

RESOLUTION NO.: 2014-097

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING AN EASEMENT FROM HG EIGHT ACRES, LLC, AND KNOWN AS ROYAL GARDENS PLAZA, A FLORIDA CORPORATION, BY AND THROUGH ITS MANAGER, ALBERTO MICHA BUZALI, TO INSTALL, OPERATE AND MAINTAIN AN UNDERGROUND WATER AND SEWER LINE MAIN LOCATED WITHIN A PORTION OF TRACT D AND TRACT E OF LAS FUENTES DEL PARAISO TWO, HIALEAH, FLORIDA, SAID PORTION BEING A STRIP OF LAND 12 FEET IN WIDTH LYING 6 FEET ON EACH SIDE, 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 and sewer line easement from HG Eight Acres, LLC, and known as Royal Gardens Plaza, a Florida corporation, by and through its manager, Alberto Micha Buzali, for the installation, operation and maintenance of an underground water and sewer line main located within a portion of Tract D and Tract E of Las Fuentes Del Paraiso Two, Hialeah, Florida, said portion being a strip of land 12 feet in width lying 6 feet on each side, and more particularly described in Exhibit 1; and

WHEREAS, the terms of the easement are provided for in the Water & Sewer 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 & Sewer Line Easement attached as Exhibit 2, for the installation, operation

and maintenance of an underground water and sewer line main located within a portion of Tract D and Tract E of Las Fuentes Del Paraiso Two, Hialeah, Florida, said portion being a strip of land 12 feet in width lying 6 feet on each side, 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:



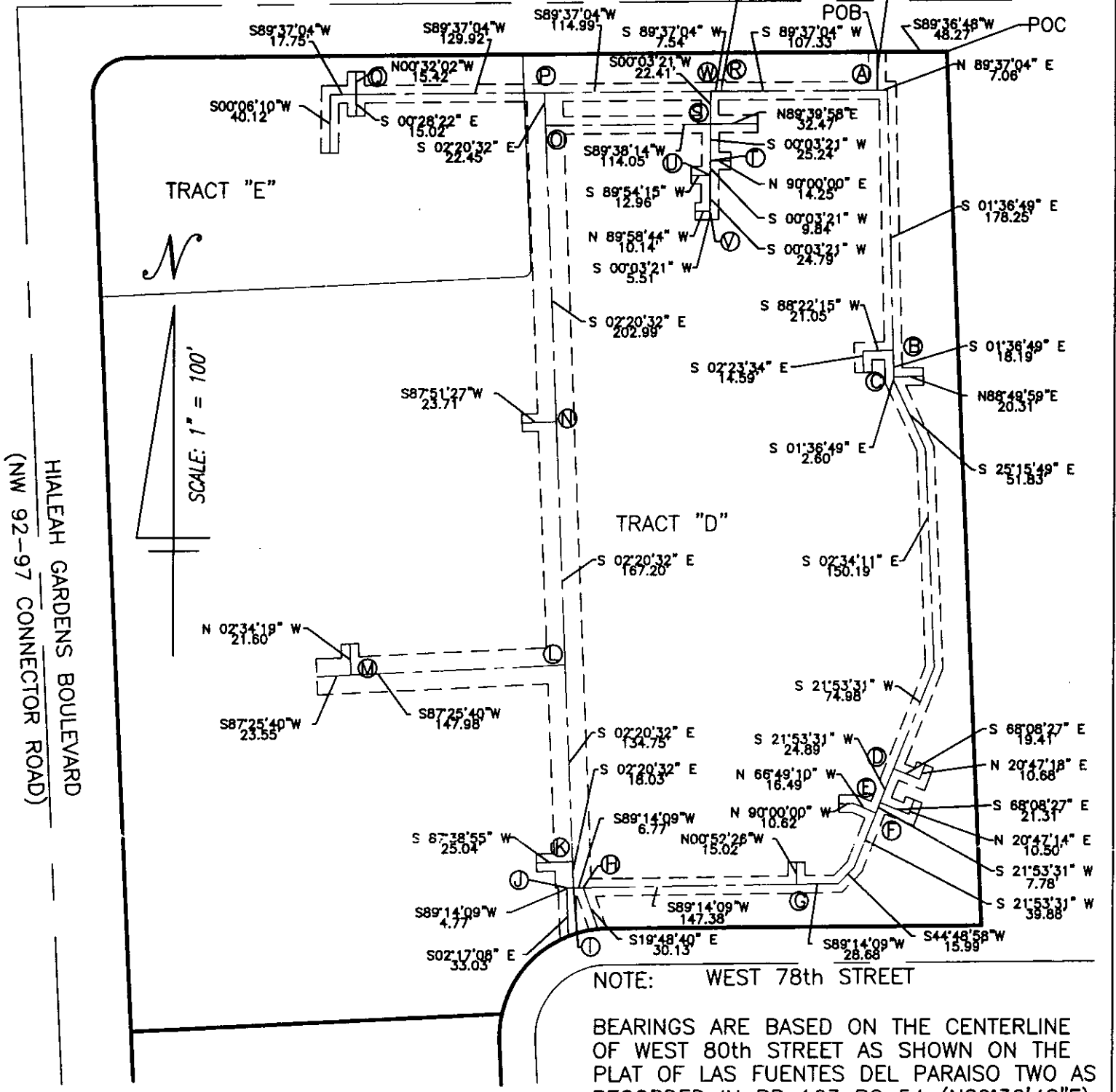
Lorena E. Bravo, Acting City Attorney

K.C.

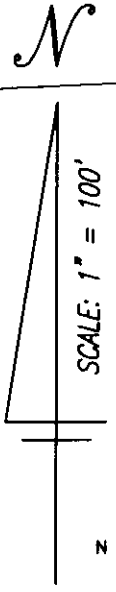
Resolution was adopted by a 6-0-1 vote with Council Members Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez Hernandez, Lozano & voting "Yes", and Council Vice President Gonzalez absent.

WATER & SEWER EASEMENT SKETCH

WEST 80th STREET



HIALEAH GARDENS BOULEVARD
(NW 92-97 CONNECTOR ROAD)



NOTE: WEST 78th STREET
BEARINGS ARE BASED ON THE CENTERLINE OF WEST 80th STREET AS SHOWN ON THE PLAT OF LAS FUENTES DEL PARAISO TWO AS RECORDED IN PB 163 PG 54 (N89°36'48"E)

PREPARED BY:
AYLWARD ENGINEERING & SURVEYING, INC.

3222 Ridge Trace
Davie, Florida 33328
954-424-5852
LB No. 5183
DATE: 4/16/2014
PROJECT NO. 11-118



Sharon Aylward Cox
Sharon Aylward Cox, PSM No. 5450

THIS SURVEY NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

EASEMENT DESCRIPTION

A portion of Tract D and Tract E of LAS FUENTES DEL PARAISO TWO as recorded in Plat Book 163 at Page 54 of the Public Records of Miami-Dade County, Florida, said portion being a strip of land 12 feet in width lying 6 feet on each side of the following described centerlines:

Commence at the Northeast Corner of Tract D of LAS FUENTES DEL PARAISO TWO as recorded in Plat Book 163 at Page 54 of the Public Records of Miami-Dade County, Florida; thence run $S89^{\circ}36'48''W$ for a distance of 48.27 feet to the Point of Beginning; thence run $S00^{\circ}22'46''E$ for a distance of 26.19 feet to Point A; thence run $N89^{\circ}37'04''E$ for a distance of 7.06 feet; thence run $S01^{\circ}36'49''E$ for a distance of 178.25 feet to Point B; thence run $S01^{\circ}36'49''E$ for a distance of 18.19 feet to Point C; thence run $S01^{\circ}36'49''E$ for a distance of 2.60 feet; thence run $S25^{\circ}15'49''E$ for a distance of 51.83 feet; thence run $S02^{\circ}34'11''E$ for a distance of 150.19 feet; thence run $S21^{\circ}53'31''W$ for a distance of 74.98 feet to Point D; thence run $S21^{\circ}53'31''W$ for a distance of 24.89 feet to Point E; thence run $S21^{\circ}53'31''W$ for a distance of 7.78 feet to Point F; thence run $S21^{\circ}53'31''W$ for a distance of 39.88 feet; thence run $S44^{\circ}48'58''W$ for a distance of 15.99 feet; thence run $S89^{\circ}14'09''W$ for a distance of 28.68 feet to Point G; thence run $S89^{\circ}14'09''W$ for a distance of 147.38 feet to Point H; thence run $S89^{\circ}14'09''W$ for a distance of 6.77 feet to Point I; thence run $S89^{\circ}14'09''W$ for a distance of 4.77 feet to Point J; thence run $S02^{\circ}17'08''E$ for a distance of 33.03 feet to the South Line of said Tract D and the Point of Termination.

And

Begin at Point B; thence run $S88^{\circ}22'15''W$ for a distance of 21.05 feet; thence run $S02^{\circ}23'34''E$ for a distance of 14.59 feet to the Point of Termination.

And

Begin at Point C; thence run $N88^{\circ}49'59''E$ for a distance of 20.31 feet to the Point of Termination.

And

Begin at Point D; thence run $S68^{\circ}08'27''E$ for a distance of 19.41 feet; thence run $N20^{\circ}47'18''E$ for a distance of 10.68 feet to the Point of Termination.

And

Begin at Point E; thence run $S68^{\circ}08'27''E$ for a distance of 21.31 feet; thence run $N20^{\circ}47'14''E$ for a distance of 10.50 feet to the Point of Termination.

And

Begin at Point F; thence run $N66^{\circ}49'10''W$ for a distance of 16.49 feet; thence run $N90^{\circ}00'00''W$ for a distance of 10.62 feet to the Point of Termination.

And

PREPARED BY:

AYLWARD ENGINEERING & SURVEYING, INC.

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THIS SURVEY NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF
THE FLORIDA LICENSED SURVEYOR AND
MAPPER.

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. 04-2028-103-0030
Return to same address as above.

WATER & SEWER 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 and sewer (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, **HG Eight Acres, LLC and known as "ROYAL GARDENS PLAZA"**, and accepted by the Grantee, City of Hialeah, Florida, Department of Water and Sewers. It is further acknowledged that the water and sewer (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 and sewer (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 5 day of June 2014
Signed, sealed and delivered in

GRANTOR: **HG Eight Acres, LLC**
c/o Alberto Micha Buzali
336 E Dania Beach Blvd.
Dania Beach, FL 33004

the presence of:

Attest:

Corporate Secretary

[Signature]

Witness (2 witnesses required)

Typed/Printed Name: Yannelly Alvarez

[Signature]

Witness

Typed/Printed Name Ava M. Bennett

State of Florida

County of Miami-Dade, Florida

The foregoing instrument was acknowledged before me on this 5 day of June, 2014 by Alberto Micha Buzali - manager of HG Eight Acres 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.

[Signature]
Notary Public, State of Florida at large

Name of Notary typed, printed or stamped

Commission No.:

wmg/contracts/waterlineeasementfomcorp

