

**ORDINANCE NO. 2019-091**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING THE RIGHT OF WAY DEED ATTACHED AS EXHIBIT "1" FROM RELP BEACON LOGISTICS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, CONVEYING RIGHTS-OF-WAY CONSISTING OF 35 FEET IN WIDTH ALONG NW 102 AVENUE TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST WITH AN AREA OF APPROXIMATELY 19,869 SQUARE FEET; AND UPON THE WEST LINE ADJACENT TO NW 102 AVENUE OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 52 SOUTH, RANGE 40 EAST WITH AN AREA OF APPROXIMATELY 60 SQUARE FEET FOR PUBLIC HIGHWAY PURPOSES AND ALL PURPOSES INCIDENTAL THERETO; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Hialeah has embarked on the construction and improvements of a network of roads throughout the once barren northwestern part of the city; and

**WHEREAS**, this network of roads running on N.W. 102 Avenue to the north shall facilitate the continuing development of commerce and industry, among other improvements; and

**WHEREAS**, the dedication of a portion of the land as depicted in the sketches attached to the attached right-of-way deed shall allow for the public improvements necessary to improve the roadways, and facilitate traffic.

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

**Section 1:** The City of Hialeah, Florida hereby accepts the dedication of right-of-ways of 35 feet in width on N.W. 102 Avenue consisting of an area of approximately 19,869 square feet and upon the west line adjacent to N.W. 102 consisting of an area of approximately

60 square feet for public highway purposes and all purposes incidental thereto, from Relp Beacon Logistics, LLC, as set forth in the right-of-way deed attached hereto and made a part hereof as Exhibit "1."

**Section 2: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3: Severability Clause.**

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.


**Section 4: Effective Date.**

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

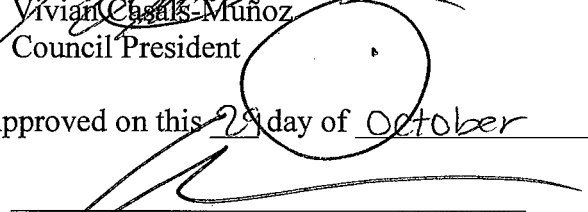
PASSED and ADOPTED this 22 day of October, 2019.

  
Vivian Casals-Muñoz  
Council President

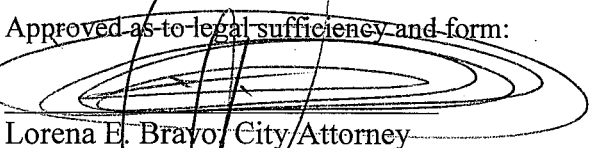
Attest:

  
Marbelys Fatjó, City Clerk

Approved on this 29 day of October, 2019.

  
Mayor Carlos Hernandez

Approved as to legal sufficiency and form:

  
Lorena E. Bravo, City Attorney

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Ordinance was adopted by a 6-0-1 vote with Councilmembers, Caragol, Zogby, Hernandez, Casáls-Munoz, Garcia-Martinez and Cue-Fuente voting "Yes" and with Councilmember Lozano absent.