RESOLUTION NO. 2016-R-73

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, EXPRESSING ITS SUPPORT FOR THE ESTABLISHMENT OF THE OLETA RIVER COMMUNITY DEVELOPMENT DISTRICT AND A MULTI-PURPOSE SPECIAL TAXING DISTRICT COMPRISING APPROXIMATELY 183.4 ACRES OF LAND, HAVING EXTERNAL BOUNDARIES AS DEPICTED IN THE MAP (ATTACHED HERETO AS EXHIBIT "A") AND MADE A PART HEREOF; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Oleta Partners LLC, a Delaware limited liability company ("Petitioner"), seeks to establish the Oleta River Community Development District ("District") within the geographic boundaries of the City of North Miami ("City") and Miami-Dade County ("County"), Florida; and

WHEREAS, pursuant to an advertised notice, the City conducted a public hearing to determine if the City would support or object to the establishment of the District by ordinance of the Miami-Dade County Commission ("County Commission"); and

WHEREAS, the adoption of this supporting Resolution is a condition precedent to County approval; and

WHEREAS, the City finds that it is in the best interest of the community and its residents to support the establishment of the District, an alternative management entity in the form of a special single purpose local government providing infrastructure to the community development at sustained levels of quality over the long term; and

WHEREAS, the City finds that the creation of the District will provide a net economic benefit to the City, including an enhanced and well maintained tax base to the benefit of all present and future City and County taxpayers; and

WHEREAS, the City finds that the creation of the District will ensure long-term management and related financing to meet the need of the City for timely, efficient, effective, responsive, innovative, accountable, focused and economical ways to deliver basic services to new communities and to solve the City's planning, management and financing needs for delivery of

capital infrastructure in order to provide for projected growth without overburdening the City and its taxpayers; and

WHEREAS, the infrastructure that will be financed through the District includes, but is not limited to, stormwater management systems, water and wastewater systems, roadways, street lighting, environmental remediation, recreational facilities, and other related infrastructure; and

WHEREAS, the Mayor and Council of the City of North Miami, hereby expresses its support for the establishment of the Oleta River Community Development District having the external boundaries as depicted in the attached map.

WHEREAS, the City further supports the creation of a multi-purpose special taxing district which shall be established by the County Commission over the lands to be included within the District in the event the District fails to maintain its public infrastructure.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Support for the Oleta River Community Development District.** The Mayor and City Council of the City of North Miami, Florida, hereby express its support for the establishment of the Oleta River Community Development District comprising approximately 183.4 acres of land, having external boundaries as depicted in the map (attached hereto as Exhibit "A") and made a part hereof.

Section 2. **Support for a multi-purpose special taxing district.** The Mayor and City Council of the City of North Miami, Florida, further supports the creation of a multi-purpose special taxing district required by the County Commission, which shall remain dormant unless determined by the County Commission to be needed to maintain public infrastructure serving the site in the event that the District or property owners' association shall fail to do so.

Section 3. **Conditions.** Nothing in this Resolution compels the City to execute any implementing documents.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of June, 2016.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Keys

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	X (Yes)	____ (No)
Vice Mayor Alix Desulme	X (Yes)	____ (No)
Councilman Scott Galvin	X (Yes)	____ (No)
Councilwoman Carol Keys, Esq.	X (Yes)	____ (No)
Councilman Philippe Bien-Aime	X (Yes)	____ (No)

EXHIBIT A
LEGAL DESCRIPTION

TRACT "A" of BISCAYNE LANDING, according to the Plat thereof, as recorded in Pl at Book 161, at Page 72, of the Public Records of Miami-Dade County, Florida, lying in Section 21, Township 52 North, Range 42 East, less (LESS OUT PARCEL "A"), and less (LESS OUT PARCEL "B"), also known as that piece of land depicted on "THE OAKS I CONDOMINIUMS" recorded in Official Records Book 25427 at Page 4674 of the Public Records of Miami-Dade County, Florida, said LESS OUT parcels being more particularly described as follows:

LESS OUT PARCEL "A": Commence at the Northeast corner of the West 1/2 of the Northeast 1/4 of Section 21, Township 52 South, Range 42 East, the same being the Northeast Corner of said Tract "A" of BISCAYNE LANDING; thence South 87°02'55" West along the North boundary line of said Tract "A" of BISCAYNE LANDING, and along the North line of the Northeast 1/4 of said Section 21, and along the South Right of Way Line of N.E. 151st Street for a distance of 396.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence along the boundary of The Oaks Condominium as described in Official Record Book 25427 at page 4613 of the Public Records of Miami-Dade County, Florida, for the following (4) courses; (1) thence South 03°17'25" East for a distance of 522.10 feet; (2) thence North 86°42'35" East for a distance of 159.56 feet; (3) thence South 27°35'03" East for a distance of 138.47 feet; (4) thence South 83°13'18" East for a distance of 177.81 feet to a point on the West line of the NE 1/4 of the NE 1/4 of said Section 21, also being the East line of said Tract "A"; thence South 02°55'05" East along said line for a distance of 252.90 feet; thence South 87°09'14" West for a distance of 501.91 feet to a point on a circular curve concave to the west whose radius point bears North 82°36'35" West from said point; thence Northwesterly to the left along the arc of said curve having a radius of 352.64 feet, through a central angle of 23°27'40" for an arc distance of 144.40 feet; thence North 78°35'03" East for 122.19 feet to a point on a circular curve concave to the Southeast whose radius point bears North 85°51'34" East from said point; thence Northeasterly to the right along the arc of said curve having a radius of 100.00 feet, through a central angle of 38°22'29" for an arc distance of 66.98 feet to a point of tangency; thence North 34°14'03" East for 70.48 feet; thence North 51°25'22" West for 70.73 feet; thence North 43°42'31" West for 108.81 feet to a point of curvature with a circular curve concave to the east; thence Northeasterly to the right along the arc of said curve having a radius of 60.00 feet, through a central angle of 72°52'56" for an arc distance of 76.32 feet to a point of reverse curvature with a circular curve concave to the northwest; thence Northeasterly to the left along the arc of said curve having a radius of 25.00 feet, through a central angle of 31°32'21" for an arc distance of 13.76 feet to a point of tangency; thence North 02°21'55" West for a distance of 173.92 feet to a point of curvature with a circular curve concave to the southwest; thence Northwesterly to the left along the arc of said curve having a radius of 125.00 feet, through a central angle of 78°55'58" for an arc distance of 172.20 feet; thence North 02°57'01" West for a distance of 138.00 feet to a point on the North boundary line of said Tract "A" of BISCAYNE LANDING, and also being to the North line of the Northeast 1/4 of said Section 21, and also being to the South Right of Way Line of said N.E. 151st Street; thence North 87°02'55" East along said North boundary line of said Tract "A" of BISCAYNE LANDING, and along said North line of the Northeast 1/4 of said Section 21, and along said South Right of Way Line of N.E. 151st Street for a distance of 149.64 feet to the POINT OF BEGINNING; Said parcel contains 4.33 acres, more or less.

AND

LESS OUT PARCEL "B":

Beginning at the most Northeasterly Corner of said Tract "A" of "BISCAYNE LANDING," said point being further described as being the Northeast Corner of the West ½ the Northeast ¼ of Section 21, Township 52 South, Range 42 East; thence South 02°55'05" East, along the East Line of said Tract "A", a distance of 677.06 feet; thence North 83°13'18" West, a distance of 177.81 feet; thence North 27°35'03" West, a distance of 138.47 feet; thence South 86°42'35" West, a distance of 159.56 feet; thence North 03°17'25" West, a distance of 522.10 feet to a point on the North Line of said Tract "A"; thence North 87°02'55" East, along said North Line, a distance of 396.01 feet to the POINT OF BEGINNING. Said parcel contains 5.37 acres, more or less.

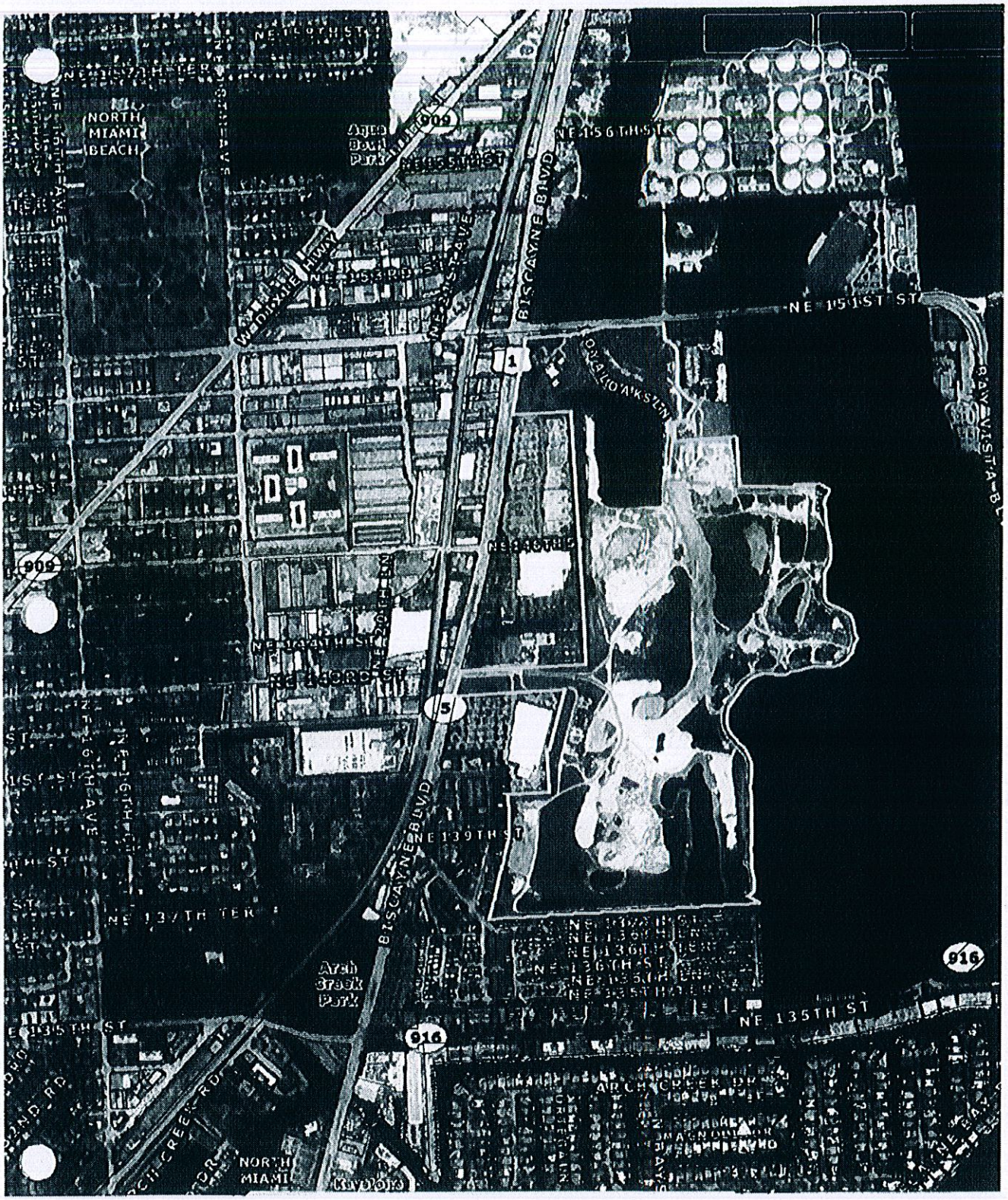
AND

LESS OUTPARCEL "C":

COMMENCE at the Northwest corner of Lot 1, Block 1, of PAGRO SUBDIVISION, according to the plat thereof, as recorded in Plat Book 105, Page 59 in the Public Records of Miami-Dade County, Florida, said point lying on the East right-of-way line of State Road 5, (U.S. 1 / Biscayne Boulevard), as shown on the Florida Department of Transportation Right of Way Map for said State Road 5, Section 87030-2571, dated 3/10/1992; thence S 86°24'55" W, along said right-of-way line of State Road 5, a distance of 25.53 feet; thence N 08°08'23" E, along said East right-of-way line, 33.58 feet to the POINT OF BEGINNING of the following described parcel:

Thence continue N 08°08'23" E, along said East right-of-way line of State Road 5, a distance of 115.28 feet to the beginning of a non-tangent curve concave to the Southeast, having a radius of 13,276.42 feet and a chord bearing of N 09°29'42" E; thence northeasterly along the arc of said curve and said East right-of-way line of State Road 5 a distance of 167.86 feet, through a central angle of 00° 43'28" to a point of reverse curvature with a curve concave to the Northwest, having a radius of 13,388.42 feet and a chord bearing of N 09°12'39" E; thence northeasterly along the arc of said curve and said East right-of-way line of State Road 5 a distance of 302.02 feet, through a central angle of 01°17'35" to the beginning of a non-tangent curve concave to the Southeast, having a radius of 35.00 feet and a chord bearing of N 69°01'49" E; thence northeasterly along the arc of said curve 21.23 feet, through a central angle of 34°45'36" to the intersection with the South right-of-way line of NE 151st Street; thence N 86°24'37" E, along said South right-of-way line of NE 151st Street, 2.62 feet; thence S 53°01'04" W 11.20 feet; thence S 09°22'05" W 223.48 feet; thence S 09°04'01" E 6.33 feet; thence S 09°22'05" W 38.13 feet; thence S 31°10'10" W 5.39 feet; thence S 09°22'05" W 271.32 feet; thence S 22°01'34" W 45.34 feet to the POINT OF BEGINNING.

Containing 6,914 Square Feet of land, more or less.


NORTH MIAMI BEACH
Aqua Bowl Park
NE 156TH ST
BISCAYNE BLVD
NE 151ST ST
NE 139TH ST
NE 137TH TER
Arch Creek Park
NE 135TH ST
ARCH CREEK DR
NORTH MIAMI
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