

**RESOLUTION NO. 13-1068**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES APPROVING A PUBLIC PURPOSE LEASE AGREEMENT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION OF TWO (2) PARCELS OF LAND KNOWN AS FDOT PARCEL NO. 4463, LOCATED AT NW 170TH STREET, BETWEEN I75 AND NW 89TH AVENUE, AND FDOT PARCEL NO. 4860, LOCATED ON STATE ROAD 826 FRONTAGE ROAD BETWEEN 80<sup>TH</sup> AND 82<sup>ND</sup> AVENUES, AND BETWEEN GRAHAM DAIRY CANAL AND NW 77<sup>TH</sup> COURT, FOR THE PURPOSE OF PROVIDING RECREATIONAL AMENITIES FOR PUBLIC USE; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO ENTER INTO A LEASE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE LEASE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Florida Department of Transportation (“FDOT”) will agree to lease the Town of Miami Lakes (the “Town”) for a public purpose FDOT parcel no. 4463, located at NW 170th street, between I-75 and NW 89th avenue, and FDOT parcel no. 4860, located on State Road 826 Frontage Road between 80th and 82nd Avenues, and between Graham Dairy Canal and NW 77th court (the “properties”), within the Town and currently owned by FDOT; and

**WHEREAS**, the FDOT has requested the Town Council adopt a resolution approving a public purpose lease agreement from FDOT for the properties; and

**WHEREAS**, the Town Council finds that approval of the Agreement is in the best interest of the Town.

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

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

**Section 2. Approval of Lease.** The Town Council hereby approves a public purpose lease agreement, for a fifty (50) year term, from the Florida Department of Transportation, for FDOT parcel no. 4463 and FDOT parcel no. 4860, as described in Exhibit A (the “Properties”), for the purpose of providing recreational amenities for public use.

**Section 3. Public Purpose.** The Town Council finds and determines that the property shall be used for public purposes.

**Section 4. Authorization of Town Officials.** The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Agreement.

**Section 5. Execution of Agreement.** The Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 12 day of March, 2013.

Motion to adopt by Michael Pizzi, second by Nelson Hernandez.

FINAL VOTE ADOPTION

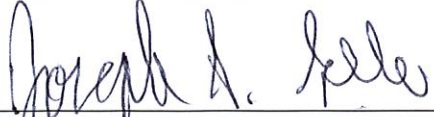
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

  
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MICHAEL PIZZI  
MAYOR

ATTEST:

  
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MARJORIE TEJEDA  
TOWN CLERK

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:

  
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JOSEPH S. GELLER  
GREENSPOON MARDER, P.A.  
TOWN ATTORNEY