RESOLUTION NO.: 2014-098

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING AN EASEMENT FROM PARAISO GARDENS LLC, A FLORIDA CORPORATION, BY AND THROUGH ITS MANAGER, MARTHA FERNANDEZ, TO INSTALL, OPERATE AND MAINTAIN AN UNDERGROUND WATER LINE MAIN LOCATED WITHIN A PORTION OF TRACT 11 OF CHAMBERS LAND COMPANY SUBDIVISION, OF THE NORTHWEST ¼ OF SECTION 28, TOWNSHIP 52, RANGE 40 EAST, AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S SKETCH ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, the City of Hialeah received a water line easement from Paraiso Gardens, LLC for the installation, operation and maintenance of an underground water line main located within a portion of Tract 11 of Chambers Land Company Subdivision, of the Northwest ¼ of Section 28, Township 52, Range 40 East, and more particularly described in Exhibit 1; and

WHEREAS, the terms of the easement are provided for in the Water Line Easement attached as Exhibit 2.

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 accepts an easement, pursuant to the Water Line Easement attached as Exhibit 2, for the installation, operation and maintenance of an underground water line main located within a portion of Tract 11 of Chambers Land Company Subdivision, of the Northwest ¼ of Section 28, Township 52,

Range 40 East, and more particularly described in the surveyor's sketch attached hereto and made a part hereof as Exhibit 1.

PASSED AND ADOPTED this 12 day of August, 2014.

Isis Garcia-Martinez
Council President

Attest:

Approved on this 15 day of August, 2014.

Marbelys Fatjo, Acting City Clerk

Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

K.C.

Lorena E. Bravo, Acting City Attorney

Resolution was adopted by a 6-0-1 vote with Council Members Caragol, Casáls-Muñoz Cue-Fuente, Garcia-Martinez Hernandez, Lozano & voting "Yes", and Council Vice President Gonzalez absent

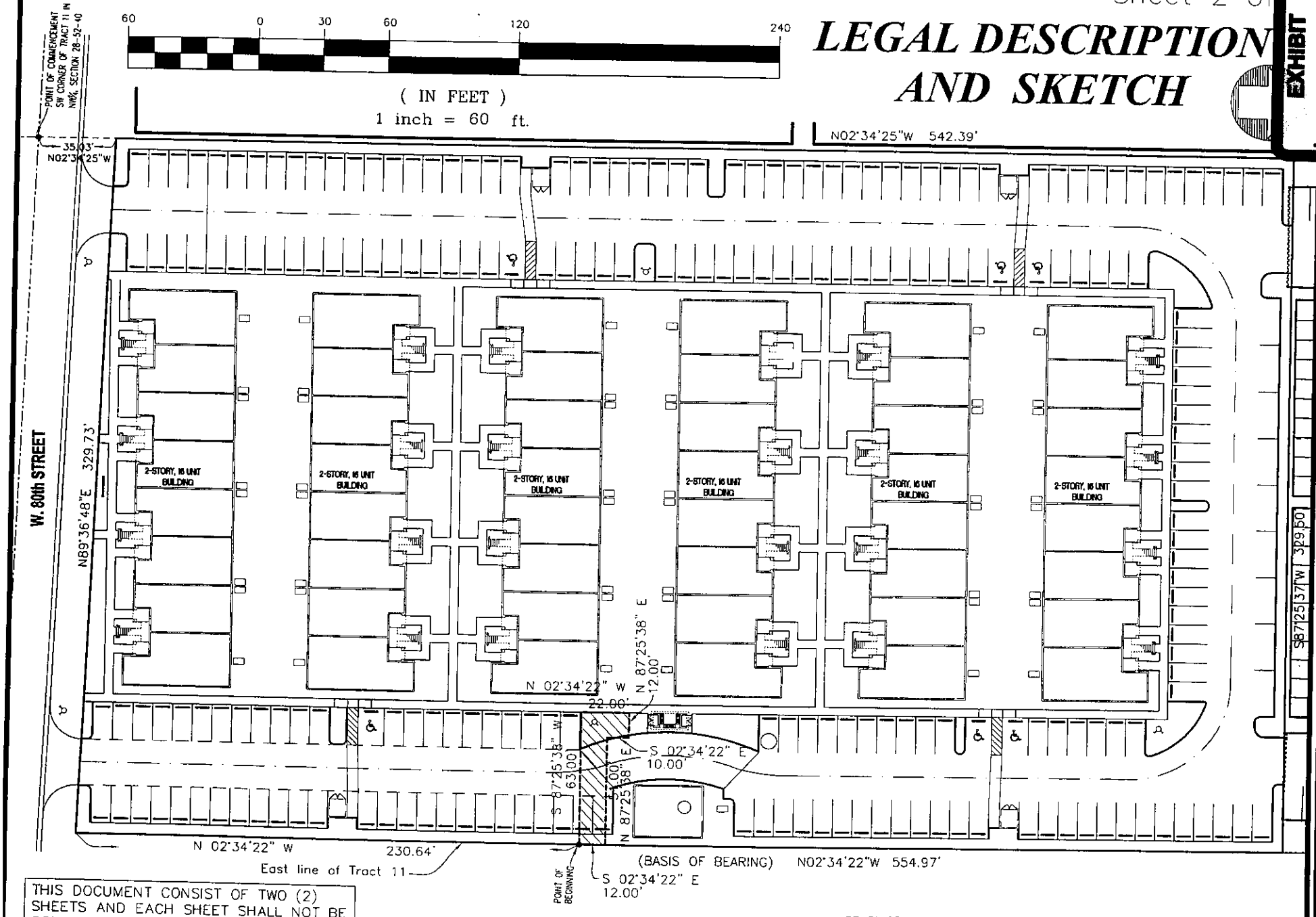
LEGAL DESCRIPTION AND SKETCH

EXHIBIT

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.



THIS DOCUMENT CONSIST OF TWO (2) SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

THIS SKETCH IS NOT A BOUNDARY SURVEY.

BEARINGS SHOW HEREON REFER TO AN ASSUMED VALUE OF N 02°34'22" W FOR THE EAST LINE OF TRACT 11.

Delta Mapping
LB N
13301 SW 132ND AVE
PHONE: (786) 429-1024 E

LEGAL DESCRIPTION AND SKETCH
PARAISO GARDENS

DATE: 07-15-14
SCALE: 1"=60'
JOB NO. 14-0438a
DRAWN BY: M.A.B.
SHEET 2 of 2

LEGAL DESCRIPTION AND SKETCH

LEGAL DESCRIPTION FOR EASEMENT:

A portion of Tract 11, of "CHAMBERS LAND" COMPANY SUBIDVISION", of the NW 1/4 of Section 28,Township 52 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2 at Page 68 of the Public Records of Miami-Dade County, Florida, described as follows:

COMMENCE at the Southwest corner of said Tract 11; thence North 02 degrees 34 minutes 25 seconds West, along the West line of said Tract 11, for 35.03 feet; thence North 89 degrees 36 minutes 48 seconds East for 329.73 feet; thence North 02 degrees 34 minutes 22 seconds West, along the East line of said Tract 11, for 230.64 feet to the POINT OF BEGINNING; thence South 87 degrees 25 minutes 38 seconds West for 63.00 feet; thence North 02 degrees 34 minutes 22 seconds West for of 22.00 feet; thence North 87 degrees 25 minutes 38 seconds East for 12.00 feet; thence South 02 degrees 34 minutes 22 seconds East for 10.00 feet; thence North 87 degrees 25 minutes 38 seconds East for 51.00 feet; thence South 02 degrees 34 minutes 22 seconds East, along the East line of said Tract 11, for 12.00 feet to the POINT OF BEGINNING, containing 876 square feet.

I HEREBY CERTIFY: That the LEGAL DESCRIPTION AND SKETCH of the above captioned property was completed under my supervision and/or direction, to the best of my knowledge and belief. This survey meets or exceeds the Minimum Technical Standards set forth by the Florida Board of Land Surveyors in Chapter 5J-17 Florida Administrative Code. Pursuant to Section 472.027, Florida Statutes.

DELTA MAPPING AND SURVEYING, INC.
13301 SW 132ND AVENUE, NO. 117
MIAMI, FLORIDA 33186

WALDO F. PAEZ DATE SIGNED: 7.25.14
PROFESSIONAL SURVEYOR AND MAPPER
NO. 3284
STATE OF FLORIDA

CERTIFICATE OF AUTHORIZATION
L.B. NO. 7950
STATE OF FLORIDA

786-429-1024
FAX: 786-592-1152

FIELD SURVEY DATE: 07-15-14 SCALE: 1' = 60' DRAWN BY: M.A.B.
DRAWING DATE: 07-15-14 FB: SKETCH DRAWING NO.: 14-0438a

LEGAL DESCRIPTION WRITTEN PER AS-BUILT DONE BY RADIUS PROFESSIONAL SURVEYOR & MAPPER, LLC, DRAWING NO.: 1214-C-13_C14, FILE: 13336

THIS SKETCH IS NOT A BOUNDARY SURVEY.

THIS DOCUMENT CONSIST OF TWO (2) SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL,VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BEARINGS SHOW HEREON REFER TO AN ASSUMED VALUE OF N 02°34'22" W FOR THE EAST LINE OF TRACT 11.

Delta Mapping and Surveying, Inc
LB NO. 7950
ESTD 2014
13301 SW 132ND AVENUE, SUITE 117 MIAMI FL 33186
PHONE:(786) 429-1024 E-MAIL:DELTAMAPPING@GMAIL.COM

LEGAL DESCRIPTION AND SKETCH
PARAISO GARDENS

DATE: 07-15-14
SCALE: 1"=60'
JOB NO: 14-0438a
DRAWN BY: M.A.B.
SHEET 2 of 2

Document prepared by:
Armando Vidal, P.E., Director
City of Hialeah Department of Water and Sewers
3700 West 4 Avenue
Hialeah, Florida 33012
Tele: (305) 556-3800
Folio No. 04-2028-001-0353 & 04-2028-001-0352
Return to same address as above.

WATER LINE EASEMENT

The undersigned, in consideration of the payment of $1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to the City of Hialeah, Florida, through its Department of Water and Sewers ("Grantee"), its agents, successor and assigns, an easement for the installation, operation and maintenance of an underground water (line) main located within (See the attached description) bearing the following described real property: See attached Exhibit "A"

This easement is given by the undersigned Grantor, Paraiso Gardens LLC and accepted by the Grantee, City of Hialeah, Florida, Department of Water and Sewers. It is further acknowledged that the water (main) line shall be installed at or below the finished ground line within the easement area. The grant of this easement shall in no way restrict the right and interest of the Grantor in the use and quiet enjoyment of the affected property, except that no permanent structure shall be built on the easement area. City of Hialeah, Florida shall repair any damage to the property caused by the installation, operation or maintenance of the water (line) main, at its expense. The Grantee agrees that its use of the easement shall not interfere, impede or obstruct the Grantor's use and quiet enjoyment of the affected property, except as provided in this easement.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on this 23 day of July 2013

Signed, sealed and delivered in the presence of:

GRANTOR: Paraiso Gardens LLC

Attest:

~~Corporate Secretary~~ Manager, Paraiso Gardens LLC.

Witness (2 witnesses required)
Typed/Printed Name: Lorena Hernandez

Witness
Typed/Printed Name: Tros Torres

Typed/Printed Name: Martha Fernandez
Title: Manager
(SEAL)

State of Florida
County of Miami-Dade, Florida

The foregoing instrument was acknowledged before me on this 23 day of July, 2004 by Martha Fernandez as Manager of Paraiso Gardens, LLC. on behalf of the corporation who are personally known to me or have produced as identification and did (did not) take an oath and who attest(s) to the truth and accuracy of the representations contained herein.

Notary Public, State of Florida at large
Estrella Garciga
Name of Notary typed, printed or stamped
Commission No.:

ESTRELLA M. GARCIGA
Notary Public - State of Florida
My Comm. Expires Aug 5, 2015
Commission # EE 111406
Bonded Through National Notary Assn.

wmg/contracts/waterlineeasementformcorp

EXHIBIT 2