

RESOLUTION NO. 07 - 92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, WAIVING AND RELEASING THE DECLARATION OF RESTRICTIONS FOR THE PROPERTY LOCATED AT 1450 NW 87TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a site plan and declaration of restrictive covenants for the property located at 1450 NW 87th Avenue was approved, under Miami-Dade County's authority, in 1999; and

WHEREAS, in 2004, the property owner submitted a building permit to the City of Doral for a retail plaza, which was approved by the City and was subsequently constructed; and

WHEREAS, in order for the current use on the property to be legalized, the declaration of restrictive covenants must either be modified or waived; and

WHEREAS, the declaration of restrictions provides a process for a waiver of the restrictive covenants; and

WHEREAS, the City Council of the City of Doral finds it to be in the best interest of the citizens of the City of Doral to waive and release the declaration of restrictions for the property located at 1450 NW 87th Avenue;

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

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. That the City Council hereby waives the declaration of restrictions for the property located at 1450 NW 87th Avenue in the City of Doral, Florida.

Section 3. Effective Date. This resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

Section 4. This Resolution shall be recorded in the Public Records of Miami-Dade County and the property owner shall pay the costs for the recordation.

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

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

PASSED AND ADOPTED this 14th day of November, 2007.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



JOHN J. HEARN, CITY ATTORNEY