

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA APPROVING AN AMENDED DECLARATION OF RESTRICTIONS REGARDING THAT CERTAIN PROPERTY LEGALLY DESCRIBED AS LOTS 15-16, BLOCK 29, GRANADA SECTION CORAL GABLES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, AT PAGE 113 OF THE PUBLIC RECORDS OF MIAM-DADE COUNTY, FLORIDA.

WHEREAS, North Gables Building, LLC (the “Owner”) is the owner of the real property legally described as

Lots 15-16, Block 29, GRANADA SECTION CORAL GABLES, according to the Plat thereof, recorded in Plat Book 8, at Page 113 of the Public Records of Miami-Dade County, Florida (the “Property”).

WHEREAS, on January 30, 1973, the City Commission adopted Ordinance No. 2001, attached as Exhibit A, which amended the conditions and restrictions for the use of the offstreet parking lot located at the Property and required that the use be subject to the Declaration of Restrictions dated January 24, 1973 and subsequently recorded on February 2, 1973 at Official Records Book 8109, Page 848 of the Public Records of Miami-Dade County, Florida (the “Declaration of Restrictions”) attached as Exhibit B; and

WHEREAS, the Owner has requested that certain provisions of the Declaration of Restrictions be modified as follows:

- 1) Modify paragraph 2(g) to allow parking beginning at 7:00 A.M. instead of 8:00 A.M.;
- 2) Modify paragraph 2(i) to allow the parking of vans and pick-up trucks used by patients, employees, or managing personnel of the professional offices and/or medical clinic, but not for the parking, loading, and/or unloading of passenger vans; and
- 3) Eliminate paragraphs 2(e) and 2(k) because the conditions requiring replacement of sidewalks and improvements to the parking lot have been complied with.

WHEREAS, the Owner has agreed to grow the existing hedge on the Property to a height of eight (8) feet, to install a hedge on the east side of the Property, and to provide for a continued maintenance program which will include the installation of sprinklers and provision of fertilizer; and

WHEREAS, the Owner has agreed to install a gate at the entrance to the parking area, in lieu of the chain required by section 2(g) of the Declaration of Restrictions, and such gate shall be closed to prevent use of the parking area during the prohibited hours; and

WHEREAS, a notice of public hearing was mailed to the property owners within a one thousand (1,000) foot radius of the Property.

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

Section 1. 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 approves the Amended Declaration of Restrictions in substantially the form attached as Exhibit C, with any such modifications as approved by the City Manager and City Attorney which are consistent with the Commission’s intent.

Section 3. That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS ____ DAY OF____, A.D., 2019.

(Moved: / Seconded:)

(Yeas:)

(; Vote)

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY