

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2010-81**

RESOLUTION AUTHORIZING AND ACCEPTING THE MODIFICATION OF A RECORDED DECLARATION OF RESTRICTIVE COVENANT FOR LOTS 19-26, INCLUSIVE, BLOCK 7, CORAL GABLES COCONUT GROVE SECTION PART ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**WHEREAS**, Laura L. Russo, Esquire represents Orion Venture II Ponce, LLC, the owner of the property requesting that the City of Coral Gables authorize the Modification of a recorded Declaration of Restrictive Covenant; and

**WHEREAS**, Owner, holds the fee simple title to the land in the City of Coral Gables, Florida, described as: Lots 19 through 26, inclusive, Block 7, CORAL GABLES COCONUT GROVE SECTION PART ONE, according to the Plat thereof, as recorded in Plat Book 14, Page 25, of the Public Records of Miami-Dade County, Florida (hereinafter called the "Property"); and

**WHEREAS**, Owner's predecessors in title executed a Covenant dated July 26, 1966, that was modified by Modification of Covenant dated July 12, 1984, and recorded in Official Records Book 12209 at Page 1360 of the public records of Miami-Dade County agreeing to provide forty two (42) parking spaces on Lots 19-23; and

**WHEREAS**, Owner has requested the City of Coral Gables to modify the terms of the 1984 Covenant to provide for thirty four (34) parking spaces on Lots 19-23, the reduction resulting from Owner's predecessor eliminating compact parking spaces, providing required handicapped spaces, enclosing the trash dumpster; and

**WHEREAS**, the City's Building and Zoning Department has reviewed the request, the City's records of the subject property and the applicable codes and regulations and is in support of the request;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby agree and accept to modify the Covenant to show parking at 34 spaces or subject property as depicted on survey dated February 18, 2010.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF MAY, A.D., 2010.

(Moved: Kerdyk / Seconded: Anderson:

(Yeas: Cabrera, Kerdyk, Withers, Anderson, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: C-1)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY