

RESOLUTION NO. 03- 193

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE "MARRIOTT SPRINGHILL SUITES" FINAL PLAT FOR PROPERTY DESCRIBED AS A PORTION OF TRACTS 52 AND 53 OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, SECTION 15, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 28 of the Miami-Dade County Code, Springhill SMC Corporation, a Delaware Corporation (the "Applicant"), has applied for approval of a final plat of property legally described on the plat attached hereto as exhibit "A" (the "Final Plat") and incorporated into this Resolution by reference; and

WHEREAS, The Town Council has been advised by the Miami-Dade County Public Works Department and Town Staff that the Applicant has complied with all applicable provisions of Chapter 28 of the Miami Dade County Code and the Town's Code of Ordinances (the "Town Code").

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

Section 1. Recitals. The above recitals are true and correct and are incorporated into this Resolution by this reference.

Section 2. Approval. The Final Plat for property more particularly described as:

A PORTION OF TRACTS 52 AND 53 OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, SECTION 15, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

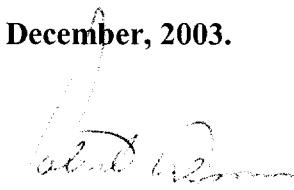
is hereby approved subject to the Applicant providing the Town Attorney with an updated opinion of title.

Section 3. Signature. The Town Manager and the Town Clerk are authorized to sign the face of the Final Plat.

Section 4. Recordation. The Town Clerk shall forward this Resolution and the Original Final Plat to Miami-Dade County for recording in the Public Records of Miami Dade County, Florida. The applicant shall pay the costs of recording the Final Plat, as well as the Town's actual cost for a surveyor to approve the Final Plat as required by Chapter 177, Florida Statutes.

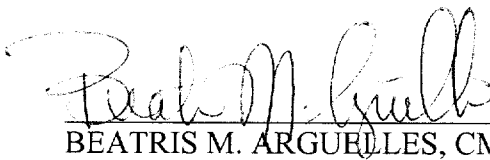
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption by the Town Council.

PASSED AND ADOPTED this 11th day of **December, 2003.**




ROBERTO ALONSO, VICE MAYOR

ATTEST:



BEATRIS M. ARGUELLES, CMC
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



WEISS, SEROTA, HELFMAN, PASTORIZA,
GUEDES, COLE & BONISKE
TOWN ATTORNEY

motion: Thomson
second: Collins

Council voted	<u>5-1</u>	as follows:
Mayor Wayne Slaton		<u>Absent</u>
Vice Mayor Roberto Alonso		<u>Yes</u>
Councilmember Mary Collins		<u>Yes</u>
Councilmember Robert Meador		<u>Yes</u>
Councilmember Michael Pizzi		<u>NO</u>
Councilmember Nancy Simon		<u>Yes</u>
Councilmember Peter Thomson		<u>Yes</u>

Resolution No. 03-193

OPINION OF TITLE

To: **Town of Miami Lakes**

With the understanding that this Opinion of Title is furnished to the Town of Miami Lakes, as inducement for acceptance of a Declaration of Use/Unity of Title/Declaration of Restrictions/Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of a proposed final subdivision plat covering, covering the real property, hereinafter described, it is hereby certified that I have examined First American Title Insurance Company Commitment No.FA-C-3478, covering the period from the beginning to November 26, 2003, at the hour of 6:00 a.m., inclusive of the following described real property:

See Exhibit "A" attached hereto

Basing my opinion on said title evidence covering said periods I am of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

SPRINGHILL SMC CORPORATION, a Delaware corporation

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

RECORDED MORTGAGES:

NONE

RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

NONE

GENERAL EXCEPTIONS:

1. All taxes for 2004 and subsequent years, unless noted below that such taxes have been paid.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmens' liens.

5. Zoning and other restrictions imposed by governmental authority.
6. Special assessments which are not shown as existing liens by the public records.
7. Items that would be reflected by applicable name searches.

SPECIAL EXCEPTIONS:

8. Plat of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, recorded in Plat Book 2, Page 17.
9. Easement for State Road right-of-way set forth in instrument recorded in Deed Book 2325, Page 118.
10. Declaration of Restrictive Covenants recorded in Official Records Book 19260, at Page 4604.
11. Agreement for Water and Sanitary Sewage Facilities recorded in Official Records Book 19962, at Page 352.
12. Easement Agreement recorded in Official Records Book 19921, at Page 1087.
13. Temporary Slope Easement Agreement recorded in Official Records Book 19863, at Page 3967.
14. Easement Agreement recorded in Official Records Book 19921, at Page 1087.

ALL RECORDING INFORMATION IS FROM THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

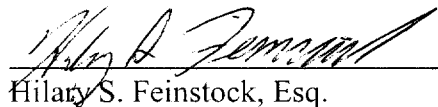
Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

Name	Interest	Special Exception Number
SPRINGHILL SMC CORPORATION, a Delaware corporation	Owner	NA

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

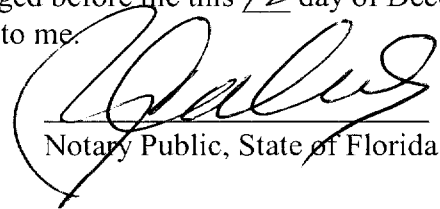
Respectfully submitted this 12th day of December, 2003.



Hilary S. Feinstock, Esq.
LEOPOLD, KORN & LEOPOLD, P.A.
20801 BISCAYNE BOULEVARD
SUITE 501
AVENTURA, FL 33180
305-935-3500

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 12th day of December, 2003, by Hilary S. Feinstock, who is personally known to me.


Notary Public, State of Florida

My commission expires:

Print name of notary public

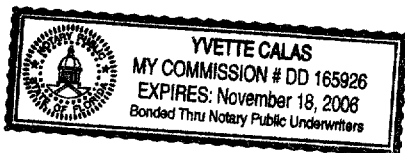


EXHIBIT "A"

LEGAL DESCRIPTION:

A Portion of Tracts 52 and 53 of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, SECTION 15, TOWNSHIP 52 SOUTH, RANGE 40 EAST, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Commencing at the Northeast corner of said Tract 52; thence South $02^{\circ}39'30''$ East on the East line of said Tract 52, a distance of 238.77 feet; thence South $89^{\circ}50'59''$ West, a distance of 200.25 feet to a point on the West right-of-way line of Northwest 77th Court, and to the Point of Beginning; thence continuing South $89^{\circ}50'59''$ West, a distance of 473.82 feet; thence South $00^{\circ}09'01''$ East, a distance of 235.00 feet to the Northwest corner of Tract "A" of Marriott at Miami North Plat according to the Plat thereof as recorded in Plat Book 138, at Page 76, of the Public Records of Miami-Dade County, Florida; thence North $89^{\circ}50'59''$ East on the North line of said Tract "A", a distance of 479.33 feet to a point on the said West right-of-way line of Northwest 77th Court, and to a point on a curve, a radial line from said point bears North $88^{\circ}38'35''$ West; thence Northeasterly on a curve to the left with a radius of 1884.86 feet a central angle of $04^{\circ}00'55''$, an arc distance of 132.09 feet to a point of tangency; thence North $02^{\circ}39'30''$ West, on said West right-of-way line, a distance of 103.04 feet to the Point of Beginning. Said lands situate, lying, and being in Miami-Dade County, Florida, and containing 112,342 square feet or 2.5790 acres more or less.