

RESOLUTION NO. 2015-08

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING A DEED FROM AMB I-75, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS GRANTOR, TO THE CITY OF HIALEAH, CONVEYING TITLE TO CERTAIN LAND DESCRIBED THEREIN, FOR THE CONSTRUCTION OF A WELL SITE FOR THE REVERSE OSMOSIS WATER TREATMENT PLANT, RESERVING A REVERSIONARY INTEREST IN THE GRANTOR SHOULD SUCH USE BE ABANDONED, A COPY OF THE DEED IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

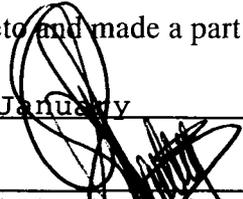
WHEREAS, AMB I-75, LLC, a Delaware limited liability company, has conveyed a parcel of land by deed more particularly described in the instrument for the purpose of constructing a well site for the reverse osmosis water treatment plant; and

WHEREAS, it is in the best interest and welfare of the residents of the City of Hialeah to accept this conveyance in order to further develop and improve the water and sewer system of the City of Hialeah.

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

Section 1: The City of Hialeah, Florida hereby accepts the deed from AMB I-75, LLC, a Delaware limited liability company, to the City of Hialeah, conveying title to certain land, more particularly described in the instrument, for use as a well site for the reverse osmosis water treatment plant, a copy of which is attached hereto and made a part hereof as Exhibit "1".

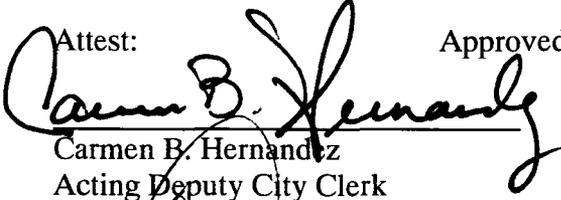
PASSED AND ADOPTED this 13 day of January, 2015.



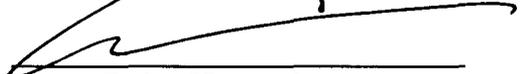
Isis Garcia-Martinez
Council President

Attest:

Approved on this 23 day of JANUARY, 2015.

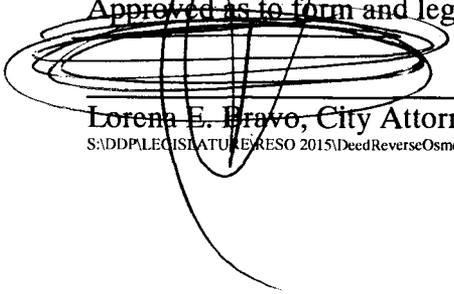


Carmen B. Hernandez
Acting Deputy City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

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Resolution was adopted by a (5-0-2) vote with Council Members, Garcia-Martinez, Caragol, Casáls-Muñoz, Cue-Fuente, & Hernandez voting "Yes", and Council Vice President Gonzalez & Council Member Lozano absent.

The land is being conveyed to the party of the second part in connection with a Developer's Agreement for water and sewer services for the AMB I-75 development. It is contemplated that the City of Hialeah shall have ten (10) years, from the date hereof, to construct the well site for the reverse osmosis water plant. In the event that the City of Hialeah does not construct the well site within ten (10) years or abandons the well site once constructed, the use of the land as a well site shall be deemed to be lawfully and permanently discontinued, upon which title to the Land shall immediately revert to the party of the first part, its successors and assigns, and the party of the first part shall have the right to immediately repossess the same.

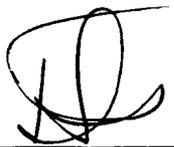
The foregoing conveyance is made by said party of the first part subject to taxes for the year 2014 and subsequent years, and easements, restrictions, limitations and other matters of record.

And the said party of the first part does hereby fully warrant the title to said land, subject to the matters set forth above, and will, subject to the matters set forth above, defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it, but against no others.

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

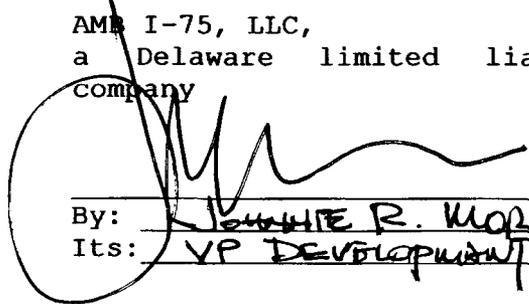
Signed, Sealed and Delivered in our presence:

AMB I-75, LLC,
a Delaware limited liability
company



Witness

Dayana Figueroa
Witness Printed Name



By: JOHNNIE R. MORGAN
Its: VP DEVELOPMENT

Leslie Menendez
Witness

LESLIE MENENDEZ
Witness Printed Name

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

I HEREBY CERTIFY, that on this 22 day of December 2014, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared JOHNNIE R. MORGAN as VP DEVELOPMENT of AMB I-75, LLC, a Delaware limited liability company, personally known to me, or proven, by producing the following methods of identification: PERSONALLY KNOWN TO ME to be the person(s) who 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 SEAL/STAMP

Lisette Gaynes
Notary Signature

Lisette Gaynes
Printed Notary Name



The foregoing was accepted and approved on the _____ day of _____, A.D. 2014, by the City of Hialeah.

City of Hialeah

Name: _____
Position: _____

Approved as to form
and legal sufficiency

Lorena Bravo
City Attorney
City of Hialeah

**LEGAL DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"**

A PORTION OF TRACT 40, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No 1 IN SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 28 MINUTES 12 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 9, FOR A DISTANCE OF 2170.22 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE I-75, AS SHOWN ON THAT CERTAIN RIGHT-OF-WAY MAP FOR INTERSTATE I-75 SECTION No 87075-2402; THENCE NORTH 02 DEGREES 36 MINUTES 48 SECONDS WEST, ALONG THE AFORE-DESCRIBED WEST RIGHT-OF-WAY LINE OF INTERSTATE I-75 FOR A DISTANCE OF 140.09 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND TO BE HEREINAFTER DESCRIBED: THENCE CONTINUE NORTH 02 DEGREES 36 MINUTES 48 SECONDS WEST, ALONG THE LAST DESCRIBED COURSE FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 12 SECONDS WEST, ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 9 FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 48 SECONDS EAST, PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF SAID INTERSTATE I-75 FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 12 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH AND 140.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF SAID SECTION 9, FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

NOTES:

1. BEARINGS AS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 28 MINUTES 12 SECONDS EAST ALONG THE SOUTH LINE OF SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST PER THE HEREIN REFERENCED PLAT BOOK 2, PAGE 17.
2. THIS SKETCH AND LEGAL DESCRIPTION MUST BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE ATTESTING FLORIDA LICENSED SURVEYOR AND MAPPER.
3. PREPARED FOR: PROLOGIS

Schwabke-Shiskin & Associates, Inc.
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 552-8284



THIS IS NOT A "LAND SURVEY."

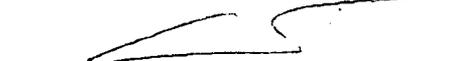
ORDER NO.: 203248

PREPARED UNDER MY SUPERVISION:

DATE: 09-22-2014

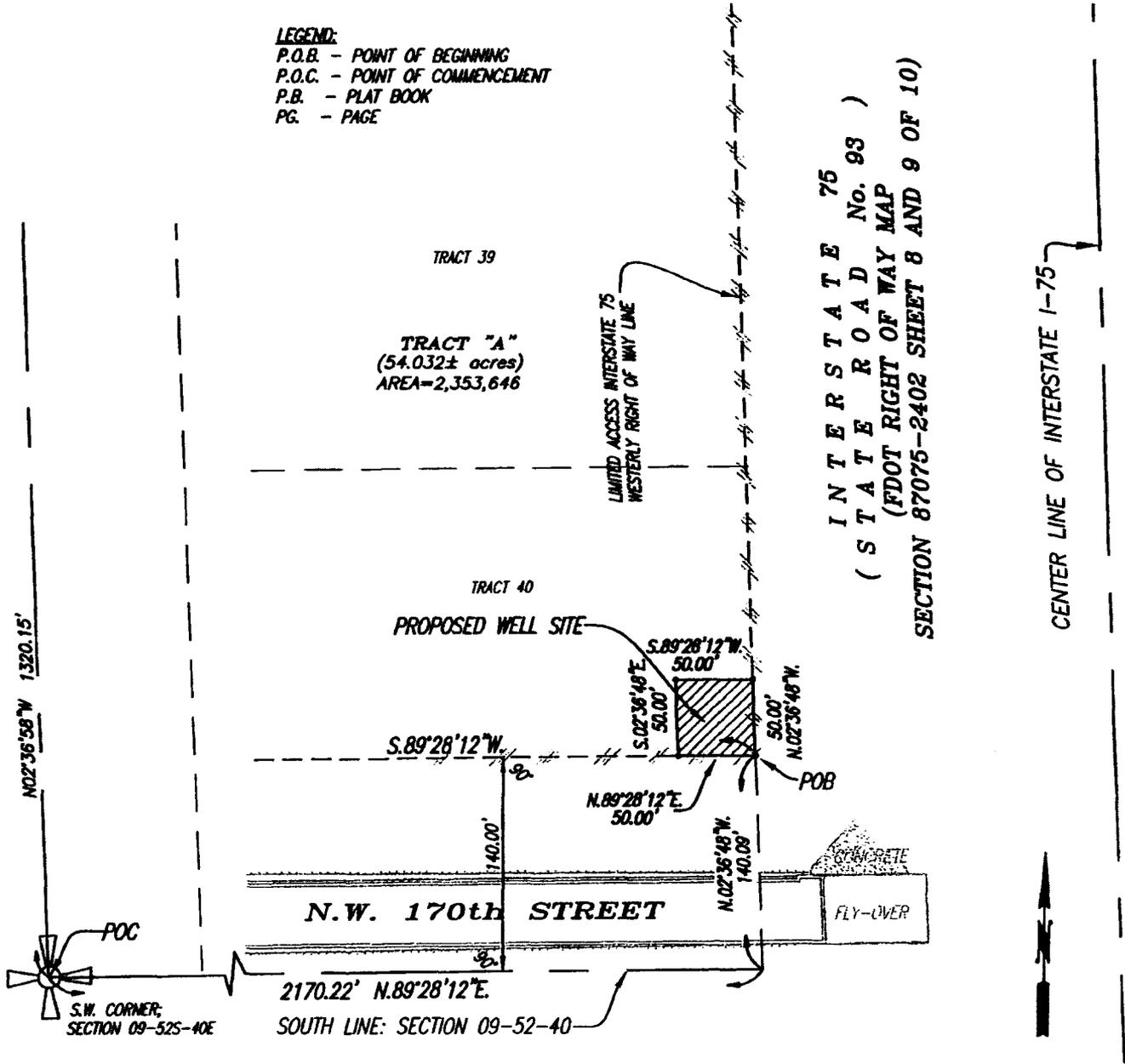
SHEET 2 OF 2 SHEET(S)

F.B.: FB


ALFONSO C. TELLO PRESIDENT
FLORIDA PROF. LAND SURVEYOR NO. 2978

**SKETCH TO ACCOMPANY EASEMENT LEGAL DESCRIPTION
EXHIBIT "A"**

LEGEND:
 P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT
 P.B. - PLAT BOOK
 PG. - PAGE



Schwebke-Shiskin & Associates, Inc. (LB-87)
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 ORDER NO.: 203248
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 SHEET 1 OF 2 SHEET(S)
 F.B.: FB

PREPARED UNDER MY SUPERVISION:

 ALFONSO C. TELLO PRESIDENT
 FLORIDA PROF. LAND SURVEYOR NO. 2978