OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

(Public Hearing 4-8-08)
Amended

Date: March 18, 2008

Agenda Item No. 5(C)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Amendment to Ordinance No. 96-7 Relating to the Royal Oaks Section I Security Guard Special Taxing District

O#08-38

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve an amendment to Ordinance 96-7, which created the Royal Oaks Section I Security Guard Special Taxing District, to include the proposed Dunnhill Cove First Addition and the proposed Dunnhill Isle Subdivisions. Miami-Dade County has received approval from the Town of Miami Lakes to amend this special taxing district through Resolution No. 07-528Z. It is also recommended that this annexation request be processed pursuant to Sections 18-16(i) and 18-22.1 of the Code which authorizes the BCC to annex contiguous territory to any special taxing district created under Article 1, Chapter 18 of the Code of Miami-Dade County, Florida, as no registered voters reside within the limits of the annexation area and, therefore, no referendum can be conducted. The BCC pursuant to Section 18-3 of the Code shall receive and hear at a public hearing of interested parties, support for or objections to, this annexation and any defects in the proceedings and thereafter may adopt such ordinance. Notice of such public hearing will be mailed to all properties within the existing District boundaries.

SCOPE

This proposed Special Taxing District lies within Commission District 13 and will provide security guard services to the residents of Dunnhill Cove First Addition and Dunnhill Isle Subdivisions identical to security guard services currently provided to residents within the existing special taxing district boundary.

Fiscal Impact/Funding Source

The economic impact on the private sector will be a perpetual annual special assessment for the cost of security guard service to all property owners within the District. Properties within the existing Royal Oaks Section I Security Guard Special District may experience a small decrease in their special assessment for security services due to the annexed property sharing in District costs.

The owner of the annexed area will submit a one time payment of $20,185.35 (due prior to BCC approval of this amendment) to share in the initial capital guardhouse construction expenses previously incurred by this District.

At this time there will be no increase or decrease in County staffing due to this amending ordinance.

Track Record/Monitor

Security guard services will be provided through an agreement between Miami-Dade County and the current service provider. The Special Taxing Districts Division of the Public Works Department will be responsible for monitoring the terms and conditions of the agreement including compliance and enforcement.

BACKGROUND

Proposed Boundaries:	On the North, NW 169th Terrace; On the East, NW 82nd Avenue; On the South, theo. NW 160th Street; On the West, NW 87th Avenue.
Current Number of Parcels:	578
Number of Parcels Including Annexed Area:	615
Number of Owners With Homestead Exemption Signing Petition:	None – The petition was submitted by Betty L. Dunn, the sole property owner and developer of the area to be annexed.
Preliminary Public Meeting:	Held January 30, 2008.
Type of Improvements:	Extending security guard service to the proposed Dunnhill Cove First Addition and the proposed Dunnhill Isle Sub-divisions. Service is provided through an agreement between Miami-Dade County and an approved security guard service provider. NW 162nd Street at NW 87th Avenue will be closed at developer expense per Unity of Title in favor of the Town of Miami Lakes and recorded in Clerk's File Number 2004 R III 2831, as recorded in the Public Records of Miami-Dade County.

Required Referendum:	Amending this District's ordinance will be subject only to BCC approval; no election will be necessary as 100 percent of the property owners within the annexed area signed the petition.
Preliminary Assessment Roll:	Submitted on the same agenda as a separate agenda item for consideration and adoption by the BCC and contingent upon the BCC's approval of the ordinance to amend the district. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.
Estimated Start of Service:	September 2008.
Estimated Initial Billing:	November 2008. Assessment billed annually as an itemized portion of the annual tax bill.
Annual Cost Per Developed Lot or Parcel Assessed as 1 Unit for Property in the Annexed Area:	$621.15

Present assessments for current residents of the District are $621.15 per developed unit.

State or Federal grants are not applicable to this special taxing district.

For the purpose of including the subdivisions referenced herein, amending existing Ordinance No. 96-7 is the most efficient method since public access to the property to be annexed is through the public street rights-of-way served by the existing security guard special taxing district.

In compliance with the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with her recommendation that this amendment be adopted, pursuant to Sections 18-16 (i) and 18-22.1.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 8, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Amended Agenda Item No. 5(C)

Please note any items checked.

_____	**"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Bid waiver requiring County Manager's written recommendation**
_____	**Ordinance creating a new board requires detailed County Manager's report for public hearing**
_____	**Housekeeping item (no policy decision required)**
✓	**No committee review**

Approved _____ Mayor

Veto _____

Override _____

Amended
Agenda Item No. 5(C)
4-8-08

ORDINANCE NO. **08-38**

ORDINANCE AMENDING ORDINANCE NO. 96-7 RELATING TO ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT, ANNEXING THE PROPOSED DUNNHILL COVE FIRST ADDITION AND THE PROPOSED DUNNHILL ISLE SUBDIVISIONS AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and governing body of Miami-Dade County, shall have the power to establish and govern special taxing districts within Miami-Dade County, Florida; and

WHEREAS, on January 9, 1996, this Board adopted Ordinance No. 96-7 establishing the ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT ; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, the property owner requests the annexation of the of the proposed Dunnhill Cove First Addition and the proposed Dunnhill Isle Subdivisions to the existing ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT; and

WHEREAS, in accordance with Chapter 18 of the Code of Miami-Dade County, Florida, the Town of Miami Lakes has adopted an authorizing resolution, Resolution No. 07-528 Z, approving the annexation of the proposed Dunnhill Cove First Addition and the proposed Dunnhill Isle Subdivisions to the existing ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT;

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WHEREAS, the services proposed to be provided in the annexed area, like those provided in the existing area, consist of the administration, operation and maintenance of the following:

> A visible safety and sentinel security service provided by either a private security guard company or off-duty police officers operating from two (2) guardhouses. The first guardhouse is located on N.W. 162nd Street, east of N.E. 82nd Court and the second guardhouse is located on N.W. 168th Street east of N.W. 82nd Court. Also, the following roads have been permanently closed and will not allow vehicular access into the district: N.W. 163rd Street, N.W. 164th Street, N.W. 165th Street, N.W. 167th Street and N.W. 169th Terrace at N.W. 82nd Avenue, N.W. 169th Terrace at N.W. 82nd Avenue, N.W. 166th Terrace at N.W. 87th Avenue and N.W. 83rd Place north of 158th Terrace. N.W. 162nd Street east of N.W. 87th Avenue will be closed upon adoption of this Ordinance and the developer will build a wall to prohibit access at this location at its expense as part of the Town of Miami Lakes platting approval requirements for the annexed subdivisions. The reconstruction of N.W. 162nd Street and N.W. 168th Street, construction of the two (2) guardhouses, installation of gates, and all barricades were capital improvement items of this district. Service is provided 24 hours per day, 365 days a year.

WHEREAS, this Board, pursuant to Sections 18-16(i) and 18-22.1 of the Code of Miami-Dade County has the authority and power to annex contiguous territory to an existing special taxing district subject to giving notice and holding a hearing in accordance with Section 18-3 of the Code,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 and particularly Sections 18-16(i) and 18-22.1 of the Code of Miami-Dade County, this Board hereby

authorizes the annexation of the proposed Dunnhill Cove First Addition and the proposed Dunnhill Isle Subdivisions to the existing ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT, as created by Ordinance No. 96-7, adopted by this Board on January 9, 1996.

Section 2. Section 2 of Ordinance No. 96-7 is hereby amended to read as follows: [1]

> Section 2. The area or boundaries of this [[~~proposed~~]] special taxing district>>, with the herein annexed area<< are as follows:
>
> A portion of Section 15, Township 52 South, Range 40 East, Dade County, Florida; being more particularly described as follows:
>
> The West 817.60 feet of Tract 25 less N 7 feet of "FLORIDA FRUIT LAND COMPANY SUB. IN 30-2015" as recorded in Plat Book 2 at Page 17;
>
> And
>
> All of Block 9, Lots 1 through 14 and Lots 17 throughout 31 of Block 10, all of Block 11 and Lots 1 throughout 17 of Block 12, of "FIRST ADDITION TO ROYAL OAKS" as recorded in Plat Book 127 at Page 95;
>
> All of Blocks 9 and 13, Lots 1 throughout 3 and Lots 7 throughout 10 of Block 14, of "SECOND ADDITION TO ROYAL OAKS" as recorded in Plat Book 130 at Page 30;
>
> And
>
> Lots 30 throughout 78 of Block 12, all of Block 19 and 20 of "FIRST ADDITION TO ROYAL OAKS" as recorded in Plat Book 132 at Page 49;

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

And

All of Blocks 21 throughout 24, Lots 1 throughout 5 of Block 25 of "SIXTH ADDITION TO ROYAL OAKS" as recorded in Plat Book 133 at Page 31;

And

All of Blocks 26 and 27 of "SEVENTH ADDITION TO ROYAL OAKS" as recorded in Plat Book 134 at Page 38;

And

All of Blocks 1 throughout 4 of "ROYAL LAKES" as recorded in Plat Book 135 at Page 54;

And

All of Blocks 9, 13, 27, 28, 29, 30 and Tract "C" of "EIGHTH ADDITION TO ROYAL OAKS' as recorded in Plat Book 136 at Page 58;

And

All of Blocks 3 throughout 8 of "ROYAL LAKES FIRST ADDITION" as recorded in Plat Book 137 at Page 52;

And

All of Block 1 and Lots 1 throughout 24 of Block 2 of "DUNHILL COVE" as recorded in Plat Book 139 at Page 88.

All aforementioned plats being recorded in the Public Records of >>Miami-<< Dade County, Florida.

>>Tracts 47 and 48, Section 15, Township 52 South, Range 40 East, of Florida Fruit Lands Company's Subdivision No 1, in Dade County, Florida, according to the Plat thereof, recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

Section 3. Where not contrary to the provisions and intent of this Ordinance, the provisions of Ordinance No. 96-7 are adopted, incorporated herein, and fully applicable to the newly annexed property described in Section 2 above.

Section 4. The services to be provided and the method of distributing the cost of such services in the annexed area shall be as described in Ordinance No 96-7.

Section 5. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 6. The provisions of this Ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board; provided, however, that the final plats of Dunnhill Cove First Addition and Dunnhill Isles shall have been approved and recorded in the public records of Miami-Dade County, Florida no later than 180 days from the effective date of this Ordinance. Failure to record the final plats within 180 days of the effective date of this Ordinance shall automatically repeal this Ordinance and shall render this Ordinance null and void.

PASSED AND ADOPTED: April 8, 2008

Approved by County Attorney as to form and legal sufficiency.

Prepared by:

James K. Kracht

Memorandum

MIAMI-DADE COUNTY

Date: August 29, 2007

To: Ka y M. Sullivan, Director
Office of the Clerk of the Board
Attn: Felicia Hurst

From: Donald L. Tock, Jr., Chief
Special Taxing Districts Division

Subject: Amendment to Royal Oaks Section 1 Security Guard Special Taxing District

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In reference to the subject petition, we hereby certify that, in compliance with Section 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Property Appraisal Department, and has concluded that said petition relates to real property in a new subdivision and the signator is an owner and/or individual signing in his official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

1.	Total number of parcels of land within district boundaries	1
2.	Total number of owners of property within district boundaries	1
3.	Total number of resident owners within district boundaries (this is a new subdivision area)	0
4.	Total number of signatures on the petition	1
5.	Total number of owners or representatives signing the petition in an official capacity	1
6.	Percentage of owners or representatives signing the petition in their official capacity	100%

Pursuant to Section 18-22.1 of the Code, this is a valid petition.

By copy of this memorandum, I am forwarding this petition for review by the County Attorney for legal sufficiency.

Attachment

cc: James Kracht

4-18-07
Document Preparation Date

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Departmental Acceptance Date (Government Use Only)

PETITION TO AMEND ROYAL OAKS SECTION 1 SECURITY GUARD SPECIAL TAXING DISTRICT

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owners, do hereby petition Miami-Dade County, Florida, pursuant to Chapter 18 of the Code, to amend Ordinance #96-7, expanding the boundaries of "Royal Oaks Section 1 Security Guard Special Taxing District," to include and provide special taxing district services to those properties lying generally between NW 160th Terrace and 162nd Street and NW 83rd Place and 87th Avenue. The district boundaries, as amended, are more fully described on the attached Exhibit A. The petitioned for amendment to Ordinance #96-7 affects property lying within a portion of the Town of Miami Lakes, whose written approval of the altered boundaries is required. Changes to this districts' boundaries will necessitate provisions to ensure the continued integrity of the security guard services currently provided including, but not limited to, building a wall along the east side of NW 87th Avenue at 162nd Street. Owners of properties included in this proposed expansion have agreed to a one-time payment of $20,185.35 (due prior to Board of County Commissioners approval of this amendment) to share in the initial capital expenses incurred by this district at its inception.

Tentative Plat(s) Name(s) Dunnhill Isle, Dunnhill Cove First Addition

It is understood and agreed that the proposed amended boundaries of this district and the type and level of services provided by this district will be reviewed by the appropriate County authorities. It is also understood that services and other improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Public Works Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Betty L. Dunn	8083 NW 103rd Street Hialeah Gardens, FL 33016		32-2015-001-0570
		MORE FULLY	
		DESCRIBED ON	
		THE ATTACHED	
		"EXHIBIT A"	

PLACE NOTARY STATEMENT AND STAMP HERE:

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this 18th day of April, 20 07, by Betty L. Dunn who has produced _____ as identification.

Kathy M Rangel
My Commission DD210025
Expires July 8, 2007

Kathy M Rangel
(Notary Public)
My commission expires 7-8-07

EXHIBIT A
TO PETITION TO AMEND ROYAL OAKS SECTION 1 SECURITY GUARD SPECIAL TAXING DISTRICT

Tracts 47 and 48, Section 15, Township 52 South, Range 40 East, of Florida Fruit Lands Company's Subdivision No. 1, in Dade County, Florida, according to the Plat thereof, recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida,

AND

A portion of Section 15, Township 52 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

The West 817.60 feet of Tract 25 less N 7 feet of "Florida Fruit Land Company Sub in 30-2015" as recorded in Plat Book 2 at Page 17;

AND

All of Block 9, Lots 1 throughout 14 and Lots 17 throughout 31 of Block 10, all of Block 11 and Lots 1 throughout 17 of Block 12 of "First Addition to Royal Oaks" as recorded in Plat Book 127 at Page 95;

AND

All of Blocks 9 and 13, Lots 1 throughout 3 and Lots 7 throughout 10 of Block 14 of "Second Addition to Royal Oaks" as recorded in Plat Book 130 at Page 30;

AND

Lots 30 throughout 78 of Block 12, all of Block 19 and 20 of "First Addition to Royal Oaks: as recorded in Plat Book 132 at Page 49;

AND

All of Blocks 21 throughout 24, Lots 1 throughout 5 of Block 25 of "Sixth Addition to Royal Oaks" as recorded in Plat Book 133 at Page 31;

AND

All of Blocks 26 and 27 of "Seventh Addition to Royal Oaks" as recorded in Plat Book 134 at Page 38;

AND

All of Blocks 1 throughout 4 of "Royal Lakes" as recorded in Plat Book 135 at Page 54;

AND

All of Blocks 9, 13, 27, 28, 29, 30, and Tract "C" of "Eighth Addition to Royal Oaks" as recorded in Plat Book 136 at Page 58;

AND

All of Blocks 3 throughout 8 of "Royal Lakes First Addition" as recorded in Plat Book 137 at Page 52;

AND

All of Block 1 and Lots 1 throughout 24 of Block 2 of "Dunnhill Cove" as recorded in Plat Book 139 at Page 88.

All aforementioned plats being recorded in the Public Records of Miami-Dade County, Florida.

Date: October 9, 2007

To: Don Tock
Chief, Special Taxing

From: James K. Kracht JKK'07
Assistant County Attorney

Subject: Amendment to Royal Oaks Section 1 Security Guard
Special Taxing District

Your questions with respect to the handling of the Royal Oaks annexation petition should be resolved pursuant to County Attorney's Opinion No. 79-35 (copy attached).

JKK/cj;

Attachment

RECEIVED
PUBLIC WORKS DEPT
2007 OCT -9 PM 12:40
SPECIAL TAXING
DISTRICTS DIVISION

Agenda Item No. 4 (j)

MEMORANDUM

103.01-14

COUNTY ATTORNEY'S OPINION NO. 79-35

TO: M.R. Stierheim
County Manager

DATE: November 15, 1979

SUBJECT: Special Taxing Districts-
Annexation Procedure

FROM: Stuart Simon
County Attorney

Your memorandum dated October 31, 1979, and its attachment indicate that all the property owners of Section 22, Township 52 South, Range 40 East, Dade County, Florida, have filed a petition requesting the annexation of their property to the existing special taxing district known as "Miami Lakes Parks and Street Lighting Improvement District." The existing special taxing district was created by Resolution No. 3285 adopted by the County Commission on January 22, 1963, and is financed by annual special assessments. No bonds were ever issued to defray any of the costs of the project. The proposed addition is apparently contiguous to the area comprising the existing special taxing district. Based on the information presented, your memorandum raises two questions:

1. Is a referendum of the freeholders residing in the original Miami Lakes District required to approve the proposed annexation?

2. Are the property owners in the original Miami Lakes District to receive a public hearing notice concerning the proposed annexation?

In answering these questions, we note that Section 18-16(i) of the Code of Metropolitan Dade County authorizes and empowers the Board of County Commissioners

> [t]o provide for the annexation of contiguous territory to any special taxing district created and established under the provisions of this article and for the consolidation of any two or more such special taxing districts created and established for projects of the same classification, subject to giving notice and holding a hearing in accordance

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> with the provisions of section 18-3 of this article insofar as such provisions shall be applicable; provided, however, that none of the powers granted by this clause (i) shall be exercised in case any such district shall at the time have outstanding any bonds issued under the provisions of sections 18-5 and 18-6 of this article.

Thus, the Board may annex contiguous territory to an existing special taxing district provided that it gives the notice and holds the hearing required by Section 18-3 of the Code, and provided further that no bonds issued with respect to the existing special taxing district remain outstanding. Section 18-16(i) does not require the holding of a referendum, and this is most appropriate in this case, where all the property owners of the proposed annexed area have signed the petition requesting the annexation. See Section 18-22 of the Code which eliminates the need for a referendum when all property owners of the proposed district have signed the petition. Therefore, the answer to the first question is in the negative.

With regard to the second question, as noted above, Section 18-16(i) of the Code does mandate that the Board provide notice and a public hearing in accordance with Section 18-3 when additional territory is proposed to be annexed to an existing special taxing district. Section 18-3(d) describes the essential contents of the notice of public hearing and the procedure for providing such notice. However, said section does not indicate whether mailing notices to all property owners within the boundaries of the proposed addition is sufficient per se, or whether notice must be sent to all property owners within the existing special taxing district area as well as those within the new area.

In the instant situation it would not seem necessary to provide for notice to the property owners in the existing area if the financial structure of the previously created special taxing district were not affected by the annexation of the additional territory, that is, if the assessments, burdens, or liabilities on the property owners in the existing area were not increased or materially changed as a result of the annexation. However, if the assessments, burdens,

or liabilities imposed upon the property owners in the existing area would or could be increased to any significant degree as a result of the proposed annexation, then notice of the public hearing on the proposed annexation should be provided to all property owners in the existing special taxing district area as well as in the new area proposed for annexation. If there is any doubt as to whether there will be increased assessments, liabilities, or burdens to the property owners in the existing area, the prudent and necessary course of action would be to provide notice to all owners in both the old and new areas. Therefore, the answer to your second question requires a further factual determination and then the application of that factual determination to the discussion above.

You have indicated that, since the creation of the existing special taxing district in 1963, the rate of the ad valorem assessments levied in the existing district has been approximately 1.5 mills per annum for park purposes and a front footage rate amounting to substantially less than that for street lights. You have also indicated that the proposers of the annexation, in this case the property owners within such area, have represented to you that the rates and millages to be assessed in the future in both the existing and annexed areas will remain substantially the same as those presently being imposed in the existing area and that the proposed annexation will not cause an increase in the assessments levied in the existing area. In such circumstances, this office is prepared to hold that the proposed annexation will not change the financial structure or makeup of the previously created district, or add to the assessments, burdens, or liabilities of the property owners within such district. Under such circumstances, it appears to us that no individual notices of the public hearing to be held on the proposed annexation need be sent to the individual property owners of the previously created special taxing district.

We hope this opinion offers you guidance in the annexation procedure. Please contact us if we may be of any further assistance.

Stuart Simon
Dade County Attorney

SLS/VJJ/dlg

Prepared By: Vicki Joy 17

RESOLUTION NO. 07-528Z

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ROYAL OAKS SECTION 1 SECURITY GUARD SPECIAL TAXING DISTRICT BY MIAMI-DADE COUNTY, WITHIN THE TOWN OF MIAMI LAKES, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Chapter 18, Article I of the Code of Miami-Dade County ("County Code") allows for the creation and establishment of special taxing districts within incorporated areas to provide public improvements and special services which could not conveniently or equitably be provided otherwise; and

WHEREAS, citizens of the Town of Miami Lakes, residing in the Royal Oaks area petitioned Miami-Dade County under Section 18-3 of the County Code, to install a security guard to service the area of the Royal Oaks Section 1 Security Guard District ("District"), located in a portion of Section 15, Township 52 South, Range 40 East; and

WHEREAS, the Miami-Dade Board of County Commissioners created and established the District via Ordinance No. 96-07; and

WHEREAS, in consideration of final plat approval for the Dunnhill Cove First Addition subdivision, the Owner proffered and the Town Council of the Town of Miami Lakes accepted, a Unity of Title, recorded in Official Record Book 22903 at Page 3879 of the Public Record of Miami-Dade County, requiring that the Dunnhill Cove First Addition property be included by Miami-Dade County as part of the District;

WHEREAS, in the interest of public health, safety and welfare, and for other good and valuable consideration, the Owner has petitioned Miami-Dade County to amend the District boundaries and its assessment roll to include both the Dunnhill Cove First Addition and Dunnhill Isle subdivisions, described in Exhibit "A," so that the subdivisions are located within the District .

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA:

Section 1. Recitals. The recitals in the "whereas" clauses are true and correct, and are incorporated into this Resolution.

Section 2. Findings. This amendment of the boundaries and tax roll of the Royal Oaks Section 1 Security Guard Special Taxing District by Miami-Dade County, in accordance with Chapter 18, Article I of the Code of Miami-Dade County, is

approved by the Town Council of the Town of Miami Lakes, Florida. Such approval is conditioned upon the approval of the Miami-Dade Board of County Commissioners.

Section 3. Transmittal. The Town Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Clerk of the Board of the Miami-Dade County Commissioners.

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

PASSED AND ADOPTED this 24th day of April, 2007.

Motion to adopt by Vice Mayor Mary Collins, second by Roberto Alonso.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	yes
Vice Mayor Mary Collins	yes
Councilmember Roberto Alonso	yes
Councilmember Robert Meador	absent
Councilmember Richard Pulido	yes
Councilmember Michael Pizzi	yes
Councilmember Nancy Simon	yes

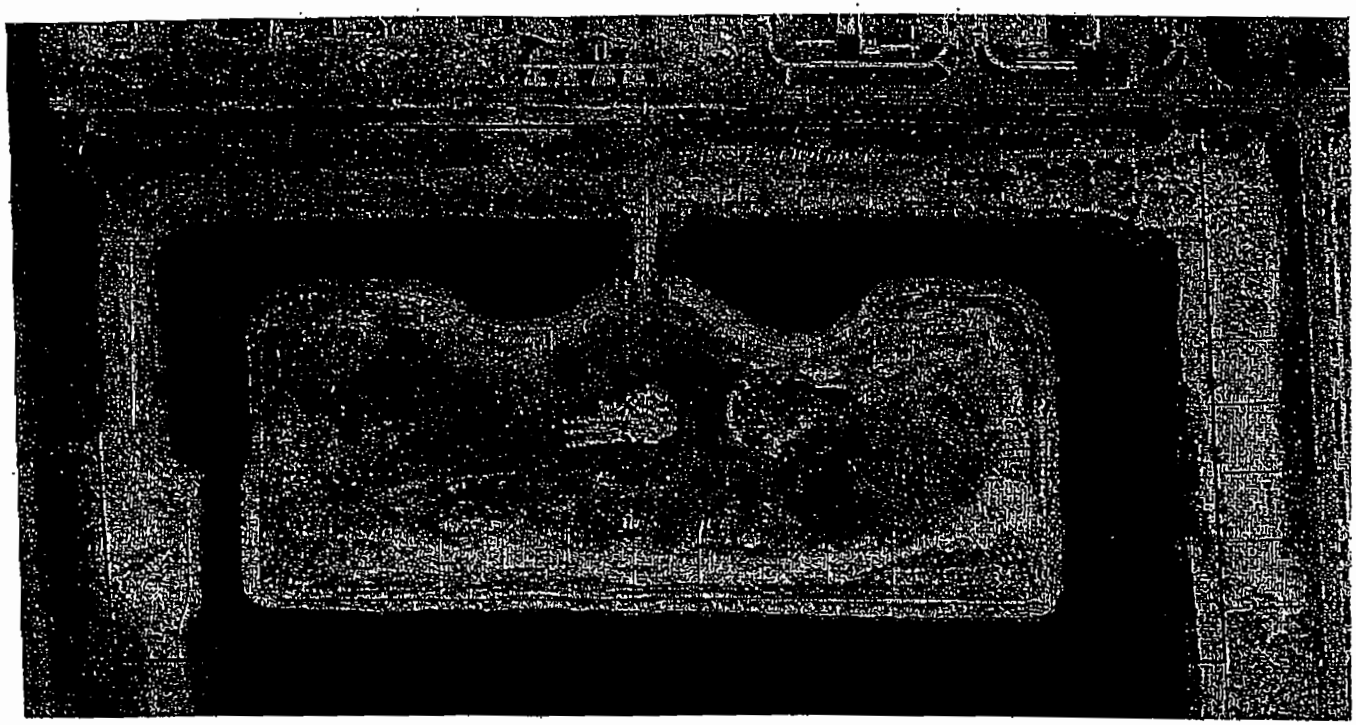
Wayne Slaton
MAYOR

ATTEST:

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



GRAPHIC SCALE

0 75 150 300

(IN FEET)

1 inch = 150 ft.

ROYALPOINT
LAND SURVEYORS, INC.
PHONE: 305-822-6062 ! FAX: 305-827-9669
6175 NW 153rd STREET, SUITE 321
MIAMI LAKES, FL 33014

LEGAL DESCRIPTION:
All of Tracts 47 and 48 of FLORIDA FRUITLAND COMPANY'S SUBDIVISION No. 1 being and lying in Section 15, Township 54 South, Range 40 East, according to the Plat thereof as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida.

AREA CALCULATIONS

TOTAL SITE AREA:	20.00 Acres
RIGHT-OF-WAY:	1.68 Acres
WATER:	5.24 Acres
LAND:	13.08 Acres

tabbies

EXHIBIT A

Exhibit A

CFN 2004R1112831
OR Bk 22903 Pgs 3879 - 3881; (3pgs)
RECORDED 12/14/2004 12:34:51
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by:
Name: **Melissa Tapanes Llahues, Esq.**
Address: **Bercow & Radell, P.A.**
200 S. Biscayne Boulevard
Suite 850
Miami, FL 33131

Folio Numbers:
32-2015-001-0500

(Space reserved for Clerk)

UNITY OF TITLE

WHEREAS, the undersigned is the Owner of certain property located in the Town of Miami Lakes, Miami-Dade County, Florida (the "Town") being more particularly described as:

> ALL THAT PART OF TRACT 48 OF FRUITLANDS COMPANY'S SUBDIVISION No. 1 OF SECTION 15, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING WITHIN THE NORTH 165 FEET OF THE WEST ½ OF THE SW ¼ OF SAID SECTION 15.

Also known as Dunnhill Cove First Addition, Miami Lakes, Florida (the "Property"); and

In consideration of final plat approval, and in the interest of public health, safety and welfare, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner hereby agrees that use of the subject Property shall be restricted in the following manner:

The Property shall be considered as one plot and parcel of land for development and use purposes, and no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except as provided herein, and the development and use of the Property in its entirety is as one plot or parcel of land.

Owner further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land and shall be recorded, at Owner's expense, in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the Owner, its heirs, successors, personal representatives and assigns and upon all mortgagees or lessees until such time as the same may be released in writing by the Town Manager or

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designee. Owner shall provide the Town with a certified copy of this Unity of Title after its recording in the Public Records of Miami-Dade County, Florida. Further provided, however, that a release of this Unity of Title will be executed by the Town Manager or his designee when the Owner has complied with the following conditions:

(1) The continuation southward of the existing concrete block stucco masonry wall at a uniform height and color with the existing wall along the western boundary of the Property, abutting the right-of-way of N.W. 87th Avenue, pursuant to approved plans and specifications; and

(2) The creation of a homeowner's association to maintain the lake, the concrete block stucco masonry wall and any other common elements on the Property; and

(3) The Property has been included by the Miami-Dade County Board of County Commissioners as part of the Royal Oaks Section I Security Guard Special Taxing District.

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Signed, sealed and delivered
In the presence of:

Janet Barrero
Print Name: Janet Barrero

Yvette Ojeda
Print Name: Yvette Ojeda

Janet Barrero
Print Name: Janet Barrero

Yvette Ojeda
Print Name: Yvette Ojeda

OWNER:

BETTY L. DUNN

LOWELL S. DUNN

STATE OF FLORIDA)
SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 30 day of November, 2004, by BETTY L. DUNN, who (check one) [X] is personally known to me or [ ] has produced a Florida driver's license as identification.

Kathy M Rangel
Notary Public
Print Name: KATHY M RANGEL

My Commission Expires: 7-8-07

Kathy M Rangel
My Commission DD210025
Expires July 8, 2007

STATE OF FLORIDA)
SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 30 day of November, 2004, by LOWELL S. DUNN, who (check one) [X] is personally known to me or [ ] has produced a Florida driver's license as identification.

Kathy M Rangel
Notary Public
Print Name: KATHY M RANGEL

My Commission Expires: 7-8-07

Kathy M Rangel
My Commission DD210025
Expires July 8, 2007

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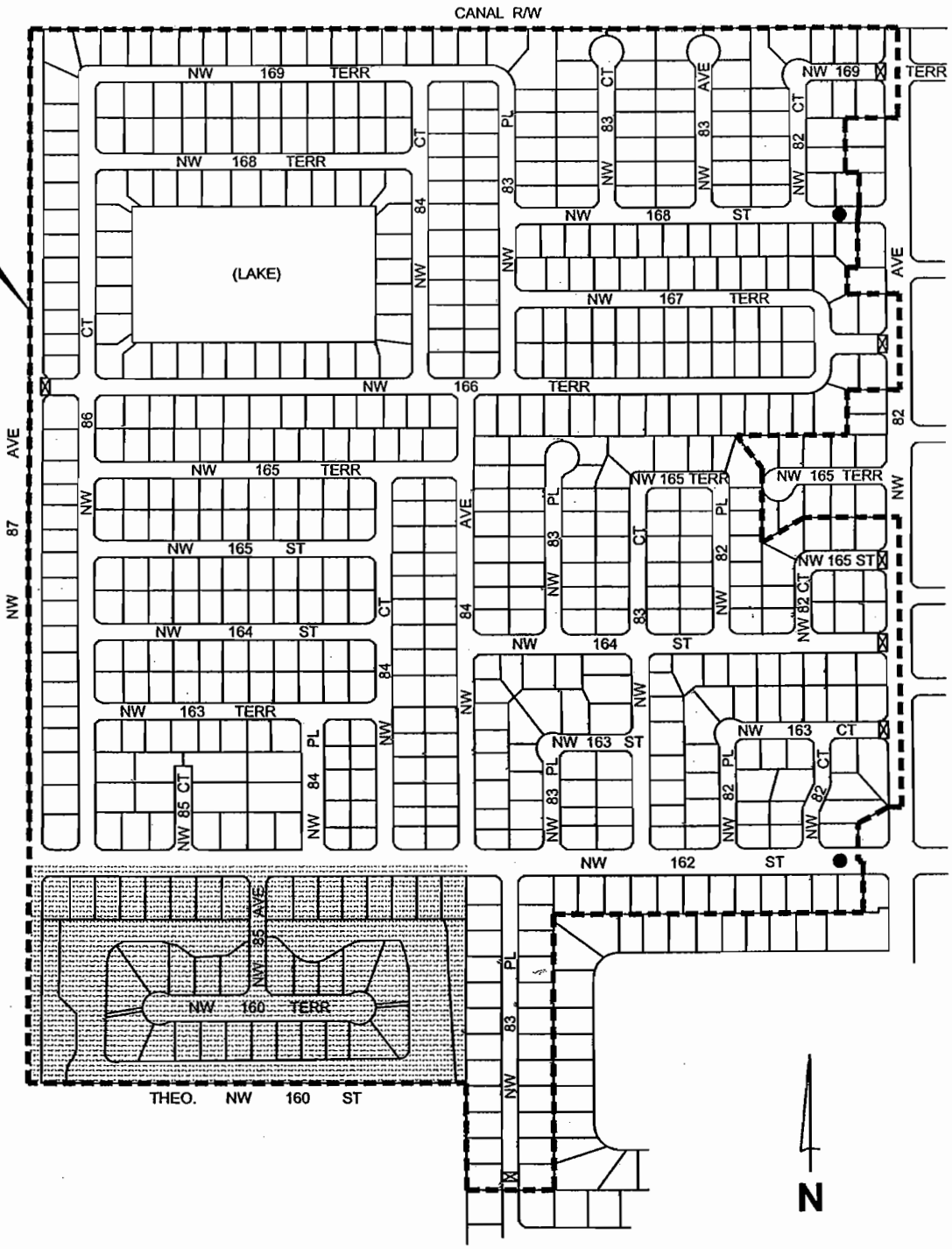

ROYAL OAKS SECTION 1

SECURITY GUARD SPECIAL TAXING DISTRICT

(EXPANSION)

EXPANSION AREA SHOWN SHADED

● **GUARDHOUSE**

⊠ **BARRICADE**

(REVISED 1-11-08)

EXHIBIT "A"

G-226 (COMM. 0013)
SECTION: 15 - 52 - 40

1/31/2008 8:58:04 AM, P. Jean Baptiste/ S.Ferrer