

Ordinance No.: 4889

AN ORDINANCE OF THE CITY OF SWEETWATER FLORIDA RELEASING DECLARATION OF RESTRICTIONS RECORDED IN OR BOOK 27126 PAGES 3955-3964, DECLARATION OF RESTRICTIONS OR BOOK 32707 PAGES 1519-1524, EASEMENT AND OPERATING COVENANT / GRANT OF CROSS ACCESS OR BOOK 27328 PAGES 4912-4918 AND A UNITY OF TITLE OR BOOK 27328 PAGES 4850-4853 AS THEY APPLY TO CERTAIN PROPERTY AS DESCRIBED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, CREI Holdings, LLC (the "Owner") owns the property described in Exhibit A; and

WHEREAS, the Owner is requesting to release certain declaration of restrictions, covenants and unity of title running with the property described in Exhibit A (the "Property"); and

WHEREAS, the Owner of the Property, shall provide a site plan unifying the entire property as one development; and

WHEREAS, the Owner will provide a new covenant and unity of title unifying all the current and proposed development on the Property as shown in Exhibit B; and

WHEREAS, the Mayor and City Commission find that this ordinance serves the best interest of the businesses in City of Sweetwater.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA AS FOLLOWS:

- Section 1. That the recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.
- Section 2. That the Declaration of Restriction recorded in OR BOOK 27126 Pages 3955-3964 and OR BOOK 32707 Pages 1519-1524, Easement and Operating Covenant OR BOOK 27328 Pages 4912-4918 and Unity of Title OR BOOK 27328 Pages 4850-4853 are hereby released from the property described in Exhibit A.
- Section 3. That the property owner provides a new covenant and unity of title unifying the property and the developments as shown in Exhibit B.
- Section 4. That all ordinances or portions of the City Land Development Code in conflict with the provisions of this Ordinance shall be repealed upon the effect hereof.
- Section 5. That if any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.
- Section 6. That this Ordinance shall become effective upon its adoption by the City Commission and approval by the Mayor or if vetoed upon its reenactment by the City Commission as provided by the Charter of the City of Sweetwater.

¹ Underline items are additions; strike-through items are deletions.

PASSED on first reading this 12th day of September, 2022.

PASSED AND ADOPTED on second reading this 7th day of November, 2022.



ORLANDO LOPEZ, MAYOR



SAUL DIAZ, COMMISSION PRESIDENT

ATTEST:



CARMEN GARCIA, CITY CLERK



RALPH VENTURA, CITY ATTORNEY

VOTE UPON ADOPTION:

SAUL DIAZ, PRESIDENT	yes
ISIDRO RUIZ, VICE PRESIDENT	yes
IDANIA LLANIO, COMMISSIONER	yes
JOSE MARTI, COMMISSIONER	yes
REINALDO REY, COMMISSIONER	yes
IAN VALLECILLO, COMMISSIONER	yes
MARCOS VILLANUEVA, COMMISSIONER	yes

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EXHIBIT A

Legal Description

The East 396.96 Ft of Lot 3, Block 3, Block 25, SWEETWATER GROVES, according to the plat thereof, as recorded in Plat Book 8, Page 50, together with Lot 3, less the East 396.96 Ft of Block 25, SWEETWATER GROVES, according to the plat thereof, as recorded in Plat Book 8, Page 50 of the Public Records of Miami-Dade County, Florida; and the portion lying in the LIL ABNER SUBDIVISION, according to the plat thereof, as recorded in Plat Book 169, Page 72 of the Public Records of Miami-Dade County, Florida.

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