

ORDINANCE NO. 1058-2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AUTHORIZING THE SUBMISSION OF A CORRECTED LEGAL DESCRIPTION OF THE CITY'S PROPOSED ANNEXATION AREA TO MIAMI-DADE COUNTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council passed Ordinance No. 991-2010 on July 12, 2010, which authorized the further amendment of the City's annexation application pending before Miami-Dade County; and,

WHEREAS, the aforesaid ordinance was enacted to delete the Florida East Coast Railroad rail yard property from the City's annexation application and to provide an amended legal description of the City's annexation area; and,

WHEREAS, it is unclear whether a corrected legal description of the City's annexation area was attached to the ordinance or supplied independently at a later time; and,

WHEREAS, in the interim, both the City and County officers have determined that the last legal description provided to the County of the City's annexation area failed to include a small area in the northernmost part of the proposed annexation area; and,

WHEREAS, the City has had prepared a corrected legal description that includes all of the City's proposed annexation area; and,

WHEREAS, the City Council has determined that it is both proper and appropriate and in the best interests of the City and Miami-Dade County for the recently prepared corrected legal description to be submitted to the County amending the City's pending annexation application;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:

Section 1: That the City Council of the City of Miami Springs hereby authorizes the submission of a corrected legal description for the City's proposed annexation area to Miami-Dade County.

Section 2: That attached hereto as Exhibit "A", and by this reference made a part hereof, is the corrected legal description of the City's annexation application now pending before Miami-Dade County.

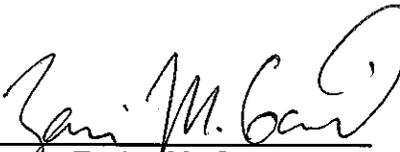
Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 4: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida this 12th day of November, 2013.

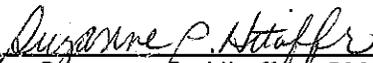
The motion to adopt the foregoing ordinance was offered on second reading by Councilman Lob seconded by Councilman Petralanda, and on roll call the following vote ensued:

Vice Mayor Bain	"aye"
Councilman Windrem	"aye"
Councilman Lob	"aye"
Councilman Petralanda	"aye"
Mayor Garcia	"aye"



Zavier M. Garcia
Mayor

ATTEST:



Suzanne S. Hitaffer, CMC
Acting City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 10-28-2013
Second reading: 11-12-2013

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

EXHIBIT "A"
CITY OF MIAMI SPRINGS
CORRECTED LEGAL DESCRIPTION
ORDINANCE NO. 1058-2013

All those lots, pieces or parcels of land situate, lying and being in Miami-Dade County, Florida, comprising portions of Sections 13, 14, 23 and 26 of Township 53 South, Range 40 East and generally described by metes and bounds as follows, *viz.:*

Begin at the Point of Intersection of the Centerline of the Miami Canal (South Florida Water Management District Canal C-6) with the Northerly Right of Way line of Florida State Road Number 934 (Hialeah Expressway) described in the State of Florida, Department of Transportation Right of Way Map Section 87080-2515 as approved by the District VI Right of Way Surveyor on September 11, 2000; thence Westerly along said Northerly Right of Way line of Florida State Road Number 934 (Hialeah Expressway) to a Point of Intersection with the Easterly Right of Way line of Florida State Road Number 826 (Palmetto Expressway) as shown of the State of Florida, State Road Department Right of Way Map Section 8726-101 as recorded May 5, 1961 in Plat Book 72 at Page 61 of the Public Records of Dade County (now Miami- Dade County), Florida; thence Southerly along said Easterly Right of Way line of Florida State Road Number 826 (Palmetto Expressway) to a Point of Intersection with the Northerly Right of Way line of the N.W. 36th Street Extension as shown on the State of Florida, State Road Department Right of Way Map Section 87573-2601 as recorded October 26, 1962 in Plat Book 75 at Page 80 of the Public Records of Dade County (now Miami-Dade County), Florida; thence Easterly along said Northerly Right of Way line of the N.W. 36th Street Extension to a Point of Intersection with a line lying 50 feet Westerly of, as measured at right angles to and parallel with the East line of said Section 26; thence Northerly along said line lying 50 feet Westerly of, as measured at right angles to and parallel with the East line of Section 26 to a Point of Intersection with the Southerly line of said Section 23; thence Northerly along a line lying 50 feet Westerly of, as measured at right angles to and parallel with the East line of Section 23 to a Point of Intersection with the Southerly line of said Section 14; thence Northerly along a line lying 50 feet Westerly of, as measured at right angles to and parallel with the East line of Section 14 to a Point of Intersection with the Centerline of the Florida East Coast Railway Main Line, this also being the most Northwesterly corporate boundary line of the City of Miami Springs as now existent; thence Northeasterly along said Centerline of the Florida East Coast Railway Main Line, its Northeasterly prolongation thereof and said Northwesterly corporate boundary line of the City of Miami Springs to a Point of Intersection with the Centerline of the Miami Canal (South Florida Water Management District Canal C-6), this also being the Southwesterly corporate boundary line of the City of Hialeah, a municipal corporation of the State of Florida; thence Northwesterly along said Centerline of the Miami Canal (South Florida Water Management District Canal C-6) and the Southwesterly corporate boundary line of the City of Hialeah to the Point of Beginning.

TOGETHER WITH:

Begin at the Point of Intersection of the Centerline of the Miami Canal (South Florida Water Management District Canal C-6) with the Northerly Right of Way line of Florida State Road Number 934 (Hialeah Expressway) described in the State of Florida, Department of Transportation Right of Way Map Section 87080-2515 as approved by the District VI Right of Way Surveyor on September 11, 2000; thence Northwesterly along said Centerline of the Miami Canal (South Florida Water Management District Canal C-6), this also being the

Southwesterly corporate boundary line of the City of Hialeah, to a Point of Intersection with the North line of said Section 13 as shown on the Dade County Right of Way Map of the NW 67th Avenue Bridge over the Miami Canal, as recorded May 25, 1976 in Road Plat Book 101 at Page 36 of the Public Records of Dade County (now Miami-Dade County), Florida; thence Westerly along said North line of Section 13 and the North line of Section 14 (with said lines being the Centerline of N.W. 74th Street as shown on said Map) to the North 1/4 corner of said Section 14 as shown on the Plat of "William E. Lehman Center," according to the Plat thereof, as recorded May 18, 2010 in Plat Book 168 at Page 78 of the Public Records of Miami-Dade County, Florida; thence South along the West line of the Northeast 1/4 of said Section 14 (this also being the Centerline of N.W. 72nd Avenue, Milam Dairy Road and Florida State Road Number 969 as shown on the State of Florida, Department of Transportation Right of Way Map Section 87502-2634 as recorded September 24, 1974 in Plat Book 88 at Page 81 of the Public Records of Dade County (now Miami-Dade County), Florida)) to a Point of Intersection with said Northerly Right of Way line of Florida State Road Number 934 (Hialeah Expressway) described in the State of Florida, Department of Transportation Right of Way Map Section 87080-2515 as approved by the District VI Right of Way Surveyor on September 11, 2000; thence Easterly along said Northerly Right of Way line of Florida State Road Number 934 (Hialeah Expressway) to the Point of Beginning.

LESS AND EXCEPT THEREFROM:

All those lots, pieces or parcels of land as owned by the Florida East Coast Railway Company, L.L.C., a Florida Limited Liability Company, together with its parent and subsidiary corporate entities, lying within the boundaries of the foregoing Annexation Area referenced in City Ordinance Number 991-2010 as passed and adopted by the City Council of the City of Miami Springs, Florida on the 12th day of July 2010.

Said Annexation Area contains 1001 acres, more or less.

September 19, 2013