RESOLUTION NO. 07-106

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE RELEASE AND CANCELLATION OF A UNITY OF TITLE DATED AUGUST 10, 1978 AS RECORDED IN OFFICIAL RECORDS BOOK 10156, PAGE 797, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND FURTHER AUTHORIZE THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO EXECUTE THE RELEASE IN FURTHERANCE THEREOF. **PROPERTIES LOCATED AT 621 WEST 20 STREET AND 651 WEST 20 STREET, HIALEAH, FLORIDA.**

WHEREAS, the property owner of two adjoining industrial properties desires to release a 1978 unity of title to allow the property owner and any subsequent purchaser(s) of either or both of the two properties the ability to own and use the two buildings separately for independent purposes; and

WHEREAS, the released properties will satisfy minimum zoning, including parking requirements, independently of each other for industrial and other currently authorized uses, provided that the connecting bridges be removed by the owners of the two properties within 90 days of different ownership.

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

Section 1: The Mayor and the City Council of the City of Hialeah, Florida hereby approve the release and cancellation of a Unity of Title dated August 10, 1978 as recorded in the Official Records Book 10156, page 797, of the Public Records of Miami-Dade County, Florida on properties located at 621 West 20 Street and 651 West 20

Street, Hialeah, Florida and further authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the release in furtherance thereof.

PASSED AND ADOPTED this 28th day of August, 2007.

Esteban Bovo
Council President

Attest:

Approved on this 30th day of August, 2007.

Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

m:\real estate\coulterc\sale of 621 & 651 bldgs. - hialeah\resolution release of unity of title 621 west 20 street.doc

Resolution was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel 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 _____, 2007, by the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida.

WITNESSETH:

WHEREAS, on August 10, 1978, Coulter Electronics, Inc. executed a Unity of Title which was recorded in Official Records Book 10156, page 797, of the Public Records of Miami-Dade County, Florida on properties having a street address of 621 West 20 Street and 651 West 20 Street, Hialeah, Miami-Dade County, Florida, under Clerk's File No. 78R245497, bearing the following legal description:

> THE WEST 338 FEET OF THE EAST 548 FEET OF TRACT 1, BLOCK 2, BING'S RED ROAD TERMINALS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
>
> AND
>
> WEST 100 FEET OF THE 210 FEET OF TRACT 1, BLOCK 2, BING'S RED ROAD TERMINALS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, the Unity of Title was executed in order to treat the site as one use; and

WHEREAS, the property owner desires the ability to own and use, and to sell the property to different purchasers who would own and use the two buildings for two separate businesses, and wishes to have the Unity of Title released; and

WHEREAS, the separated parcels will satisfy minimum zoning, including parking, requirements independent of each other; and

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title on August ___, 2007 by Hialeah, Fla., Resolution 07-____ (August. ___, 2007); and

WHEREAS, the property owner has executed this Release.

NOW, THEREFORE, in consideration of the premises hereof, the aforesaid Unity of Title dated August 10, 1978 executed by Coulter Electronics, Inc., as recorded in Official

Records Book 10156, page 797, of the Public Records of Miami-Dade County, Florida, is hereby released, nullified and canceled.

IN WITNESS WHEREOF, the parties hereto have cause 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:

Beckman Coulter, Inc.
4300 N. Harbor Blvd.
Fullerton, California
Miami, Florida 33012

Authorized signature on behalf of
Beckman Coulter, Inc.

Attest:

_____
Corporate Secretary

By:_____
President Date

(Seal)

_____
Witness
Printed/typed Name:_____

_____
Witness
Printed/typed Name:_____

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this ____ day of _____, 2007, by _____, as President of _____, and attested by _____, as Secretary, on behalf of the corporation. They are personally known to me or have produced _____as identification and did (did not) take an oath.

_____
Notary Public, State of Florida

_____
Typed/printed or stamped name
Commission No.

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:

_____
Rafael E. Granado
City Clerk (SEAL)

_____
Mayor Julio Robaina Date

_____
Witness
Printed/typed Name:_____

_____
Witness
Printed/typed Name:_____

Approved as to legal sufficiency and as to form:

_____
William M. Grodnick
City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this ___ day of _____, 2007, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by Rafael E. Granado, 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.

_____
Notary Public, State of Florida

_____
Typed/printed or stamped name
Commission No.

s:/wmg/contr/releaseunityoftitle621west20street.doc

DUNWODY
WHITE &
LANDON, P.A.

ATTORNEYS AT LAW

JACKSON M. BRUCE, JR.
CINDY M. CAMPBELL
DANIEL K. CAPES
NEIL R. CHRYSTAL
JORGE DE LA CRUZ-MUÑOZ
JACK A. FALK, JR.
RONALD L. FICK
JOHN J. GRUNDHAUSER
DAVID M. HALPEN
CECILIA B. HASSAN
ROBERT D. W. LANDON, II
JEREMY P. LEATHE
THOMAS J. MATKOV
WILLIAM T. MUIR
DAVID R. PASH
ALFRED J. STASHIS, JR.
ROBERT A. WHITE

ATWOOD DUNWODY (1912-1996)

Please reply to Miami Office
E-mail: tmakov@dwl-law.com

November 30, 2007

Via FedEx

William M. Grodnick, Esq.
City Attorney
501 Palm Avenue, 4th Floor
Hialeah, Florida 33010

Re: Release of Unity of Title
621 & 651 W. 20 Street, Hialeah, FL

Dear. Mr. Grodnick:

Enclosed is the Release of Unity of Title executed by Beckman Coulter. This is being delivered to you for execution by the City and recording in the Public Records of Miami-Dade County.

Please send me a copy of the fully executed and recorded Release at your earliest convenience.

Thank you for your attention to this matter.

Sincerely,

Thomas J. Matkov

TJM:jp

Enclosure

cc: Jack E. Sorokin, Esq. *(w/o copies of encls.)*
Thomas G. Sherman, Esq. *(w/o copies of encls.)*

m:\real estate\coulterc\sale of 621 & 651 bldgs. - hialeah\ltr - grodnick.doc

MIAMI
550 Biltmore Way
Suite 810
Coral Gables, Florida 33134
Telephone 305/529-1500
Fax 305/529-8855

NAPLES
4001 Tamiami Trail North
Suite 200
Naples, Florida 34103
Telephone 239/263-5885
Fax 239/262-1442

PALM BEACH
Plaza Center, Suite 501
249 Royal Palm Way
Palm Beach, Florida 33480
Telephone 561/655-2120
Fax 561/655-2168

www.dwl-law.com

CFN 2007R1185856 OR BK 26107 Pgs 3500 - 3502; (3pgs)
RECORDED 12/14/2007 11:53:17
HARVEY RUVIN, CLERK OF COURT, MIAMI-DADE COUNTY, FLORIDA

RELEASE OF UNITY OF TITLE

This Release of Unity of Title Agreement made at 501 Palm Avenue, Hialeah, Florida 33010 this 5th day of December, 2007, by the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida.

WITNESSETH:

WHEREAS, on August 10, 1978, Coulter Electronics, Inc. executed a Unity of Title which was recorded in Official Records Book 10156, page 797, of the Public Records of Miami-Dade County, Florida on properties having a street address of 621 West 20 Street and 651 West 20 Street, Hialeah, Miami-Dade County, Florida, under Clerk's File No. 78R245497, bearing the following legal description:

> THE WEST 338 FEET OF THE EAST 548 FEET OF TRACT 1, BLOCK 2, BING'S RED ROAD TERMINALS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
>
> AND
>
> WEST 100 FEET OF THE 210 FEET OF TRACT 1, BLOCK 2, BING'S RED ROAD TERMINALS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, the Unity of Title was executed in order to treat the site as one use; and

WHEREAS, the property owner desires the ability to own and use, and to sell the property to different purchasers who would own and use, the two buildings for two separate businesses, and wishes to have the Unity of Title released; and

WHEREAS, the separated parcels will satisfy minimum zoning, including parking, requirements independent of each other; and

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title by Hialeah, Fla., Resolution 07-106 (August. 28, 2007); and

WHEREAS, the property owner has executed this Release.

NOW, THEREFORE, in consideration of the premises hereof, the aforesaid Unity of Title dated August 10, 1978 executed by Coulter Electronics, Inc., as recorded in Official

Records Book 10156, page 797, of the Public Records of Miami-Dade County, Florida, is hereby released, nullified and canceled.

IN WITNESS WHEREOF, the parties hereto have cause 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:

Beckman Coulter, Inc.
4300 N. Harbor Blvd.
Fullerton, California 92835

Authorized signature on behalf of
Beckman Coulter, Inc.

Attest:

Jack E. Sorokin
Assistant Corporate Secretary

By:

Charles P. Slacik,
Senior Vice President and Chief Financial Officer

Date: 11/26/2007

Witness
Printed/typed Name: JOAN PRECHTL

Witness
Printed/typed Name: Karen M. Reno

STATE OF CALIFORNIA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 26 day of November 2007, by Charles P. Slacik as Senior President and Chief Financial Officer of Beckman Coulter, Inc. and attested by Jack E. Sorokin as Assistant Secretary, on behalf of the corporation. They are personally known to me..

Mariza Morse
Notary Public, State of California

MARIZA MORSE
Commission # 1631741
Notary Public - California
ORANGE COUNTY
My Comm. Expires Dec. 20, 2009

Typed/printed or stamped name
Commission No.

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:

Rafael E. Granado
City Clerk (SEAL)

Mayor Julio Robaina Date 12/5/07

Witness
Printed/typed Name: Jose Del Risco, II

Witness
Printed/typed Name: Sandra Garcia

Approved as to legal sufficiency and as to form:

William M. Grodnick
City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this ___ day of _____, 2007, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by Rafael E. Granado, 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.

_____
Notary Public, State of Florida

_____
Typed/printed or stamped name
Commission No.