

**ORDINANCE NO. 2020-034**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA VACATING AND ABANDONING FROM PUBLIC USE PUBLIC STREETS AND ALLEYS LOCATED BETWEEN E 19 STREET AND E 20 STREET, EAST OF E 11 AVENUE AND WEST OF THE RAILROAD TRACKS; STREETS LOCATED BETWEEN BLOCKS 125B AND 124B AND BETWEEN BLOCKS 124B AND 117B AND ALLEYS LOCATED ON BLOCKS 117B AND 124B ON PLAT BOOK 34-26 RECORDED IN THE MIAMI DADE COUNTY PUBLIC RECORDS, FOLIO NO. 04-3108-002-5675 AND MORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTION AND LOCATION SKETCHES ATTACHED HERETO AND MADE A PART HEREOF AS COMPOSITE EXHIBIT "A"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Planning and Zoning Board at its meeting of June 24, 2020 recommended approval of this ordinance; and

**WHEREAS**, the public streets and alleys to be vacated, more particularly described and illustrated on the surveyor's legal description and location sketches attached hereto as Composite Exhibit "A", no longer serve a public purpose; and

**WHEREAS**, there are utilities presently located within the portion of the right-of-way proposed to be vacated and abandoned and the City hereby reserves a perpetual and exclusive easement to allow access to maintain, repair and replace utilities or install utilities as may be necessary.

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 vacates and abandons the public streets and alleys located between E 19 street and E 20 street, East of E 11 Avenue and West of the railroad tracks; streets located between blocks 125B and 124B and between blocks 124B and 117B and alleys located on blocks 117B and 124B on Plat Book 34-26 recorded in the Miami Dade County Public Records, Folio No. 04-3108-002-5675 and more particularly described in the legal description and location sketches attached hereto and made a part hereof as Composite Exhibit "A".

**Section 2: Easement Reserved.**

The City hereby reserves a perpetual and exclusive easement to allow access to maintain, repair and replace utilities or install utilities as may be necessary.

**Section 3: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4: Penalties.**

Every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

**Section 5: 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 6: 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 28 day of July, 2020.

  
\_\_\_\_\_  
Paul B. Hernandez  
Council President

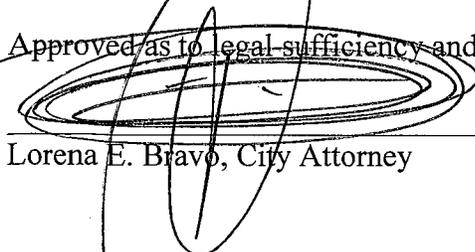
Attest:

  
\_\_\_\_\_  
Marbelys Fajó, City Clerk

Approved on this 10 day of August, 2020.

  
\_\_\_\_\_  
Mayor Carlos Hernandez

~~Approved as to legal sufficiency and form:~~

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

Ordinance was adopted by 6-0-1 vote with Councilmembers, Cue-Fuente, Hernandez, Garcia-Roves, Perez, Tundidor, and Zogby, voting "Yes" and with Council Vice President De la Rosa absent.

Ordinance No. \_\_\_\_\_  
Page 4

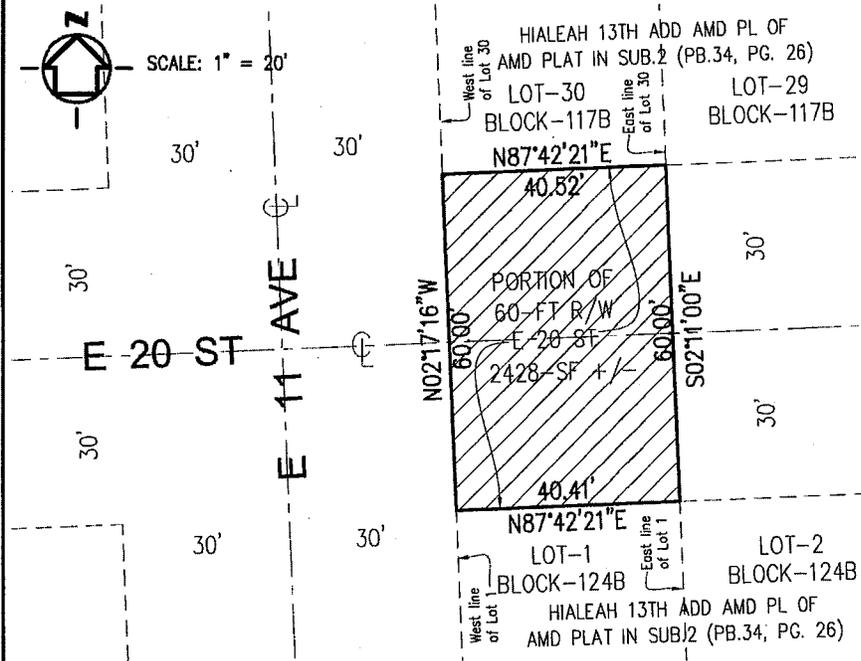
Composite Exhibit A

**SKETCH AND LEGAL DESCRIPTION  
 PORTION OF E 20 ST 60-FT R/W**

**ADDRESS:**  
 19XX EAST 11 AVENUE, HIALEAH, FLORIDA

**LEGAL DESCRIPTION:**  
 A portion of the 60-FT right of way of E 20 ST Lying between Lot 1, Block 124B and Lot 30, Block 117B, Bounded by the East and West property lines prolongation of said Lots 1 and 30, of "AMENDED PLAT OF AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH", according to the plat thereof, as recorded in Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.

- SURVEYOR'S CERTIFICATE:**
- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
  - 2) Bearings hereon are referred to Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.
  - 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
  - 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
  - 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



**LEGEND**

—○— Centerline

▨ Street to be Closed

**SURVEYOR'S CERTIFICATE:**

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17, Florida Administrative Code.

INSTRUMENT PREPARED BY:

**ROYAL POINT**  
 LAND SURVEYORS, INC.  
 LB# 7282

PHONE: 305-822-6062 \* FAX: 305-827-9669  
 6175 NW 153rd STREET SUITE 321  
 MIAMI LAKE FL. 33014  
 JOB NUMBER: RP19-09

For the Firm Royal Point Land Surveyors, Inc LB# 7282  
 Pablo J. Alfonso, Professional Surveyor & Mapper State of  
 Florida Reg. No. 5880

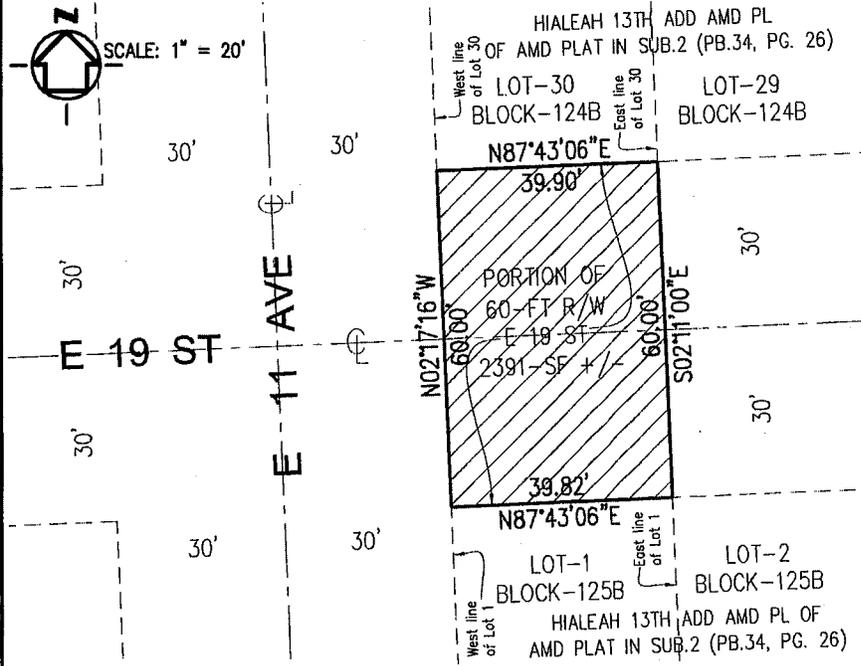
E:\DRAWING\19XX E. 11. AVE - DOT PARCELS MICHEL (SUBMIT) PARCELS 19XX E. 11. AVENUE, HIALEAH, DOT PARCEL, SKETCH AND LEGAL, 8/26/2018

**SKETCH AND LEGAL DESCRIPTION  
PORTION OF E 19 ST 60-FT R/W**

**ADDRESS:**  
19XX EAST 11 AVENUE, HIALEAH, FLORIDA

**LEGAL DESCRIPTION:**  
A portion of the 60-FT right of way of E 19 ST Lying between Lot 1, Block 125B and Lot 30, Block 124B, Bounded by the East and West property lines prolongation of said Lots 1 and 30, of "AMENDED PLAT OF AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH", according to the plat thereof, as recorded in Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.

- SURVEYOR'S CERTIFICATE:**
- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
  - 2) Bearings hereon are referred to Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.
  - 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
  - 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
  - 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



**LEGEND**  
 =Centerline  
 =Street to be Closed

**SURVEYOR'S CERTIFICATE:**  
 I Heroby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH-AND LEGAL DESCRIPTION of the real property described hereon.  
 I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17, Florida Administrative Code.

INSURUMENT PREPARED BY:  
**ROYAL POINT**  
 LAND SURVEYORS, INC.  
 LB# 7282  
 PHONE: 305-822-6062 • FAX: 305-827-9669  
 6175 NW 153rd STREET SUITE 321  
 MIAMI LAKE FL. 33014  
 JOB NUMBER: RP19-09

For the Firm Royal Point Land Surveyors, Inc LB# 7282  
 Pablo J. Alfonso, Professional Surveyor & Mapper State of Florida Reg. No. 5880

F:\WORKING\19XX E 11 AVE - DOT PARCELS MICHAEL OSMANDOY PARCELS 19XX E 11 AVENUE HIALEAH DOT PARCELS SKETCH AND LEGAL.dwg 8/26/2019

**SKETCH AND LEGAL DESCRIPTION  
PORTION OF 12-FT ALLEY BLOCK 117B**

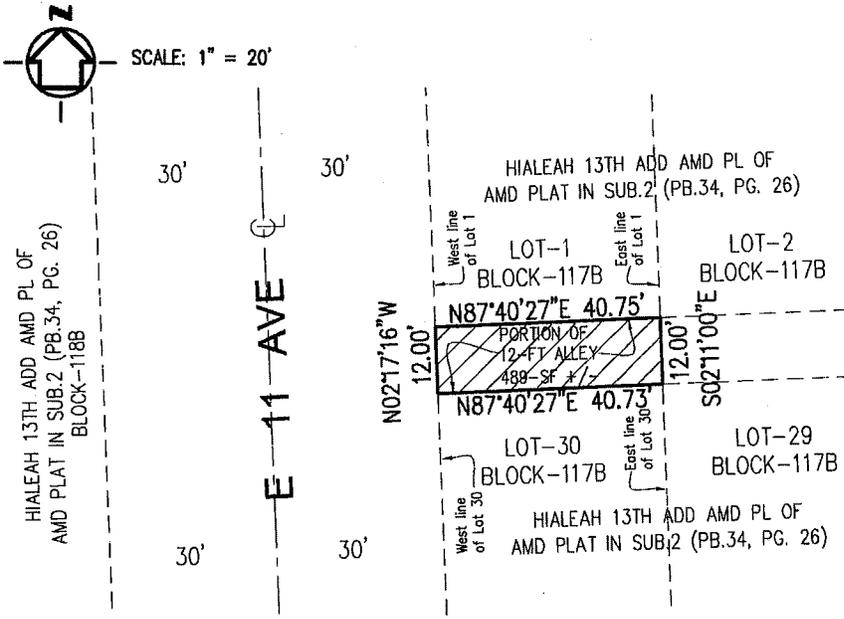
**ADDRESS:**  
19XX EAST 11 AVENUE, HIALEAH, FLORIDA

**LEGAL DESCRIPTION:**

A portion the 12-FT Alley Lying in Block 117B, between Lots 1 and 30, Bounded by the East and West property lines prolongation of said Lots 1 and 30, Block 117B of "AMENDED PLAT OF AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH", according to the plat thereof, as recorded in Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.

**SURVEYOR'S CERTIFICATE:**

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Bearings hereon are referred to Plat Book 34 at Page 26 of the Public Records of Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



**LEGEND**

- Centerline
- ▨ Street to be Closed

**SURVEYOR'S CERTIFICATE:**

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH- AND LEGAL DESCRIPTION of the real property described hereon.  
I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17, Florida Administrative Code.

INSTRUMENT PREPARED BY:  
**ROYAL POINT**  
LAND SURVEYORS, INC.  
LB# 7282  
PHONE: 305-822-6082 • FAX: 305-827-9669  
6175 NW 153rd STREET SUITE 321  
MIAMI LAKE FL 33014  
JOB NUMBER: RP19-09

For the Firm Royal Point Land Surveyors, Inc LB# 7282  
Pablo J. Alfonso, Professional Surveyor & Mapper State of Florida Reg. No. 5880

E:\ORDINANCE\19XX E 11 AVE - DOT PARCELS\MICHAEL OSBORN\DOT PARCELS 19XX E 11 AVENUE, HIALEAH-DOT PARCELS SKETCH AND LEGAL.DWG 8/26/2019

