utilized as a public right-of-way, and

WHEREAS, the Applicant is currently seeking approval from Miami-Dade County to vacate a platted easement, and

WHEREAS, as a condition of approval, Miami-Dade County is requiring the dedication of the land located at the southeast corner of N.W. 27th Court and N.W. 177 Street for public right-of-way purposes, and

WHEREAS, it is necessary for the City to formally accept the conveyance of a warranty deed and dedication of the parcel to fulfill Miami-Dade County's requirements, and

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

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

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Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby accepts that certain Warranty Deed and dedication from Second Sunrise Investment Corporation, for public right-of-way purposes, for the property generally located at the southeast corner of N.W. 27th Court and N.W. 177th Street, more particularly described on Exhibit "A" attached hereto.

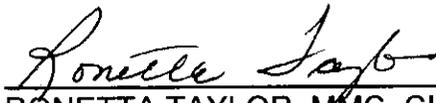
Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON FEBRUARY 6, 2013.



OLIVER GILBERT, III, MAYOR

ATTEST:



RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY
SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: Councilman Williams
Second by: Councilwoman Odom

VOTE: 7-0

| | | |
|------------------------------------|--------------------|--------------------|
| Mayor Oliver Gilbert, III | <u> X </u> (Yes) | <u> </u> (No) |
| Vice Mayor Lisa Davis | <u> X </u> (Yes) | <u> </u> (No) |
| Councilwoman Lillie Q. Odom | <u> X </u> (Yes) | <u> </u> (No) |
| Councilman David Williams Jr | <u> X </u> (Yes) | <u> </u> (No) |
| Councilwoman Felicia Robinson | <u> X </u> (Yes) | <u> </u> (No) |
| Councilman Rodney Harris | <u> X </u> (Yes) | <u> </u> (No) |
| Councilman Erhabor Ighodaro, Ph.D. | <u> X </u> (Yes) | <u> </u> (No) |



City of Miami Gardens Zoning Agenda Memo

| | | | | | | |
|---|--------------------------------|----|--|--|-----------|-------------------------|
| Zoning Board Meeting Date: | February 6, 2013 | | Item Type: <i>(Enter X in box)</i> | Resolution X | Ordinance | Other |
| Fiscal Impact: <i>(Enter X in box)</i> | Yes | No | Ordinance Reading: <i>(Enter X in box)</i> | 1 st Reading | | 2 nd Reading |
| | | x | | Public Hearing: <i>(Enter X in box)</i> | Yes | No |
| | | | | | X | |
| Funding Source: | <i>(Enter Fund & Dept)</i> | | Advertising Requirement: | Yes | | No |
| | | | | | | X |
| Contract/P.O. Required: | Yes | No | RFP/RFQ/Bid #: | | | |
| | | X | | | | |
| Strategic Plan Related: | Yes | No | Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/> | Strategic Plan Obj./Strategy: N/A | | |
| | | X | | | | |
| Sponsor Name: | Dr. Danny Crew, City Manager | | Department: | Planning and Zoning Department | | |

Short Title:

RESOLUTION NO. 2013_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THAT CERTAIN WARRANTY DEED AND DEDICATION FROM SECOND SUNRISE INVESTMENT CORPORATION, FOR PUBLIC RIGHT-OF-WAY PURPOSES, FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF N.W. 27TH COURT AND N.W. 177TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Background

As part of the development of Shoppes at the Garden shopping center on the west side of N.W. 27 Avenue south of N.W. 177 Street the City received a Warranty Deed for the land on July 28, 2006 for right-a-way purposes. However, the Warranty Deed was not officially accepted nor was the land dedicated as right-of-way by the City Council at the time.

**ITEM - 7A) CONSENT AGENDA
RESOLUTION
Dedication from Second Sunrise Investment Corp.**

Current Situation

The property owner of the Shoppes at the Garden is in process of re-platting the property for purposes of vacating an easement. As a condition of the current Final Plat approval Miami-Dade County is requiring the land, as described on the Warranty Deed at the southeast corner of N.W. 27 Court and N.W. 177 Street be dedicated as right-of-way by the City.

Analysis

The property is being utilized as right-of-way and the Warranty Deed has been provided rightfully to the City for the property. The acceptance of the Warranty Deed and dedication of the property for right-a-way purposes will fulfill the County requirements allowing the current “Shoppes at the Gardens” Final Plat to be recorded accordingly.

Proposed Action:

Recommend adoption of the Resolution.

Attachments:

- WARRANTY DEED
- SKETCH OF RIGHT-OF-WAY DEDICATION
- MIAMI-DADE COUNTY FINAL PLAT DATA SHEET

WARRANTY DEED



CFN 2006R0943819
 DR Bk 24871 Pgs 4865 - 4866f (2pgs)
 RECORDED 09/02/2006 12:36:49
 DEED DOC TAX 0.60
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

Prepared by and return to:
 Gustavo M De Ribeaux

Gus De Ribeaux, P.A.
 2903 Salzedo Street
 Coral Gables, FL 33134

File Number: 05-441a
 Will Call No.:

Grantee S.S. No.
 Parcel Identification No. 34-2109-001-0241

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 28th day of July, 2006 between Second Sunrise Investment Corporation, a Florida corporation whose post office address is 7020 N. Augusta Drive, Miami, FL 33015 of the County of Miami-Dade, State of Florida, grantor*, and City of Miami Gardens, whose post office address is 1515 NW 167 St., Suite 200, Miami Gardens, FL 33169 of the County of Miami-Dade, State of Florida, grantee*,

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County Florida, to-wit:

A portion of the North 72.93 feet of the West 119.98 feet of the North one-fifth (N 1/5) of Tract 64, Section 9, Township 52 South, Range 41 East, MIAMI GARDENS, according to the plat thereof as recorded in Plat Book 2, Page 96 of the Public Records of Dade County, Florida and being more fully described as follows:

Beginning at the Northwest corner of said Tract 64; thence South 00°05'04" East on the West line of said Tract 64, said West line also being the centerline of Northwest 27th Court as shown on the plat of MYRTLE GROVE, according to the plat thereof as recorded in Plat Book 53, Page 90, of the Public Records of Miami-Dade County, Florida, a distance of 72.93 feet; thence South 89°53'37" East, a distance of 25.00 feet; thence North 00°05'04" West, on a line 25.00 feet East of and parallel with said West line, a distance of 22.85 feet to a point of curve; thence Northeasterly on said curve to the right, with a radius of 25.00 feet, a central angle of 90°11'27", an arc distance of 39.35 feet to a point of tangency; thence South 89°53'37" East, on a line 25.00 feet South of and parallel with the North line of said Tract 64, said North line also being the centerline of Northwest 177th Street, as shown on said plat of MYRTLE GROVE, a distance of 69.90 feet; thence North 00°05'04" West, a distance of 25.00 feet to a point on the North line of said Tract 64; thence North 89°53'37" West, on said North line, a distance of 119.98 feet to the Point of Beginning.

Said land situate, lying and being in the City of Miami Gardens, Miami-Dade County, Florida and containing 4,333 square feet or 0.0995 acres more or less.

Subject to taxes for this year and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Subject to zoning restrictions imposed by governmental authority, and restrictions and matters appearing on the plat, or otherwise common to the subdivision.

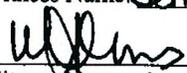
and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

DoubleTimes

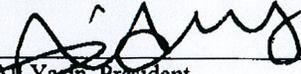
* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Name: Jenny Suarez

Witness Name: Inagi Ahrens

Second Sunrise Investment Corporation, a Florida corporation

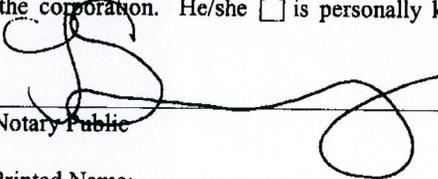
By: 
Ali Yasin, President

(Corporate Seal)

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 28th day of July, 2006 by Ali Yasin of Second Sunrise Investment Corporation, a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]


Notary Public
Printed Name: _____

My Commission Expires: _____



SKETCH OF RIGHT-OF-WAY DEDICATION

MIAMI-DADE COUNTY FINAL PLAT DATA SHEET



FINAL PLAT DATA SHEET

NAME: SHOPPES AT THE GARDEN'S
 PLATBOOK: PAGE:
 MUNICIPALITY: MIAMI GARDENS

TENT No. 23267

DISTRICT: 1

BCC MEETING DATE:

| | |
|---|------------|
| The Deadlines for the BCC Meeting Date of: | 02/05/2013 |
| Plat Submittal (All Items) on: | 12/18/2012 |
| For Opinion of Title Update (Last Item) on: | 01/18/2013 |

EXTENSION OF TIME OR NEW OWNER
 Last Approved On: 06/15/2012
 Valid Until: 03/15/2013

CONCURRENCY
 Approval Date:
 Valid Until:

REMARKS:

| Req. | Rec. | App. | Dis. | Ret. | |
|-------------------------------------|-------------------------------------|-------------------------------------|------|------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | OPINION OF TITLE DATED: VALID UNTIL: |
| | | | | | PAVING AND DRAINAGE PLANS CONTACT MOHAMMED MANSURI (305) 375-2707 |
| | | | | | BOND ESTIMATE CONTACT MOHAMMED MANSURI (305) 375-2707.. |
| | | | | | BOND FOR IMPROVEMENTS CONTACT FRANK MC CRINK AFTER BOND ESTIMATE APPROVAL (305) 375-2144 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | PAID TAXES RECEIPTS FOR YEAR:2012 ESCROW FOR YEAR: |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | SEWER APPROVAL (RER) EXISTING 6-14-12 CONTACT NINFA RINCON (305) 372-6507 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | WATER APPROVAL (RER) EXISTING 6-14-12 CONTACT NINFA RINCON (305) 372-6507 |
| <input checked="" type="checkbox"/> | | | | | F.P.L. LETTER (UNDERGROUND) |
| | | | | | DECORATIVE WALL |
| | | | | | HOMEOWNERS / DOCUMENT(S) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | WATER CONTROL APPROVAL (RER) CONTACT CARLOS CALVACHE (305) 372-6512 |
| | | | | | SOUTH FLORIDA WATER MANAGEMENT DISTRICT APPROVAL |
| | | | | | ROAD CLOSING PETITION CONTACT PABLO RODRIGUEZ (305) 375-4654 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | STATE PLANE COORDINATE DATA SHEET 11-8-12 |
| | | | | | SPECIAL TAXING DISTRICT CONTACT DON TOCK (305) 375-2703 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | (D.O.H.) 6-14-12 CONTACT ASTRID EDWARDS (786) 315-2414 |
| | | | | | MONUMENT VERIFICATION CONTACT LUIS LACAU (PWWM SURVEY DIVISION) (305) 375-5774 |
| <input checked="" type="checkbox"/> | | | | | FLORIDA D.O.T. CONTACT CRISTINA KINMAN (305) 470-5186 |
| | | | | | SCHOOL BOARD APPROVAL CONTACT VIVIAN VILLAAMIL (305) 995-7287 |
| | | | | | WASAD APPROVAL CONTACT MARIA CAPOTE (786) 268-5329 |
| <input checked="" type="checkbox"/> | | | | | CLARIFY RIGHT-OF-WAY DEDICATION AT NW 177 ST. & NW 27 CT. |
| | | | | | UTILITY POLES TO BE RELOCATED |
| | | | | | GRANT OF EASEMENT DOCUMENT AND RECORDING FEE |
| | | | | | TRAFFIC SIGNAL CONTRIBUTION REQUIRED |
| | | | | | PAVED PUBLIC ACCESS REQUIRED PRIOR TO RECORDATION |
| | | | | | CROSS ACCESS AGREEMENT REQUIRED CONTACT RON ACLE (RER) (305) 375-2576 |
| | | | | | PARKS RECREATION AND OPEN SPACES DEPARTMENT APPROVAL REQUIRED CONTACT RANDY KOPER (305) 775-7860 |
| | | | | | COASTAL SECTION APPROVAL REQUIRED CONTACT COASTAL SECTION & WASTE REGULATION (RER) (305) 372-6789 |

ADDITIONAL REQUIREMENTS NOT SHOWN ON THIS LIST MAY NEED TO BE SATISFIED PRIOR TO RECORDATION OF THIS PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY.



FINAL PLAT DATA SHEET

NAME: SHOPPES AT THE GARDEN'S

TENT No. 23267

DISTRICT: 1

PLATBOOK: **PAGE:**

BCC MEETING DATE:

MUNICIPALITY: MIAMI GARDENS

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CONCURRENCY
 Approval Date:
 Valid Until:

REMARKS:

| Req. | Rec. | App. | Dis. | Ret. | |
|-------------------------------------|------|------|------|------|--|
| | | | | | WASTE REGULATION SECTION APPROVAL REQUIRED CONTACT COASTAL SECTION & WASTE REGULATION (RER) (305) 372-6789 |
| | | | | | STANDARD SIGNAL UTILITY EASEMENT TO BE SHOWN ON FINAL PLAT |
| | | | | | SUBORDINATION OF INTEREST FROM UTILITY COMPANIES REQUIRED |
| <input checked="" type="checkbox"/> | | | | | LETTERS FROM UTILITY COMPANIES ACCEPTING VACATION OF EXISTING EASEMENTS FPL (), ATT (), CABLE (), GAS (), WASH () |
| | | | | | NON-CONFORMING STRUCTURES REMOVED |
| | | | | | LAKE APPROVAL REQUIRED CONTACT RON ACLE (RER) (305) 375-2576 |
| | | | | | CLASS III PERMIT OR CLASS IV PERMIT FROM RER REQUIRED CONTACT CARLOS CALVA CHE (305) 372-6512 |
| | | | | | S.U.R. (S) REQUIRED CONTACT RON ACLE (RER) (305) 375-2576 |
| | | | | | COVENANT IN LIEU OF UNITY OF TITLE CONTACT RON ACLE (RER) (305) 375-2576 |

MUNICIPALITY

| Req. | Rec. | App. | Dis. | Ret. | |
|-------------------------------------|-------------------------------------|-------------------------------------|------|------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | CITY ORDINANCE APPROVAL 2012-164-1759 10-24-12 |
| | | | | | BOND HELD BY CITY |

ADDITIONAL REQUIREMENTS NOT SHOWN ON THIS LIST MAY NEED TO BE SATISFIED PRIOR TO RECORDATION OF THIS PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY.