

RESOLUTION NO. 22-1863

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE EXECUTION OF A COVENANT RUNNING WITH THE LAND IN LIEU OF UNITY OF TITLE; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE COVENANT AGREEMENT; PROVIDING THE TOWN MANAGER WITH AUTHORITY TO EXECUTE THE COVENANT AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 29, 2021, the Town of Miami Lakes (the “Town”) Council passed Resolution 21-1798, which provided certain real property located at 15201 N.W. 79th Court (the “Site”), with a “Waiver of Plat” to the applicant, TGC 15201 Office, LLC (the “Applicant”); and

WHEREAS, subsequently, an administrative approval for the development of Ana G. Mendez University at the Site was conditionally provided to the applicant; and

WHEREAS, on April 12, 2022, a site plan application for the development of a free-standing emergency room, to be located on the Site, was submitted by the Applicant and approved by the Town Council via Resolution No. 22-1832; and

WHEREAS, Ana G. Mendez has been built and is operating, and the freestanding emergency room has yet to be fully developed; and

WHEREAS, Ana G. Mendez and the freestanding emergency room are, and will be operated and owned by different operators; and

WHEREAS, the Applicant desires the ability to lease, sell and operate Ana G. Mendez and the emergency room independently from each other; and

WHEREAS, the Town desires to have assurances that any future conveyance of either development to an independent owner will not violate the Town’s Code; and

WHEREAS, the Applicant has proposed a Covenant in Lieu of Unity of Title, which is hereby attached as Exhibit “A,” as an instrument to allow for the conveyance of either development, with assurances that the Site will continue to conform to the conditions provided in the development orders and the Town’s Code; and

WHEREAS, the Town Council acknowledges the Covenant, approves the Covenant in Lieu of Unity of Title, in substantial form as attached in Exhibit “A,” as to form and accuracy, provided the Site remains in compliance with the development orders and the Town’s Code.

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 incorporated herein by this reference.

Section 2. Approval of Covenant in Lieu of Unity of Title as to Form and Accuracy, and Acknowledgement of Waiver. The Town Council hereby finds that it is in the best interest of the Town to approve as to form and accuracy, and acknowledge the Covenant in Lieu of Unity of Title in substantially the same form as attached hereto as Exhibit “A.”

Section 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to execute approvals and acknowledgements of the Covenant in Lieu of Unity of Title, in substantially the same form as attached hereto as Exhibit “A.” including the execution of any future amendments and, or addendums.

Section 4. **Execution Covenant in Lieu of Unity of Title.** The Town Manager is authorized to execute the Covenant in Lieu of Unity of Title in substantially the same form as attached hereto as Exhibit "A." including the execution of any future amendments and, or addendums.

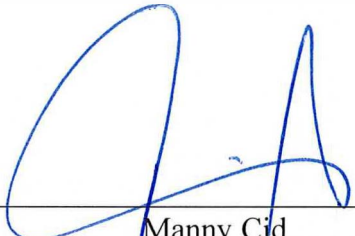
Section 5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

***** THIS SECTION HAS BEEN LEFT BLANK ON PURPOSE *****

Passed and adopted this 14th day of September 2022.


The foregoing resolution was offered by Councilmember Fernandez who moved its adoption. The motion was seconded by Councilmember Dieguez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Yes
Vice Mayor Jeffrey Rodriguez	Yes
Councilmember Carlos O. Alvarez	Absent
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Marilyn Ruano	Yes



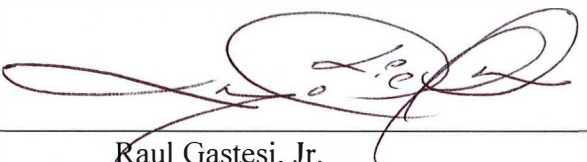
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, PLLC
TOWN ATTORNEY