

**RESOLUTION No. 26-**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, FINDING THAT THE ACQUISITION OF PRIVATE PROPERTY THROUGH NEGOTIATED CONVEYANCE OR EMINENT DOMAIN SERVES A PUBLIC PURPOSE AND IS NECESSARY TO PROVIDE FOR IMPROVEMENTS, UPKEEP AND MAINTENANCE OF LAKEWAY DRIVE AND GENEVA WAY, WHICH IS PRIVATELY OWNED AND SERVES AS A RIGHT-OF-WAY UTILIZED BY CITY RESIDENTS, BUSINESS OWNERS AND GUESTS; AUTHORIZING THE CITY ATTORNEY TO INITIATE EMINENT DOMAIN PROCEEDINGS; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO RETAIN EXPERTS AS MAY BE NECESSARY; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO TAKE FURTHER ACTIONS THAT MAY BE REASONABLY NECESSARY TO ACQUIRE THE PROPERTY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the road sections of Lake Way Drive and Lake Geneva Drive, along N.W. 97<sup>th</sup> Avenue are privately owned and operated by Doral Gardens II, HOA, and are used as a major point of ingress and egress by a segment of Doral's resident's; and

**WHEREAS**, the residents abutting Lake Way Drive, have been tasked with the upkeep of there abutting road segments creating an inordinate task which they are often unable to properly maintain causing road hazards by flooding, pot-holes, poor lighting, and lack of side-walks; and

**WHEREAS**, the residents desire to transfer Lake Way Drive to the City in order to provide for the road segments upgrade, proper drainage, side-walks, and lighting; and

**WHEREAS**, during the Month of February, 2025 the Mayor and City Council held a workshop and obtained positive feedback from residents associated with improvements for Lake Way Drive; and

**WHEREAS**, as a result of the workshop, during the March 2025 City Council meeting, the City Council authorized the City Attorney to explore the possibility of the City obtaining the road and implementing improvements to the road segments; and

**WHEREAS**, for the past year the City Attorney, together with the Mayor, City Manager and City Staff have held several meeting and discussions with the residents and Doral Gardens II, HOA regarding transfer of the road segments; and

**WHEREAS**, the City Attorney has been in discussion with Doral Gardens II, HOA's special counsel regarding a possible negotiated of the roadway segments by the City; and

**WHEREAS**, in furtherance of these negotiations the City has hired experts who are assisting with the road's assessment in furtherance of the negotiated taking; and

**WHEREAS**, the City Council finds that acquisition of fee simple title to the road way segments described in Exhibit "A." is necessary to provide safe connectivity for City residents; and

**WHEREAS**, the City Council through the process of City meetings has considered the maintenance and long term upkeep costs relevant to the acquisition; and

**WHEREAS**, the City Council finds that it is necessary to take legal action and employ legal counsel, and other necessary experts to accomplish said acquisition; and

**WHEREAS**, the City Council is authorized by Section 166.401 and 166.411 of Florida Statutes to exercise the right and power of eminent domain.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

**Section 2. Public Purpose and Necessity.** It is hereby declared that is necessary to acquire, through negotiated conveyance or eminent domain, fee simple title to the subject property described in Exhibit "A." It is further declared that acquisition of the subject property serves a public purpose and is necessary for the development and expansion of the Town's transportation network.

**Section 3. Implementation and Authorization to Initiate Proceedings.** The City Attorney and all others action on his behalf are authorized to initiate eminent domain proceeding pursuant to Chapters 73,74 and 166 of Florida Statutes, and to file petitions, pleadings, affidavits, declarations of takin and any other documents authorized by Florida Statutes and to file petition pleadings, affidavits, declarations of taking and any other documents authorized by Florida Statute or rule of court to accomplish the acquisition as described herein, and to employ any expert that may be necessary to accomplish this Resolution. The City Manager and City Attorney are authorized to take all actions necessary to carry out this Resolution, including making any modifications, executing any documents and addendums as necessary to effectuate this Resolution, provided that such actions remain consistent with the Council's intent.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	_____
Vice Mayor Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED this 13 day of May, 2026.

\_\_\_\_\_  
CHRISTI FRAGA, MAYOR

ATTEST:

\_\_\_\_\_  
CONNIE DIAZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

\_\_\_\_\_  
LORENZO COBIELLA  
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC  
CITY ATTORNEY