

RESOLUTION NO. 11-885

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN ATTORNEY TO ENTER INTO A STIPULATED FINAL JUDGMENT IN THE EMINENT DOMAIN PROCEEDINGS, STYLED AS MIAMI-DADE COUNTY V. THE GENET FAMILY LIMITED PARTNERSHIP NO. 2, CASE NO. 08-51917 CA 20 IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT; RELATING TO THE EMINENT DOMAIN PROCEEDINGS FOR THE NORTHWEST 87 AVENUE RIGHT OF WAY; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (“the Town”) is currently a party to pending litigation styled *Miami-Dade County v. The Genet Family Limited Partnership No. 2*, Case No. 08-51917 CA 20 in the Circuit Court of the 11th Judicial Circuit (“Pending Litigation), pertaining to the eminent domain proceedings for the Northwest 87 Avenue Right-of-Way abutting of those certain parcels of land, located at the Northwest and Northeast corners of proposed Northwest 87 Avenue and Northwest 154 Street within the boundaries of the Town and identified by Miami-Dade County Tax Folio No. 32-2016-000-0020 (“Dunnwoody Lake”) and 32-2015-001-0500 (“Dunnwoody Forest”) (together, the “Property”); and

WHEREAS, the Town has approved a Development Agreement with the Property owners, F71-1, LLC and F69-1, LLC (together, the “Owner”) of the subject properties lying within the Town in order to accelerate the conveyance of the Northwest 87 Avenue right-of-way; to Miami Dade County, and

WHEREAS, the approval of the Development Agreement was a material inducement to Owner to achieve a settlement in the Pending Litigation; and

WHEREAS, upon approval and execution of the Development Agreement and approval of the proposed settlement agreement between Owner and the County the outstanding issues in the Pending Litigation will be resolved; and

WHEREAS, the Town Council, therefore desires to move forward with the settlement of the Pending Litigation.

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

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

Section 2. Direction regarding Pending Litigation. The Town Attorney and Town Manager are hereby authorized and directed to take all actions necessary to execute any documents necessary to enter into a Stipulated Final Judgment implementing the settlement agreement once the Miami Dade County Board of County Commissioners has authorized the settlement of the litigation on behalf of the County.

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

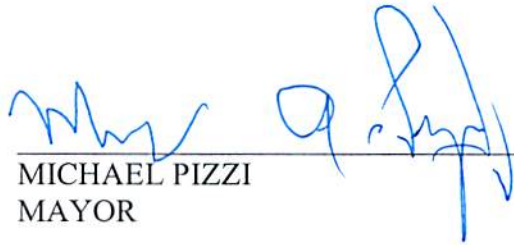
PASSED AND ADOPTED this 28th day of March, 2011.

Motion to adopt by Mayor Michael Pizzi, second by Councilmember Mary Collins.


FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	yes
Vice Mayor Nick Perdomo	yes
Councilmember Mary Collins	yes
Councilmember Tim Daubert	yes
Councilmember Nelson Hernandez	yes

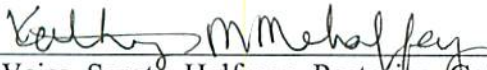
Councilmember Ceasar Mestre yes
Councilmember Richard Pulido no


MICHAEL PIZZI
MAYOR

ATTEST:


Marjorie Tejeda
TOWN CLERK

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


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