

ORDINANCE NO. 90-4

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA, ABANDONING CERTAIN PORTION OF PUBLIC RIGHT-OF-WAY FOR SOUTHWEST 9TH STREET AS SHOWN ON FRAZIER-HUNTER SUBDIVISION RECORDED IN PLAT BOOK 62, AT PAGE 99, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; PROVIDING AS A CONDITION PRECEDENT FOR THE EFFECTIVE DATE OF THIS ORDINANCE, THAT THE OWNER TO WHOM SUCH RIGHT-OF-WAY WILL REVERT SHALL DEDICATE TO THE CITY, A CERTAIN 12 FOOT PERPETUAL UTILITY EASEMENT UPON TRACTS A AND B THEREOF BY DEED OF CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA:

Section 1. The City of West Miami, Florida, abandons that portion of public right-a-way for Southwest 9th Street as shown on Frazier-Hunter Subdivision recorded in Plat Book 62, at Page 99, of the Public Records of Dade County, Florida, conditioned upon as a condition precedent that the owner or owners of lands to which said public right-a-way shall revert to such property owner upon abandonment shall, by deed, convey to the City a certain 12 foot wide strip of land as shown by that certain location drawing described below.

Section 2. The abandonment of that certain portion of the right-a-way for Southwest 9th Street, and the 12 foot wide strip of land to be granted to the City as a perpetual utility easement, are shown on the location sketch made by Keith and Schnars, P.A., drawing No. 12540, dated December 19, 1989, depicting a 12 foot wide utility easement in the Frazier-Hunter Subdivision, lying in the Northeast 1/4 of Section 12, Township 54 South, Range 40 East, as recorded in Plat Book 62, at Page 99, of the Public Records of Dade County, Florida, which location sketch is made a part of this Ordinance by reference as if fully set forth herein.

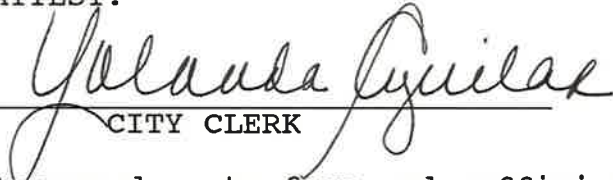
Section 3. This Ordinance shall become effective upon the recording in the Public Records of Dade County, Florida, deed or deeds of conveyance of the 12 foot wide strip of land described in Section 2 above, from property owners to whom the abandonment of certain portion of 9th Street would inure to by reason of such abandonment.

PASSED AND ADOPTED this 3 day of January, 1989.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form and sufficiency


CITY ATTORNEY

Roll Call Vote:

Mayor Reboredo ✓

Vice Mayor Busse ✓

Commissioner Chavez -

Commissioner Hickey-Patton ✓

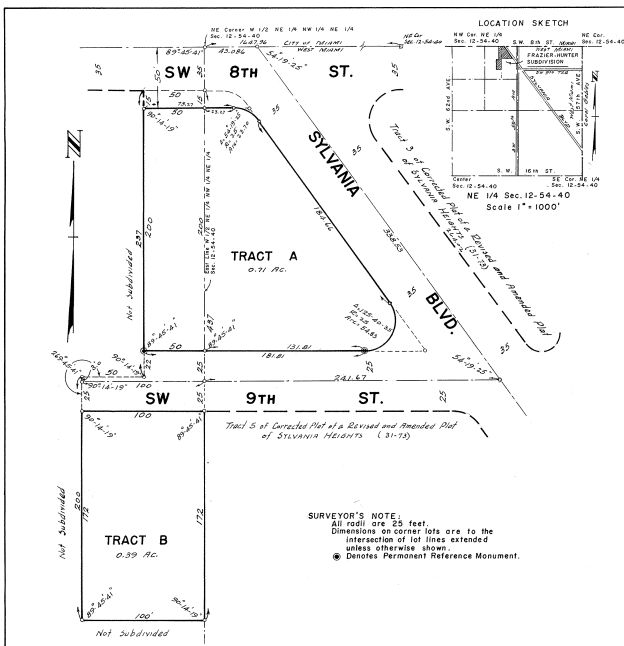
Commissioner Trigo ✓

Date of 1st reading: 12/20/89

Date of Publication: 12/22/89

Date of 2nd reading: 1/3/90

62-99



KNOW ALL MEN BY THESE PRESENTS:

That Andrew D. Frazier and Ruth Frazier, his wife, and W.L. Hunter and Leah Kathryn Hunter, his wife, have caused to be made the attached plat entitled "FRAZIER-HUNTER SUBDIVISION". The same being a subdivision of all of Tract A of CORRECTED PLAT OF A REVISED AND AMENDED PLAT OF SYLVANIA HEIGHTS, according to the plat thereof recorded in Plat Book 31 at page 73 of the Public Records of Dade County, Florida, and a parcel of land described as follows, beginning 35 feet South of the northeast corner of the W 1/2 of the NE 1/4 of the NW 1/4 of the NE 1/4 of Section 12, Township 54 South, Range 40 East; thence South 437 feet; thence West 100 feet; thence North 200 feet; thence East 50 feet; thence North 237 feet; thence East 50 feet to the Point of Beginning, all being and lying in said Section 12, Township 54 South, Range 40 East situated in County of Dade, State of Florida.

The Streets and Boulevard as shown on the attached plat together with all existing and future planting, trees and shrubbery, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to themselves, their heirs and assigns the reversion or reversions thereof, whenever discontinued by law.

The Official Zoning Regulations of the Town of West Miami, Florida, now in effect, or as the same may be from time to time changed or amended applicable to the area in which this subdivision is located, shall be observed.

Witness our hands and seals this 17th day of October, A.D. 1955.

August C. Munro As to A.D.F. & R.F. Andrew D. Frazier Seal
Margaret Munro As to A.D.F. & R.F. Ruth Frazier Seal
Peggy Deit As to W.L.H. & L.K.H. Leah Kathryn Hunter Seal
August C. Munro As to W.L.H. & L.K.H. Leah Kathryn Hunter Seal

STATE OF FLORIDA S.S. COUNTY OF DADE
 Before me this day personally appeared Andrew D. Frazier and Ruth Frazier, his wife, to me well known to be the persons described in and who executed the foregoing instrument and who acknowledged the execution thereof to be their free and voluntary act and deed.
 Witness my hand and official seal this 17th day of October, A.D. 1955.

My Commission Expires 1956 Notary Public, State of Florida at Large.

STATE OF FLORIDA S.S. COUNTY OF DADE
 Before me this day personally appeared W.L. Hunter and Leah Kathryn Hunter, his wife, to me well known to be the persons described in and who executed the foregoing instrument and who acknowledged the execution thereof to be their free and voluntary act and deed.
 Witness my hand and official seal this 17th day of October, A.D. 1955.

My Commission Expires 1956 Notary Public, State of Florida at Large.

WE HEREBY CERTIFY: That the attached plat entitled "FRAZIER-HUNTER SUBDIVISION" is a true and correct representation of the land as recently surveyed and plotted under our direction, also that the Permanent Reference Monuments were in place on the 17th day of October, A.D. 1955, in accordance with Section 7, Chapter 10275 (No. 253) Laws of the State of Florida.

SCHULER-DAVENPORT, Incorporated
 By Walter A. Davenport
 Registered Land Surveyor No. 309
 State of Florida.

This plat was approved and the foregoing dedication was accepted and approved by Resolution No. 26, passed and adopted by the Town Council of the Town of West Miami, Florida, this 12th day of October, A.D. 1955.

Attest: Walter A. Davenport Signed Walter A. Davenport Mayor Seal
 Approved: W. C. Davis City Engineer

This plat was approved and the foregoing dedication was accepted and approved by Resolution No. 26, adopted by the Board of County Commissioners of Dade County, Florida, this 12th day of October, A.D. 1955.

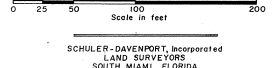
Attest: E. B. Leatherman Chairman
 Clerk of the Circuit Court
 By E. M. Scharf Deputy Clerk Seal

Approved: E. B. Leatherman County Engineer

FF 52791
 Filed for record this 17th day of October, A.D. 1956, at 11:36 A.M., in Book 62 of Plots of page 39 Public Records of Dade County, Florida.
 This plat complies with the provisions of the Laws of the State of Florida.

E. B. Leatherman
 Clerk of the Circuit Court
 By E. M. Scharf Deputy Clerk Seal

FRAZIER-HUNTER SUBDIVISION
 A SUBDIVISION LYING IN THE NE 1/4 OF SEC. 12-TWP 54 S- RGE 40 E
 TOWN OF WEST MIAMI - DADE COUNTY - FLORIDA
 Scale 1" = 40' October 1955



SCHULER-DAVENPORT, Incorporated
 LAND SURVEYORS
 SOUTH MIAMI, FLORIDA