

ORDINANCE NO. 2019-096

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING A DEDICATION OF VACANT LAND FOR RIGHT OF WAY PURPOSES FROM GIMROCK PROPERTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS MORE PARTICULARLY DESCRIBED IN THE RIGHT-OF-WAY DEED, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS "EXHIBIT 1"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has planned roadway improvements to construct N.W. 102 Avenue from N.W. 142 Street to N.W. 145 Place; and

WHEREAS, in order to complete the roadway improvements donation of right of way from abutting property owners, including Gimrock Property, LLC, was necessary; and

WHEREAS, acceptance of this right-of-way deed is in the public's best interest as the roadway improvements will boost economic development and enhance traffic circulation in the area.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby accepts the dedication of vacant land for right-of-way purposes as more particularly described in the right-of-way deed attached hereto and made a part hereof as "Exhibit 1" from Gimrock Property, LLC, a Florida limited liability company.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 4: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

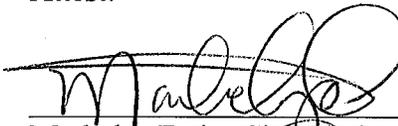
PASSED and ADOPTED this 12 day of November, 2019.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Vivian Casals-Muñoz
Council President

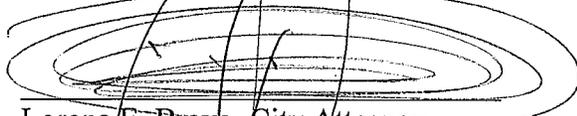
Attest:

Approved on this 20 day of November, 2019.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, City Attorney

S:\LEB\LEGISLATION\2019-ORDINANCES\ROW-NW102Avenuebet142stand145pl-GIMROCKPROPERTYtoCOH.docx

Ordinance was adopted by a 7-0 vote with Councilmembers, Caragol, Zogby, Hernandez, Casals-Munoz, De La Rosa, Perez and Cue-Fuente voting "Yes".

Instrument prepared by:

Lorena Bravo, Esq.
City of Hialeah, Florida
501 Palm Avenue – 4th Floor
Hialeah, Florida 33010

Property Appraiser's Parcel Identification (Folio)
Numbers: 04-2020-002-0020

**RIGHT-OF-WAY DEED TO CITY OF HIALEAH, FLORIDA
FOR ROADWAY PURPOSES**

THIS INDENTURE, made this ____ day of _____, 2019, by and between GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, whose address is 13901 N.W. 118 Avenue, Miami, FL 33178, party of the first part, and the City of Hialeah, Florida, a body corporate and a political subdivision of the State of Florida, and its successors in interest, whose address is c/o its City Attorney, Lorena Bravo, City Hall, 501 Palm Avenue, 4 Floor, Hialeah, FL 33010, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and No/100th (\$10.00) Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other good and valuable consideration, has granted, bargained, and sold to the party of the second part, its successors in interest, for the purpose of a public road and purposes incidental thereto, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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

It is expressly provided that, if and when the said public road shall be lawfully and permanently discontinued, the title to the said above-described land shall revert to the party of the first part, its successors, heirs and/or assigns, and it shall have the right to 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 the party of the first part.

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

Signed, sealed and delivered
in the presence of:

GRANTOR:

GIMROCK PROPERTY, LLC, a Florida
limited liability company

Witness

[Print Name]

By: HEC Holdings, LLC, a Florida limited
liability company, as its Manager

Witness

[Print Name]

By: _____

Name: _____

Title: Manager

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

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared _____, as the Manager of HEC Holdings, LLC, a Florida Limited Liability Company, as the Manager of GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, and that s/he is known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that s/he executed the same, and I relied upon the following form of identification of the above-named person:

or is personally known to me and that an oath was taken.

NOTARY SEAL

Witness my hand and official seal in the county and
State last aforesaid this __ day of _____, 2019

Notary Signature

Typed/printed name

My commission no:

EXHIBIT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING THE WEST 25 FEET OF A PORTION OF TRACT "E", OF RINKER LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

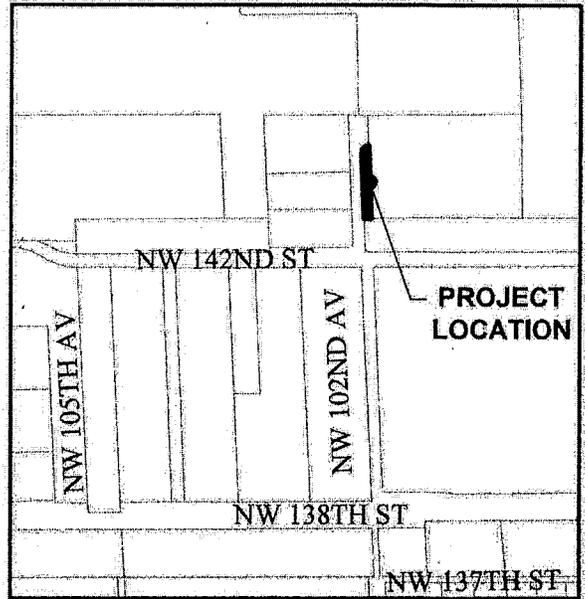
EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED LANDS PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY.

LEGEND:

- PB - PLAT BOOK
- PG - PAGE
- Ⓢ - CENTERLINE
- ORB - OFFICIAL RECORDS BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
- MDCSS - MIAMI-DADE COUNTY SECTION SHEET

NOTES:

1. THIS IS NOT A SURVEY.
2. THE SUBJECT PROPERTY LIES IN THE SE 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST, CITY OF HIALEAH, MIAMI-DADE COUNTY, FLORIDA.
3. THE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION DOCUMENT IS TO DESCRIBE THE PROPOSED RIGHT OF WAY WITHIN TRACT "D", OF RINKER LAKE SUBDIVISION, PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. RECORD INFORMATION SHOWN HEREON WAS OBTAINED FROM THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA AND THE CITY OF HIALEAH.
5. BEARINGS, IF SHOWN HEREON, ARE BASED ON THE NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT AS BROADCAST BY THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN). A BEARING OF N02°36'35" WAS OBTAINED BETWEEN THE SE AND NE CORNER OF THE SW 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 40 EAST.



**LOCATION MAP
(NOT TO SCALE)**

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTE: THIS IS NOT A SURVEY.

BISCAYNE ENGINEERING COMPANY, INC.
529 WEST FLAGLER STREET, MIAMI, FL. 33130
TEL: (305)-324-7671, FAX: (305)-324-0809
STATE OF FLORIDA DEPARTMENT OF AGRICULTURE
CERTIFICATE OF AUTHORIZATION LB-0000129

Luís A. Gaztambide 11/02/18
LUÍS A. GAZTAMBIDE, PSM, FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER NO. 6816
STATE OF FLORIDA

THIS DOCUMENT IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE SET.

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 RJ Behar - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_1G.dwg

DRAWING No. 2293-SS-12-2

BEC ORDER # 05-86205

PROJECT: NW 102ND AVENUE RIGHT OF WAY

DATE: 10/31/2018	REV DATE: N/A	FIELD BOOK N/A	SHEET 1 OF 2	DRAWN BY: W.J.R.	CLIENT CITY OF HIALEAH STREETS DEPARTMENT
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BISCAYNE ENGINEERING SURVEYORS ENGINEERS PLANNERS SINCE 1898	529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671	449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329
	E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM	

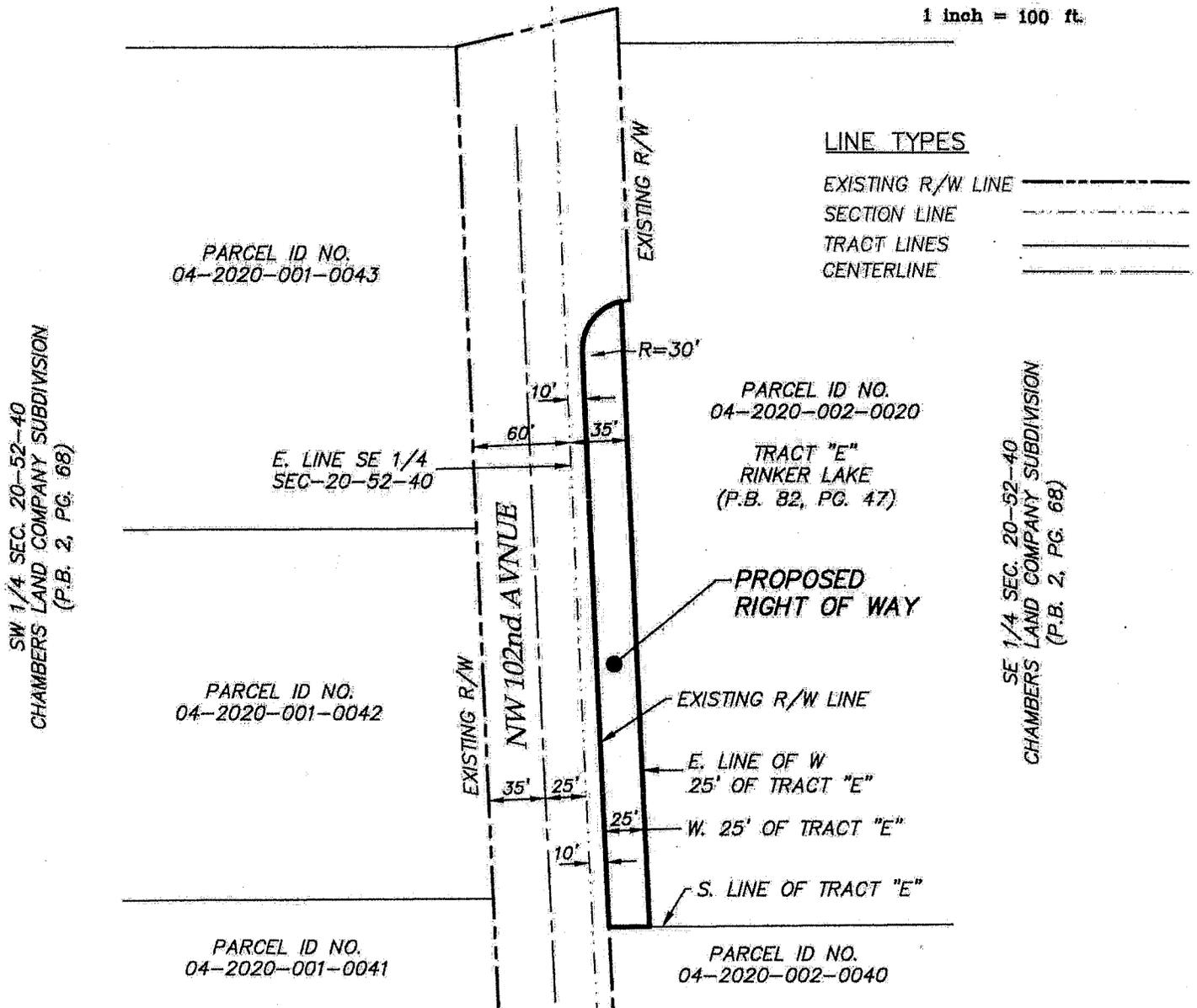
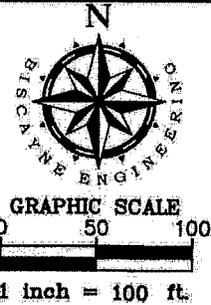
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"

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THEREOF, AS RECORDED IN PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC
RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED LANDS
PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY.



LINE TYPES

- EXISTING R/W LINE
- SECTION LINE
- TRACT LINES
- CENTERLINE

SW 1/4 SEC. 20-52-40
CHAMBERS LAND COMPANY SUBDIVISION
(P.B. 2, PG. 68)

SE 1/4 SEC. 20-52-40
CHAMBERS LAND COMPANY SUBDIVISION
(P.B. 2, PG. 68)

THIS DOCUMENT IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE SET. THIS IS NOT A SURVEY

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 Rj Behar - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_LG.dwg

DRAWING No. 2293-SS-12-2 BEC ORDER # 05-86205

PROJECT: NW 102ND AVENUE RIGHT OF WAY

DATE: 10/31/2018	REV DATE: N/A	FIELD BOOK N/A	SHEET 2 OF 2	DRAWN BY W.J.R.	CLIENT CITY OF HIALEAH STREETS DEPARTMENT
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BISCAYNE ENGINEERING <small>SURVEYORS ENGINEERS PLANNERS SINCE 1898</small>	529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671	449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329
	E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM	

This instrument was prepared by:
Lorena E. Bravo, Esq.
City of Hialeah
501 Palm Avenue – 4th Floor
Hialeah, Florida 33010

AFFIDAVIT OF AUTHORITY FOR GIMROCK PROPERTY LLC

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, personally appeared DANIEL I. HALLEY, ("Affiant"), who being by me first duly sworn, deposes and says that:

1. That Affiant is above the age of eighteen years, under no legal disability and a resident of Miami-Dade County, Florida.

2. That Affiant has personal knowledge of all matters set forth in this Affidavit.

3. That Affiant as a Managing Member of HEC Holdings, LLC, a Florida limited liability company and Managing Member of GIMROCK PROPERTY, LLC ("**The LLC**") has full authority to execute this affidavit on behalf of **The LLC**.

4. That **The LLC** is properly filed with the Secretary of State of Florida, and is presently in legal existence and in good standing with the State of Florida and was in legal existence and in good standing with the State of Florida when it took title to subject property and during the time it held title to subject property.

5. That **The LLC** has donated certain real property situated in Miami-Dade County, Florida for public highway purposes and described in the Right of Way Deed in favor of the City of Hialeah, Florida, a copy of which is attached to this Affidavit as Exhibit A (the "Property").

6. That Affiant, as a Manager/Member, and as of the making of this Affidavit is authorized to execute, in connection with the donation of land, the Right of Way Deed any and all other documents associated thereto on behalf of **The LLC**.

7. That **The LLC** is not or has not been involved in litigation that would affect the title to the Property, a debtor in bankruptcy or dissolved.

8. Affiant further states that he/she is familiar with the nature of an oath; and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he/she has read this affidavit, and understands its contents.

FURTHER AFFIANT SAYETH NAUGHT.

By: 
DANIEL I. HALLEY, Affiant

This instrument was acknowledged before me this day 28th of October, 2019 by DANIEL I. HALLEY, who is being personally known to me or having produced a Driver's license (s) as identification.


Print Name: Krystal Londono
Notary Public, State of FLORIDA



Exhibit A to Affidavit of Authority for GIMROCK PROPERTY, LLC

Instrument prepared by:

Lorena Bravo, Esq.
City of Hialeah, Florida
501 Palm Avenue – 4th Floor
Hialeah, Florida 33010

Property Appraiser's Parcel Identification (Folio)
Numbers: 04-2020-002-0020

**RIGHT-OF-WAY DEED TO CITY OF HIALEAH, FLORIDA
FOR ROADWAY PURPOSES**

THIS INDENTURE, made this 28th day of OCTOBER, 2019, by and between GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, whose address is 13901 N.W. 118 Avenue, Miami, FL 33178, party of the first part, and the City of Hialeah, Florida, a body corporate and a political subdivision of the State of Florida, and its successors in interest, whose address is c/o its City Attorney, Lorena Bravo, City Hall, 501 Palm Avenue, 4 Floor, Hialeah, FL 33010, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and No/100th (\$10.00) Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other good and valuable consideration, has granted, bargained, and sold to the party of the second part, its successors in interest, for the purpose of a public road and purposes incidental thereto, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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

It is expressly provided that, if and when the said public road shall be lawfully and permanently discontinued, the title to the said above-described land shall revert to the party of the first part, its successors, heirs and/or assigns, and it shall have the right to 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 the party of the first part.

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

Signed, sealed and delivered
in the presence of:



Witness
MIGUEL TORRES DE NAVARRA
[Print Name]



Witness
MICHAEL HALLEY
[Print Name]

GRANTOR:

GIMROCK PROPERTY, LLC, a Florida
limited liability company

By: HEC Holdings, LLC, a Florida limited
liability company, as its Manager

By: 

Name: DANIEL I. HALLEY
Title: Manager

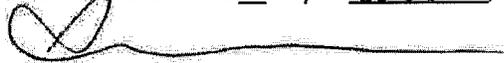
**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared DANIEL I. HALLEY, as the Manager of HEC Holdings, LLC, a Florida Limited Liability Company, as the Manager of GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, and that he is known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, and I relied upon the following form of identification of the above-named person:

or is personally known to me and that an oath was taken.

NOTARY SEAL

Witness my hand and official seal in the county and
State last aforesaid this 28th day of OCTOBER, 2019



Notary Signature

Krystal Londono

Typed/printed name

My commission no:

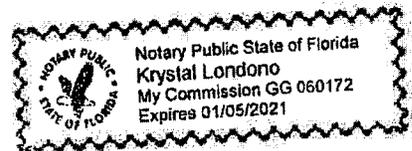


EXHIBIT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"



LEGAL DESCRIPTION:

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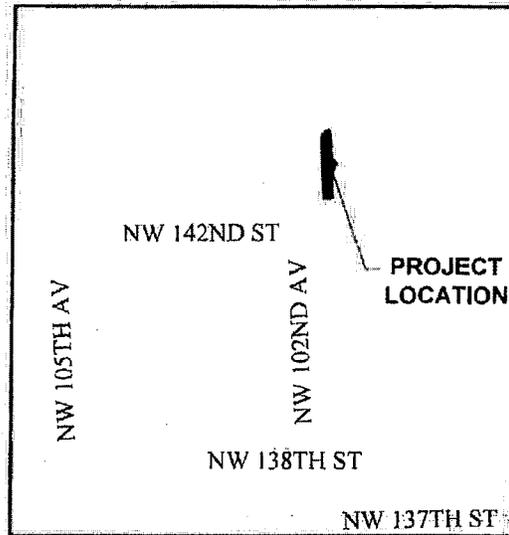
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- R/W - RIGHT OF WAY
- MDCSS - MIAMI-DADE COUNTY SECTION SHEET

NOTES:

1. THIS IS NOT A SURVEY.
2. THE SUBJECT PROPERTY LIES IN THE SE 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST, CITY OF HIALEAH, MIAMI-DADE COUNTY, FLORIDA.
3. THE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION DOCUMENT IS TO DESCRIBE THE PROPOSED RIGHT OF WAY WITHIN TRACT "D", OF RINKER LAKE SUBDIVISION, PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. RECORD INFORMATION SHOWN HEREON WAS OBTAINED FROM THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA AND THE CITY OF HIALEAH.
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**LOCATION MAP
(NOT TO SCALE)**

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

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NOTE: THIS IS NOT A SURVEY.

BISCAYNE ENGINEERING COMPANY, INC.
529 WEST FLAGLER STREET, MIAMI, FL. 33130
TEL: (305)-324-7671, FAX: (305)-324-0809
STATE OF FLORIDA DEPARTMENT OF AGRICULTURE
CERTIFICATE OF AUTHORIZATION LB-0000129

[Signature] 11/02/18
LISA A. GAZTAMBIDE, PSM, FOR THE FIRM

PROFESSIONAL SURVEYOR AND MAPPER NO. 6816
STATE OF FLORIDA

THIS DOCUMENT IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE SET.

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 RJ Behar - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_LG.dwg

DRAWING No. 2293-SS-12-2

BEC ORDER # 05-86205

PROJECT: NW 102ND AVENUE RIGHT OF WAY

DATE: 10/31/2018	REV DATE: N/A	FIELD BOOK N/A	SHEET 1 OF 2	DRAWN BY W.J.R.	CLIENT CITY OF HIALEAH STREETS DEPARTMENT
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BISCAYNE ENGINEERING <small>• SINCE 1899 •</small>	SURVEYORS ENGINEERS PLANNERS	529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671	449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329
	E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM		

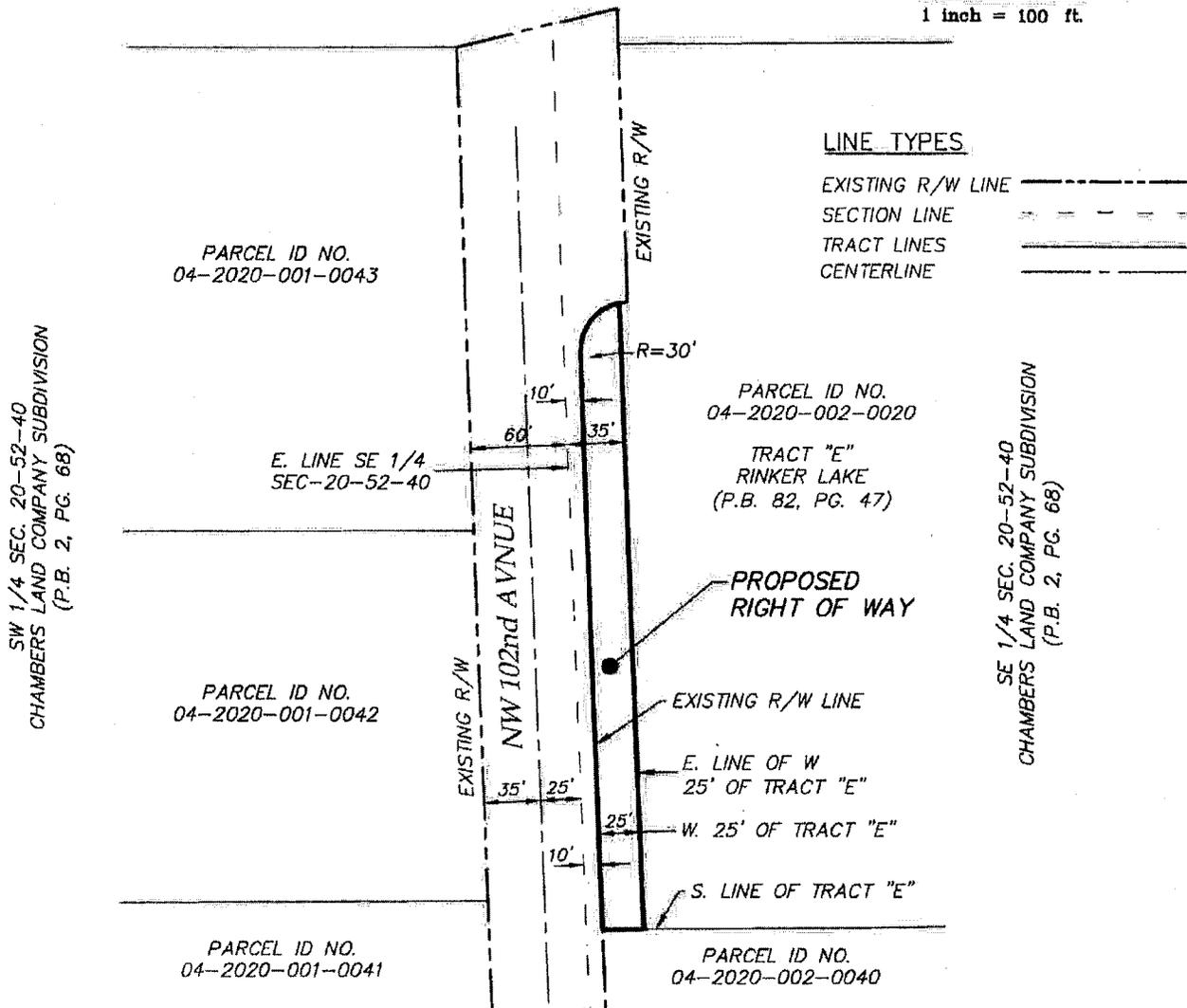
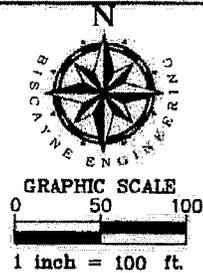
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LINE TYPES

- EXISTING R/W LINE
- SECTION LINE
- TRACT LINES
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THIS IS NOT A SURVEY

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 RJ Behr - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_LG.dwg

DRAWING No. 2293-SS-12-2		BEC ORDER # 05-86205	
PROJECT: NW 102ND AVENUE RIGHT OF WAY			
DATE: 10/31/2018	REV DATE: N/A	FIELD BOOK N/A	SHEET 2 OF 2
DRAWN BY W.J.R.		CLIENT CITY OF HIALEAH STREETS DEPARTMENT	
		SURVEYORS ENGINEERS PLANNERS • SINCE 1898 •	529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671 E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM
		449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329	

This instrument was prepared by:
Lorena E. Bravo, Esq.
City of Hialeah
501 Palm Avenue – 4th Floor
Hialeah, Florida 33010

AFFIDAVIT OF AUTHORITY FOR GIMROCK PROPERTY LLC

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, personally appeared DANIEL I. HALLEY, ("Affiant"), who being by me first duly sworn, deposes and says that:

1. That Affiant is above the age of eighteen years, under no legal disability and a resident of Miami-Dade County, Florida.

2. That Affiant has personal knowledge of all matters set forth in this Affidavit.

3. That Affiant as a Managing Member of HEC Holdings, LLC, a Florida limited liability company and Managing Member of GIMROCK PROPERTY, LLC ("**The LLC**") has full authority to execute this affidavit on behalf of **The LLC**.

4. That **The LLC** is properly filed with the Secretary of State of Florida, and is presently in legal existence and in good standing with the State of Florida and was in legal existence and in good standing with the State of Florida when it took title to subject property and during the time it held title to subject property.

5. That **The LLC** has donated certain real property situated in Miami-Dade County, Florida for public highway purposes and described in the Right of Way Deed in favor of the City of Hialeah, Florida, a copy of which is attached to this Affidavit as Exhibit A (the "Property").

6. That Affiant, as a Manager/Member, and as of the making of this Affidavit is authorized to execute, in connection with the donation of land, the Right of Way Deed any and all other documents associated thereto on behalf of **The LLC**.

7. That **The LLC** is not or has not been involved in litigation that would affect the title to the Property, a debtor in bankruptcy or dissolved.

8. Affiant further states that he/she is familiar with the nature of an oath; and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he/she has read this affidavit, and understands its contents.

FURTHER AFFIANT SAYETH NAUGHT.

By: 
DANIEL I. HALLEY, Affiant

This instrument was acknowledged before me this day 28th of October, 2019 by DANIEL I. HALLEY, who is being personally known to me or having produced a Driver's license (s) as identification.


Print Name: Krystal Londono
Notary Public, State of FLORIDA



Exhibit A to Affidavit of Authority for GIMROCK PROPERTY, LLC

Instrument prepared by:

Lorena Bravo, Esq.
City of Hialeah, Florida
501 Palm Avenue – 4th Floor
Hialeah, Florida 33010

Property Appraiser's Parcel Identification (Folio)
Numbers: 04-2020-002-0020

**RIGHT-OF-WAY DEED TO CITY OF HIALEAH, FLORIDA
FOR ROADWAY PURPOSES**

THIS INDENTURE, made this 28th day of OCTOBER, 2019, by and between GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, whose address is 13901 N.W. 118 Avenue, Miami, FL 33178, party of the first part, and the City of Hialeah, Florida, a body corporate and a political subdivision of the State of Florida, and its successors in interest, whose address is c/o its City Attorney, Lorena Bravo, City Hall, 501 Palm Avenue, 4 Floor, Hialeah, FL 33010, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and No/100th (\$10.00) Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other good and valuable consideration, has granted, bargained, and sold to the party of the second part, its successors in interest, for the purpose of a public road and purposes incidental thereto, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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

It is expressly provided that, if and when the said public road shall be lawfully and permanently discontinued, the title to the said above-described land shall revert to the party of the first part, its successors, heirs and/or assigns, and it shall have the right to 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 the party of the first part.

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

Signed, sealed and delivered
in the presence of:



Witness
HILDA TORRES DE NAVARRA
[Print Name]

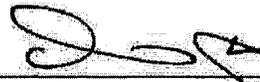


Witness
MICHAEL HALLEY
[Print Name]

GRANTOR:

GIMROCK PROPERTY, LLC, a Florida
limited liability company

By: HEC Holdings, LLC, a Florida limited
liability company, as its Manager

By: 

Name: DANIEL I. HALLEY
Title: Manager

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

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared DANIEL I. HALLEY, as the Manager of HEC Holdings, LLC, a Florida Limited Liability Company, as the Manager of GIMROCK PROPERTY, LLC, a Florida Limited Liability Company, and that he is known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, and I relied upon the following form of identification of the above-named person:

or is personally known to me and that an oath was taken.

NOTARY SEAL

Witness my hand and official seal in the county and
State last aforesaid this 28th day of OCTOBER, 2019



Notary Signature

Krystal Londono

Typed/printed name

My commission no:

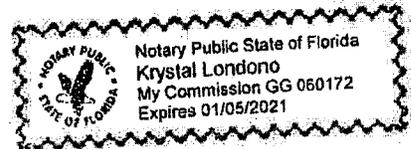


EXHIBIT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING THE WEST 25 FEET OF A PORTION OF TRACT "E", OF RINKER LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

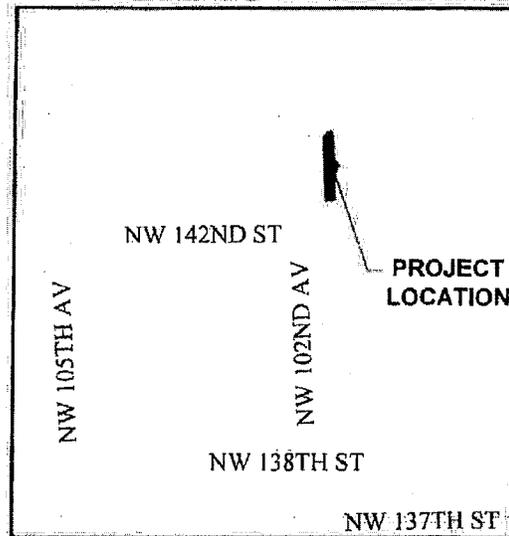
EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED LANDS PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY.

LEGEND:

- PB - PLAT BOOK
- PG - PAGE
- ☉ - CENTERLINE
- ORB - OFFICIAL RECORDS BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
- MDCSS - MIAMI-DADE COUNTY SECTION SHEET

NOTES:

1. THIS IS NOT A SURVEY.
2. THE SUBJECT PROPERTY LIES IN THE SE 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST, CITY OF HIALEAH, MIAMI-DADE COUNTY, FLORIDA.
3. THE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION DOCUMENT IS TO DESCRIBE THE PROPOSED RIGHT OF WAY WITHIN TRACT "D", OF RINKER LAKE SUBDIVISION, PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. RECORD INFORMATION SHOWN HEREON WAS OBTAINED FROM THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA AND THE CITY OF HIALEAH.
5. BEARINGS, IF SHOWN HEREON, ARE BASED ON THE NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT AS BROADCAST BY THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN). A BEARING OF N02°36'35" WAS OBTAINED BETWEEN THE SE AND NE CORNER OF THE SW 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 40 EAST.



**LOCATION MAP
(NOT TO SCALE)**

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTE: THIS IS NOT A SURVEY.

BISCAYNE ENGINEERING COMPANY, INC.
529 WEST FLAGLER STREET, MIAMI, FL. 33130
TEL: (305)-324-7671, FAX: (305)-324-0809
STATE OF FLORIDA DEPARTMENT OF AGRICULTURE
CERTIFICATE OF AUTHORIZATION LB-0000129

[Handwritten Signature] 11/02/18
LUIS A. GAZTAMBIDE, PSM, FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER NO. 6816
STATE OF FLORIDA

THIS DOCUMENT IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE SET.

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 Rf Behar - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_LG.dwg

DRAWING No. 2293-SS-12-2				BEC ORDER # 05-86205	
PROJECT: NW 102ND AVENUE RIGHT OF WAY					
DATE: 10/31/2018	REV DATE: N/A	FIELD BOOK N/A	SHEET 1 OF 2	DRAWN BY W.J.R.	CLIENT CITY OF HIALEAH STREETS DEPARTMENT
		SURVEYORS ENGINEERS PLANNERS SINCE 1899		529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671	449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329
E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM					

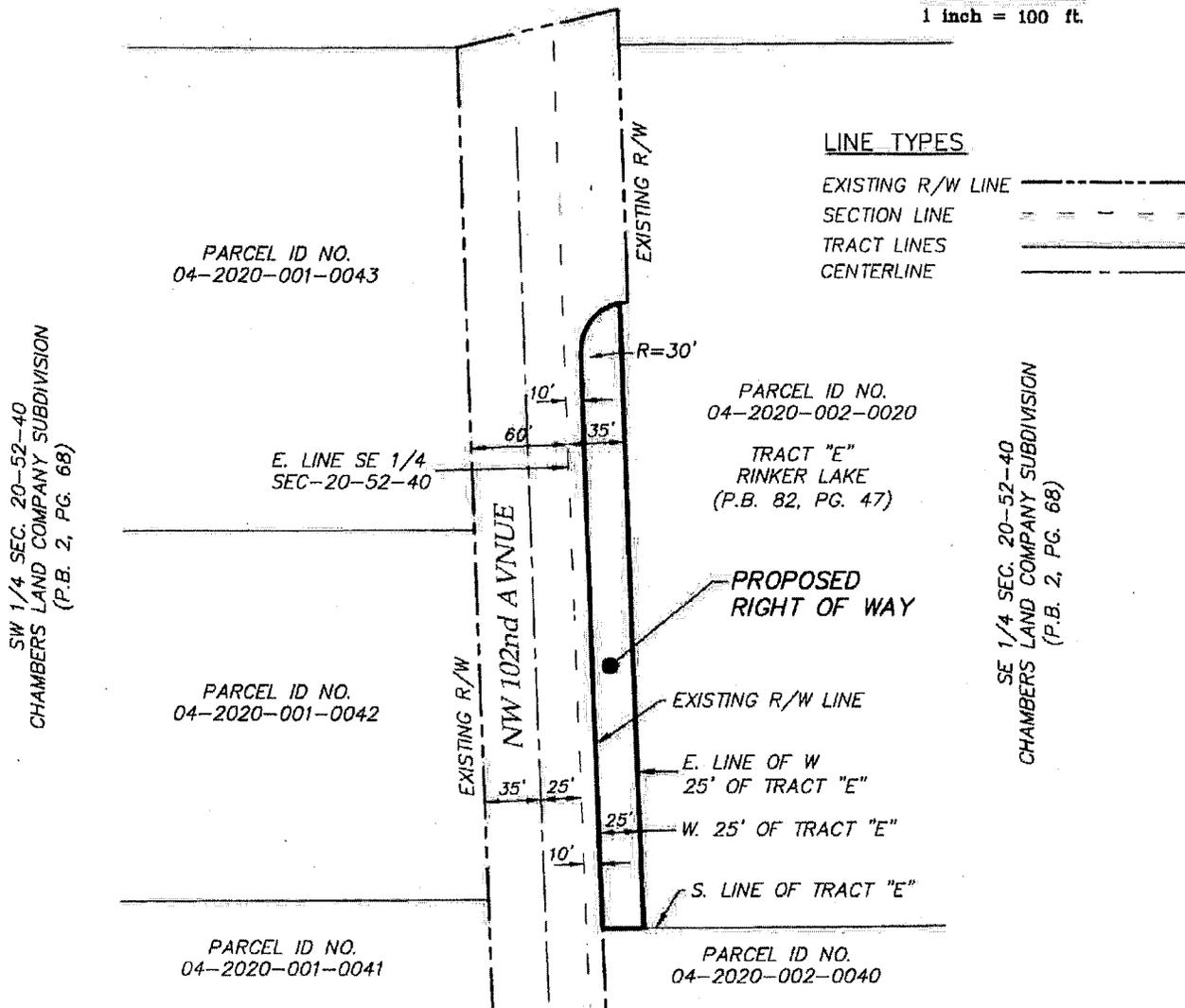
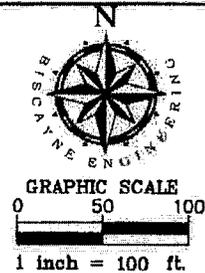
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EXHIBIT "A"

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THEREOF, AS RECORDED IN PLAT BOOK 82, AT PAGE 47 OF THE PUBLIC
RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED LANDS
PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY



LINE TYPES

- EXISTING R/W LINE
- SECTION LINE
- TRACT LINES
- CENTERLINE

THIS DOCUMENT IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE SET.

THIS IS NOT A SURVEY

DATE: Oct 31, 2018 - 11:53pm EST FILE: C:\PROJECTS\86205 RJ Behar - Hialeah NW 102nd Ave(S of 138)\DWG\05-86205-NORTH_LG.dwg

DRAWING No. 2293-SS-12-2 BEC ORDER # 05-86205

PROJECT: NW 102ND AVENUE RIGHT OF WAY

DATE: 10/31/2018 REV DATE: N/A FIELD BOOK: N/A SHEET: 2 OF 2 DRAWN BY: W.J.R. CLIENT: CITY OF HIALEAH STREETS DEPARTMENT

BISCAYNE ENGINEERING <small>SURVEYORS ENGINEERS PLANNERS SINCE 1898</small>	529 W. FLAGLER ST, MIAMI, FL 33130 TEL. (305) 324-7671	449 NW 35TH ST, BOCA RATON, FL 33431 TEL. (561) 609-2329
	E-MAIL: INFO@BISCAYNEENGINEERING.COM • WEBSITE: WWW.BISCAYNEENGINEERING.COM	