

RESOLUTION NO. 11- 56

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA DESIGNATING A BROWNFIELD AREA WITHIN THE CITY FOR PROPERTIES GENERALLY LOCATED WITHIN THE BOUNDARIES OF NW 82 AVENUE TO NW 77 COURT AND NW 25 STREET TO NW 41 STREET KNOWN AS PHASE I OF THE DORAL DESIGN DISTRICT MASTER PLAN CONSISTING OF APPROXIMATELY 1,280 ACRES FOR THE PURPOSE OF ENVIRONMENTAL SITE REHABILITATION AND ECONOMIC REDEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida, at Sections 376.77 – 376.85, adopted the Brownfields Redevelopment Act, the purpose of which is to encourage the redevelopment and the voluntary cleanup of existing real property where, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination; and

WHEREAS, the Brownfields Redevelopment Act created a process whereby a local government with jurisdiction over the brownfield area must by resolution notify the Florida Department of Environmental Protection of its decision to designate a brownfield area; and

WHEREAS, a local government may choose to designate a brownfield area that is outside a community redevelopment area, enterprise zones, empowerment zones, closed military bases, or designated brownfield pilot project areas; and

WHEREAS, the City of Doral (the “City”) has conducted the necessary public meetings and hearings for designation of a Brownfield Area outside one of the above listed areas; and

WHEREAS, the City has considered:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purposes;

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

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. The City Council for the City of Doral, hereby designates the property located within the Doral Tile & Marble Design District consisting of and described with more particularly in the legal description attached hereto as Exhibit "A" and as depicted by the map attached hereto as Exhibit "B", as a brownfield area for site rehabilitation for the purposes of Sections 376.77 – 376.85, Florida Statutes. Such designation shall not, however, render the City of Doral liable for the cost of site rehabilitation or source removal, as those terms are defined in Section 376.79, Florida Statutes. The property within the Designated Brownfield Area is owned by multiple unrelated parties. Accordingly, the entity responsible for Brownfield Area Site Remediation and Site Rehabilitation shall be identified in each proposed Brownfield Site Rehabilitation Agreement with Florida Department of Environmental Protection.

Section 3. The City Manager, City Clerk and City Attorney are hereby authorized to do all things necessary and proper to make effective the provisions of this Resolution, which shall take effective immediately upon its adoption.

Section 4. This Resolution shall take effect immediately upon its adoption.

The foregoing resolution was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Vice Mayor DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Luigi Boria	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED and ADOPTED this 11th day of May, 2011.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JIMMY MORALES, ESQ., CITY ATTORNEY

EXHIBIT "A"

Legal Description

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

for
THE CITY OF DORAL

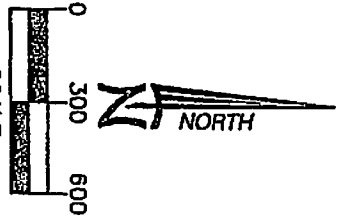
POINT OF BEGINNING NORTH 1/4 CORNER SEC. 27-53-40

NW 41st STREET
S89°55'49"E 2538.05'

DRESSELS DAIRY CANAL

NORTH LINE OF THE NE 1/4 OF SEC. 27-53-40

LINE PARALLEL WITH AND 80.00 FEET NORTH OF THE NORTH LINE OF THE NE 1/4 OF SEC. 27-53-40



WEST LINE OF THE NE 1/4 OF SEC. 27-53-40

NW 82nd AVENUE

N01°40'09"W 2634.58'

NE 1/4 OF SEC. 27-53-40

LINE PARALLEL WITH AND 110.00 FEET WEST OF THE EAST LINE OF THE NE 1/4 OF SEC. 27-53-40

SOUTH LINE OF THE NE 1/4 OF SEC. 27-53-40

N89°59'21"W 2649.86'

CENTER CORNER SEC. 27-53-40

EAST 1/4 CORNER SEC. 27-53-40

S.R. No. 826 (PALMETTO EXPRESSWAY)

EAST LINE OF THE NE 1/4 OF SEC. 27-53-40

S01°42'29"E 2712.06'
N01°42'29"W 2631.91'

EAST LINE OF THE SE 1/4 OF SEC. 27-53-40

S01°32'33"E 2587.83'
N01°32'33"W 2807.20'

S.R. No. 826 (PALMETTO EXPRESSWAY)

LINE PARALLEL WITH AND 110.00 FEET WEST OF THE EAST LINE OF THE SE 1/4 OF SEC. 27-53-40

LINE PARALLEL WITH AND 20.00 FEET NORTH OF THE SOUTH LINE OF THE SE 1/4 OF SEC. 27-53-40

WEST LINE OF THE SE 1/4 OF SEC. 27-53-40

NW 82nd AVENUE
N01°41'05"W 2602.65'
S01°41'05"E 2622.65'

SE 1/4 OF SEC. 27-53-40

CANAL
S89°40'48"W 2533.00'

SOUTH LINE OF THE SE 1/4 OF SEC. 27-53-40
NW 25th STREET
N89°40'48"E 2642.98'

SOUTH 1/4 CORNER SEC. 27-53-40

SE CORNER SEC. 27-53-40

LEGEND

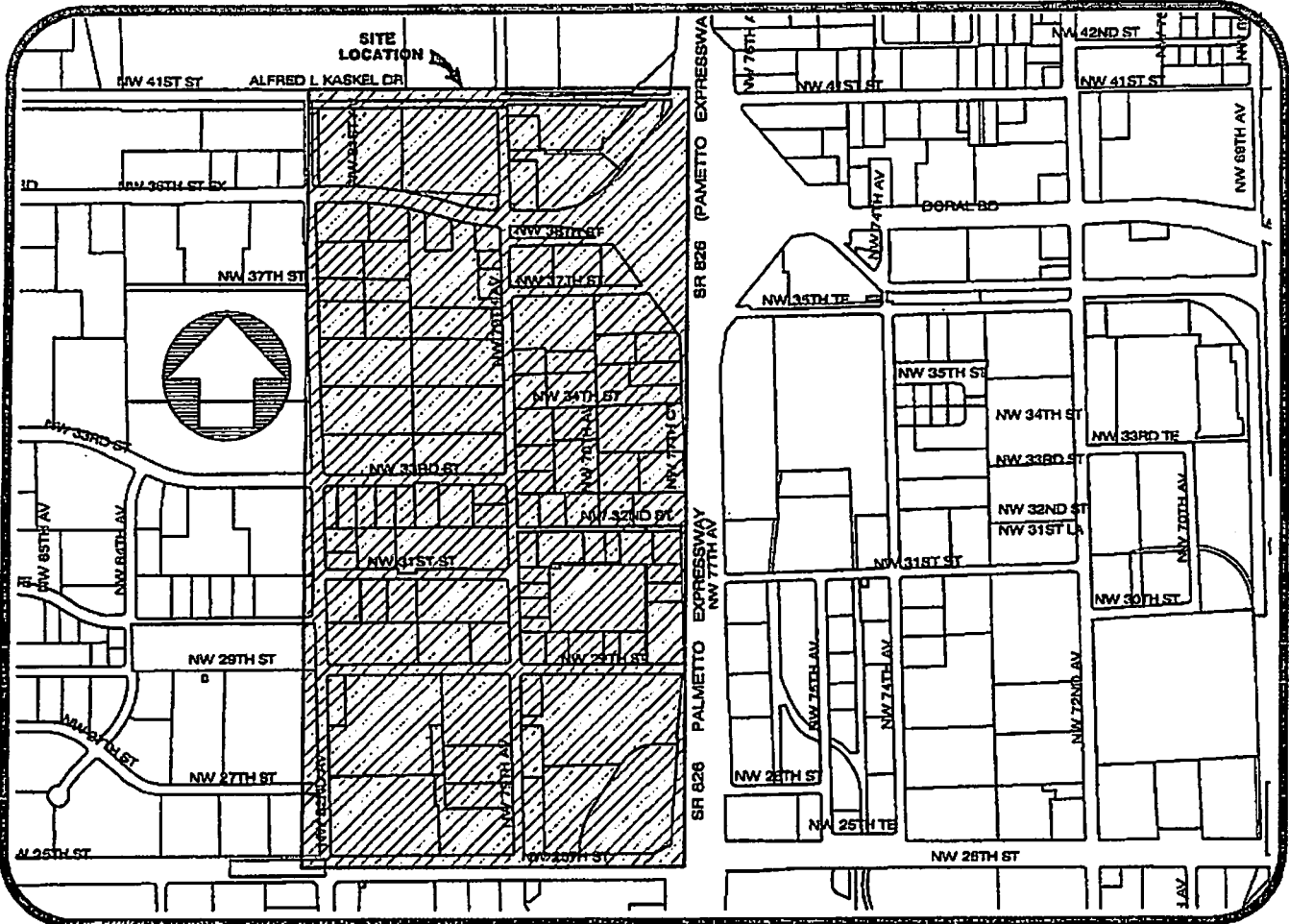
- P.C. = POINT OF CURVATURE
- P.T. = POINT OF TANGENCY
- P.B. = PLAT BOOK
- P.G. = PAGE
- SEC. = SECTION
- R.O.W. = RIGHT OF WAY
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- TAN = TANGENT LINE

NOTICE: Not full and complete without all pages. Total of Three (3) Pages

D:\GIS\25 Drawings\City of Doral\Map\JPL\25-53-40.dwg 4/29/2011 02:11:14 PM EDT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
for
THE CITY OF DORAL

SECTION 27 - TOWNSHIP 53 SOUTH - RANGE 40 EAST



LOCATION MAP
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of land in the West One-Half of Section 27, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida, being more particular described as follows:

BEGIN at the North One-Quarter Corner of Section 27, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida; thence $N01^{\circ}40'09''$ W along the Northerly prolongation of the West Line of the Northeast One-Quarter of said Section 27 for 80.04 feet; thence $S89^{\circ}55'49''$ E along a line parallel with and 80.00 feet North of the North Line of the Northeast One-Quarter of said Section 27 for 2,538.05 feet to a point on a line parallel with and 110.00 feet West of the East Line of the Northeast One-Quarter of said Section 27; thence $S01^{\circ}42'29''$ E along said line parallel with and 110.00 feet West of the East Line of the Northeast One-Quarter of Section 27 for 2,712.06 feet to a point on the South Line of the Northeast One-Quarter of said Section 27; thence $S01^{\circ}32'33''$ E along a line parallel with and 110.00 feet West of the East Line of the Southeast One-Quarter of said Section 27 for 2,587.83 feet to a point on a line parallel with and 20.00 feet North of the South Line of the Southeast One-Quarter of said Section 27; thence $S89^{\circ}40'48''$ W along said line parallel with and 20.00 feet North of the South Line of the Southeast One-Quarter of Section 27 for 2,533.00 feet to a point on the West Line of the Southeast One-Quarter of said Section 27; thence $N01^{\circ}41'05''$ W along said West Line of the Southeast One-Quarter of Section 27 for 2,602.65 feet to the Center Corner of said Section 27; thence $N01^{\circ}40'09''$ W along the West Line of the Northeast One-Quarter of said Section 27 for 2,634.58 feet to the North One-Quarter of said Section 27, also being the Point of Beginning.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
for
THE CITY OF DORAL

SOURCES OF DATA:

The Legal Description of the Subject Property was generated from the review of the following Plats:
Plat of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION No.1", recorded in Plat Book 2, Page 17, Miami-Dade County Records.
Plat of "FAIRFIELD INN SUBDIVISION", recorded in Plat Book 136, Page 17, Miami-Dade County Records.
Plat of "MARRIOT 36th STREET SUBDIVISION", recorded in Plat Book 128, Page 47, Miami-Dade County Records.
Plat of "NORTON TIRE COMPANY", recorded in Plat Book 127, Page 90, Miami-Dade County Records.
Plat of "SEMCO CENTER", recorded in Plat Book 126, Page 26, Miami-Dade County Records.
Plat of "REVISED PLAT OF APEC SUBDIVISION", recorded in Plat Book 147, Page 80, Miami-Dade County Records.
Plat of "BLUE HERON LAKE", recorded in Plat Book 144, Page 2, Miami-Dade County Records.
RIGHT OF WAY MAP prepared for the Florida Department of Transportation, State Road No. 826, Section 87260-2583, Sheets 1 through 4 of a total of 4 Sheets, prepared by Post Buckley, et al, last dated April 26, 1991.
RIGHT OF WAY MAP prepared for the Florida Department of Transportation, State Roads No. 826 and 948, Section 87260-2516, Sheets 1 through 4 of a total of 11 Sheets, prepared by David Plummer & Associates, Inc., last dated November 14, 2000.

In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

- Exhibit "A" dated March 22, 2011 depicting the Brownfield Area, prepared by the City of Doral, Planning and Zoning Department.

Bearings as shown hereon are based upon the East Line of the Northeast one-Quarter of Section 27, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida with an assumed bearing of S01°42'29"E.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plats of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

LIMITATIONS:

Since no other information other than that is cited in the Sources of Data were furnished, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

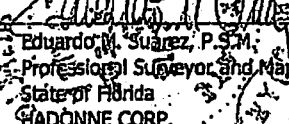
This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

INTENDED USE / EXPRESS PURPOSES:

It is understood by the Surveyor that the intended use of this document is to depict an specific area for planning and zoning purposes.

SURVEYOR'S CERTIFICATE:

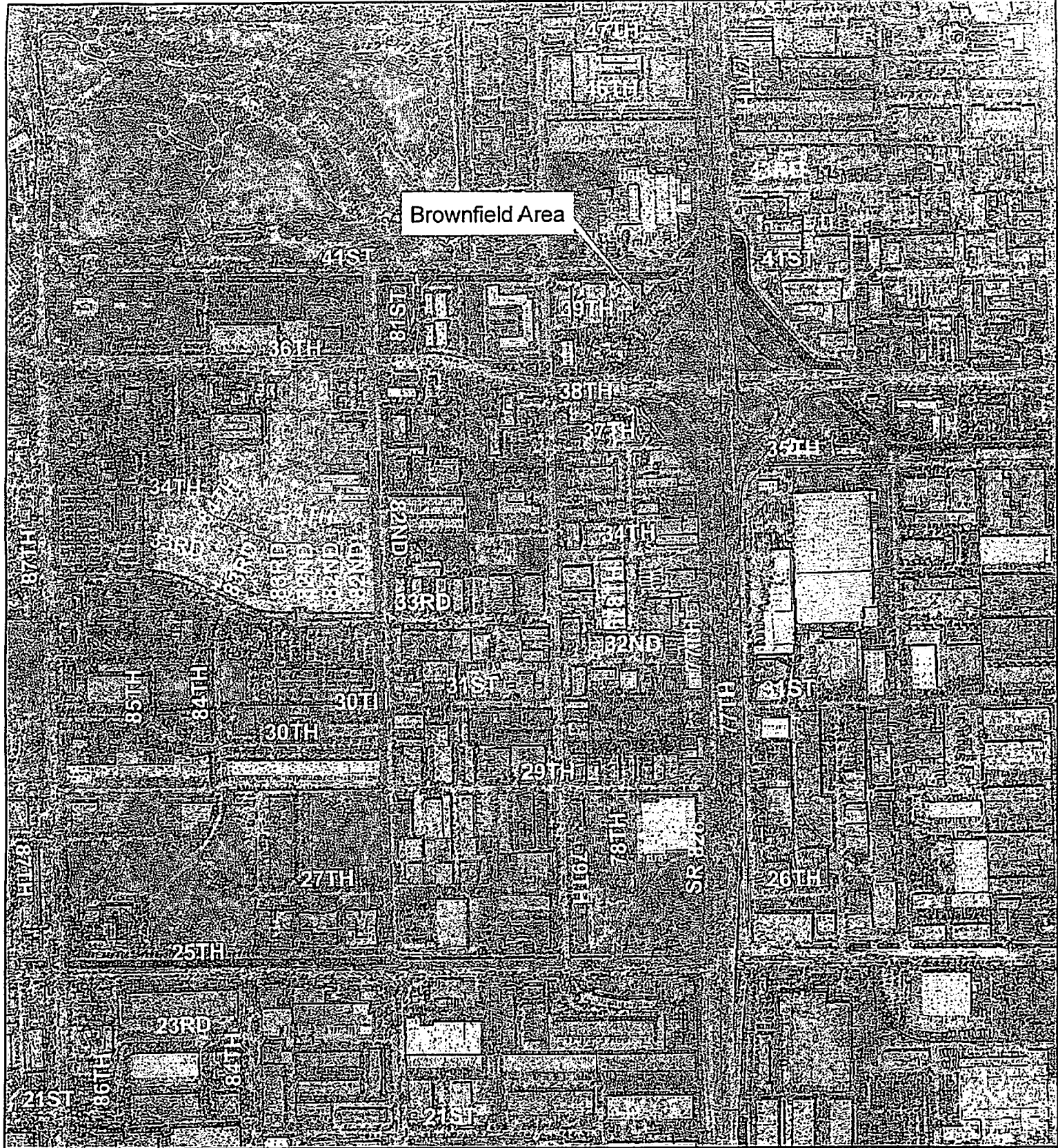
I hereby certify that this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17-05 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By:  Date: 4/26/11
Eduardo M. Suarez, P.S.M.
Professional Surveyor and Mapper LS 6313
State of Florida
HADONNE CORP.
Land Surveyors and Mappers
Certificate of Authorization LB7097
1985 N.W. 88th Court, Suite 202
Doral, Florida 33172
305.266.1188 phone
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others This Notice is required by Rule 5J-17-05 of the Florida Administrative Code.

EXHIBIT "B"

Location Map



City of Doral



Planning & Zoning Department

Brownfield Area