

ORDINANCE NO. 2018-067

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA VACATING A PORTION OF THE RIGHT OF WAY OF EAST 45th PLACE LYING SOUTHERLY AND ADJACENT TO LOTS 1, 2, AND 3 OF FEATHERSTONE SPORTS ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 18, AT PAGE 11, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CONTAINING AN AREA OF APPROXIMATELY 4,243.63 SQUARE FEET, MORE OR LESS. **PROPERTY LOCATED AT 4597 AND 4599 PALM AVENUE, 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" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the portion of the right-of-way to be vacated, was originally dedicated by the adjacent property owner to the City, 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 continued maintenance of the right-of-way would cause financial burden to the City without any beneficial return to the public, which would justify its retention; and

WHEREAS, any easements for utilities shall remain reserved within the right-of-way.

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 a portion of the right of way of East 45th Place lying southerly and adjacent to lots 1, 2, and 3 of Featherstone Sports Addition

to Hialeah, according to the plat thereof as recorded in plat book 18, at page 11, of the public records of Miami-Dade County, Florida, containing an area of approximately 4,243.63 square feet, more or less, Property located at 4597 and 4599 Palm Avenue, 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".

Section 2: Any easements for utilities shall remain reserved within the right-of-way.

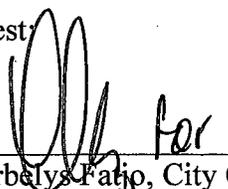
Section 3: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, upon signature of the Mayor of the City of Hialeah or at the next regularly scheduled City Council meeting if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

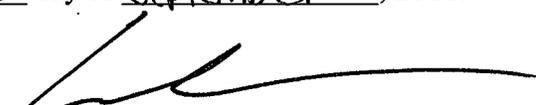
PASSED AND ADOPTED this 28 day of August, 2018.

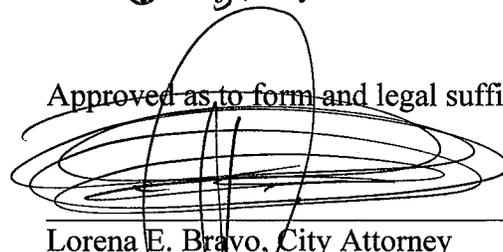
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Vivian Casals-Munoz
Council President

Attest: 
Marbelys Patjo, City Clerk

Approved on this 5 day of September, 2018.


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

Lorena E. Bravo, City Attorney

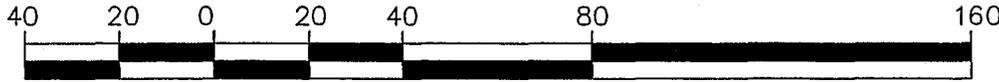
Ordinance was adopted by a 4-0-3 vote with Councilmembers, Casals-Munoz, Hernandez, Caragol, and Cue-Fuente voting "Yes" and with Councilmembers Zogby, Lozano and Garcia-Martinez absent.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"

RIGHT OF WAY TO BE VACATED

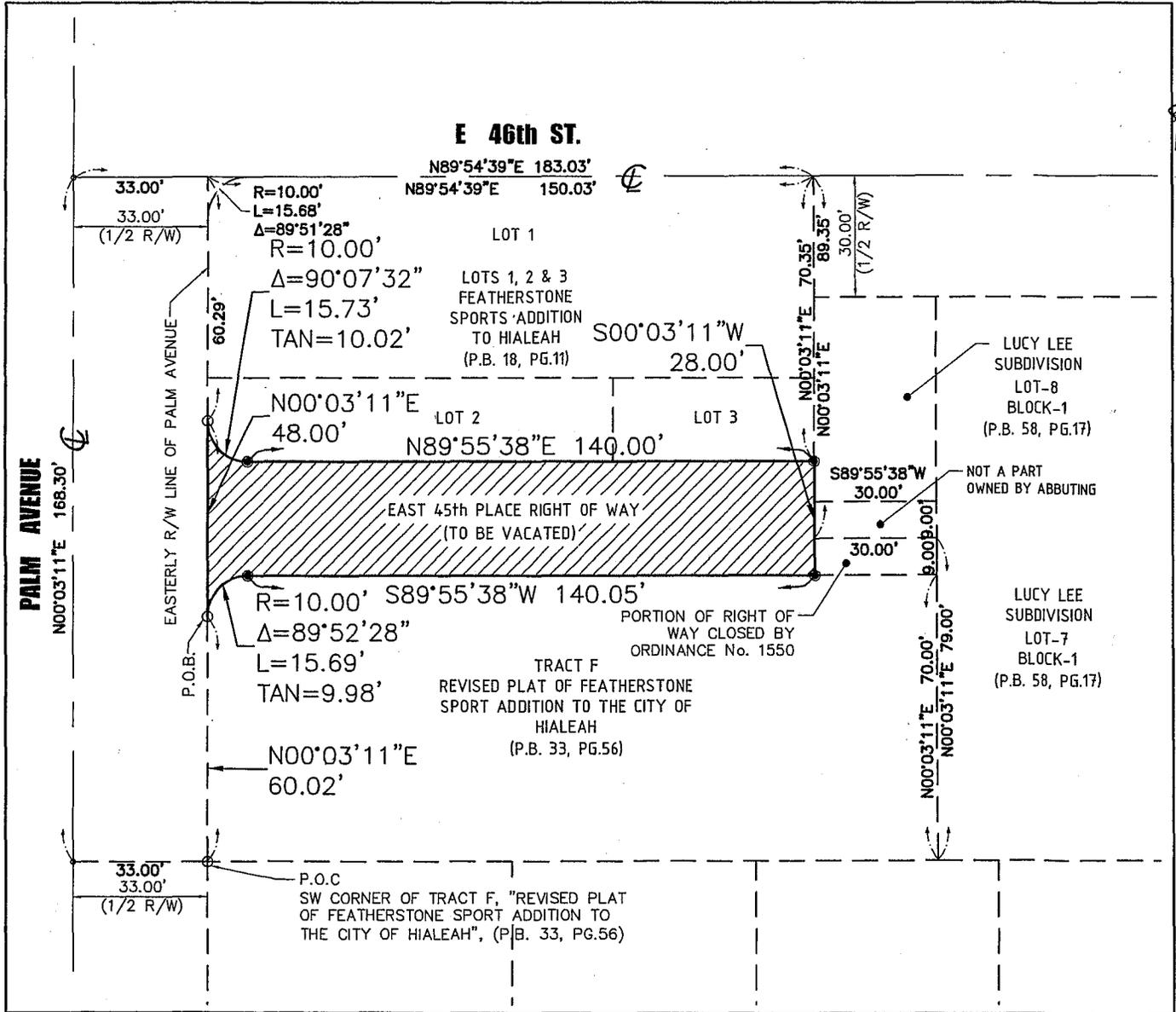
GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

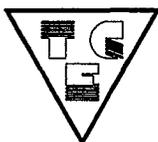
THIS DOCUMENT IS NEITHER
FULL NOR COMPLETE WITHOUT
ALL SHEETS



DATE: 05-14-18 ORDER No. 180559

FOR: ROBERTO C GONZALES

BY: JB
EXHIBIT A
SHEET 1 OF 2



Tri-County Engineering, Inc.

Architecture - Engineering - Surveying & Mapping
Construction Management

AA-2777 - EB-6706 - LB-6507 - QB-63862

7729 NW 146th Street Miami Lakes, FL 33016

PH: 305-823-3737 Fax: 305-823-3172

NOTE: NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL SEAL OF A
FLORIDA REGISTERED SURVEYOR AND
MAPPER

STATE OF
FLORIDA
JOSE M. LOPEZ, P.L.S. No. 4849
STATE OF FLORIDA
FOR THE FIRM

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

RIGHT OF WAY TO BE VACATED

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LEGAL DESCRIPTION:

A PORTION OF THE RIGHT OF WAY OF EAST 45TH PLACE, AS SHOWN ON "REVISED PLAT OF FEATHERSTONE SPORT ADDITION TO THE CITY OF HIALEAH", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 33, AT PAGE 56, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT F; THENCE N 00°03'11"E ALONG THE EASTERLY RIGHT OF WAY LINE OF PALM AVENUE, AS SHOWN ON SAID "REVISED PLAT OF FEATHERSTONE SPORT ADDITION TO THE CITY OF HIALEAH", A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID LINE, A DISTANCE OF 48.00 FEET TO A POINT OF CUSP OF A CIRCULAR CURVE TO THE LEFT, FROM WHICH THE RADIUS POINT LIES S 89°56'49"E, A RADIAL DISTANCE OF 10.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 90°07'32", A DISTANCE OF 15.73 FEET TO THE POINT OF TANGENCY; THENCE N 89°55'38"E, A DISTANCE OF 140.00 FEET; THENCE S 00°03'11"W, A DISTANCE OF 28.00 FEET; THENCE S 89°55'38"W, A DISTANCE OF 140.05 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 10.00 FEET AND A CENTRAL ANGLE OF 89°52'28"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 15.69 FEET TO THE POINT OF BEGINNING. CONTAINING 4,243.63 SQUARE FEET OR 0.0974 ACRES, MORE OR LESS.

SURVEYORS NOTES:

- 1.- THIS IS NOT A SURVEY.
- 2.- THIS SKETCH WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH; THEREFORE ONLY THOSE RIGHT OF WAY, ROAD RESERVATIONS OR EASEMENTS RECORDED ON THE PLAT ARE SHOWN HEREON (IF ANY).
3. THIS SKETCH DOES NOT INFER TITLE OR OWNERSHIP.
4. P.B. = PLAT BOOK; PG. = PAGE; R/W=RIGHT OF WAY; P.O.C.=POINT OF COMMENCEMENT; P.O.B.= POINT OF BEGINNING
5. SKETCH PREPARED BY TRI-COUNTY ENGINEERING, INC. THIS 14th DAY OF MAY, 2018.

DATE: 05-14-18

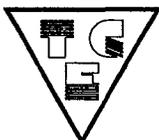
ORDER No. 180559

BY: JB

FOR: ROBERTO C GONZALES

EXHIBIT A
SHEET 2 OF 2

2849



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