Memorandum

MIAMI-DADE COUNTY

Date: December 4, 2007

Agenda Item No. 8(M)(1)(B)

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

From: George M. Burgess
County Manager

Subject: FPL Easement at Black Point Marina

Recommendation

It is recommended that the Board authorize the execution of an easement to Florida Power and Light Company (FPL) for the installation and maintenance of electric power facilities at Black Point Marina.

Scope

Black Point Marina is located at 24775 SW 87th Avenue within Commission District 8.

Fiscal Impact/Funding Source

The easement will not create any fiscal impact to the County.

Track Record/Monitor

The County has granted numerous easements to FPL through various departments. The Planning and Research Section of the Park and Recreation Department will process this easement document.

Background

The Park and Recreation Department is installing a new sewer lift station at Black Point Marina that requires the installation of a new electric power transformer. FPL has agreed to provide the electric facilities and electric power in exchange for an easement for the installation and maintenance of the electric power facilities.

Attachments

Alex Muñoz
Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: December 4, 2007

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

SUBJECT: Agenda Item No. 8(M)(1)(B)

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**

2

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(1)(B)
12-04-07

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE INSTALLATION AND MAINTENANCE OF ELECTRIC POWER FACILITIES IN BLACK POINT MARINA

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

WHEREAS, the County through its Park and Recreation Department is making improvements to the Black Point Marina that require installation of electric power facilities; and

WHEREAS, the Florida Power and Light Company is willing to provide the electric facilities and electric power in exchange for an easement for the installation and maintenance of the electric power facilities,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the granting of an easement to Florida Power and Light Company for installation and maintenance of electric power facilities at Black Point Marina in substantially the form attached hereto and made a part hereof; authorizes the County Manager to take appropriate actions to accomplish same; and authorizes the Mayor or his designee to execute the easement, same for and on behalf of Miami-Dade County, upon approval by the County Attorney's Office.

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

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MR

Monica Rizo

Y

Work Request No. 2754455

Sec 22 Twp 56 Rge 40

Folio No.
30 6022 000 0030

E A S E M E N T

This Instrument Prepared By

Name: Randy Koper
Co. Name: Miami Dade County Park & Recreation
Address: 275 NW 2nd Street Suite #430 Miami, FL 33128

Reserved for Recording

The undersigned, in consideration of the payment of $1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power and Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenance equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement 10 feet in width (the approximate location of which is shown in the sketch on Page 2 of this instrument) located within the following described property:

See Attached Exhibit A

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants to the fullest extent the undersigned has the power to grant, if at all, the rights herein above granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2007.

IN WITNESS WHEROF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

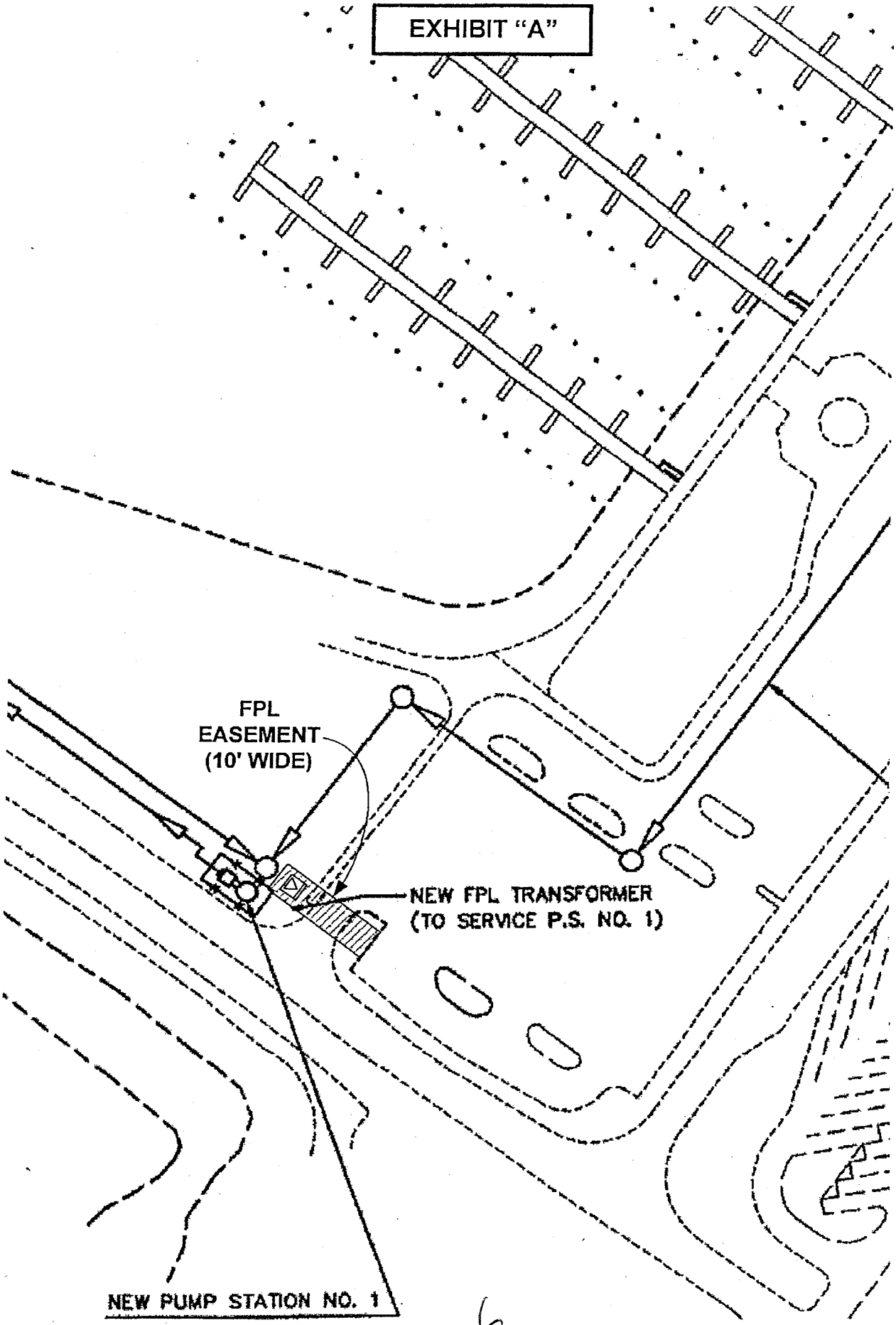
By: _____
Deputy Clerk

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

By: _____
Mayor

The foregoing was authorized and approved by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2007.

EXHIBIT "A"


FPL
EASEMENT
(10' WIDE)
NEW FPL TRANSFORMER
(TO SERVICE P.S. NO. 1)
NEW PUMP STATION NO. 1