

**ORDINANCE NO. 2015-01**

ORDINANCE APPROVING A FINAL PLAT OF FPL SEMINOLA SUBSTATION, ACCEPTING ALL DEDICATION OF AVENUES, STREETS, ROADS OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; 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. **PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST 4 AVENUE AND THE HIALEAH EXPRESSWAY (STATE ROAD 934), HIALEAH, FLORIDA.**

**WHEREAS**, the Planning and Zoning Board, at its meeting of December 10, 2014, recommended approval of this ordinance.

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

**Section 1:** The final plat of FPL Seminola Substation, submitted by Florida Power & Light Company, a Florida corporation, by and through its duly authorized agent Alex Rubio, as Vice President of Corporate Real Estate, is hereby accepted. Property is located at the southwest intersection of West 4 Avenue and the Hialeah Expressway (State Road 934), Hialeah, Miami-Dade County, Florida and legally described as follows:

**See "Exhibit A" Attached**

**Section 2:** All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

**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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed 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.

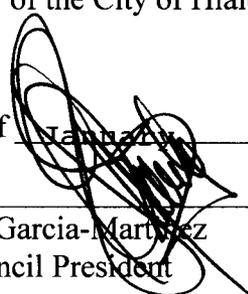
**Section 5: Severability Clause.**

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 section of this ordinance.

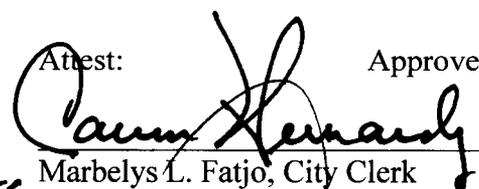
**Section 6: Effective Date.**

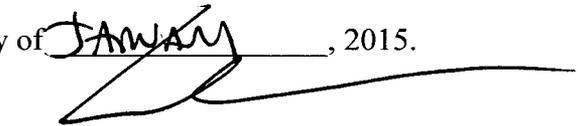
This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

PASSED and ADOPTED this 27 day of January, 2015.

  
\_\_\_\_\_  
Isis Garcia-Martinez  
Council President

Attest: Approved on this 30 day of JANUARY, 2015.

  
\_\_\_\_\_  
Marbelys L. Fatjo, City Clerk

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

Approved as to legal sufficiency and as to form:

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

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

**Exhibit A****Legal Description**

A REPLAT OF A PORTION OF TRACT 1 OF SECTION 13, TOWNSHIP 53 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND THAT PORTION OF WEST 21 STREET RIGHT OF WAY VACATED BY HIALEAH, FLA. ORDINANCE 2014-58 (OCTOBER 21, 2014) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**TRACT A, TRACT B, TRACT C**

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF TRACT 1 OF SECTION 13, TOWNSHIP 53 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND THAT PORTION OF THE WEST 21ST STREET RIGHT OF WAY VACATED BY THE CITY OF HIALEAH, FLORIDA ORDINANCE 2014-58 (OCTOBER 21, 2014). SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE, BEARING NORTH 01°42'16" WEST, ALONG THE WEST LINE OF SAID TRACT 1, A DISTANCE OF 25.01 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST 20TH STREET AND THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE, CONTINUE NORTH 01°42'16" WEST, ALONG SAID WEST LINE OF TRACT 1 AND THE NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 305.03 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE, LEAVING SAID WEST LINE, BEARING NORTH 89°38'04" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 237.46 FEET TO A POINT ON THE SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 934 (HIALEAH EXPRESSWAY); THENCE, LEAVING SAID NORTH LINE, BEARING SOUTH 74°28'20" EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 31.98 FEET TO A POINT; THENCE, BEARING SOUTH 02°19'30" EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 74.97 FEET TO A POINT; THENCE, BEARING SOUTH 82°52'13" EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 381.34 FEET TO A POINT; THENCE, BEARING NORTH 87°41'52" EAST, ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 610.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD

823 (RED ROAD AND WEST 4TH AVENUE); THENCE, LEAVING SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE, BEARING SOUTH 04°32'58" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 61.30 FEET TO A POINT ON THE NORTHERLY LINE OF THE MIAMI METRO RAIL PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 12558, PAGE 692 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE, ALONG SAID NORTHERLY LINE THE FOLLOWING SEVENTEEN (17) COURSES; THENCE, LEAVING SAID WESTERLY RIGHT OF WAY LINE, BEARING SOUTH 67°28'38" WEST, A DISTANCE OF 31.80 FEET TO A POINT; THENCE, BEARING SOUTH 68°25'49" WEST, A DISTANCE OF 134.71 FEET TO A POINT; THENCE, BEARING SOUTH 72°37'14" WEST, A DISTANCE OF 94.07 FEET TO A POINT; THENCE, BEARING NORTH 15°12'53" WEST, A DISTANCE OF 6.40 FEET TO A POINT; THENCE, BEARING SOUTH 74°47'07" WEST, A DISTANCE OF 28.00 FEET TO A POINT; THENCE, BEARING SOUTH 15°12'53" EAST, A DISTANCE OF 6.55 FEET TO A POINT; THENCE, BEARING SOUTH 77°01'22" WEST, A DISTANCE OF 50.66 FEET TO A POINT; THENCE, BEARING NORTH 10°39'54" WEST, A DISTANCE OF 6.50 FEET TO A POINT; THENCE, BEARING SOUTH 79°20'06" WEST, A DISTANCE OF 28.00 FEET TO A POINT; THENCE, BEARING SOUTH 10°39'54" EAST, A DISTANCE OF 6.51 FEET TO A POINT; THENCE, BEARING SOUTH 81°59'20" WEST, A DISTANCE OF 57.09 FEET TO A POINT; THENCE, BEARING NORTH 08°10'25" WEST, A DISTANCE OF 6.71 FEET TO A POINT; THENCE, BEARING SOUTH 81°49'35" WEST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE, BEARING SOUTH 08°10'25" EAST, A DISTANCE OF 5.78 FEET TO A POINT; THENCE, BEARING SOUTH 84°29'46" WEST, A DISTANCE OF 69.84 FEET TO A POINT; THENCE, BEARING SOUTH 88°41'11" WEST, A DISTANCE OF 15.79 FEET TO A POINT; THENCE, BEARING SOUTH 02°31'38" EAST, A DISTANCE OF 3.54 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WEST 20TH STREET; THENCE, LEAVING SAID NORTHERLY LINE OF THE MIAMI METRO RAIL PARCEL, BEARING SOUTH 89°38'24" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF WEST 20TH STREET, A DISTANCE OF 745.62 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

TRACT D

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF TRACT 1 OF SECTION 13, TOWNSHIP 53 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE, BEARING NORTH 01°42'16" WEST, ALONG THE WEST LINE

OF SAID TRACT 1, A DISTANCE OF 25.01 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WEST 20TH STREET; THENCE, BEARING NORTH 89°38'24" EAST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1,028.38 FEET TO A POINT ON THE SOUTHERLY LINE OF THE MIAMI METRO RAIL PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 12558, PAGE 692 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE, BEARING NORTH 71°36'56" EAST, ALONG SAID SOUTHERLY LINE OF THE MIAMI METRO RAIL PARCEL, A DISTANCE OF 21.35 FEET TO A POINT; THENCE, BEARING NORTH 67°28'52" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 135.64 FEET TO A POINT; THENCE, BEARING NORTH 67°28'38" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 91.66 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 823 (RED ROAD AND WEST 4TH AVENUE); THENCE, LEAVING SAID SOUTHERLY LINE, BEARING SOUTH 04°32'58" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 92.59 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF WEST 20TH STREET; THENCE, LEAVING SAID WESTERLY RIGHT OF WAY LINE, BEARING SOUTH 89°38'24" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF WEST 20TH STREET, A DISTANCE OF 237.57 FEET TO THE POINT OF BEGINNING.