

## MEMORANDUM

Agenda Item No. 8(L)(1)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** February 19, 2025

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution approving a Canal Right-of-Way Deed and a Canal Maintenance Easement between Amelia TH 4.9, LLC and Miami-Dade County in exchange for the release of a portion of canal reservation located along W 4 Avenue and W 76 Street in the City of Hialeah, Miami-Dade County; approving a disclaimer for the release of a portion of canal reservation; authorizing the County Mayor to execute the Canal Right-of-Way Deed, Canal Maintenance Easement and the disclaimer and to take all actions necessary to effectuate this transaction

Resolution No. R-173-25

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Senator René García.



\_\_\_\_\_  
Geri Bonzon-Keenan  
County Attorney

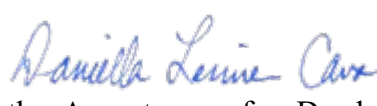
GBK/uw

# Memorandum



**Date:** February 19, 2025

**To:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Resolution Authorizing the Acceptance of a Deed for Canal Right-of-Way, a Canal Maintenance Easement and a Disclaimer for the Release of a Portion of Canal Reservation Located at 7450 West 4 Avenue in the City of Hialeah, Miami-Dade County (WC-951)

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## **Executive Summary**

The purpose of this item is to gain authorization by the Board of County Commissioners (Board) to accept a deed for a canal-right-of-way, to accept a canal maintenance easement, and to approve a disclaimer for the release of a portion of unused canal reservation located at 7450 West 4 Avenue, south of West 76 Street and west of and along West 4 Avenue in the City of Hialeah, Miami-Dade County. The property currently has a canal reservation where the Red Road Canal exists which is located on the west side of West 4 Avenue along the east section line of Section 20 Township 52 South, Range 40 East. The acceptance of the canal right-of-way deed and canal maintenance easement will satisfy the County's canal needs and, as a result, the portion of unused canal reservation will no longer be needed. The Red Road Canal currently provides conveyance between the Grahams Dairy Canal and the Gratigny Canal, provides stormwater management and flood protection. The property owner proposes to develop apartments and the portion of unused canal reservation will provide additional area for residential parking.

## **Recommendation**

It is recommended that the Board approve a Canal Right-of-Way Deed and Canal Maintenance Easement between Amelia TH 4.9, LLC and Miami-Dade County in exchange for the release of a portion of unused canal reservation located in 7450 West 4 Avenue, that is south of West 76 Street and west of and along West 4 Avenue in the City of Hialeah, Miami-Dade County. The canal right-of-way deed, canal maintenance easement, and disclaimer are attached to the resolution as Attachment A, Attachment B and Attachment C.

## **Scope**

The property is located at 7450 West 4 Avenue, that is south of West 76 Street and west of and along West 4 Avenue in Miami-Dade County in Commission District 13, which is represented by Senator René García.

## **Delegation of Authority**

Upon approval, the attached resolution authorizes the County Mayor or the County Mayor's designee to execute the Canal Right-of-Way deed, the Canal Maintenance Easement, and the Disclaimer for and on behalf of Miami-Dade County and to take all actions necessary to effectuate these transactions.

**Fiscal Impact/Funding Source**

This item does not require the expenditure of any Miami-Dade County funds.

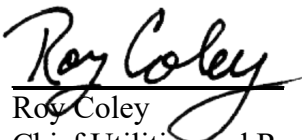
**Track Record/Monitor**

The Senior Professional Engineer within the Department of Regulatory and Economic Resources, Water Control Section, Marsel Fakhrutdinov, P.E. will be responsible for tasks related to this transaction.

**Background**

In 1959, the South Florida Water Management District, granted to Miami-Dade County a canal reservation, Flood Control District Deed No. 21, for canal and water management purposes in connection with the Miami-Dade County Water Control Plan in Section 25, Township 52 South, Range 40 East, in the vicinity south of West 76 Street and west of and along West 4 Avenue in Miami-Dade County.

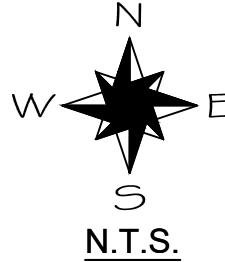
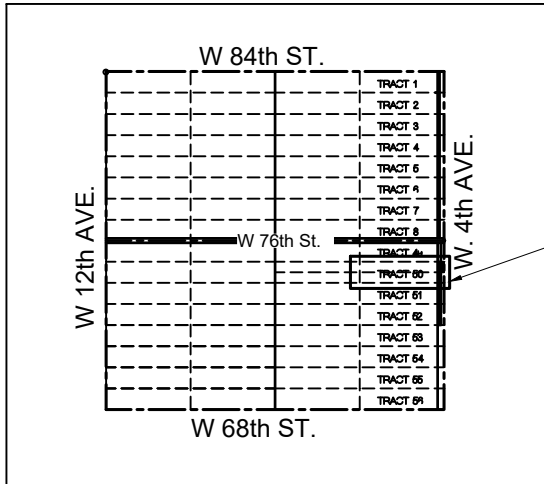
The property is owned by Amelia TH 4.9, LLC and the above-stated canal reservation is located within the eastern portion of the property that on the west side of West 4 Avenue. Ameila TH 4.9, LLC has requested the release of a portion of unused canal reservation within the property and offered in exchange to dedicate a canal right-of-way for the Red Road Canal, and a canal maintenance easement located within the canal reservation. The Red Road Canal provides conveyance between the Grahams Dairy Canal and the Gratigny Canal, provides stormwater management and flood protection. It is recommended that the Board approve a Canal Right-of-Way and Canal Maintenance Easement between Amelia TH 4.9, LLC and Miami-Dade County in exchange for the release of a portion of unused canal reservation. A general site sketch is attached as Exhibit 1 to this memorandum.

A handwritten signature in black ink, appearing to read "Roy Coley", written over a horizontal line.

Roy Coley  
Chief Utilities and Regulatory Services Officer

# EXHIBIT 1

## GENERAL SITE SKETCH

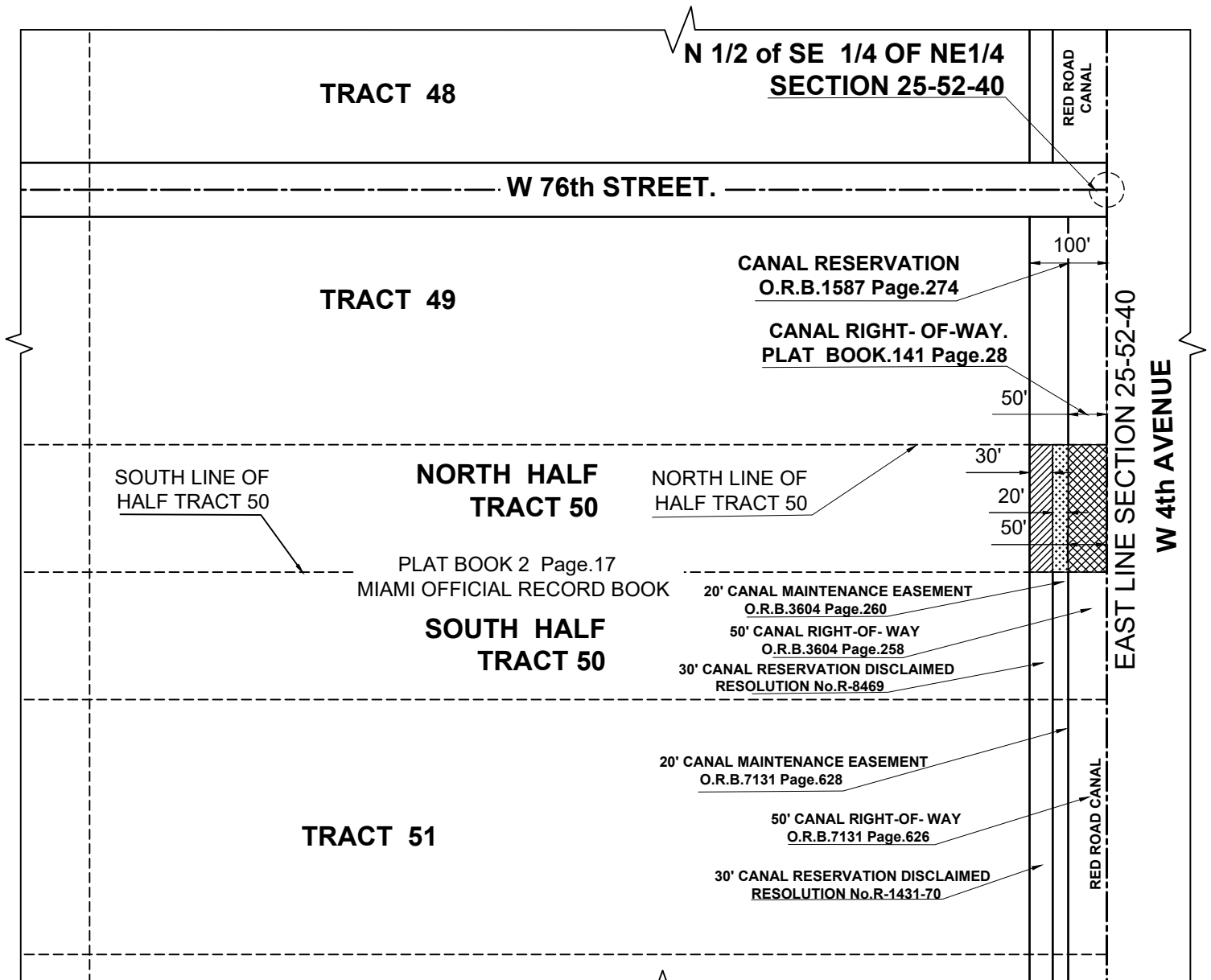


**W.C. 951**  
**SEC. 25**  
**TWP. 52**  
**RGE. 40**

**PROJECT  
LOCATION**

### LEGEND:

-  CANAL RESERVATION TO BE RELEASED
-  CANAL MAINTENANCE EASEMENT TO BE DEDICATED
-  CANAL RIGHT -OF- WAY TO BE DEDICATED



NOT TO SCALE

MDC004

# Memorandum



**Date:** February 11, 2025

**To:** Honorable Chairman Anthony Rodriguez and Members,  
Board of County Commissioners

**From:** Roy Coley  
Chief Utilities and Regulatory Services Officer

**Subject:** Request to Place Resolution Authorizing the Acceptance of a Deed for Canal Right-of-Way, a Canal Maintenance Easement and a Disclaimer for the Release of a Portion of Canal Reservation Located at 7450 West 4 Avenue in the City of Hialeah, Miami-Dade County (WC-951) on the February Committee Agenda

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I am respectfully requesting that the Resolution listed below be placed on the February Committee agenda. The property owner has requested this resolution be heard in an expedited manner so they may proceed with obtaining their development permits, which are contingent on the passing of said resolution.

RESOLUTION APPROVING A CANAL RIGHT-OF-WAY DEED AND A CANAL MAINTENANCE EASEMENT BETWEEN AMELIA TH 4.9, LLC AND MIAMI-DADE COUNTY IN EXCHANGE FOR THE RELEASE OF A PORTION OF CANAL RESERVATION LOCATED ALONG W 4 AVENUE AND W 76 STREET IN THE CITY OF HIALEAH, MIAMI-DADE COUNTY; APPROVING A DISCLAIMER FOR THE RELEASE OF A PORTION OF CANAL RESERVATION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CANAL RIGHT-OF-WAY DEED, CANAL MAINTENANCE EASEMENT AND THE DISCLAIMER AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS TRANSACTION

I am aware that this item is subject to approval for placement on the agenda by the Board Chairman, and review by the Office of the County Attorney.

  
\_\_\_\_\_  
Approved by Mayor or Mayor's Designee  
Signature

Roy Coley  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Approved by Legislative Director or  
Designee Signature

Demetria Henderson  
\_\_\_\_\_  
Print Name

c: Geri Bonzon-Keenan, County Attorney  
CAOagenda@miamidade.gov



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** February 19, 2025

**FROM:**   
Glen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 8(L)(1)

Please note any items checked.

- ☐ "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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, majority plus one \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) \_\_\_\_, CDMP 9 vote requirement per 2-116.1(4)(c) (2) \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(L)(1)  
2-19-25

RESOLUTION NO. \_\_\_\_\_ R-173-25

RESOLUTION APPROVING A CANAL RIGHT-OF-WAY DEED AND A CANAL MAINTENANCE EASEMENT BETWEEN AMELIA TH 4.9, LLC AND MIAMI-DADE COUNTY IN EXCHANGE FOR THE RELEASE OF A PORTION OF CANAL RESERVATION LOCATED ALONG W 4 AVENUE AND W 76 STREET IN THE CITY OF HIALEAH, MIAMI-DADE COUNTY; APPROVING A DISCLAIMER FOR THE RELEASE OF A PORTION OF CANAL RESERVATION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CANAL RIGHT-OF-WAY DEED, CANAL MAINTENANCE EASEMENT AND THE DISCLAIMER AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS TRANSACTION

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

**Section 1.** This Board incorporates the foregoing recital as if fully set forth herein.

**Section 2.** This Board hereby approves and accepts the Canal Right-of-Way Deed between Amelia TH 4.9, LLC and Miami-Dade County in substantially the form attached hereto as Attachment A and made a part hereof.

**Section 3.** This Board hereby approves and accepts the Canal Maintenance Easement between Amelia TH 4.9, LLC and Miami-Dade County in substantially the form attached hereto as Attachment B and made a part hereof.

**Section 4.** This Board hereby approves the Disclaimer for the release of a portion of canal reservation located along West 4 Avenue and West 76 Street, in substantially the form attached hereto as Attachment C and made a part hereof, releasing Miami-Dade County's interest in the portion of canal reservation.

**Section 5.** This Board authorizes the County Mayor or County Mayor's designee to execute the Canal Right-of-Way Deed between Amelia TH 4.9, LLC and Miami-Dade County for and on behalf of Miami-Dade County.

**Section 6.** This Board authorizes the County Mayor or County Mayor's designee to execute the Canal Maintenance Easement between Amelia TH 4.9, LLC and Miami-Dade County for and on behalf of Miami-Dade County.

**Section 7.** This Board directs the County Mayor or County Mayor's designee to (i) execute the disclaimer; (ii) record the disclaimer in the official records of Miami-Dade County; and (iii) take all actions necessary to effectuate these transactions.

**Section 8.** Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or County Mayor's designee to record the Canal Right-of-Way Deed and Canal Maintenance Easement accepted herein in the Public Records of Miami-Dade County, Florida and to provide a recorded copy of the instruments to the Clerk of the Board within 30 days of the execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of each instrument together with this resolution.

The foregoing resolution was offered by Commissioner **Kionne L. McGhee** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:



|                                 |            |                        |               |
|---------------------------------|------------|------------------------|---------------|
| Anthony Rodriguez, Chairman     | <b>aye</b> |                        |               |
| Kionne L. McGhee, Vice Chairman | <b>aye</b> |                        |               |
| Marleine Bastien                | <b>aye</b> | Juan Carlos Bermudez   | <b>aye</b>    |
| Kevin Marino Cabrera            | <b>aye</b> | Sen. René García       | <b>absent</b> |
| Oliver G. Gilbert, III          | <b>aye</b> | Roberto J. Gonzalez    | <b>aye</b>    |
| Keon Hardemon                   | <b>aye</b> | Danielle Cohen Higgins | <b>aye</b>    |
| Eileen Higgins                  | <b>aye</b> | Raquel A. Regalado     | <b>aye</b>    |
| Micky Steinberg                 | <b>aye</b> |                        |               |

The Chairperson thereupon declared this resolution duly passed and adopted this 19<sup>th</sup> day of February, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "CMR".

Cristina M. Rabionet

## ATTACHMENT A

Carlos A. Calvache

Miami-Dade County Department of

Environmental Resources Management

Miami, FL 33136-3912

Section 25, Township 52 South, Range 40 East

WC - 951

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
CONVEYS THE TITLE FOR CANAL PURPOSES**

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

**THIS INDENTURE**, Made this \_\_\_\_ day of \_\_\_\_, A.D. 202\_ (the “Deed”), by and between **AMELIA TH 4.9, LLC**, a Florida limited liability company, whose address is 15000 New Barn Road, Suite 104, Miami Lakes, FL, 33014, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public canal and all public uses and purposes incidental thereto, including but not limited to the right of the party of the second part to ownership and disposal of all spoil material from said canal, the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF.**

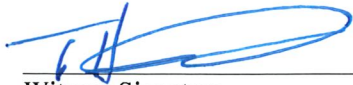
It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public canal and for other public uses and for all purposes incidental thereto.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

**IN WITNESS WHEREOF**, the said party of the first part, has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, signed for and on its behalf, the day and year first above written.

Signed, Sealed and Delivered  
in our presence: (2 witnesses  
for each signature or for all)

**WITNESSES:**

  
\_\_\_\_\_  
Witness Signature

Thomas Hurst  
\_\_\_\_\_  
Witness Printed Name

16400 NW 59 Ave, Miami Lakes, FL  
\_\_\_\_\_  
Witness Address 33014

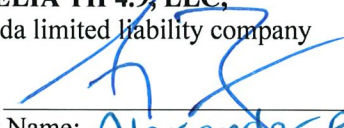
  
\_\_\_\_\_  
Witness Signature

Robert Gribel  
\_\_\_\_\_  
Witness Printed Name

16400 NW 59th Ave  
\_\_\_\_\_  
Witness Address  
Miami Lakes, FL 33014

**PARTY OF THE FIRST PART:**

**AMELIA TH 4.9, LLC,**  
Florida limited liability company

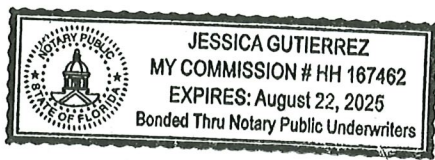
By:   
\_\_\_\_\_  
Print Name: Alexander Ruiz  
Title: Manager

15000 New Barn Road, Suite 104  
Miami Lakes, Florida 33014

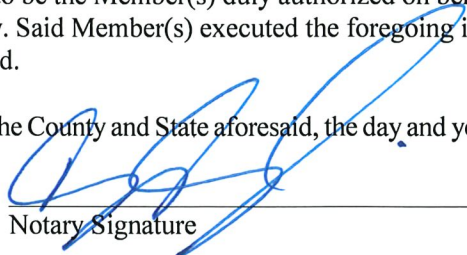
STATE OF FLORIDA )  
 )SS  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY, the foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 30 day of Oct., 2024 by Alexander Ruiz, ☒ personally known to me, or ☐ proven by producing the following identification: \_\_\_\_\_ to be the Member(s) duly authorized on behalf of AMELIA TH 4.9, LLC, a Florida limited liability company. Said Member(s) executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



NOTARY SEAL/STAMP

  
\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Notary Signature

Notary Public, State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission/Serial No. \_\_\_\_\_

**ATTEST:**  
JUAN FERNANDEZ-BARQUIN  
CLERK and COMPTROLLER

MIAMI-DADE COUNTY, FLORIDA  
BY ITS MAYOR OR MAYORS DESIGNEE

By: \_\_\_\_\_  
Mayor or Mayor's Designee

By: \_\_\_\_\_  
Deputy Clerk

Approved as to for  
and legal sufficiency

Print: \_\_\_\_\_

\_\_\_\_\_  
Assistant County Attorney

The foregoing was accepted and approved on the \_\_\_\_ day of \_\_\_\_\_, A.D. 202\_\_, by  
Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida.

NOTARY PUBLIC:

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA at large

(Seal)

My commission expires: \_\_\_\_\_



LB# 7282

PHONE: 305-822-6062 \* FAX: 305-827-9669

6175 NW 153rd STREET SUITE 321

MIAMI LAKE FL. 33014

JOB NUMBER: RP24-0024

# SKETCH AND LEGAL DESCRIPTION CANAL RIGHT-OF-WAY EXHIBIT "A"

**ADDRESS:**

7450 WEST 4 AVENUE, HIALEAH, FLORIDA 33014  
Folio# 04-2025-001-0500

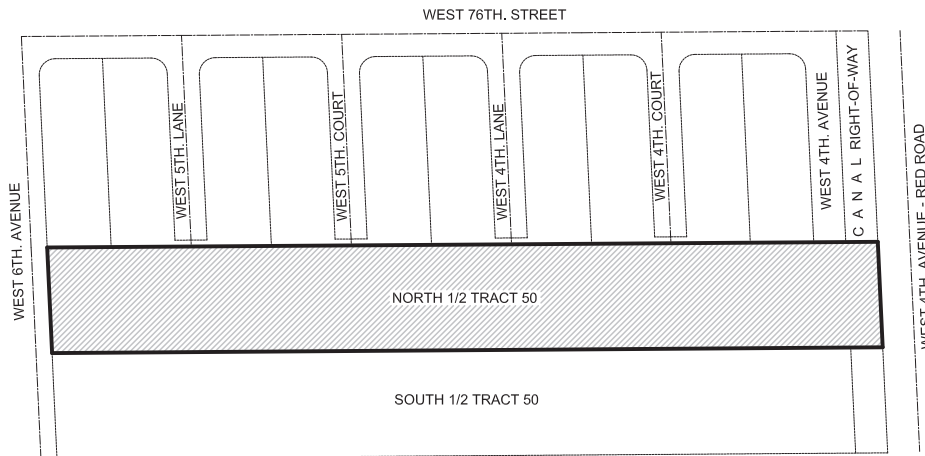
**LEGAL DESCRIPTION:**

The East 50 feet of the East 100 feet of the North 1/2 of Tract 50, LESS the West 25 feet thereof, of Section 25, Township 52 South, Range 40 East, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

Said described lands containing 8,246.1 square feet

**SURVEYOR'S CERTIFICATE:**

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Bearings hereon are referred to Plat Book 45 at Page 38 of the Public Records of Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



**VICINITY MAP**  
NOT TO SCALE  
PORTION SECTION 25-52S-40E

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE NAMED PROFESSIONAL SURVEYOR AND MAPPER USING A CRYPTOAPI PRIVATE KEY IGC DIGITAL CERTIFICATE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE AUTHENTICATION CODE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.



Digitally signed  
by Jacob Gomis  
Date:  
2024.04.12  
11:46:51-04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 12, 2024

INSTRUMENT PREPARED BY:



LB# 7282

PHONE: 305-822-6062 \* FAX: 305-827-9669

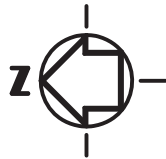
6175 NW 153rd STREET SUITE 321

MIAMI LAKE FL. 33014

JOB NUMBER: RP24-0024

## SKETCH AND LEGAL DESCRIPTION CANAL RIGHT-OF-WAY

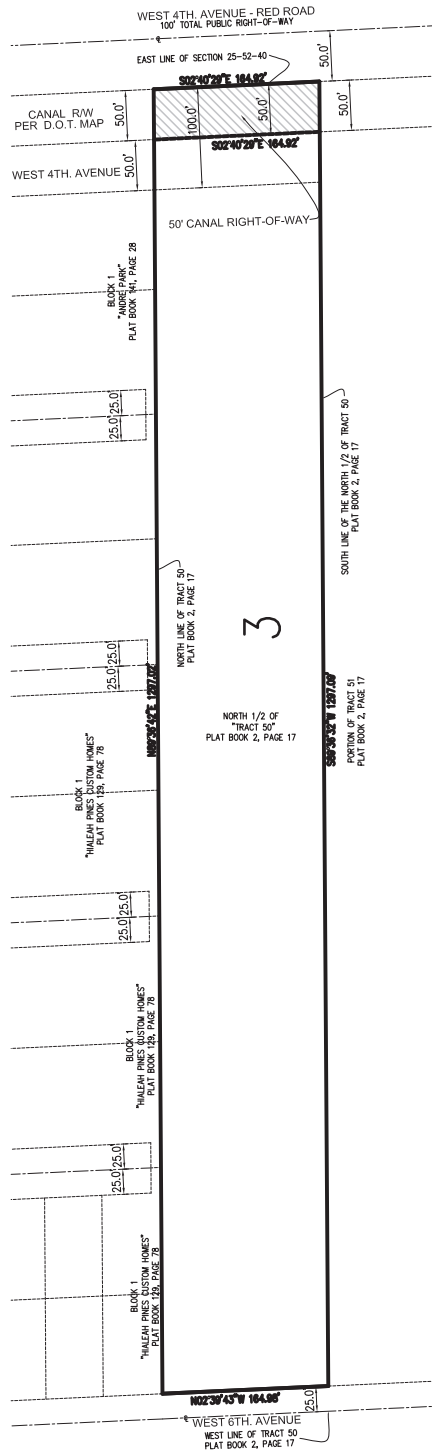
### EXHIBIT "A"



SCALE: 1" = 150'

#### LEGEND

—C— = Centerline



### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

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Digitally signed  
by Jacob Gomis  
Date:  
2024.04.12  
11:47:07-04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 12, 2024

MDC015

## ATTACHMENT B

Carlos A. Calvache  
Miami-Dade County Department of  
Regulatory and Economic Resources  
Division of Environmental Resources Management  
701 NW 1st Court, 6th Floor  
Miami, FL 33136-3912  
Folio No.: Portion of 04-2025-001-0500  
WC - 951

Carlos A. Calvache  
Miami-Dade County Department of  
Regulatory and Economic Resources  
Division of Environmental Resources Management  
701 NW 1st Court, 6th Floor  
Miami, FL 33136-3912  
Folio No.: Portion of 04-2025-001-0500  
WC - 951

## EASEMENT FOR CANAL MAINTENANCE

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

**THIS INDENTURE**, Made this \_\_\_\_ day of \_\_\_\_, A.D. 202\_\_, by and between **AMELIA TH 4.9, LLC**, a Florida limited liability company, whose post office address is 15000 New Barn Road, Suite 104, Miami Lakes, FL 33014, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 NW 1<sup>st</sup> Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

KNOW ALL MEN BY THESE PRESENTS that whereas the said party of the first part is the owner of the hereinafter described real property in Miami-Dade County, Florida and

WHEREAS, the parties hereto desire that the drainage canal which lies adjacent to said real property be maintained and kept free and clear of all obstruction, debris, silt, hyacinths, and other vegetable matter, and the party of the first part, to accomplish said purpose, is willing to convey to the party of the second part an easement hereinafter described to be used by the party of the second part for the construction, cleaning and maintenance of said canal.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, an easement over, along and across the following described real property lying and being in Miami-Dade County, State of Florida, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF**

together with the right to remove all trees, growth and shrubbery therefrom and to temporarily deposit such spoil, silt, hyacinths, and other vegetable matter which the party of the second part shall remove from the canal from time to time in the construction, cleaning and maintenance of said canal, and together also with



the right to the party of the second part to use said strip of land in such manner as may be necessary in the operation of the equipment used by the party of the second part in the construction and cleaning of said canal.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described to provide access to the canal maintenance pad within the canal right-of-way and for the purpose of canal maintenance and all public uses and for all public purposes incidental thereto.

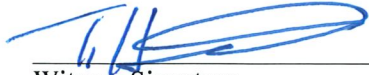
All of the provisions hereof shall inure to the benefit of the heirs, executors administrators, grantees, assigns and the successors in interest of the respective parties.

THE REMAINDER OF THIS PAGE  
WAS  
INTENTIONALLY LEFT BLANK

**IN WITNESS WHEREOF**, the said party of the first part, has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, signed for and on its behalf, the day and year first above written.

Signed, Sealed and Delivered  
in our presence: (**2 witnesses**  
for each signature or for all)

**WITNESSES:**

  
\_\_\_\_\_  
Witness Signature

Thomas Hurst  
\_\_\_\_\_  
Witness Printed Name

16400 NW 59th Ave, Miami Lakes, FL  
\_\_\_\_\_  
Witness Address 33014

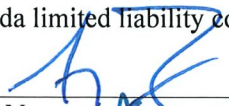
  
\_\_\_\_\_  
Witness Signature

Robert Geibel  
\_\_\_\_\_  
Witness Printed Name

16400 NW 59th Ave  
\_\_\_\_\_  
Witness Address  
Miami Lakes, FL 33014

**PARTY OF THE FIRST PART:**

**AMELIA TH 4.9, LLC**  
Florida limited liability company

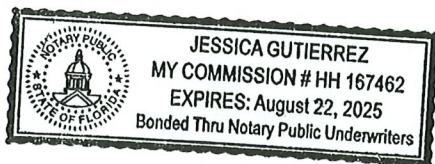
By:   
Print Name: Alexander Ruiz  
Title: Manager

15000 New Barn Road, Suite 104  
Miami Lakes, FL 33014

STATE OF Florida )  
COUNTY OF Miami-Dade )SS

I HEREBY CERTIFY, the foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 30 day of Oct., 2024 by Alexander Ruiz, ☒ personally known to me, or ☐ proven by producing the following identification: \_\_\_\_\_, to be the Member(s) duly authorized on behalf of AMELIA TH 4.9, LLC, a Florida limited liability company. Said Member(s) executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



  
Notary Signature

Printed Notary Signature

NOTARY SEAL/STAMP

Notary Public, State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission/Serial No. \_\_\_\_\_

ATTEST:  
JUAN FERNANDEZ-BARQUIN  
CLERK and COMPTROLLER

MIAMI-DADE COUNTY, FLORIDA  
BY ITS MAYOR OR MAYORS DESIGNEE

By: \_\_\_\_\_  
Mayor or Mayor's Designee

By: \_\_\_\_\_  
Deputy Clerk

Approved as to for  
and legal sufficiency

Print: \_\_\_\_\_

\_\_\_\_\_  
Assistant County Attorney

The foregoing was accepted and approved on the \_\_\_\_ day of \_\_\_\_\_, A.D. 202\_, by  
Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County,  
Florida.

NOTARY PUBLIC:

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA at large

(Seal)

My commission expires: \_\_\_\_\_

INSTRUMENT PREPARED BY:

**ROYAL POINT**  
LAND SURVEYORS, INC.  
LB# 7282  
PHONE: 305-822-6062 \* FAX: 305-827-9669  
6175 NW 153rd STREET SUITE 321  
MIAMI LAKE FL. 33014  
JOB NUMBER: RP24-0024

# SKETCH AND LEGAL DESCRIPTION CANAL MAINTENANCE EASEMENT EXHIBIT "A"

## ADDRESS:

7450 WEST 4 AVENUE, HIALEAH, FLORIDA 33014  
Folio# 04-2025-001-0500

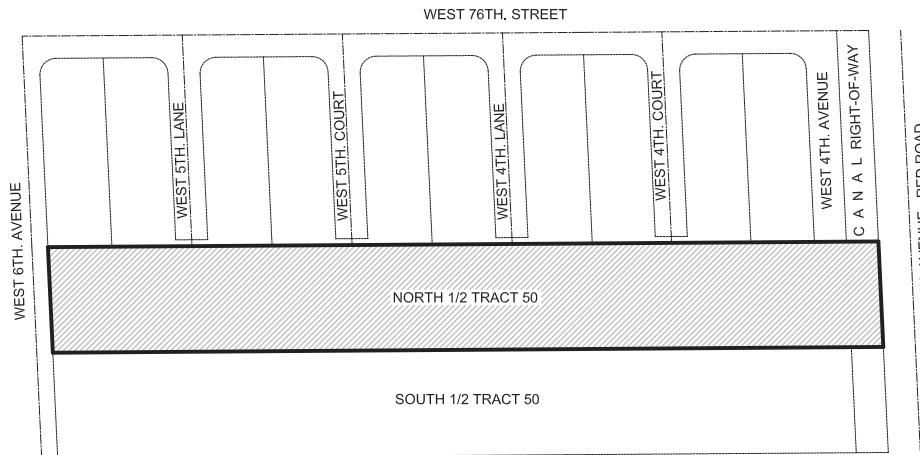
## LEGAL DESCRIPTION:

The West 20 feet of the East 70 feet of the North 1/2 of Tract 50, LESS the West 25 feet thereof, of Section 25, Township 52 South, Range 40 East, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

Said described lands containing 3,298.4 square feet

## SURVEYOR'S CERTIFICATE:

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Bearings hereon are referred to Plat Book 45 at Page 38 of the Public Records of Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



**VICINITY MAP**  
NOT TO SCALE  
PORTION SECTION 25-52S-40E



## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE NAMED PROFESSIONAL SURVEYOR AND MAPPER USING A CRYPTOAPI PRIVATE KEY IGC DIGITAL CERTIFICATE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE AUTHENTICATION CODE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.



Digitally signed  
by Jacob Gomis  
Date:  
2024.04.12  
11:46:14-04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 12, 2024

F:\DRAWING\7450 WEST 4 AVENUE - AMELIA TOWNHOMES - SALVATION ARMY\7450 WEST 4 AVENUE\_SKETCH AND LEGAL OF CANAL EASEMENT\_RELEASE\_REVISED 04\_12\_2024\_RP24-0024.dwg 4/12/2024

INSTRUMENT PREPARED BY:



LB# 7282

PHONE: 305-822-6062 \* FAX: 305-827-9669

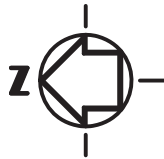
6175 NW 153rd STREET SUITE 321

MIAMI LAKE FL. 33014

JOB NUMBER: RP24-0024

## SKETCH AND LEGAL DESCRIPTION CANAL MAINTENANCE EASEMENT

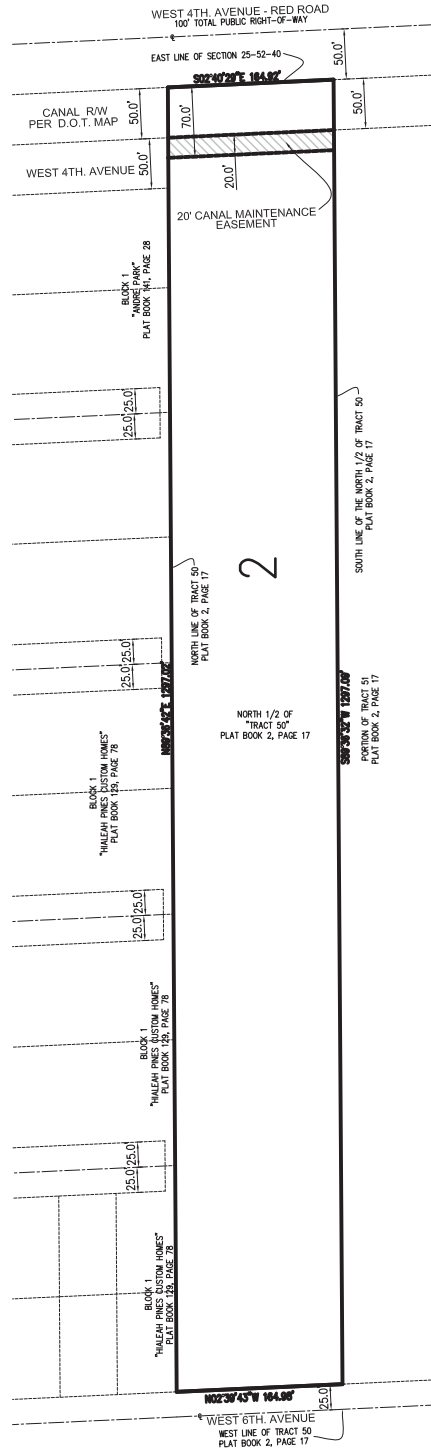
### EXHIBIT "A"



SCALE: 1" = 150'

#### LEGEND

—●— = Centerline



#### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE NAMED PROFESSIONAL SURVEYOR AND MAPPER USING A CRYPTOAPI PRIVATE KEY IGC DIGITAL CERTIFICATE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE AUTHENTICATION CODE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.



Digitally signed  
by Jacob Gomis  
Date:  
2024.04.12  
11:46:30-04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 12, 2024

MDC022

## ATTACHMENT C

**Instrument prepared by and return to:**

Carlos A. Calvache  
Miami-Dade County Department of  
Regulatory and Economic Resources  
Division of Environmental Resources Management  
701 NW 1<sup>st</sup> Court, 6 Floor  
Miami, FL 33136-3912  
Folio No. 04-2025-001-0500  
Section 25, Township 52 South, Range 40 East  
WC - 951

---

### MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

**KNOW ALL MEN BY THESE PRESENTS** that **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said **MIAMI-DADE COUNTY** has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

**SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART OF.**

**WHEREAS**, the Central and Southern Florida Flood Control Districts by Rights in Reservations Deed No. 21 dated August 6, 1959 recorded in Official Records Book 1587 at Page 274 of the Public Records of **MIAMI-DADE COUNTY, FLORIDA**, conveyed, assigned, set over and granted to Miami-Dade County for canal and levee purposes only, the above-described land depicted in Exhibit “A”; and

**WHEREAS**, the aforesaid rights in reservations upon the said above-described land depicted in Exhibit “A” is not now needed by **MIAMI-DADE COUNTY** for canal purposes:

**NOW, THEREFORE, MIAMI-DADE COUNTY DOES** disclaim any interest it has in the aforementioned land depicted in Exhibit “A” said Rights in Reservations Deed No. 21 dated August 6, 1959 recorded in Official Records Book 1587 at Page 274 of the Public Records of Miami-Dade County, Florida.

**BY THE ISSUANCE** of this instrument **MIAMI-DADE COUNTY** does not purport to lessen or diminish any existing canal right-of-way or canal maintenance easement, nor the rights of any other agency or governmental body in and to the aforementioned lands.

**IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA**, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA  
BY ITS MAYOR OR MAYOR'S DESIGNEE

JUAN FERNANDEZ-BARQUIN  
CLERK and COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor or Mayor's Designee

Print: \_\_\_\_\_

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA at large  
(Seal)

My commission expires: \_\_\_\_\_



INSTRUMENT PREPARED BY:



PHONE: 305-822-6062 \* FAX: 305-827-9669  
6175 NW 153rd STREET SUITE 321  
MIAMI LAKE FL. 33014  
JOB NUMBER: RP24-0024

## SKETCH AND LEGAL DESCRIPTION CANAL RESERVATION RELEASE EXHIBIT "A"

### ADDRESS:

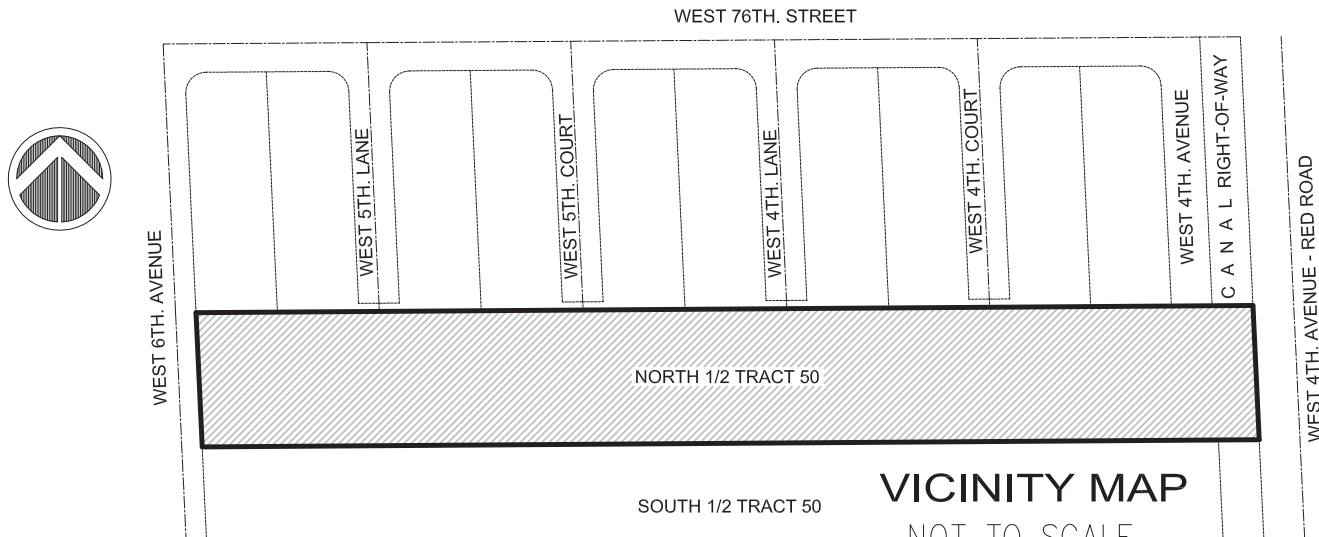
7450 WEST 4 AVENUE, HIALEAH, FLORIDA 33014  
Folio# 04-2025-001-0500

### LEGAL DESCRIPTION:

The West 30 feet of the East 100 feet of the North 1/2 of Tract 50, LESS the West 25 feet thereof, of Section 25, Township 52 South, Range 40 East, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.  
Said described lands containing 4,947.6 square feet

### SURVEYOR'S CERTIFICATE:

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Bearings hereon are referred to Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.



### VICINITY MAP

NOT TO SCALE

### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE NAMED PROFESSIONAL SURVEYOR AND MAPPER USING A CRYPTOAPI PRIVATE KEY IGC DIGITAL CERTIFICATE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE AUTHENTICATION CODE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.



Digitally signed  
by Jacob Gomis  
Date: 2024.10.31  
10:32:32 -04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 23, 2024

MDC025

INSTRUMENT PREPARED BY:



LB# 7282

PHONE: 305-822-6062 \* FAX: 305-827-9669

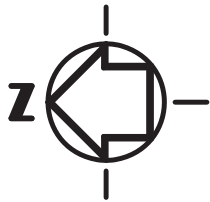
6175 NW 153rd STREET SUITE 321

MIAMI LAKE FL. 33014

JOB NUMBER: RP24-0024

# SKETCH AND LEGAL DESCRIPTION CANAL RESERVATION RELEASE

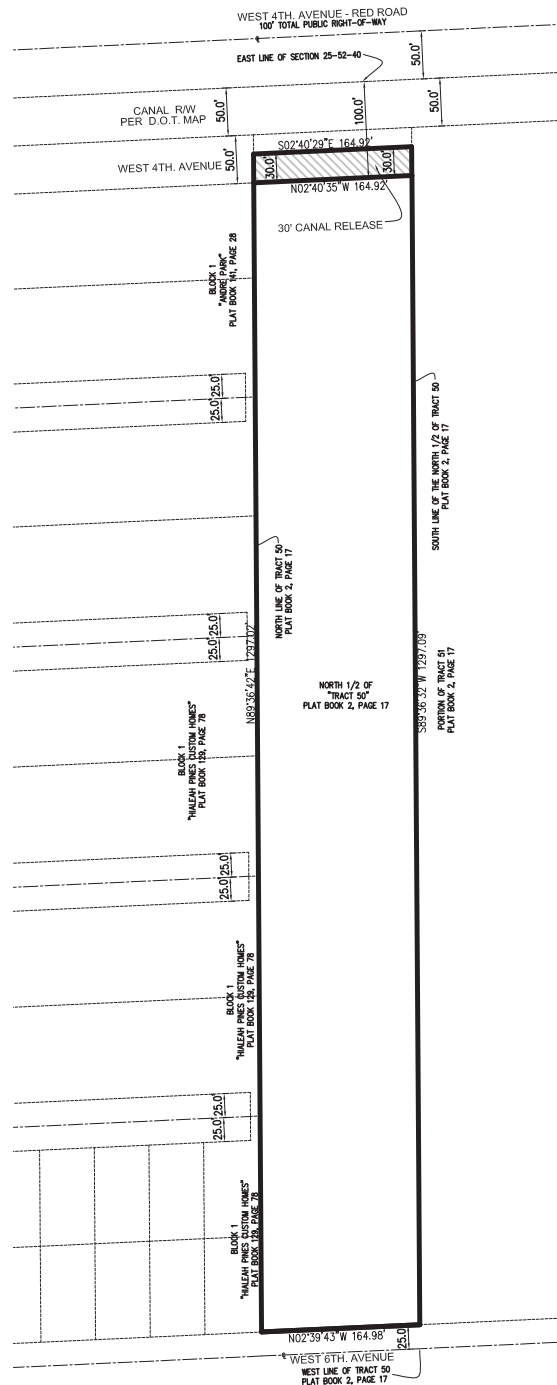
## EXHIBIT "A"



SCALE: 1" = 200'

### LEGEND

—○— = Centerline



## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SURVEY MAP COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

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Digitally signed  
by Jacob Gomis  
Date: 2024.10.31  
10:33:00 -04'00'

Jacob Gomis  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231  
Dated: April 23, 2024

MDC026