RESOLUTION NO. 11-02

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING A RELEASE OF UNITY OF TITLE CONCERNING LOTS 20 AND 21, BLOCK 91-B, AND LOTS 13, LESS THE WEST 10.50 FEET, AND LOTS 14 AND 15, BLOCK 94-B, AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, AS RECORDED IN PLAT BOOK 34, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. **PROPERTIES LOCATED AT 1065 EAST 26 STREET, HIALEAH, FLORIDA AND A PARKING LOT LOCATED AT 1066 EAST 26 STREET, HIALEAH, FLORIDA.**

WHEREAS, the property owner at that time, the Dimensional Plastics Corp. entered into a Unity of Title agreement dated October 3, 1977, which was recorded in Official Records Book 9823, at pages 167-168, of the Public Records of Miami-Dade County, Florida, under Clerk's File No. 77R249122, on properties located at 1065 East 26 Street Hialeah, Florida and a parking lot located at 1066 East 26 Street, Hialeah, Florida, bearing the following legal descriptions:

> LOTS 20 AND 21 BLOCK 91-B, AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA also known as 1065 East 26 Street, Hialeah, Florida.
>
> And
>
> LOT 13 LESS WEST 10.50 FEET, AND OF LOTS 14 AND 15, BLOCK 94-B, OF THE AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA also known as the parking lot located at 1066 East 26 Street, Hialeah, Florida.

WHEREAS, in 1953, the property located at 1065 East 26 Street, which is situated towards the middle of an industrial block of properties, was developed as an industrial warehouse with back-out parking located in the front of the property abutting the street; and

WHEREAS, in 1977, the property owner Dimensional Plastics Corp. desired to add commercial office space within the industrial property that required additional parking and to satisfy minimum parking requirements, the property owner entered into a unity of title joining the warehouse located at 1065 East 26 Street with a parking lot located on the adjacent block facing the property; and

WHEREAS, in 2003, a successor in title to both the warehouse property and the parking lot, Ronco Investments, a joint venture, conveyed a property that included the parking lot, but not the warehouse property, to individual trustees of the Metrorail Spanish Hialeah Congregation of Jehovah's Witnesses, without releasing the Unity of Title; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 03-63 (Aug. 26, 2003), the City approved a conditional use permit for a house of worship with associated parking and landscaping variances in connection with the Jehovah Witnesses Congregation located at 1066 East 26 Street; and

WHEREAS, in 2011, Ronco Investments desires to sell the property located at 1065 East 26 Street, Hialeah, Florida to the business owner who owns or occupies the two adjacent warehouses located at 1035 East 26 Street and 1055 East 26 Street, Hialeah, Florida so that the buyer can expand his precision machine shop, which is an industrial use that does not contemplate using the commercial office space as a separate commercial use; and

WHEREAS, the release of the Unity of Title can be approved because the industrial warehouse property provides for sufficient parking after taking into consideration on-site parking provides for 7 of the required 9 parking spaces and the allowance for additional 2 off-site parking spaces that can be located in the parking areas that serve Tri-Rail and Metrorail within the immediate vicinity.

WHEREAS, the Planning Division has no objection to the release of the Unity of Title dated October 3, 1977.

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

Section 1: The recitals and findings contained in the preamble to this resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

Section 2: The above-described Release of Unity of Title is hereby approved and ratified.

PASSED AND ADOPTED this 11th day of January, 2011.

Carlos Hernandez
Council President

Attest:

Approved on this 13 day of January, 2011.

David Concepcion, Acting City Clerk

Mayor Julio Robaina

Approved as to legal sufficiency and as to form:

William M. Grodnick, City Attorney

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

RELEASE OF UNITY OF TITLE

This Release of Unity of Title Agreement made at 501 Palm Avenue, Hialeah, Florida 33010 this ____ day of _____, 2011, by the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida and Ronco Investments, a Florida joint venture.

WITNESSETH:

WHEREAS, the property owner at that time, the Dimensional Plastics Corp. entered into a Unity of Title agreement dated October 3, 1977, which was recorded in Official Records Book 9823, at pages 167-168, of the Public Records of Miami-Dade County, Florida, under Clerk's File No. 77R249122, on properties located at 1065 East 26 Street Hialeah, Florida and a parking lot located at 1066 East 26 Street, Hialeah, Florida, bearing the following legal descriptions:

> LOTS 20 AND 21 BLOCK 91-B, AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA also known as 1065 East 26 Street, Hialeah, Florida.
>
> And
>
> LOT 13 LESS WEST 10.50 FEET, AND OF LOTS 14 AND 15, BLOCK 94-B, OF THE AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA also known as the parking lot located at 1066 East 26 Street, Hialeah, Florida.

WHEREAS, in 1953, the property located at 1065 East 26 Street, which is situated towards the middle of an industrial block of properties, was developed as an industrial warehouse with back-out parking located in the front of the property abutting the street; and

WHEREAS, in 1977, the property owner Dimensional Plastics Corp. desired to add commercial office space within the industrial property that required additional parking and to satisfy minimum parking requirements, the property owner entered into a unity of title joining the warehouse located at 1065 East 26 Street with a parking lot located on the adjacent block facing the property; and

WHEREAS, in 2003, a successor in title to both the warehouse property and the parking lot, Ronco Investments, a Florida joint venture, conveyed a property that included the parking lot, but not the warehouse property, to individual trustees of the Metrorail Spanish Hialeah Congregation of Jehovah's Witnesses, without releasing the Unity of Title; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 03-63 (Aug. 26, 2003), the City approved a conditional use permit for a house of worship with associated parking and landscaping variances in connection with the Jehovah Witnesses Congregation located at 1066 East 26 Street; and

WHEREAS, in 2011, Ronco Investments, a joint venture, desires to sell the property located at 1065 East 26 Street, Hialeah, Florida to the business owner who owns or occupies the two adjacent warehouses located at 1035 East 26 Street and 1055 East 26 Street, Hialeah, Florida so that the buyer can expand his precision machine shop, which is an industrial use that does not contemplate using the commercial office space as a separate commercial use; and

WHEREAS, the release of the Unity of Title can be approved because the industrial warehouse property provides for sufficient parking after taking into consideration on-site parking provides for 7 of the required 9 parking spaces and the allowance for additional 2 off-site parking spaces that can be located in the parking areas that serve Tri-Rail and Metrorail within the immediate vicinity.

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title on January ___, 2011 pursuant to Hialeah, Fla., Resolution 11-____ (January. ___, 2011); and

NOW, THEREFORE, in consideration of the premises hereof, the aforesaid Unity of Title dated October 3, 1977 executed by Dimensional Plastics Corp., as recorded in Official Records Book 9823, at pages 167-168, of the Public Records of Miami-Dade County, Florida, filed under Clerk's File No. 77R249122, is hereby released, nullified and canceled.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized this day and year first above written.

Signed, sealed and delivered
in the presence thereof:

Ronco Investments
1074 East 27 Street
Hialeah, Florida 33013

Authorized signature on behalf of
Ronco Investments

Attest:

By: _____ 1/12/11
Alan Barnette Date
Partner/Joint Venturer

(Seal)
_____
Witness
Printed/typed Name: GWYNETH MCIntosh

_____
Witness
Printed/typed Name: Cristina Gonzalez

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 12th day of January, 2011, by Alan Barnett as joint venture of Ronco Investments and on behalf of the joint venture He is personally known to me or has produced a driver's license with a photograph as identification and did take an oath.

Produced ID STATE: CA
C1484486

_____
Notary Public, State of Florida
SUSAN ALONSO
Typed/printed or stamped name

Commission No.

Notary Public State of Florida
Susan Alonso
My Commission DD756904
Expires 02/10/2012

CITY OF HIALEAH, FLORIDA
501 Palm Avenue/ P. O. Box 11-0040
Hialeah, Florida 33011-0040

Authorized signature on behalf of the City of Hialeah, Florida

Attest:

_____
David Concepcion
Acting City Clerk

_____ 1/13/11
Mayor Julio Robaina Date

(SEAL)

Angela Alfonso

Witness
Printed/typed Name: Angela Alfonso

Witness
Printed/typed Name:_____

Approved as to legal sufficiency and as to form:

William Grodnick

William M. Grodnick
City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 14 day of January 2011, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by David Concepcion, Acting ~~City Clerk~~ of the City of Hialeah, Florida on behalf of the City of Hialeah. They are personally known to me or have produced _____ as identification and did (did not) take an oath.

Carmen B. Hernandez

Notary Public, State of Florida

Carmen B. Hernandez

Typed/printed or stamped name

Commission No.

CARMEN B. HERNANDEZ
MY COMMISSION # EE13068
EXPIRES: August 03, 2014
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

S:\WMG\contracts\releaseunityoftitle1065east26street.docx

UNITY OF TITLE

77R249122

OFF REC 9823 PG 167 '77 OCT 6 PM 4:32

WTB

In consideration of the issuance of a permit to

DIMENSIONAL PLASTICS CORP.

Dade County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict the use of the following legally described property, See Exhibit "A" attached hereto and made a part hereof.

also known as

Dade County, Florida, in the following manner:

1. That said property shall be considered as one plot and parcel of land, and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.

2. The undersigned further agrees that this condition, restriction, and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs and assigns until such time as the same may be released in writing by the Director of the City of Hialeah Zoning Department or the executive officer of the successor of such department, or, in the absence of such director or executive officer, by his assistant in charge of the office in his absence.

Signed, sealed, executed, and acknowledged on this 3rd day of October 1977.

WITNESSES:

DIMENSIONAL PLASTICS CORP.

By (SEAL)
S. RONALD BARNETTE, President

(SEAL)
S. RONALD BARNETTE, Individually

STATE OF FLORIDA)
SS
COUNTY OF DADE)

I HEREBY CERTIFY that on this 3rd day of October, A. D., 19 77 before me personally appeared S. RONALD BARNETTE, President of DIMENSIONAL PLASTICS CORP. * to me known to be the person described in and who executed the foregoing instrument, and acknowledged to me the execution thereof to be his free act and deed for the uses and purposes therein mentioned, on behalf of the corporation.

* and S. RONALD BARNETTE, Individually

WITNESS my signature and official seal at Miami in the County and State aforesaid, the day and year last aforesaid.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 17 1980
BONDED THRU GENERAL INS. UNDERWRITERS

My Commission Expires:

Notary Public

This instrument was prepared by
William A. Weber, Esq., 1401 Brickell Ave., PH #1, Miami, Florida 33131 (305) 377-3501

EXHIBIT "A"

Building located on that property more particularly described as follows:

Lots 20 and 21, Block 91-B of the AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH according to the Plat thereof recorded in Plat Book 34, Page 26 of the Public Records of Dade County, Florida.

Parking lot located on that property more particularly described as follows:

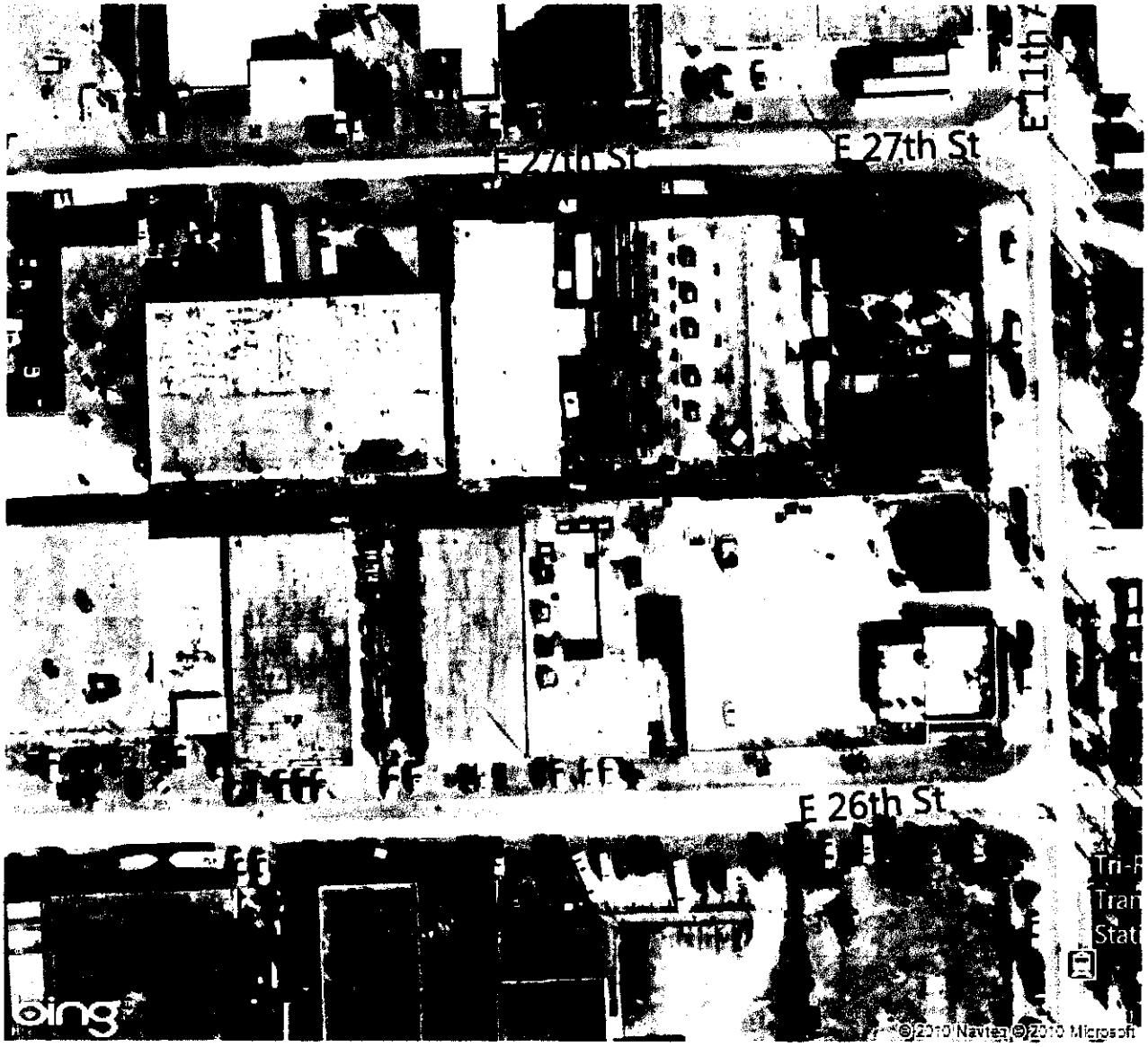
Lot 13 less West 10.50 feet, and all of Lots 14 and 15, Block 94-B of the AMENDED PLAT OF THE AMENDED PLAT OF THE THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof recorded in Plat Book 34, Page 26 of the Public Records of Dade County, Florida.

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
RECORD VERIFIED
RICHARD P. BRINKER,
CLERK CIRCUIT COURT

Bing Maps

1065 East 26th Street

FREE! Use Bing 411 to find movies, businesses & more: 800-BING-411



Bird's eye view maps can't be printed, so another map view has been substituted.

Map of 1065 E 26th St, Hialeah, FL 33013-3717 - Bing Maps - Windows Internet Explorer

File Edit View Favorites Tools Help

Map of 1065 E 26th St, Hialeah, FL 33013-3717 - Bing...

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bing Maps

1065 E 26 Street, Hialeah, FL

Web Maps News

World • United States • FL • Miami-Dade Co. • Hialeah • East Hialeah

Bird's eye

Internet 100%

Start Map of 1065 E 26th S... 1:06 PM

Tuesday, Dec 28, 2010 01:06 PM

CFN 2003R0676878
OR Bk 21638 Pgs 1885 - 1886; (2pgs)
RECORDED 09/12/2003 15:23:44
DEED DOC TAX 3,750.00
SURTAX 2,812.50
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This Document Prepared By and Return to:
Elizabeth A. Merceret, Esq.
1800 W 49th Street, Suite 324K
Hialeah, Florida 33012

SPECIAL WARRANTY DEED

THIS INDENTURE, made this day of September, 2003.

BETWEEN Ronco Investments, a Florida Joint Venture, whose post office address: 1065 East 26th Hialeah, Florida 33013, County of Miami-Dade, State of Florida, grantors, and,

Pablo L. Sanchez, Manuel Varela, Jr. and Carlos Garrido, as Trustees of Metrorail Spanish Hialeah Congregation of Jehovah's Witnesses, whose post office address is: c/o Randy A. Tobie, 135 NW 86th Street, Miami, Florida 33150 of the County of Miami-Dade, State of Florida, grantee,

WITNESSETH, that said grantor, for and in consideration of the sum of TEN ($10.00) and other good and valuable considerations to said grantor in have paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to wit:

Folio # SS#[redacted]

The East 19.50' of Lot 9 and all of Lots 10 thru 15, Block 94B Subdivision Amended Plat of the Amended Plat of Thirteenth Addition to Hialeah according to the Plat thereof as recorded in Plat Book 34, at page 26 of the Public Records of Miami-Dade County, Florida.

Subject to conditions and restrictions of record, except that this shall not be construed to re-impose same; subject to taxes for the year 2003 and subsequent years and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other. (Grantor and grantee are used for singular or plural, as context requires.)

Warranty Deed03/hd/witnessRonco

(2)

This Document Prepared By and Return to:
Elizabeth A. Merceret, Esq.
1800 W 49th Street, Suite 324K
Hialeah, Florida 33012

IN WITNESSES WHEREOF, Grantors have hereunto set grantors= hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Ronco Investments

NAME: [signature] Robert Traurig (Seal)
By: **Robert Traurig, as Partner/Joint Venturer**

Karen Hinkes
NAME: KAREN HINKES

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared **Robert Traurig, as Partner/Joint Venture,** to me known to be the person(s) described in and who executed the foregoing instrument or who provided the following identification: _____ and acknowledged before me that they executed the same, which was sworn/not sworn.

WITNESS my hand and official seal in the County and State last aforesaid this 4 day of September, 2003.

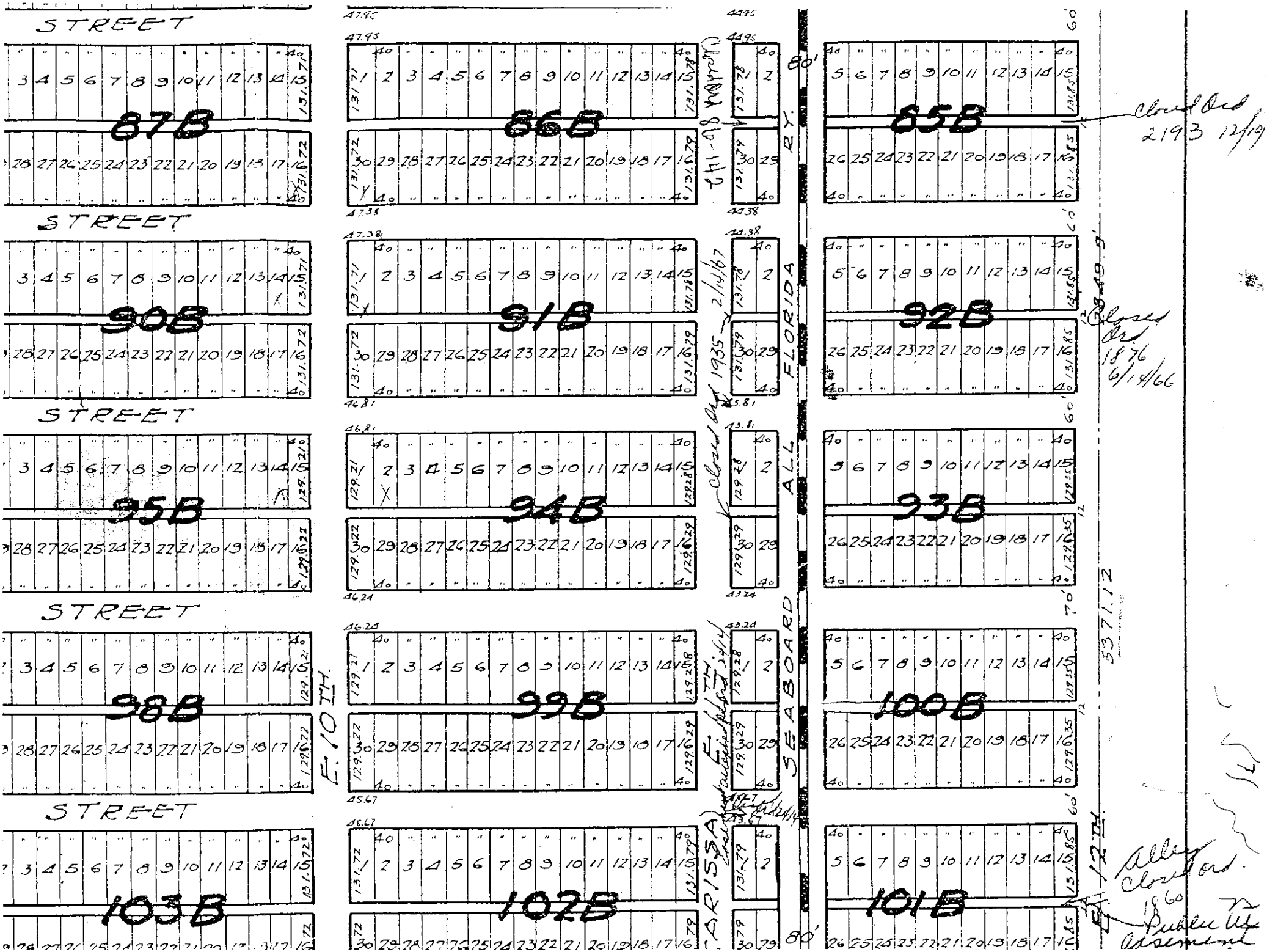
Karen Hinkes
Notary Name: KAREN HINKES
My Commission expires:

OFFICIAL NOTARY SEAL
KAREN HINKES
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC905819
MY COMMISSION EXP. FEB. 20,2004

Warranty Deed03/hd/witnessRonco

SUMMARY OF PERTINENT DATA

Type of Property	:	Warehouse Manufacturing Building
Location	:	1065 E. 26th Street, Hiaheah, Florida
Site Description	:	A rectangular industrial shaped parcel of land with 80.00± feet of exposure along E. 26th Street and approximately 131.75 feet in depth. The rear of the site abuts a public access alley. According to the appraiser the site contains 10,540 square feet which is consistent with the Miami-Dade County Property Appraiser.
Improvement Description	:	Single Tenant Warehouse/Manufacturing building containing 9,011 square feet with 1,238 square feet or 13.7% finished office.
Zoning	:	M-1, Light Industrial , by the City of Hialeah.
Land Use Designation	:	Industrial
Highest and Best Use	:	Present use.
Final Estimate of Value	:	$541,000
Date of Value	:	May 11, 2006


STREET
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Closed Ord 1876 6/14/66
Closed Ord 1935 2/14/67
Closed Ord 1860
Public Use Easement
5371.12