

RESOLUTION NO. 04-262

A RESOLUTION OF THE TOWN COUNCIL OF TOWN OF MIAMI LAKES, FLORIDA, APPROVING A COVENANT IN FAVOR OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, CONCERNING THE PROTECTION AND MAINTENANCE OF STORMWATER MANAGEMENT SYSTEMS LOCATED AT ROYAL OAKS PARK; AUTHORIZING THE MAYOR TO EXECUTE THE COVENANT; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE ANY ADDITIONAL DOCUMENTATION PERTAINING TO THE COVENANT AND TAKE ALL ACTION NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE COVENANT; PROVIDING FOR THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes, Florida (the "Town") is the owner of Royal Oaks Park; and

WHEREAS, the Miami-Dade County School Board (the "School Board") is the owner of a Portion of Royal Oaks Park; and

WHEREAS, the Town Property and the School Board Property are hereafter referred to as the "Property"; and

WHEREAS, the Town and the School Board have submitted and the Miami-Dade County Department of Environmental Resources Management (DERM) has reviewed and approved a permit for Basin B Cut and Fill Approval No. CF-297 (Modification) (the "Approval"); and

WHEREAS, as a condition to the Approval, the Town and the School Board are required to provide a covenant to Miami-Dade County; and

WHEREAS, the Town Council desires to approve the Covenant in order to satisfy the condition.

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

Section 1. The above recitals are true and correct and are incorporated in to this Resolution by this reference.

Section 2. That the Covenant Running with the Land (the "Covenant") in favor of The Board of County Commissioners pertaining to the protection and maintenance of stormwater management systems located at Royal Oaks Park attached as Exhibit "A" is approved together with such non-substantial changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney.

Section 3. The Mayor is authorized to execute and deliver the Covenant on behalf of the Town.

Section 4. The Mayor, Town Manager and Town Attorney are authorized to execute and deliver any additional documents pertaining to the Covenant and to take all action necessary to implement the terms and conditions of the Covenant.

Section 5. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Covenant.

Section 6. That the Town Clerk is authorized to work with Miami-Dade County DERM to record the Covenant in the public records of Miami-Dade County, Florida.

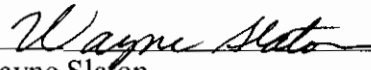
Section 7. This Resolution shall take effect immediately upon adoption by the Town Council.

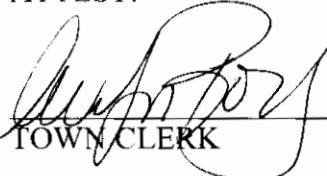
PASSED AND ADOPTED this **14th** day of December, 2004.

Motion to adopt by **Councilwoman Collins**, second by **Councilwoman Simon**.


FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>


Wayne Slaton
MAYOR

ATTEST:

TOWN CLERK

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


Weiss, Serota, Helfman, Pastoriza, Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY