RESOLUTION NO. 2015-08

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING A DEED FROM AMB I-75, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS GRANTOR, TO THE CITY OF HIALEAH, CONVEYING TITLE TO CERTAIN LAND DESCRIBED THEREIN, FOR THE CONSTRUCTION OF A WELL SITE FOR THE REVERSE OSMOSIS WATER TREATMENT PLANT, RESERVING A REVERSIONARY INTEREST IN THE GRANTOR SHOULD SUCH USE BE ABANDONED, A COPY OF THE DEED IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, AMB I-75, LLC, a Delaware limited liability company, has conveyed a parcel of land by deed more particularly described in the instrument for the purpose of constructing a well site for the reverse osmosis water treatment plant; and

WHEREAS, it is in the best interest and welfare of the residents of the City of Hialeah to accept this conveyance in order to further develop and improve the water and sewer system of the City of Hialeah.

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 the deed from AMB I-75, LLC, a Delaware limited liability company, to the City of Hialeah, conveying title to certain land, more particularly described in the instrument, for use as a well site for the reverse osmosis water treatment plant, a copy of which is attached hereto and made a part hereof as Exhibit "1".

PASSED AND ADOPTED this 13 day of January, 2015.

Isis Garcia-Martinez
Council President

Attest:

Carmen B. Hernandez
Acting Deputy City Clerk

Approved on this 23 day of January, 2015.

Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

Lorena E. Bravo, City Attorney

S:\DDP\LEGISLATURE\RESO 2015\DeedReverseOsmosisWaterPlant RESO.docx

Resolution was adopted by a (5-0-2) vote with Council Members, Garcia-Martinez, Caragol, Casáls-Muñoz, Cue-Fuente, & Hernandez voting "Yes", and Council Vice President Gonzalez & Council Member Lozano absent.

Return to:
City of Hialeah
501 Palm Avenue
Hialeah, Florida 33010

Instrument prepared by:
Felix Lasarte, Esq.
3240 NE 1st Avenue, Suite 334
Miami, Florida 33137

Folio No.: a portion of 30-2008-001-0740
User Department: Water and Sewer Department

DEED TO CITY OF HIALEAH
CONVEYS THE TITLE FOR USE AS A WELL SITE
FOR THE REVERSE OSMOSIS WATER PLANT

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 22 day of DECEMBER, A.D. 2014, by and between **AMB I-75, LLC,** a Delaware limited liability company, whose address is c/o NRAI Services, Inc., 273 Executive Park Drive, Suite 4, Weston, Florida, 33331, party of the first part, and **CITY OF HIALEAH,** a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 501 Palm Avenue, Hialeah, Florida 33010, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar ($1.00) in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable consideration, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the exclusive purpose of a public water well for the reverse osmosis water plant and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land ("Land"), situate, lying and being in the City of Hialeah, State of Florida, to-wit:

See attached Exhibit "A"

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for the exclusive use as a well for the reverse osmosis water plant.

Exhibit "1"

The land is being conveyed to the party of the second part in connection with a Developer's Agreement for water and sewer services for the AMB I-75 development. It is contemplated that the City of Hialeah shall have ten (10) years, from the date hereof, to construct the well site for the reverse osmosis water plant. In the event that the City of Hialeah does not construct the well site within ten (10) years or abandons the well site once constructed, the use of the land as a well site shall be deemed to be lawfully and permanently discontinued, upon which title to the Land shall immediately revert to the party of the first part, its successors and assigns, and the party of the first part shall have the right to immediately repossess the same.

The foregoing conveyance is made by said party of the first part subject to taxes for the year 2014 and subsequent years, and easements, restrictions, limitations and other matters of record.

And the said party of the first part does hereby fully warrant the title to said land, subject to the matters set forth above, and will, subject to the matters set forth above, defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it, but against no others.

IN WITNESS WHEREOF, the said party of the first part, has hereunto set its hand and seal, the day and year first above written.

Signed, Sealed and Delivered in our presence:

AMB I-75, LLC,
a Delaware limited liability company

Witness

By: JENNIFER R. MORGAN
Its: VP DEVELOPMENT

Dayana Figueroa
Witness Printed Name

Leslie Menendez
Witness

LESLIE MENENDEZ
Witness Printed Name

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 22 day of DECEMBER 2014, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared JENNIFER R. MORGAN as VP DEVELOPMENT of AMB I-75, LLC, a Delaware limited liability company, personally known to me, or proven, by producing the following methods of identification: PERSONALLY KNOWN TO ME to be the person(s) who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

NOTARY SEAL/STAMP

LISETTE GOYANES
Notary Public - State of Florida
My Comm. Expires Oct 2, 2018
Commission # FF 158829
Bonded through National Notary Assn.

Notary Signature

Lisette Goyanes
Printed Notary Name

The foregoing was accepted and approved on the _____ day of _____, A.D. 2014, by the City of Hialeah.

City of Hialeah

_____

Name: _____

Position: _____

Approved as to form
and legal sufficiency

_____

Lorena Bravo
City Attorney
City of Hialeah

LEGAL DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

A PORTION OF TRACT 40, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No 1 IN SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 28 MINUTES 12 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 9, FOR A DISTANCE OF 2170.22 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE I-75, AS SHOWN ON THAT CERTAIN RIGHT-OF-WAY MAP FOR INTERSTATE I-75 SECTION No 87075-2402; THENCE NORTH 02 DEGREES 36 MINUTES 48 SECONDS WEST, ALONG THE AFORE-DESCRIBED WEST RIGHT-OF-WAY LINE OF INTERSTATE I-75 FOR A DISTANCE OF 140.09 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND TO BE HEREINAFTER DESCRIBED: THENCE CONTINUE NORTH 02 DEGREES 36 MINUTES 48 SECONDS WEST, ALONG THE LAST DESCRIBED COURSE FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 12 SECONDS WEST, ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 9 FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 48 SECONDS EAST, PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF SAID INTERSTATE I-75 FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 12 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH AND 140.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF SAID SECTION 9, FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

NOTES:

1. BEARINGS AS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 28 MINUTES 12 SECONDS EAST ALONG THE SOUTH LINE OF SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST PER THE HEREIN REFERENCED PLAT BOOK 2, PAGE 17.
2. THIS SKETCH AND LEGAL DESCRIPTION MUST BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE ATTESTING FLORIDA LICENSED SURVEYOR AND MAPPER.
3. PREPARED FOR: PROLOGIS

Schwebke-Shiskin & Associates, Inc. (LB-87)
LAND SURVEYORS • ENGINEERS • LAND PLANNERS
3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 552-8284

THIS IS NOT A "LAND SURVEY."

ORDER NO.: 203248

DATE: 09-22-2014

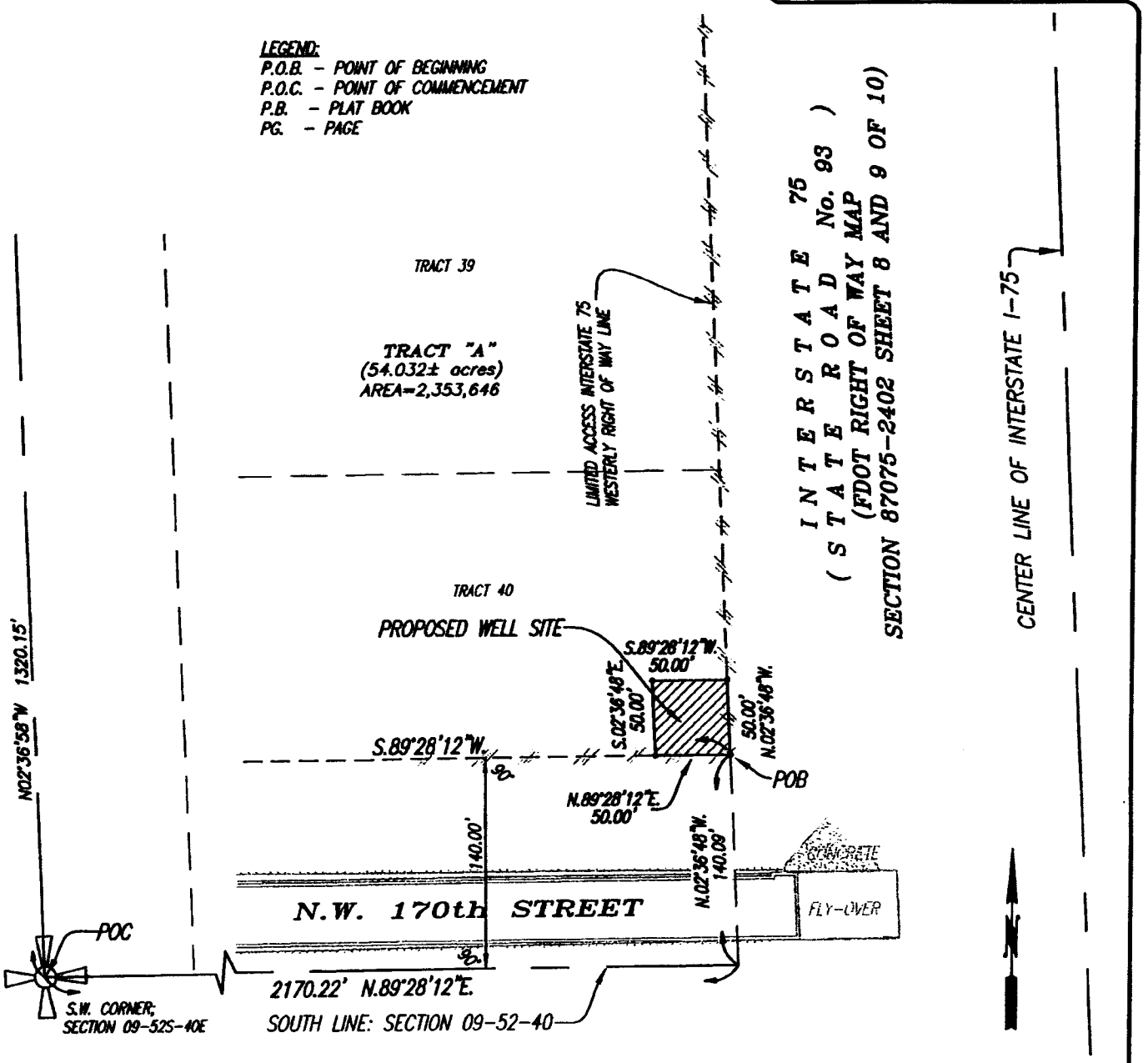
SHEET 2 OF 2 SHEET(S)

F.B.: FB

PREPARED UNDER MY SUPERVISION:

ALFONSO C. TELLO PRESIDENT
FLORIDA PROF. LAND SURVEYOR NO. 2978

SKETCH TO ACCOMPANY EASEMENT LEGAL DESCRIPTION
EXHIBIT "A"



Schwebke-Shiskin & Associates, Inc. (LB-87)

LAND SURVEYORS • ENGINEERS • LAND PLANNERS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284

THIS IS NOT A "LAND SURVEY."

ORDER NO.: 203248

DATE: 09-22-2014

F.B.: FB

SHEET 1 OF 2 SHEET(S)

PREPARED UNDER MY SUPERVISION:

ALFONSO C. TELLO PRESIDENT

FLORIDA PROF. LAND SURVEYOR NO. 2978