

RESOLUTION No. 2009-01-946

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THAT CERTAIN DEDICATION FROM THE SOUTH FLORIDA EDUCATIONAL FEDERAL CREDIT UNION OF A PARCEL OF LAND FOR INSTALLATION OF A TEN (10) FOOT WIDE SIDEWALK IN CONNECTION WITH AN ADMINISTRATIVE SITE PLAN APPROVAL AS SHOWN ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Florida Educational Federal Credit Union, located at 18975 Northwest 2nd Avenue, applied for an administrative site plan approval which was approved on February 21, 2007, and

WHEREAS, the requirement of the administrative site plan approval was that the Credit Union dedicate four (4) feet of property to the City to be combined with an existing six (6) feet of sidewalk which would result in a ten (10) foot wide sidewalk to be adjacent to the property, and

WHEREAS, the property owner has agreed to convey the additional sidewalk area to the City, and

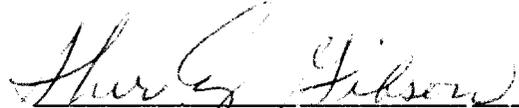
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. ACCEPTANCE: The City Council of the City of Miami Gardens hereby accepts that certain dedication outlined in the deed agreement attached hereto as Exhibit A from the South Florida Educational Federal Credit Union regarding that certain dedication of four (4) feet of property for sidewalk purposes.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 7, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilman Gilbert
SECOND BY: Councilman Bratton

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> </u> (Yes)	<u> </u> (No) (not present)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

SKD/teh
8300604_1.DOC

City of Miami Gardens

1515 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice-Mayor Barbara Watson
Councilman Oliver Gilbert III
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page – Right-of-way Dedication PH-2008-00005

Date: January 7, 2009

Fiscal Impact: No Yes
(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: City Manager via Planning and Zoning

Public hearing Quasi-Judicial

Ordinance Resolution

1st Reading 2nd Reading

Advertising requirement: Yes No

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THE OFFER OF DEDICATION OF A PARCEL, 2,337 SQUARE FEET IN AREA, FOR INSTALLATION OF TEN (10) WIDE SIDEWALK IN CONNECTION WITH ADMINISTRATIVE SITE PLAN APPROVAL FEBURARY 21, 2007 TO SOUTH FLORIDA EDUCATIONAL FEDERAL CREDIT UNION, A FEDERALLY CHARTERED CREDIT UNION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

SUMMARY:

As a condition of Administrative Site Plan Approval AS-2007-000001 for South Florida Educational Federal Credit Union, located at 18975 N.W. 2nd Avenue, a condition was imposed requiring the installation of a ten (10) foot wide sidewalk adjacent to the property. In compliance with the condition imposed, the applicant is dedicating the additional four (4) feet of the property to the City, which when combined with the existing six (6) feet of sidewalk will result in the ten (10) foot wide sidewalk adjacent to the property. The ten (10) foot sidewalk requirement is consistent with implementing the State Road 7 Livability Study and the resulting design criteria requirement for more pedestrian friendly sidewalks.

RECOMMENDATION: Approval of the Resolution.

Attachments: Resolution
Exhibit "A" – Legal Description
Exhibit "B" – Right-of-Way Deed

**ITEM 10-A) RESOLUTION
PUBLIC HEARING
Dedication from the S. Florida
Educational Federal Credit Union**

EXHIBIT "A"
RIGHT-A-WAY DEED

Folio Number: _____

Address: _____

RIGHT-OF-WAY DEED

THIS INDENTURE, made this ____ day of _____ A.D., 2009, between _____, A Florida limited company, authorized to transact business in the State of Florida, and whose address is _____, party of the first part, and the CITY OF MIAMI GARDENS a Florida municipal corporation of the County of Miami-Dade, party of the second part.

WITNESSETH that the said party of the first part and in consideration of the sum of ONE DOLLAR (\$1.00) and other good valuable consideration to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, its successors in interest; for the purpose of a public highway and/or road and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in the County of Miami-Dade and State of Florida, to wit:

See attached EXHIBIT "A" attached hereto and made a part hereof.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

It is the intention of the party of the first part hereto by this instrument to convey to the party of the second part, and its successors in interest, the land herein described for use as public right of way.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its President the day and year above written.

Signed, sealed and delivered
In presence of us.

Witness to Signature

Print name

Print address

Witness to signature

Print name

Print address

Corporate Name
A Florida limited company

By: _____

Print Name/Title

CORPORATE SEAL

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, managing member acting as president of _____, a Florida limited company, who is personally known to me or has produced _____ as identification and who executed the foregoing instrument freely and voluntarily for the purposes thereon expressed and who did not take an oath.

WITNESS my hand and official seal this ____ day of _____ A.D., 2009.

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Printed name of Acknowledger _____
Notary Public, State of _____
Serial Number: (if any) _____
My commission expires: _____

APPROVED AS TO FORM
AND CORRECTNESS:

CITY ATTORNEY

APPROVED AS TO DESCRIPTION

DIRECTOR OF PUBLIC WORKS

EXHIBIT A

SKETCH AND LEGAL DESCRIPTION
BY

KERI LAND SURVEYING, INC.

1840 NORTH PINE ISLAND ROAD
PLANTATION, FLORIDA 33322
PHONE (954) 473-8010 FAX (954) 473-8020

CERTIFICATE OF AUTHORIZATION #LB7086 E:MAIL: KERILANDSURVEYING@YAHOO.COM

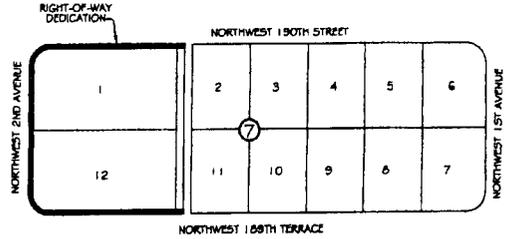
**LEGAL DESCRIPTION:
4' RIGHT-OF-WAY
DEDICATION**

A PORTION OF LOTS 1 AND 12, BLOCK 7 OF "WESTON VILLAGE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 48 AT PAGE 42, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH THE WEST 1/2 OF A 20.00 FOOT ALLEY LYING EAST OF LOTS 1 AND 12, BLOCK 7, AND CONTIGUOUS THERETO OF "WESTON VILLAGE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 48, AT PAGE 42, AS VACATED PURSUANT TO RESOLUTION NO. R-109-78 FILED FEBRUARY 16, 1978 IN OFFICIAL RECORDS BOOK 9949, PAGE 4, ALL OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF NORTHWEST 190TH STREET AND THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 2ND AVENUE AS SHOWN ON SAID PLAT OF "WESTON VILLAGE"; THENCE RUN DUE EAST FOR A DISTANCE OF 24.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE DUE EAST ALONG THE NORTH LINE OF SAID LOT 1 FOR A DISTANCE OF 175.43 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST 1/2 OF SAID 20.00 FOOT VACATED ALLEY; THENCE RUN SOUTH 01 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE FOR A DISTANCE OF 4.00 FEET; THENCE RUN DUE WEST FOR A DISTANCE OF 175.36 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTH; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 21.00 FEET THROUGH A CENTRAL ANGLE OF 89 DEGREES 00 MINUTES 00 SECONDS FOR AN ARC DISTANCE OF 32.62 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 01 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 161.99 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 21.00 FEET THROUGH A CENTRAL ANGLE OF 91 DEGREES 00 MINUTES 00 SECONDS FOR AN ARC DISTANCE OF 33.35 FEET TO A POINT OF TANGENCY; THENCE RUN DUE EAST FOR A DISTANCE OF 174.63 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST 1/2 OF SAID 20.00 FOOT VACATED ALLEY; THENCE RUN SOUTH 01 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE FOR A DISTANCE OF 4.00 FEET TO A POINT LYING ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 12; THENCE RUN DUE WEST ALONG SAID EASTERLY EXTENSION AND SOUTH LINE OF SAID LOT 12 FOR A DISTANCE OF 174.56 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTH; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 91 DEGREES 00 MINUTES 00 SECONDS FOR AN ARC DISTANCE OF 39.71 FEET TO A POINT OF TANGENCY; SAID POINT ALSO LYING ON THE WEST LINE OF SAID LOT 12; THENCE RUN NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SAID LOTS 1 AND 12 FOR A DISTANCE OF 161.99 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 89 DEGREES 00 MINUTES 00 SECONDS FOR AN ARC DISTANCE OF 38.83 FEET TO THE POINT OF BEGINNING.

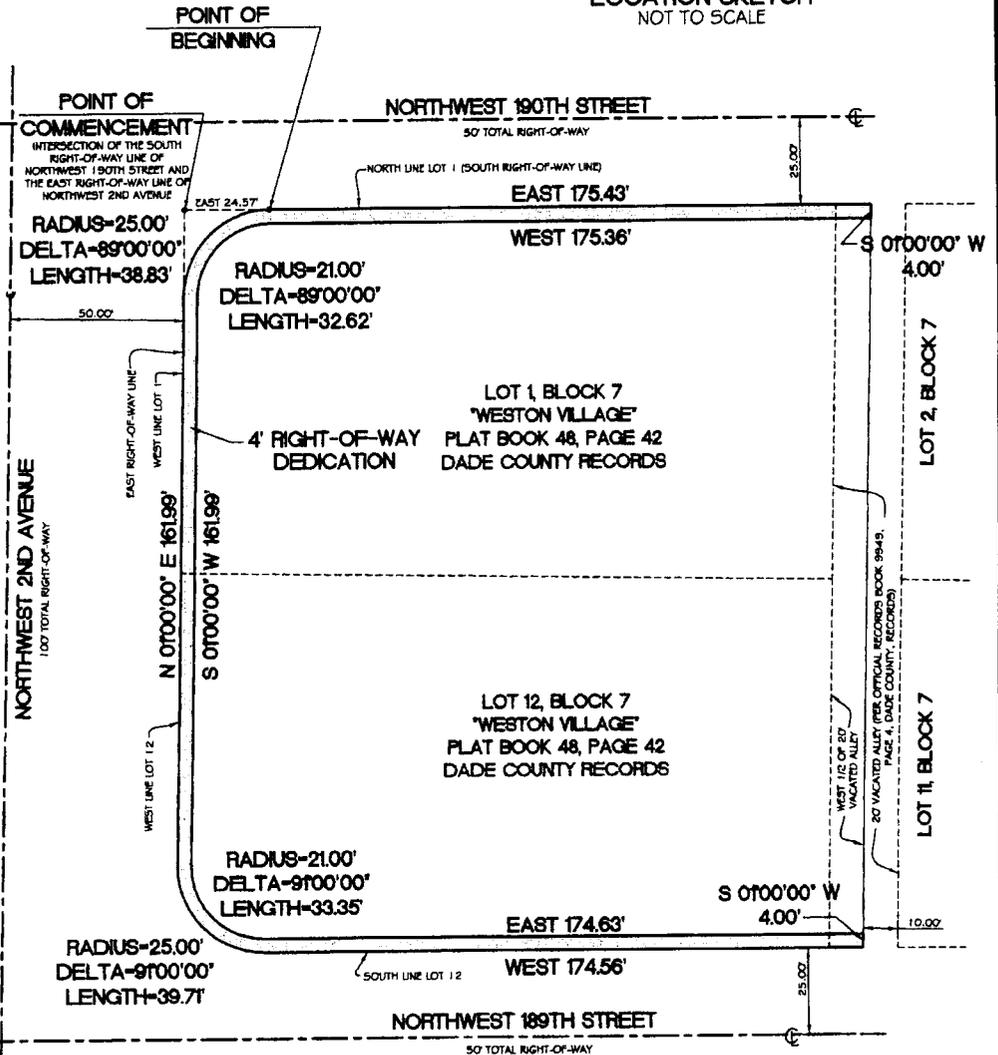
SAID LANDS CONTAINING 2,337 SQUARE FEET, MORE OR LESS.

NOTES

- 1) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY.
- 2) BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1 BEING DUE EAST.



LOCATION SKETCH
NOT TO SCALE



Jay Keri 10-7-08
SIGNATURE DATE
JAY KERI
PROFESSIONAL SURVEYOR AND MAPPER NO. 5721
STATE OF FLORIDA

CLIENT: MIAMI GARDENS CREDIT UNION
PROJECT NO.: 14356
DATE: OCTOBER 3, 2008
18975 NORTHWEST 2ND AVENUE
MIAMI GARDENS, FL 33169
SCALE: 1"=50'
FILE: DELLAPORTA, WARD AND ASSOC.

