

ORDINANCE NO. 2016-89

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA VACATING 35 FEET OF RIGHT OF WAY DEDICATED FOR HIGHWAY PURPOSES BY DEED DATED JANUARY 27, 1992 AND RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY AT OFFICIAL RECORDS BOOK 15590, PAGE 1619 CONTAINING AN AREA OF APPROXIMATELY 11,550 SQUARE FEET, MORE OR LESS, **PROPERTY LOCATED ON THEORETICAL N.W. 104 AVENUE LYING WEST OF N.W. 102 AVENUE AND NORTH OF N.W. 154 STREET, HIALEAH, FLORIDA,** AND 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 was dedicated to Miami-Dade County by deed dated January 27, 1992 and recorded in the public records of Miami-Dade County at Official Records Book 15590, at page 1619; and

WHEREAS, in 2003, the County approved the annexation of three square miles by the City of Hialeah and entered into a road transfer agreement dated February 24, 2005 transferring title to certain public roads within the area annexed;

WHEREAS, the rights and title to this right-of-way passed to the City of Hialeah; 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, no longer serves a public purpose; and

WHEREAS, the public interest will not be prejudiced by the proposed vacation; and

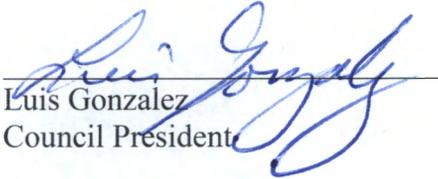
WHEREAS, there are no water or sewer line facilities or any other utilities presently located within the portion of the right-of-way proposed to be vacated;

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 vacates 35 feet of right of way dedicated for highway purposes by deed dated January 27, 1992 and recorded in the public records of Miami-Dade County at Official Records Book 15590, Page 1619 containing an area of approximately 11,550 square feet, more or less, **Property located on theoretical N.W. 104 Avenue lying west of N.W. 102 Avenue and north of N.W. 154 street, Hialeah, 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 13 day of December, 2016.

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 16 day of December, 2016.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a (6-0-1) vote with Councilmembers, Caragol, Gonzalez, Hernandez, Lozano, Casáls-Muñoz, and Cue-Fuente voting "Yes". Councilwoman Garcia-Martinez absent.