

RESOLUTION Z08-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING AND APPROVING THE REQUEST TO DEFER CONSTRUCTION AND DEDICATION OF THE EASTERN HALF OF NW 109TH AVENUE WITHIN 180 DAYS OF OBTAINING A CERTIFICATE OF OCCUPANCY (C.O.) IN LIEU OF CONSTRUCTION AT THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY; PROVIDING AN EFFECTIVE DATE

WHEREAS, Tract 49, LLC ("Applicants") has requested approval to defer construction and dedicate the eastern half of NW 109th Avenue within 180 days of obtaining a certificate of occupancy (C.O.) in lieu of construction at the time of the issuance of a certificate of occupancy; and

WHEREAS on December 10, 2008 the City Council, after careful review and deliberation, including a review of staff's recommendation, determined that it is in the best interests of the citizens of the City of Doral to approve the request, subject to conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA THAT:

Section 1. The City Council of the City of Doral hereby approves the request to construct and dedicate the eastern half of NW 109th Avenue within 180 days of obtaining a certificate of occupancy (C.O.) in lieu of construction at the time of the issuance of a certificate of occupancy.

Section 2. The above listed approval is subject to the following conditions:

1. Construction and dedication the eastern half of NW 109th Avenue within 180 days of the City obtaining the missing right-of-way north of NW 41st Street.
2. Construction and dedication of an extended right-hand turn lane on NW 50th Street within 24 months of the issuance of the Certificate of Occupancy, Construction and dedication of the western portion of NW 50th Street within 36 months of the issuance of the Certificate of Occupancy, and Construction and Dedication of the center section of NW 50th Street, within 60 months of the issuance of the Certificate of Occupancy, subject to approval by the City's Public Works Department.
3. Construction of the bikeway along NW 50th Street in accordance with the City's Bikeway Master Plan within 30 days of the city constructing the segment of the bikeway west of NW 109 Avenue.

Section 3. This Resolution shall be recorded in the Public Records of Miami-Dade County, Florida and the Applicant shall pay the costs of recording said document.

Section 4. This resolution shall become effective upon its passage and adoption by the City Council.

WHEREAS, a motion to approve the Resolution was offered by Councilman VanName, who moved its adoption. The motion was seconded by Councilman Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Michael DiPietro	absent
Councilmember Peter Cabrera	yes
Councilwoman Sandra Ruiz	yes
Councilmember Robert Van Name	yes

PASSED AND ADOPTED this 12th day of December 2008



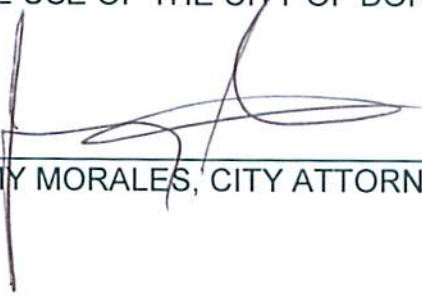
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



JIMMY MORALES, CITY ATTORNEY