ORDINANCE NO. 2013-86

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE RELEASE OF A PORTION OF A WATER AND SEWER LINE EASEMENT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF AN UNDERGROUND WATER AND SEWER MAIN LINE ON PROPERTY LOCATED AT 3240-3430 WEST 80 STREET, HIALEAH, FLORIDA, AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S LEGAL DESCRIPTION AND SKETCH ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; AND AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY TO EXECUTE THE PARTIAL RELEASE OF EASEMENT ATTACHED HERETO AS EXHIBIT "2".

WHEREAS, a water and sewer line easement were granted to the City by deed recorded on July 28, 2005 and recorded in the Public Records of Miami-Dade County, Florida at Book 23617, Pages 2347 through and including 2351;

WHEREAS, the portion of the easement to be vacated, more particularly described and illustrated on the surveyor's legal description and location sketch attached hereto as Exhibit 1, no longer serves a public purpose; and

WHEREAS, there being no water or sewer line facilities presently located within the portion of the easement proposed to be released or any existing water or sewer line facilities having been relocated;

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 authorizes the partial release of a water and sewer line easement granted by deed on July 28, 2005 and recorded in the public records of Miami-Dade County, Florida at Book 23617, Pages 2347 through and including 2351, for the installation, operation and maintenance of an underground water

and sewer main line on property located at 3240-3430 West 80 Street, Hialeah, Florida. The portion of the easement to be released is more particularly described in the surveyor's legal description and location sketch attached hereto and made a part hereof as Exhibit 1.

Section 2: For this purpose, the City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute a Partial Release of Easement attached hereto as Exhibit 2.

PASSED AND ADOPTED this ____ day of _____, 2013.

Isis Garcia-Martinez
Council President

Attest:

Approved on this 2 day of Dec, 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 6-0-1 vote with Council Members, Garcia-Martinez, Casals-Munoz, Caragol, Gonzalez, Hernandez and Lozano voting "Yes", Council Member Cue-Fuente was absent.