

RESOLUTION NO. 17-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(F)(3) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED “MIAMI LAKES TOWN CENTER FOUR-EAST” SUBMITTED FOR PROPERTY LOCATED EAST OF NW 67TH AVENUE AND WEST OF EAGLE NEST LANE, MIAMI LAKES, FLORIDA, IN THE TC ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Subsection 13-308(f)(3) of the Town of Miami Lakes (“Town”) Land Development Code (“LDC”), The Graham Companies (the “Applicant”) has applied to the Town for approval of a Final Plat, a copy of the Plat being attached here to as **Exhibit “A”** and incorporated herein by reference (“Final Plat”), for property generally located east of NW 67th Avenue and west of Eagle Nest Lane, which all or portions of Miami-Dade Tax Folio Nos. 32-2024-001-0120, 32-2024-001-0140, 32-2024-001-0150, 32-2013-001-0430, 32-2024-033-0010, 32-2024-033-0015, and 32-2013-055-0010 (“Property”), as legally described in **Exhibit “B”**, and containing approximately 18.647 acres of land; and

WHEREAS, Subsection 13-308(f)(3) of the Town LDC sets forth the authority of the Town Council to consider and act upon an application for a Final Plat; and

WHEREAS, on January 17, 2017, the Town Council adopted Resolution No. 17-1418 approving the associated preliminary plat, and the proposed Final Plat is consistent with that approved preliminary plat; and

WHEREAS, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, the property was posted as required and the hearing was duly advertised in the newspaper; the public hearing on the Final Plat was noticed for Tuesday, May 2nd, 2017 at 6:30 P.M. at Town Hall, 6601 Main Street, Miami Lakes, Florida; and all interested parties have had the opportunity to address their comments to the Town Council; and

WHEREAS, Town staff has reviewed the application and recommends approval subject to conditions, of the request for Final Plat Approval, as set forth in the Town of Miami Lakes Staff Analysis and Recommendation, a copy of which is on file in the Town of Miami Lakes Clerk's Office and incorporated into this Resolution by reference; and

WHEREAS, the Director of Planning, acting as the Administrative Official, has determined that the Application has met the conditions and prerequisites imposed in Section 13-308 of the LDC; and

WHEREAS, the Town Council, in accordance with Section 13-308(f)(3), has considered the criteria for adoption of a Final Plat; and

WHEREAS, the Town Council has considered written recommendations from staff and other reviewing agencies, as well as testimony by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above Recitals are true and correct and incorporated herein by this reference.

Section 2. Findings. In accordance with Section 13-308(f)(3), the Town Council finds that the application meets the criteria for a Final Plat approval which are further detailed in the Staff Report which is incorporated herein by reference.

Section 3. Approval of Final Plat. The Final Plat, as attached hereto at Exhibit A, entitled “TGC Main Street East” as prepared by Schwebke-Shiskin & Associates, Inc., consisting of seven (7) sheets and signed by Mark Steven Johnson, State of Florida Professional Surveyor and Mapper No. 4775, on April 14, 2017, is hereby approved subject to the following conditions:

1. The Applicant shall comply, prior recordation of Final Plat approval, with all platting requirements of the Town LDC and Chapter 28 of the Miami-Dade County Code.
2. Upon recordation of the final plat, the Applicant shall provide the Town with one signed and sealed original and one digital copy.

Section 4. Violation of Conditions. Failure to adhere to the terms and conditions of this Resolution shall be considered a violation of the Town LDC and persons found violating the conditions shall be subject to the penalties prescribed by the Town LDC, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant must comply with all other applicable requirements of the Town LDC before it may commence operation, and that the foregoing approval in this Resolution may be revoked by the Town at any time upon a determination that the Applicant is in non-compliance with the Town LDC.

Section 5. Authorization. Subject to review by the Town Attorney, the Town Manager, the Town Clerk and the Town Surveyor are authorized to sign the face of the Final Plat and to execute any other required documents necessary for approval of the Final Plat consistent with and to implement the intent of the Town Council.

Section 6. Appeal. In accordance with Section 13-310 of the Town LDC, the Applicant or any affected party may seek review of development orders of the Town Council by the filing of an action in the appropriate court as prescribed by Florida law.

Section 7. Final Order

This is a Final Order

Section 8. Effective date. This Resolution shall become effective immediately upon adoption hereof.

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PASSED AND ADOPTED this ____ day of May, 2017.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Manny Cid	_____
Vice Mayor Tony Lama	_____
Councilmember Luis Collazo	_____
Councilmember Tim Daubert	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Manny Cid
MAYOR

Attest:

Approved as to Form and Legal Sufficiency

Gina Inguanzo
TOWN CLERK

Raul Gastesi
TOWN ATTORNEY

This Resolution was filed in the Office of the Town Clerk on this ____ day of _____, 2017.

Gina Inguanzo
Town Clerk

Exhibit A

Final Plat

Exhibit B
Legal Description

PORTIONS OF SECTIONS 13, 14, 23 AND 24 IN TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, INCLUDING TRACT "C", "MIAMI LAKES TOWN CENTER TWO-EAST" AS RECORDED IN PLAT BOOK 159 AT PAGE 67; TRACT "D", "MIAMI LAKES TOWN CENTER THREE-EAST" AS RECORDED IN PLAT BOOK 163 AT PAGE 84; A PORTION OF TRACTS 41 AND 42 IN SAID SECTION 13, "FLORIDA FRUIT LANDS COMPANY SUBDIVISION" AS RECORDED IN PLAT BOOK 2 AT PAGE 17; A PORTION OF TRACT 3 IN SAID SECTION 23 OF SAID "FLORIDA FRUIT LANDS COMPANY SUBDIVISION"; AND A PORTION OF TRACTS 13, 14, 15 AND 16 IN SAID SECTION 24, "CHAMBERS LAND COMPANY SUBDIVISION" AS RECORDED IN PLAT BOOK 2 AT PAGE 68 ALL IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA INCLUDING THE PREVIOUSLY DESCRIBED PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT "A", "MIAMI LAKES TOWN CENTER SECTION THIRTEEN", AS RECORDED IN PLAT BOOK 132 AT PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 19 DEGREES 39 MINUTES 45 SECONDS WEST ALONG THE EAST RIGHT-OF-WAY LINE OF LUDLAM ROAD (N. W. 67 AVENUE) AS SHOWN ON THE PLAT OF "MIAMI LAKES TOWN CENTER SECTION FOURTEEN" AS RECORDED IN PLAT BOOK 139 AT PAGE 4 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOR 286.41 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CIRCULAR CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1095.92 FEET AND A CENTRAL ANGLE OF 31 DEGREES 40 MINUTES 00 SECONDS FOR AN ARC DISTANCE OF 605.70 FEET TO A POINT OF TANGENCY; THENCE NORTH 12 DEGREES 00 MINUTES 15 SECONDS EAST FOR 339.89 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CIRCULAR CURVE TO THE LEFT, HAVING FOR ITS ELEMENTS, A RADIUS OF 2342.96 FEET AND A CENTRAL ANGLE OF 5 DEGREES 00 MINUTES 51 SECONDS FOR AN ARC DISTANCE OF 205.04 FEET TO A POINT OF REVERSE CURVATURE; (SAID LAST THREE COURSES BEING ALONG THE BOUNDARY OF THE SAID PLATS OF "MIAMI LAKES TOWN CENTER TWO-EAST" AND "MIAMI LAKES TOWN CENTER THREE-EAST"; THENCE NORTHERLY, NORTHEASTERLY AND EASTERLY ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 88 DEGREES 32 MINUTES 53 SECONDS FOR AN ARC DISTANCE OF 38.64 FEET TO A POINT OF TANGENCY; THENCE SOUTH 84 DEGREES 27 MINUTES 43 SECONDS EAST FOR 106.45 FEET TO A POINT OF CURVATURE; THENCE RUN EASTERLY ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING FOR ITS ELEMENTS, A RADIUS OF 775.00 FEET AND ITS CENTRAL ANGLE OF 35 DEGREES 15 MINUTES 09 SECONDS

FOR AN ARC DISTANCE OF 476.84 FEET TO A POINT; (SAID LAST TWO COURSES BEING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF EAGLE NEST LANE AS SHOWN ON THE PLAT OF "MIAMI LAKES TOWN CENTER SECTION SEVEN", AS RECORDED IN PLAT BOOK 120 AT PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE SOUTH 41 DEGREES 10 MINUTES 04 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF SAID TRACT "B", "MIAMI LAKES TOWN CENTER ONE-EAST" AS RECORDED IN PLAT BOOK 153 AT PAGE 50 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOR 174.92 FEET; THENCE NORTH 84 DEGREES 16 MINUTES 27 SECONDS WEST FOR 23.51 FEET; THENCE SOUTH 10 DEGREES 49 MINUTES 49 SECONDS WEST FOR 352.76 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG A CIRCULAR CURVE TO THE LEFT CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 71 DEGREES 49 MINUTES 34 SECONDS FOR AN ARC DISTANCE OF 25.07 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 60 DEGREES 59 MINUTES 45 SECONDS EAST FOR 36.18 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CIRCULAR CURVE TO THE LEFT CONCAVE TO THE NORTH, HAVING A RADIUS OF 38.00 FEET AND A CENTRAL ANGLE OF 36 DEGREES 50 MINUTES 02 SECONDS FOR AN ARC DISTANCE OF 24.43 FEET TO THE POINT OF TANGENCY; THENCE NORTH 82 DEGREES 10 MINUTES 13 SECONDS EAST FOR 190.42 FEET TO A POINT ON THE BOUNDARY OF THE AFORESAID PLAT OF "MIAMI LAKES TOWN CENTER ONE-EAST, SAID LAST FIVE COURSES BEING ALONG A PORTION OF THE EASTERLY LIMITS OF SAID TRACT "C", "MIAMI LAKES TOWN CENTER TWO-EAST"; AS RECORDED IN PLAT BOOK 159 AT PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 7 DEGREES 49 MINUTES 47 SECONDS EAST FOR 171.37 FEET; THENCE SOUTH 6 DEGREES 13 MINUTES 33 SECONDS WEST FOR 98.44 FEET; THENCE SOUTH 29 DEGREES 00 MINUTES 15 SECONDS WEST FOR 321.30 FEET; THENCE SOUTH 60 DEGREES 59 MINUTES 45 SECONDS EAST FOR 158.90 FEET TO A POINT ON THE NEXT DESCRIBED CIRCULAR CURVE; (SAID LAST FOUR COURSES BEING ALONG THE WESTERLY BOUNDARY OF THE AFORESAID TRACT "B", "MIAMI LAKES TOWN CENTER ONE-EAST"); THENCE SOUTHWESTERLY ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING FOR ITS ELEMENTS A RADIUS OF 565.00 FEET AND A CENTRAL ANGLE OF 36 DEGREES 06 MINUTES 25 SECONDS FOR AN ARC DISTANCE OF 355.89 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 70 DEGREES 20 MINUTES 15 SECONDS WEST FOR 31.00 FEET; (SAID LAST TWO COURSES BEING ALONG THE LIMITS OF EAGLE NEST LANE AS SHOWN ON THE AFORESAID PLAT OF "MIAMI LAKES TOWN CENTER ONE-EAST" AND THE NORTHERLY LIMITS OF EAGLE NEST LANE AS SHOWN ON THE PLAT OF "MIAMI LAKES TOWN CENTER SECTION ONE" AS RECORDED IN PLAT BOOK 94 AT PAGE 12 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY,

FLORIDA; THENCE NORTH 19 DEGREES 39 MINUTES 45 SECONDS WEST FOR 200.00 FEET; THENCE SOUTH 70 DEGREES 20 MINUTES 15 SECONDS WEST FOR 217.00 FEET TO THE POINT OF BEGINNING, SAID LAST TWO COURSES BEING ALONG THE NORTHEASTERLY AND NORTHWESTERLY LIMITS OF THE SAID PLAT OF "MIAMI LAKES TOWN CENTER SECTION THIRTEEN", ALL LYING AND BEING IN THE TOWN OF MIAMI LAKES, DADE COUNTY, FLORIDA.

NOTE: BEARINGS SHOWN HEREIN REFER TO THE BEARING SYSTEM, UTILIZED IN THE "PLAT OF RIGHT OF WAY N.W. 67 AVENUE (LUDLAM ROAD)" PER PLAT BOOK 76 AT PAGE 44 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.