

RESOLUTION NO. R2026-XX

A RESOLUTION BY THE CITY OF NORTH MIAMI BEACH PROVIDING FOR THE MODIFICATION OF THE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND MIAMI-DADE COUNTY TO PERMIT THE PARTIAL RELEASE AND MODIFICATION OF DEED RESTRICTION FOR GREYNOLDS PARK DATED DECEMBER 14, 1934 FOR THE EXPRESSED CONSTRUCTION AND OPERATION OF A PUBLIC STORMWATER PUMP STATION AND RELATED INFRASTRUCTURE BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING FOR CONFLICTS, SCRIVENER'S ERRORS, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach (“Grantor”) conveyed to Miami-Dade County (“Grantee”) certain real property located in Miami-Dade County, Florida, as more particularly described in that certain deed executed on December 14, 1934, and recorded in Miami-Dade County’s Official Records Book 1600, Page 492 (the “Original Deed”); and

WHEREAS, the Original Deed includes a restriction requiring that the Property be used solely for park and recreation purposes, together with a reversion provision in favor to the City upon violation of such restriction; and

WHEREAS, the Property is currently owned and operated by the County as a public park; and

WHEREAS, the construction and operation of a public stormwater pump station and related infrastructure by the South Florida Water Management District (the “District”) is needed to address flooding, protect park improvements, and enhance public safety and resiliency throughout the C-9 basin, including the Grantor’s municipal service area; and

WHEREAS, the parties desire to preserve the intent of the Original Deed, while allowing a limited, compatible public infrastructure use that provides necessary flood protection; and

WHEREAS, the City of North Miami Beach is willing to grant a limited modification and partial release of the deed restriction solely for the Project, subject to the terms herein.

NOW, THEREFORE, be it hereby Resolved, that the City Commission approves a modification of the deed restrictions with conditions as follows:

In consideration of the mutual covenants contained herein, the parties agree as follows:

1. Partial Release of Deed Restriction

Grantor hereby partially releases and modifies the restriction contained in the Original Deed solely to allow for the construction, installation, operation, maintenance, repair, replacement, and removal of a publicly owned and operated stormwater pump station and associated infrastructure by the District as described in Exhibit A, within a specifically defined portion of the Property as described in Exhibit C-1. This release is conditioned on the stormwater pump being designed,

constructed, and maintained with appropriate visual screening facing southward as approved by the City of North Miami Beach. Grantor understands that Grantee and the District have an existing interlocal agreement related to the project described in Exhibit A and this paragraph. The City of North Miami Beach is an intended third-party beneficiary of this agreement and may seek to independently enforce the provisions of this paragraph against the District.

All other provisions of the Original Deed remain in full force and effect.

2. Recording

This Partial Release shall run with the land and be recorded in the public records of Miami-Dade County.

3. Successors and Assigns

This Partial Release shall be binding to the Grantor, Grantee, and their successors and assigns.

4. Effective Date

This Partial Release shall become effective upon execution by the parties and recordation in the Public Records.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date and year first set forth above.

Section 1. Execution. The City Manager and/or Designee shall execute the final release of the deed release for the City.

Section 2. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 3. Effective Date. This Resolution shall be in force and take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED by the City of North Miami Beach City Commission
at the regular meeting assembled this ____ **day of** ____ **2026.**

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF
NORTH MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph				
Vice Mayor McKenzie Fleurimond				
Commissioner Jay Chernoff				
Commissioner Daniela Jean				
Commissioner Phyllis Smith				
Commissioner Fortuna Smukler				
Commissioner Lynn Su				