

ORDINANCE NO. 2013-70

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING GRANTING AN EASEMENT TO MIAMI-DADE COUNTY TO CONSTRUCT, RECONSTRUCT, LAY, INSTALL, OPERATE, MAINTAIN, RELOCATE, REPAIR, REPLACE, IMPROVE, REMOVE AND INSPECT WATER TRANSMISSION AND DISTRIBUTION FACILITIES AT PUMP STATION 200 FRONTING THE SOUTH SIDE OF WEST 80 STREET, HIALEAH, FLORIDA, IN AN AREA HAVING 1,867 SQUARE FEET, MORE OR LESS, AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S SKETCH ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, the City of Hialeah installed two new master meters for wholesale water service from Miami-Dade County to serve the Hialeah Annexation Area at pump station 200 fronting the south side of West 80 Street and more particularly described in Exhibit 1;

WHEREAS, the meters, valves, pipes and all other facilities are the property of Miami-Dade County; and

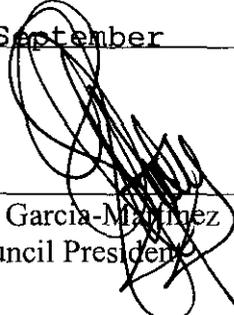
WHEREAS, the County requires an easement, upon terms provided for in the Grant of Easement attached as Exhibit 2, to enter upon City property and access its facilities in order to maintain, repair and replace them.

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 grants an easement, pursuant to the Grant of Easement attached as Exhibit 2, for the operation, maintenance and repair of water transmission and distribution facilities installed at pump station 200 fronting the south side of West 80 Street, Hialeah, Florida, in an area having 1,867 square feet, more

or less, more particularly described in the surveyor's sketch attached hereto and made a part hereof as Exhibit "1".

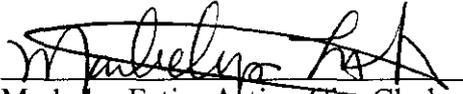
PASSED AND ADOPTED this 24 day of September, 2013.



Isis Garcia-Martinez
Council President

Attest:

Approved on this 24 day of September, 2013.

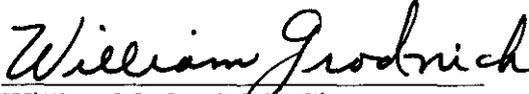


Marbelys Fatjo, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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

GRANT OF EASEMENT

THIS INDENTURE, made this _____ day of _____, 20____, between CITY OF HIALEAH, FLORIDA, whose mailing address is: 501 Palm Avenue, Hialeah, FL 33010, hereinafter called GRANTOR, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, whose mailing address is: c/o Miami-Dade Water and Sewer Department, P.O. Box 330316, Miami, Florida 33233-0316, hereinafter called GRANTEE:

WITNESSETH

THAT, the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by the GRANTOR, has granted and does hereby grant, to the GRANTEE, its successors and assigns, forever, the right, privilege and easement to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and all appurtenances thereto, including but not limited to, fire hydrants, and/or sewage transmission and collection facilities and all appurtenant equipment, which right, privilege and easement shall include the right to remove or demolish, with no obligation to repair or replace same, any obstructions placed on the easement, including pavers, or that may extend up to twenty-five (25) feet vertically above the finished grade over the easement, as may be necessary to carry out any right granted herein. This right, privilege and easement also provides GRANTEE with full and unlimited right of ingress thereto and egress there from on the property of the GRANTOR described as follows, to wit:

See Exhibit "A" attached hereto and made a part hereof

THE GRANTOR does hereby fully warrant that it has good title to the above-described property and that it has full power and authority to grant this easement.

IN WITNESS WHEREOF, the GRANTOR by its proper officials has hereunto set its hands and seals the year and day first above written.

ATTEST:

Marbelys Fatjo
Signature

Marbelys Fatjo City Clerk

CITY OF HIALEAH, FLORIDA

By:

Carlos Hernandez
Signature

Carlos Hernandez, Mayor

STATE OF FLORIDA

COUNTY OF DADE

The foregoing instrument was acknowledged before me this 25 day of September, 2013 by Carlos Hernandez, as Mayor, and Marbelys Fatjo, as City Clerk, of the CITY OF HIALEAH, FLORIDA, on behalf of the corporation. He/She/They is/are personally known to me or have/haven't has/hasn't produced _____ as identification and did/did not take an oath.

M. Lopez
NOTARY PUBLIC, SIGNATURE

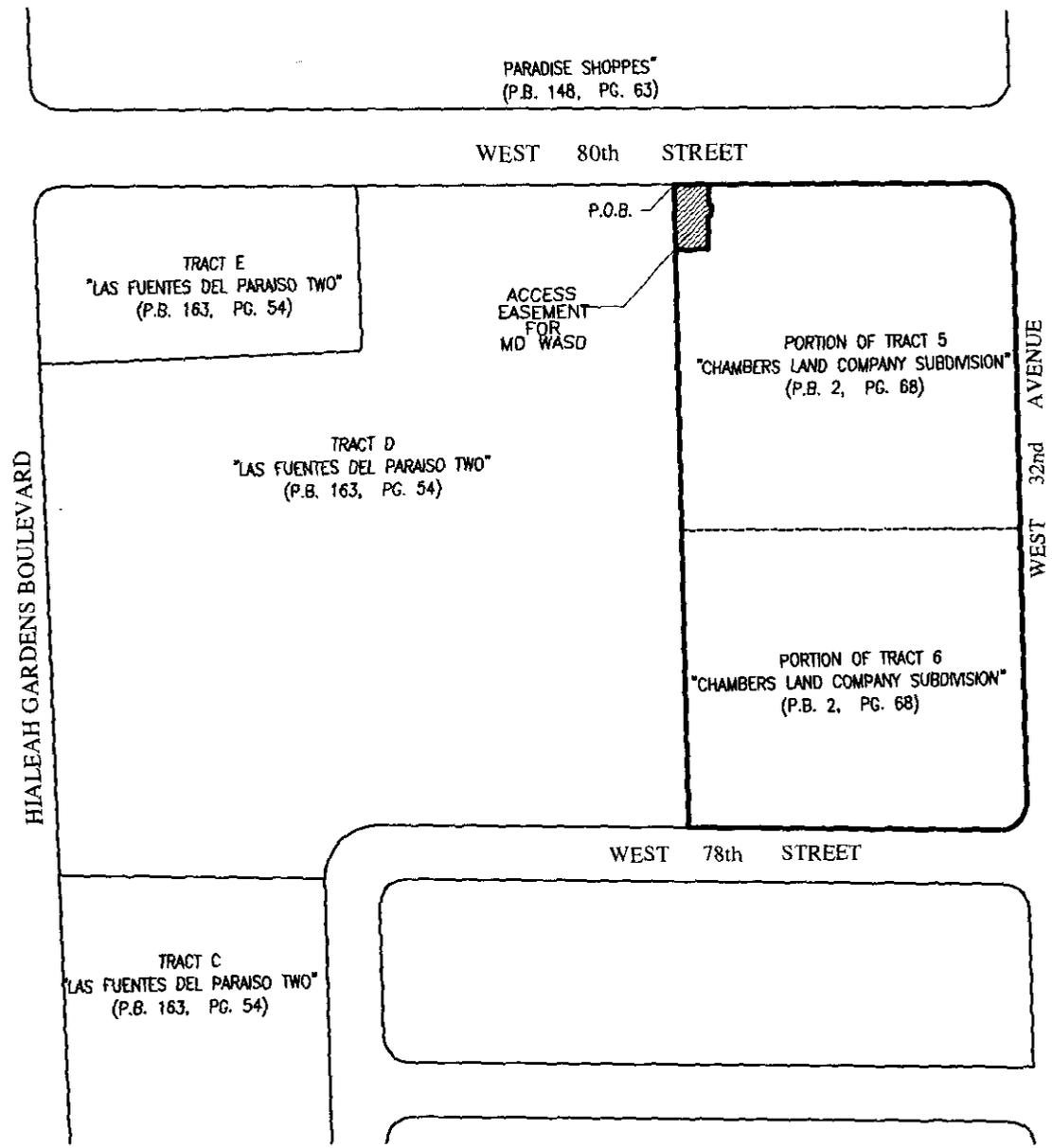
maricarmen Lopez
PRINT NAME



MY COMMISSION EXPIRES

This instrument prepared by
Dan del Mazo, New Business Section
Miami-Dade Water and Sewer Department
3575 S. LeJeune Road
Miami, Florida 33146

ACCESS EASEMENT for MD WASD

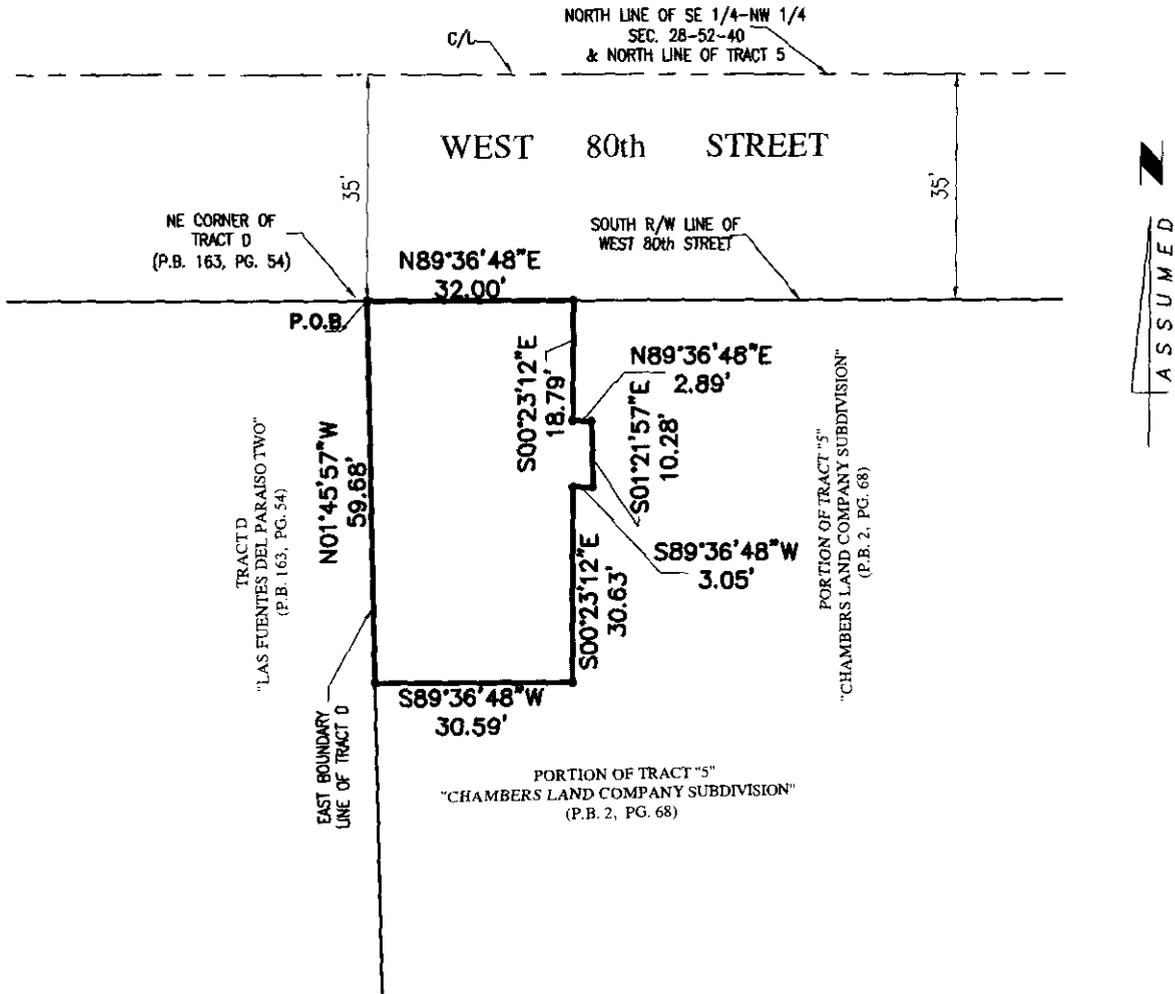


NOTICE:
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EXHIBIT
LOCATION SKETCH
NOT TO SCALE
-THIS IS NOT A SURVEY-

ACCESS EASEMENT for MD WASD
"CITY OF HIALEAH ANEXXTATION"
7900 W 32nd AVENUE, HIALEAH, FLORIDA
Folio # 04-2028-001-0290
MIAMI-DADE COUNTY
Section 28, Township S2 South, Range 40 East
Date: July 15th, 2013

ACCESS EASEMENT for MD WASD



LEGEND

P.O.B.	Point of Beginning	SEC.	Section
P.O.T.	Point of Termination	TWP.	Township
P.O.C.	Point of Commence	RGE.	Range
P.B.	Plat Book	☉	Centerline
PG.	Page	COR	Corner
R/W	Right-of-Way		

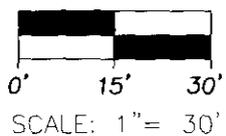
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Page 2 of 4

EXHIBIT SKETCH

-THIS IS NOT A SURVEY-

GRAPHIC SCALE



ACCESS EASEMENT for MD WASD
"CITY OF HIALEAH ANEXATION"
7900 W 32nd AVENUE, HIALEAH, FLORIDA
Folio # 04-2028-001-0290
MIAMI-DADE COUNTY
Section 28, Township 52 South, Range 40 East
Date: July 15th, 2013

**ACCESS EASEMENT
for
MD WASD**

LEGAL DESCRIPTION:

A portion of land for an Access Easement for MD WASD on Tract 5 of CHAMBERS LAND COMPANY SUBDIVISION, recorded in Plat Book 2, at Page 68 of the Public Records of Miami-Dade County, Florida; more particularly described as follows:
Begin at the Northeast corner of Tract D of plat of LAS FUENTES PARAISO TWO, recorded in Plat Book 163, at Page 54, of the Public Records of Miami-Dade County, Florida; thence N89°36'48"E, along a line 35 feet south and paralell with the North line of said Tract 5, also being the South Right of Way line of West 80th Street, a distance of 32.00 feet; thence S00°23'12"E, a distance of 18.79 feet; thence N89°36'48"E, a distance of 2.89 feet; thence S01°21'57"E, a distance of 10.28 feet; thence S89°36'48"W, a distance of 3.05 feet; thence S00°23'12"E, a distance of 30.63 feet; thence S89°36'48"W, a distance of 30.59 feet; thence N01°45'57"W, a distance of 59.68 feet to the Point of Beginning.

Containing 1,867 Square Feet or 0.04 Acres more or less by calculations.

NOTICE:

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Page 3 of 4

**EXHIBIT
LEGAL DESCRIPTION
-THIS IS NOT A SURVEY-**

ACCESS EASEMENT for MD WASD
"CITY OF HIALEAH ANEXATION"
7900 W 32nd AVENUE, HIALEAH, FLORIDA
Folio # 04-2028-001-0290
MIAMI-DADE COUNTY
Section 28, Township 52 South, Range 40 East
Date: July 15th, 2013

ACCESS EASEMENT for MD WASD

SOURCES OF DATA:

The Legal Description of the Subject Parcel of Land was generated from information provided by the client. In addition, the following sources of data were used to the extent required to complete this document in a defensible manner. That is to say:

- North Arrow and bearings refer to an assumed value of N89°36'48"E, along the North line of the Subject property, Miami-Dade County, Florida
- Access Easement for MD WASD based on Field work performed by J. Bonfill & Associates, Inc.

CLIENT INFORMATION:

This Sketch and Legal Description was prepared at the insistence of:

CITY OF HIALEAH

LIMITATIONS:

Since no other information other than what is cited in the Sources of Data was furnished, the Client is hereby advised that there may legal restrictions on the subject property that are not shown on the Sketch that may be found in the Public Records of Miami-Dade County, or any other public and private entities as their jurisdictions may appear. The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual who may appear in public records.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE:

I hereby certify: That this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief. Further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

J. BONFILL & ASSOCIATES, INC.

Florida Certificate of Authorization Number LB3398
7100 Southwest 99th Avenue, Suite 104
Miami, Florida 33173 Phone: 305.598.8383

By: _____

Juan J. Bonfill, P.L.S.

Professional Land Surveyor No. 3179

State of Florida

July 15th, 2013

Project: 13-0237 Job: 13-0237 Sketch & Legal (Access Easement)

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps and Reports by other than the signing party are prohibited without the written consent of the signing party. This document consists of multiple Exhibits and Sheets. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 5J-17 of the Florida Administrative Code.

NOTICE:

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Page 4 of 4

**EXHIBIT
SURVEYOR'S NOTES**

-THIS IS NOT A SURVEY-

ACCESS EASEMENT for MD WASD
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