

RESOLUTION NO. 02-93

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE "MIAMI LAKES TOWN CENTER TWO - EAST" PLAT, BEING A REPLAT OF A PORTION OF TRACT "56", "WELL BROS. FARMS" IN SECTION 14 AS RECORDED IN PLAT BOOK 28 AT PAGE 55, A PORTION OF TRACT 41 "FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION No. 1" IN SECTION 13, TOGETHER WITH PORTIONS OF TRACTS 1, 2 AND 3 IN SECTION 23 AS RECORDED IN PLAT BOOK 2, AT PAGE 17 AND PORTIONS OF TRACTS 13 AND 14, "CHAMBERS LAND COMPANY SUBDIVISION" OF THE NORTHWEST ¼ OF SECTION 24, AS RECORDED IN PLAT BOOK 2, AT PAGE 68, ALL OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA LYING IN TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 28 of the Miami-Dade County Code, the Graham Companies (the "Applicant"), has applied for approval of a Final Plat for "MIAMI LAKES TOWN CENTER TWO -EAST", a copy of the Final Plat is attached as Exhibit "A" and incorporated into this Resolution by reference; and

WHEREAS, The Town Council has been advised by Miami-Dade County staff (acting in their capacity as Town Staff) that the Applicant has met the conditions imposed by the Miami Dade County Plat Committee, has complied with all applicable provisions of Chapter 28 of the Miami Dade County Code and 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 in to this Resolution by this reference.

Section 2. Approval. The Final Plat approval for “ MIAMI LAKES TOWN CENTER TWO - EAST”, more particularly described as:

TRACT “56”, “WELL BROS. FARMS” IN SECTION 14 AS RECORDED IN PLAT BOOK 28 AT PAGE 55, A PORTION OF TRACT 41 “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION No. 1” IN SECTION 13, TOGETHER WITH PORTIONS OF TRACTS 1, 2 AND 3 IN SECTION 23 AS RECORDED IN PLAT BOOK 2, AT PAGE 17 AND PORTIONS OF TRACTS 13 AND 14, “CHAMBERS LAND COMPANY SUBDIVISION” OF THE NORTHWEST ¼ OF SECTION 24, AS RECORDED IN PLAT BOOK 2, AT PAGE 68, ALL OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA LYING IN TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI DADE COUNTY, FLORIDA

is granted exclusively to the applicant.

Section 3. Authorization. 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 9th day of October, 2002.

Wayne Slaton
WAYNE SLATON, MAYOR

ATTEST:

Beatris M. Arguelles
BEATRIS M. ARGUELLES, CMC TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

MSH
WEISS, SEROTA, HELFMAN, PASTORIZA
& GUEDES, ET.AL., TOWN ATTORNEY

Council voted _____ as follows:	
Mayor Wayne Slaton	_____
Vice Mayor Roberto Alonso	_____
Councilmember Mary Collins	_____
Councilmember Robert Meador	_____
Councilmember Michael Pizzi	_____
Councilmember Nancy Simon	_____
Councilmember Peter Thomson	_____

CERTIFICATION OF AUTHENTICITY

This shall certify that the attached 3 page document entitled:

RESOLUTION No. 02-93

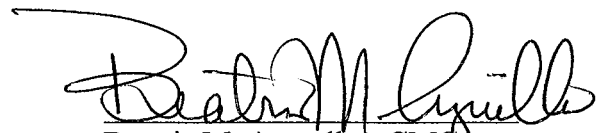
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE "MIAMI LAKES TOWN CENTER TWO - EAST" PLAT, BEING A REPLAT OF A PORTION OF TRACT "56", "WELL BROS. FARMS" IN SECTION 14 AS RECORDED IN PLAT BOOK 28 AT PAGE 55, A PORTION OF TRACT 41, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1" IN SECTION 13, TOGETHER WITH PORTIONS OF TRACTS 1, 2 AND 3 IN SECTION 23 AS RECORDED IN PLAT BOOK 2, AT PAGE 17 AND PORTIONS OF TRACTS 13 AND 14, "CHAMBERS LAND COMPANY SUBDIVISION" OF THE NORTHWEST ¼ OF SECTION 24, AS RECORDED IN PLAT BOOK 2 AT PAGE 68, ALL OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, LYING IN TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

is a true and exact copy of the original contained in the files of the office of the Town Clerk in the Town of Miami Lakes, Florida. Each page has is initialed by me to certify its authenticity.

Dated this 11th Day of October, 2002

Signed:




Beatris M. Arguelles, CMC
Town Clerk

REC'D OCT 09 2002

GREENBERG
ATTORNEYS AT LAW
TRAURIG

Steven A. Landy
Direct Line: 305-579-0758
Direct Fax: 305-961-5758
LandyS@gtlaw.com

October 8, 2002

VIA FEDERAL EXPRESS

Stuart S. Wyllie, Sr. Executive Vice President
and Chief Operating Officer
The Graham Companies
6843 Main Street
Miami Lakes, Florida 33014

Re: Miami Lakes Town Center Two-East

Dear Stu:

Enclosed please find two updated (2) original opinions of title for Miami Lakes Town Center Two-East plat.

Sincerely yours,


Steven A. Landy

SAL/caj
Enclosure

\\MIA-SRV01\1419471v01\10/8/02\02055.398100

**MIAMI- DADE COUNTY - PUBLIC WORKS
ENGINEERING - SUBDIVISION CONTROL**

AND

TOWN OF MIAMI LAKES

OPINION OF TITLE

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida and THE TOWN OF MIAMI LAKES, an incorporated municipality.

With the understanding that this opinion of title is furnished to MIAMI-DADE COUNTY, FLORIDA, in compliance with its Ordinance No. 57-30, and to THE TOWN OF MIAMI LAKES as an inducement for acceptance of a proposed final subdivision plat covering the real property hereinafter described. It is hereby certified that we have examined that certain Chicago Title Insurance Company Loan Policy number 10-1462-02-000040, and that that certain letter from Schwebke-Shiskin & Associates, Inc. certifying to us certain matters regarding the legal description, together with Attorneys' Title Insurance Fund, Inc. certified printouts, covering the period from the BEGINNING to September 26, 2002, at 11:00 p.m., inclusive, of the following described real property:

(Describe only realty to be subdivided)

See Exhibit "A" attached hereto and by this reference made a part hereof.

Basing our opinion solely on said Policy, updates and other information covering said period we are of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

The Graham Companies, a Florida corporation

Subject to the following encumbrances, liens and other exceptions:

GENERAL EXCEPTIONS

1. All taxes for the year in which the opinion is rendered, 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 and inspection of the property.
4. Any unrecorded labor, mechanics' or materialman's liens.
5. Zoning and other restrictions imposed by governmental authority.

SPECIAL EXCEPTIONS

1. Taxes or special assessments which are not shown as existing liens by the public records.
2. Mortgage and Security Agreement dated as April 7, 1992, given The Graham Companies, a Florida corporation to First Union National Bank of Florida, N.A., (now known as Wachovia Bank, National Association), as recorded in Official Records Book 15460, at Page 3639, of the Public Records of Dade County, Florida, as modified and amended, together with accompanying Assignment of Rents and Financing Statements.
- 3.. Assignments of Rights to Miami-Dade Water and Sewer Authority recorded May 12, 1976, in Official Records Book 9322, at Page 803, and in Official Records Book 9322, at Page 796, both of the Public Records of Dade County, Florida.
4. Agreement with Miami-Dade Water and Sewer Authority regarding sewer facilities recorded May 12, 1976, in Official Records Book 9322, at Page 813, of the Public Records of Dade County, Florida, as the same may have been modified or amended .
5. Agreement with Miami-Dade Water and Sewer Authority regarding water facilities recorded May 12, 1976, in Official Records Book 9322 at Page 837, of the Public Records of Dade County, Florida, as the same may have been modified or amended.
6. Ordinances and Dade County Resolution regarding Miami Lakes Park and Street Lighting Improvement Special Taxing District re Page 70, and in Official same may have been
7. Res^t
SUBDIVI^c
Dade C^r

modified and amended, together with accompanying Assignment of Rents and Financing Statements.

- 3.. Assignments of Rights to Miami-Dade Water and Sewer Authority recorded May 12, 1976, in Official Records Book 9322, at Page 803, and in Official Records Book 9322, at Page 796, both of the Public Records of Dade County, Florida.
4. Agreement with Miami-Dade Water and Sewer Authority regarding sewer facilities recorded May 12, 1976, in Official Records Book 9322, at Page 813, of the Public Records of Dade County, Florida, as the same may have been modified or amended .
5. Agreement with Miami-Dade Water and Sewer Authority regarding water facilities recorded May 12, 1976, in Official Records Book 9322 at Page 837, of the Public Records of Dade County, Florida, as the same may have been modified or amended.
6. Ordinances and Dade County Resolution regarding Miami Lakes Park and Street Lighting Improvement Special Taxing District recorded in Official Records Book 10616, at Page 1140, in Official Records Book 11052, at Page 70, and in Official Records Book 12047, at Page 626, all of the Public Records of Dade County, Florida, as the same may have been modified or amended.
7. Restrictions, reservations and rights-of-way, if any, in the Plat of FLORIDA FRUIT COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Dade County, Florida
8. Restrictions, reservations and rights-of-way, if any, in the Plat of CHAMBER'S LAND COMPANY SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 2 at Page 68, of the Public Records of Dade County, Florida.
9. Restrictions, reservations and rights-of-way, if any, in the Plat of WELLS BROTHERS FARMS SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 28 at Page 55, of the Public Records of Dade County, Florida
10. Canal reservation and canal maintenance agreement in deed from the Trustees of the Internal Improvement Fund recorded October, 11, 1920 in Deed Book for 231, at Page 228 of the Public Records of Miami-Dade County, Florida, as affected by Release of Reservations recorded in Official Records Book 15693, at Page 1265 of the Public Records of Dade County, Florida .
11. Grant of Easement to Miami-Dade County, as recorded in Official Records Book 19260, at Page 4452 of the Public Records of Miami-Dade County, Florida.
12. Existing unrecorded leases and all rights thereunder of the lessees and of any person claiming by, through or under the lessees , including lease evidenced of record by Memorandum of Lease recorded in Official Records Book 20555, as Page 3573 of the Public Records of Miami-Dade County, Florida.

Therefore it is my (our) opinion that the following parties must join in the platting of the above described real property in order to grant MIAMI-DADE COUNTY, FLORIDA, and the public, a good and proper title to the dedicated areas shown on the final Plat of the aforescribed property, the subdivision thereof to be known as MIAMI LAKES TOWN CENTER TWO - EAST.

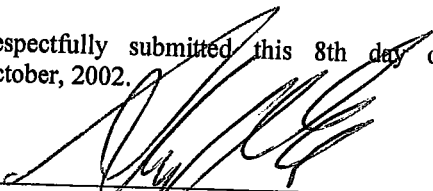
	NAME	INTEREST	SPECIAL EXCEPTION NUMBER
1)	The Graham Companies, a Florida Corporation	Fee simple	
2)	Wachovia Bank, National Association	Mortgagee	2

- 1) The Graham Companies, a Florida Corporation Fee simple
- 2) Wachovia Bank, National Association Mortgagee

2

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

Respectfully submitted this 8th day of October, 2002.



Steven A. Landy, Esq.
Greenberg, Traurig, P.A.

ADDRESS:
1221 Brickell Avenue
Miami, Florida 33131

Exhibit "A"
LEGAL DESCRIPTION
MIAMI LAKES TOWN CENTER TWO-EAST

A portion of Tract 56, "WELL BROS. FARMS" in Section 14 as recorded in Plat Book 28, at Page 55, a Portion of Tract 41, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" in section 13, together with portions of Tracts 1, 2 and 3 in Section 23 as recorded in Plat Book 2, at Page 17 and portions of Tracts 13 and 14, "CHAMBERS LAND COMPANY SUBDIVISION" of the Northwest 1/4 of Section 24, as recorded in Plat Book 2, at Page 68, all of the Public Records of Miami-Dade County, Florida lying in Township 52 South, Range 40 East, Miami-Dade County, Florida being more particularly described as follows:

Commence at the centerline intersection of Eagle Nest Lane and N.W. 67th Avenue as shown on the plat of "MIAMI LAKES TOWN CENTER SECTION ELEVEN" as recorded in Plat Book 125, at Page 4 of the Public Records of Miami-Dade County, Florida (said point being on a circular curve and bears South 87 degrees 27 minutes 43 seconds East from its radius point); thence Southwesterly, along the centerline of N.W. 67th Avenue as shown on "PLAT OF RIGHT OF WAY N.W. 67th AVENUE (LUDLAM ROAD)" as recorded in Plat Book 76, at Page 44 of the Public Records of Miami-Dade County, Florida, being a circular curve to the right having a radius of 2292.96 feet and a central angle of 06 degrees 27 minutes 58 seconds for an arc distance of 258.77 feet to a Point of Tangency; thence South 12 degrees 00 minutes 15 seconds West, along said centerline, for 78.21 feet; thence South 79 degrees 10 minutes 11 seconds East for 50.01 feet to the Point of Beginning; thence South 12 degrees 00 minutes 15 seconds West for 262.70 feet to a Point of Curvature; thence Southwesterly, Southerly and Southeasterly along a circular curve to the left 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 South 19 degrees 39 minutes 45 seconds East for 35.26 feet (the last mentioned three courses were along the Easterly Right of Way line of N.W. 67 Avenue (Ludlam Road)); thence North 61 degrees 06 minutes 53 seconds East for 39.62 feet; thence North 70 degrees 20 minutes 15 seconds East for 47.26 feet; thence North 64 degrees 38 minutes 50 seconds East for 125.25 feet to a Point of Curvature; thence Northeasterly along a circular curve to the left, having a radius of 85.00 feet and a central angle of 24 degrees 53 minutes 38 seconds for 36.93 feet to a Point of Compound Curvature; thence

Northeasterly along
a circular curve to the
left having a radius of
85.00 feet and a central
angle of 24 degrees 53
minutes 38 seconds for
36.93 feet to a Point of
Compound Curvature;

Section 23 as recorded in Plat Book 2, at Page 17 and portions of Tracts 13 and 14, "CHAMBERS LAND COMPANY SUBDIVISION" of the Northwest 1/4 of Section 24, as recorded in Plat Book 2, at Page 68, all of the Public Records of Miami-Dade County, Florida lying in Township 52 South, Range 40 East, Miami-Dade County, Florida being more particularly described as follows:

Commence at the centerline intersection of Eagle Nest Lane and N.W. 67th Avenue as shown on the plat of "MIAMI LAKES TOWN CENTER SECTION ELEVEN" as recorded in Plat Book 125, at Page 4 of the Public Records of Miami-Dade County, Florida (said point being on a circular curve and bears South 87 degrees 27 minutes 43 seconds East from its radius point); thence Southwesterly, along the centerline of N.W. 67th Avenue as shown on "PLAT OF RIGHT OF WAY N.W. 67th AVENUE (LUDLAM ROAD)" as recorded in Plat Book 76, at Page 44 of the Public Records of Miami-Dade County, Florida, being a circular curve to the right having a radius of 2292.96 feet and a central angle of 06 degrees 27 minutes 58 seconds for an arc distance of 258.77 feet to a Point of Tangency; thence South 12 degrees 00 minutes 15 seconds West, along said centerline, for 78.21 feet; thence South 79 degrees 10 minutes 11 seconds East for 50.01 feet to the Point of Beginning; thence South 12 degrees 00 minutes 15 seconds West for 262.70 feet to a Point of Curvature; thence Southwesterly, Southerly and Southeasterly along a circular curve to the left 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 South 19 degrees 39 minutes 45 seconds East for 35.26 feet (the last mentioned three courses were along the Easterly Right of Way line of N.W. 67 Avenue (Ludlam Road)); thence North 61 degrees 06 minutes 53 seconds East for 39.62 feet; thence North 70 degrees 20 minutes 15 seconds East for 47.26 feet; thence North 64 degrees 38 minutes 50 seconds East for 125.25 feet to a Point of Curvature; thence Northeasterly along a circular curve to the left, having a radius of 85.00 feet and a central angle of 24 degrees 53 minutes 38 seconds for 36.93 feet to a Point of Compound Curvature; thence Northeasterly along a circular curve to the left having a radius of 1205.00 feet and a central angle of 12 degrees 25 minutes 10 seconds for an arc distance of 261.20 feet to Point of Compound Curvature; thence continue Northeasterly, along a circular curve to the left having a radius of 65.00 feet and a central angle of 16 degrees 30 minutes 13 seconds for an arc distance of 18.72 feet to a Point of Tangency; then North 10 degrees 49 minutes 49 seconds East for 50.82 feet to a Point of Curvature; thence Northeasterly, Easterly and Southeasterly along a circular curve to the right having a radius of 20.00 feet and a central angle of 108 degrees 10 minutes 26 seconds for an arc distance of 37.76 feet to a Point of Tangency; thence South 60 degrees 59 minutes 45 seconds East for 30.77 feet to a Point of Curvature; thence Southeasterly, Easterly and Northeasterly along a circular curve to the left having a radius of 63.00 feet and a central angle of 86 degrees 47 minutes 55 seconds for an arc distance of 95.44 feet to a Point of Reverse Curvature; thence Northeasterly along a circular curve to the right having a radius of 38.00 feet and a central angle of 49 degrees 57 minutes 53 seconds for an arc distance of 33.14 feet to a Point of Tangency; thence North 82 degrees 10 minutes 13 seconds East for 126.02 feet to a point on the Westerly line of Tract "B", "MIAMI LAKES TOWN CENTER ONE-EAST", according to the plat thereof, as recorded in Plat Book 153, at Page 50 of the Public Records of Miami-Dade County, Florida, said point lies 24.00 feet Southeasterly of the centerline of a 60.00 feet Ingress-Egress and Utility Easement as measured along the Westerly line of said Tract "B"; thence North 07 degrees 49 minutes 47 seconds West, along said Westerly line of Tract "B", for 48.00 feet; thence South 82 degrees 10 minutes 13 seconds West for 190.42 feet to a Point of Curvature; thence Southwesterly, Westerly and Northwesterly along a circular curve to the right 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 a Point of Tangency; thence North 60 degrees 59 minutes 45 seconds West for 36.18 feet to a Point of Curvature; thence Northwesterly, Northerly and Northeasterly

along a circular curve to the right 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 a Point of Tangency; thence North 10 degrees 49 minutes 49 seconds East for 352.76 feet; thence North 49 degrees 10 minutes 11 seconds West for 18.48 feet; thence North 10 degrees 49 minutes 49 seconds East for 21.13 feet; thence North 79 degrees 10 minutes 11 seconds West for 232.31 feet to a point on a circular curve that bears South 71 degrees 15 minutes 24 seconds East from the radius point; thence Southwesterly along a circular curve to the left having a radius of 1017.00 feet and a central angle of 5 degrees 24 minutes 24 seconds for an arc distance of 95.97 feet; thence North 79 degrees 10 minutes 11 seconds West for 215.17 feet to the Point of Beginning.

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