

**ORDINANCE NO. 2019-109**

ORDINANCE APPROVING A FINAL PLAT OF AQUABELLA NORTH REPLAT; ACCEPTING ALL DEDICATION OF AVENUES, STREETS, ROADS OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; 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. **PROPERTY BOUNDED ON THE NORTH BY WEST 112 STREET, ON THE SOUTH BY ½ OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ON THE EAST BY THE I-75 EXTENSION AND ON THE WEST BY 34 COURT, MIAMI-DADE COUNTY, FLORIDA.**

**WHEREAS**, the Planning and Zoning Board at its meeting of October 23, 2019 recommended approval of this ordinance.

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

**Section 1:** The final plat of Aquabella North Replat submitted by Two Lakes Lennar, LLC, a Delaware limited liability company, registered to do business in Florida, is hereby accepted. Property bounded on the North by West 112 Street, on the South by ½ of Section 16, Township 52 South, Range 40 East, on the East by the I-75 extension and on the West by 34 Court, Miami-Dade County, Florida Zoned Residential Development District, classified under the Future Land Use Map as Low/Medium Density Residential and legally described in Exhibit "A" attached.

**Section 2:** All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

**Section 3: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4: Penalties.**

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

**Section 5: Severability Clause.**

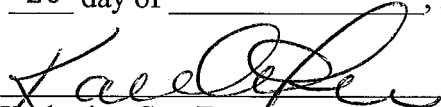
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or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

**Section 6: Effective Date.**

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

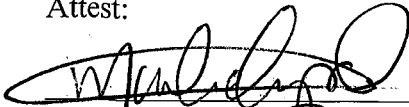
PASSED and ADOPTED this 26 day of November, 2019.

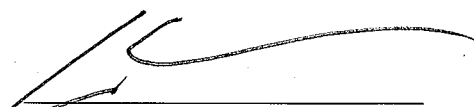
THE FOREGOING ORDINANCE  
OF THE CITY OF HIALEAH WAS  
PUBLISHED IN ACCORDANCE  
WITH THE PROVISIONS OF  
FLORIDA STATUTE 166.041  
PRIOR TO FINAL READING.

  
Katharine Cue-Fuente  
Council President Pro Tem

Approved on this 5 day of December, 2019.

Attest:

  
Marbelys L. Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:

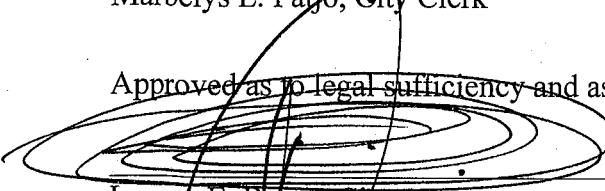
  
Lorena E. Bravo, City Attorney

EXHIBIT "A"

A REPLAT OF ALL OF LOTS 1 THRU 8 INCLUSIVE, BLOCK 1, LOTS 1 THRU 10 INCLUSIVE, BLOCK 2, LOTS 1 THRU 10 INCLUSIVE, BLOCK 3, LOTS 1 THRU 10 INCLUSIVE, BLOCK 4, LOTS 1 THRU 6 INCLUSIVE, BLOCK 5, LOTS 1 THRU 8 INCLUSIVE, BLOCK 6, LOTS 1 THRU 9 INCLUSIVE, BLOCK 7, LOTS 1 THRU 10 INCLUSIVE, BLOCK 8, LOTS 1 THRU 6 INCLUSIVE, BLOCK 9, LOTS 1 THRU 6 INCLUSIVE, BLOCK 10, LOTS 1 THRU 8 INCLUSIVE, BLOCK 11, LOTS 1 THRU 9 INCLUSIVE, BLOCK 12, LOTS 1 THRU 9 INCLUSIVE, BLOCK 13, LOTS 1 THRU 9 INCLUSIVE, BLOCK 14, LOTS 1 THRU 9 INCLUSIVE, BLOCK 15, LOTS 1 THRU 9 INCLUSIVE, BLOCK 16, LOTS 1 THRU 9 INCLUSIVE, BLOCK 17, LOTS 1 THRU 9 INCLUSIVE, BLOCK 18, LOTS 1 THRU 9 INCLUSIVE, BLOCK 19, LOTS 1 THRU 9 INCLUSIVE, BLOCK 20, LOTS 1 THRU 9 INCLUSIVE, BLOCK 21, LOTS 1 THRU 9 INCLUSIVE, BLOCK 22, LOTS 1 THRU 9 INCLUSIVE, BLOCK 23, LOTS 1 THRU 10 INCLUSIVE, BLOCK 24, LOTS 1 THRU 10 INCLUSIVE, BLOCK 25, LOTS 1 THRU 9 INCLUSIVE, BLOCK 26, LOTS 1 THRU 9 INCLUSIVE, BLOCK 27, LOTS 1 THRU 9 INCLUSIVE, BLOCK 28, LOTS 1 THRU 9 INCLUSIVE, BLOCK 29, LOTS 1 THRU 9 INCLUSIVE, BLOCK 30, LOTS 1 THRU 9 INCLUSIVE, BLOCK 31, LOTS 1 THRU 9 INCLUSIVE, BLOCK 32, LOTS 1 THRU 9 INCLUSIVE, BLOCK 33, LOTS 1 THRU 9 INCLUSIVE, BLOCK 34 AND A PORTION OF TRACT "A" (PRIVATE ROAD), INCLUDING WEST 108TH STREET, WEST 109TH PLACE, WEST 109TH TERRACE, WEST 110TH TERRACE, WEST 112TH STREET AND WEST 32ND LANE, WEST 33RD COURT, WEST 33RD WAY, AND WEST 34TH COURT, AND ALL OF TRACTS "B", "C", "D" (LANDSCAPE TRACTS), TRACT "E" (ALLEY), TRACTS "F", "G", "H", "I" (LANDSCAPE TRACTS), TRACT "J" (PRIVATE PARK TRACT), TRACTS "K", "L" (LANDSCAPE TRACTS), TRACT "M" (ALLEY), TRACTS "N", "O", "P", "Q", "R" (LANDSCAPE TRACTS), TRACT "S" (ALLEY), TRACTS "T", "U", "V", "W", "X", "Y" (LANDSCAPE TRACTS), TRACT "Z" (ALLEY), TRACTS "A1", "B1" (LANDSCAPE TRACTS), TRACT "C1" (PRIVATE PARK TRACT), TRACTS "D1", "E1" (LANDSCAPE TRACTS), TRACT "F1" (ALLEY), TRACTS "G1", "H1", "I1", "J1", "K1", "L1" (LANDSCAPE TRACTS), TRACT "M1" (ALLEY), TRACTS "N1", "O1", "P1", "Q1", "R1", "S1", "T1" (LANDSCAPE TRACTS), TRACT "U1" (ALLEY), TRACTS "V1", "W1", "X1", "Y1" (LANDSCAPE TRACTS), TRACT "Z1" (ALLEY), TRACTS "A2", "B2", "C2", "D2", "E2", "F2" (LANDSCAPE TRACTS), TRACT "G2" (ALLEY), AND TRACTS "H2" AND "I2" (LANDSCAPE TRACTS), OF AQUABELLA NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 174, AT PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

PORTION OF THE WEST 1/2 OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 02°39'53" EAST (BEARINGS SHOWN ON THE FLORIDA STATE SYSTEM OF PLANE GRID COORDINATES) ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16 FOR A DISTANCE OF 80.06 FEET TO A POINT OF INTERSECTION WITH A LINE THAT IS 80.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE RUN NORTH 89°28'12" EAST, ALONG THE LAST DESCRIBED PARALLEL LINE FOR A DISTANCE OF 868.96 FEET (868.99 FEET BY DEED); THENCE SOUTH 00°31'48" EAST FOR

A DISTANCE OF 140.00 FEET; THENCE NORTH 89°28'12" EAST FOR A DISTANCE OF 1306.27 FEET; THENCE SOUTH 02°36'35" EAST (SOUTH 02°38'01" EAST BY DEED) ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 93 FOR A DISTANCE OF 1100.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST 1/4 OF SAID SECTION 16, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE CONTINUE SOUTH 02°36'35" EAST (SOUTH 02°38'01" EAST BY DEED) ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 1320.16 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE SOUTH 02°38'26" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 93 FOR A DISTANCE OF 14.48 FEET; THE NEXT THREE (3) DESCRIBED COURSES AND DISTANCES BEING ALONG THE NORTHERLY BOUNDARY LINE OF PLAT, OF "AQUABELLA SECTION TWO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, AT PAGE 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.; 1) THENCE SOUTH 87°21'47" WEST FOR A DISTANCE OF 114.00 FEET; 2) THENCE NORTH 02°38'13" WEST FOR A DISTANCE OF 14.62 FEET; 3) THENCE SOUTH 89°30'28" WEST FOR A DISTANCE OF 897.31 FEET; THENCE NORTH 02°02'36" EAST ALONG A WESTERLY LINE OF TRACT "A" AND ITS EXTENSION NORTH, OF AQUABELLA NORTH, AS RECORDED IN PLAT BOOK 174 PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR A DISTANCE OF 136.89 FEET; THENCE NORTH 88°39'03" EAST ALONG THE CENTERLINE OF WEST 108TH STREET, AS SHOWN ON SAID PLAT OF AQUABELLA NORTH FOR A DISTANCE OF 2.23 FEET; THENCE NORTH 00°29'32" WEST ALONG A WESTERLY LINE OF TRACT "A" AND ITS EXTENSION NORTH AND SOUTH, OF AQUABELLA NORTH, AS RECORDED IN PLAT BOOK 174 PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR A DISTANCE OF 769.95 FEET; THENCE NORTH 90°00'00" WEST ALONG THE CENTERLINE OF WEST 110TH TERRACE, AS SHOWN ON SAID PLAT OF AQUABELLA NORTH FOR A DISTANCE OF 16.38 FEET; THENCE NORTH 00°48'27" WEST ALONG A WESTERLY LINE OF TRACT "A" AND ITS EXTENSION SOUTH AND ALONG THE EAST LINE OF TRACT "R2", OF AQUABELLA NORTH, AS RECORDED IN PLAT BOOK 174 PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR A DISTANCE OF 331.57 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST; THE NEXT FOUR (4) DESCRIBED COURSES AND DISTANCES BEING ALONG THE EASTERLY BOUNDARY OF TRACT "R2" OF SAID PLAT OF AQUABELLA NORTH; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 55.00 FEET, THROUGH A CENTRAL ANGLE OF 30°51'36" FOR AN ARC DISTANCE OF 29.62 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 75.63 FEET, THROUGH A CENTRAL ANGLE OF 11°40'33" FOR AN ARC DISTANCE OF 15.41 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST; THENCE NORTHWESTERLY, NORTHERLY, NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 134°09'17" FOR AN ARC DISTANCE OF 46.83 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE NORTH 00°31'48" WEST FOR A DISTANCE OF 10.57 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE NORTH 89°29'20" EAST, ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 974.48 FEET TO THE POINT OF BEGINNING.