

ORDINANCE NO. 2014-25

ORDINANCE APPROVING A FINAL PLAT OF PARAISO GARDENS, 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 IS A VACANT PARCEL, LOCATED AT THE NORTH SIDE OF WEST 80 STREET, WEST OF HIALEAH-HIALEAH GARDENS BOULEVARD (NORTHWEST 92 AVENUE) AND EAST OF WEST 36 AVENUE (NORTHWEST 97 AVENUE), HIALEAH, FLORIDA.**

WHEREAS, the Planning and Zoning Board at its meeting of February 25, 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 Paraiso Gardens, submitted by Paraiso Gardens, LLC, a Florida limited liability company, by and through its duly authorized managing member, Martha Fernandez, is hereby accepted. Property, a vacant parcel, located at the north side of West 80 Street, west of Hialeah-Hialeah Gardens Boulevard (Northwest 92 Avenue) and east of West 36 Avenue (Northwest 97 Avenue), Hialeah, Miami-Dade County, Florida, zoned R-3-3 (Multiple Family District), and classified under the Future Land Use Map as Medium Density Residential, and legally described as follows:

A portion of Tract 11, of Chambers Land Company Subdivision, of Northwest $\frac{1}{4}$ of Section 28, Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, at Page 68, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Commence at the southwest corner of said Tract 11, thence north 2 degrees 34 minutes 25 seconds west along the west line of said Tract 11 for a distance of 35.03 feet to the point of beginning; thence continue north 2 degrees 34 minutes 25 seconds west, along the last described line for a distance of 542.39 feet; thence north 87 degrees 25 minutes 35 seconds east at right angle to the last described course for a distance of 329.50 feet; thence south 2 degrees 34 minutes 22 seconds east along the east line of said Tract 11, for a distance of 554.97 feet; thence south 89 degrees 36 minutes 48 seconds west along the north right-of-way line of West 80 Street and 35.0 feet north of and parallel to the south line of said Tract 11, for a distance of 329.73 feet to the point of beginning.

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.

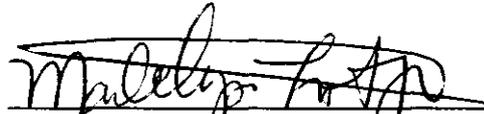
Section 6: Effective Date.

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 25 day of March, 2014.

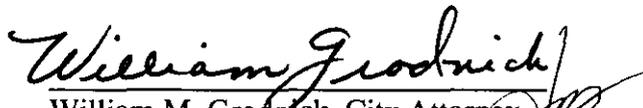
Isis Garcia-Martinez
Council President

Attest: Approved on this 25 day of March, 2014.


Marbelys L. Fajó, Acting City Clerk


Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:


William M. Grodnick, City Attorney

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Ordinance was adopted by a 6-0-1 vote with Council Members, Caragol, Casáls-Muñoz, Cue-Fuente, Garcia-Martinez, Hernandez and Lozano voting "Yes"& Council Vice President Gonzalez absent.

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