

**ORDINANCE NO. 2017-022**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA VACATING A PORTION OF WEST 25 PLACE, A DEAD END ROAD, IMMEDIATELY WEST OF WEST 12 AVENUE AND ABUTTING **PROPERTY LOCATED AT 1200 WEST 25 PLACE, 1205 WEST 25 PLACE, 1265 WEST 25 PLACE AND 1280 WEST 25 PLACE IN HIALEAH, MIAMI-DADE COUNTY, FLORIDA,** MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S LEGAL DESCRIPTION AND LOCATION SKETCH ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".

**WHEREAS,** the right-of-way is a dead-end road with no through westbound connections to other public roadways; and

**WHEREAS,** the continued maintenance of the right-of-way, water, sewer and all other public facilities located within the right-of-way proposed to be vacated would cause financial burden to the City of Hialeah and no beneficial returns to the public that would justify such expenditures; and

**WHEREAS,** the portion of the right-of-way to be vacated, more particularly described and illustrated on the surveyor's legal description and location sketch attached hereto as Exhibit A, abuts four parcels of land developed for multifamily use owned by a single entity, Oceanmar Park Apartments, LLC. ("Oceanmar Park"); and

**WHEREAS,** Oceanmar Park agrees to install a master water meter at the connection point with the water main serving the apartment complex and assumes all obligations over the maintenance, repair and operation of the facilities within the area abandoned for public right of way use; and

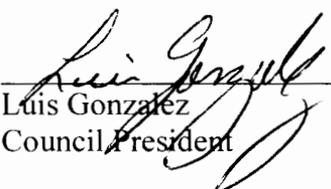
**WHEREAS,** Oceanmar Park agrees to record a unity of title, covenant in lieu of unity of title, or easement in a form acceptable to the City which preserves the integrity of the site as presently developed, including adequate ingress and egress;

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

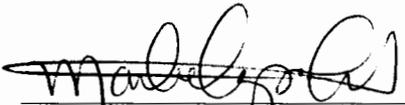
**Section 1:** A portion of West 25 Place, a dead-end road, immediately west of West 12 Avenue and abutting property located at 1200 West 25 Place, 1205 West 25 Place, 1265 West 25 Place and 1280 West 25 Place in Hialeah, Miami-Dade County, Florida, and more particularly described in the surveyor's legal description and location sketch attached hereto and made a part hereof as Exhibit "A".

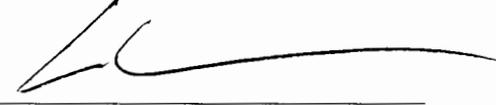
PASSED AND ADOPTED this 28 day of March, 2017.

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

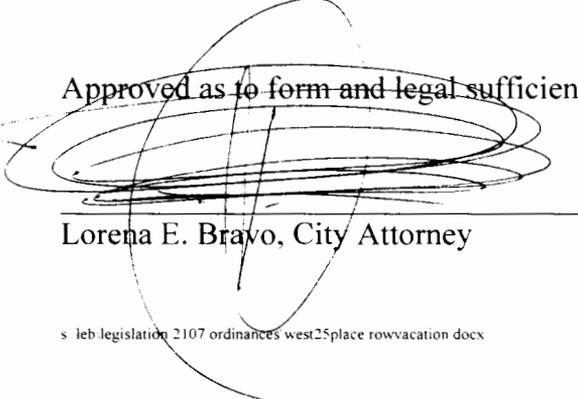
  
Luis Gonzalez  
Council President

Attest: Approved on this 10 day of April, 2017.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena E. Bravo, City Attorney

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Ordinance was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Cue-Fuente, Garcia-Martinez, Hernandez, Gonzalez, Lozano and Casáls-Muñoz voting "Yes".

Report of Scrivener's Error- Ordinance No. 2017-022 approved during City Council meeting on March 28, 2017, was approved with Section 1 not including the language "is hereby vacated". This Ordinance is being amended to reflect the correct language.

EXHIBIT A

LEGAL DESCRIPTION

60 FEET OF RIGHT OF WAY OF WEST 25 PLACE  
HIALEAH, FLORIDA

THE WEST 800 FEET OF THE NORTH 60 FEET OF  
THE SOUTH 194.97 FEET OF TRACT 52 TOWNSHIP  
53 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT  
LAND COMPANY, ACCORDING TO THE PLAT  
THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE  
17 OF THE PUBLIC RECORDS OF MIAMI-DADE  
COUNTY, FLORIDA.