Memorandum

MIAMI-DADE COUNTY

Date: October 7, 2008

Agenda Item No. 8(R)(1)(C)

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

From: George M. Burgess
County Manager

Subject: Resolution authorizing the execution of an easement to Florida Power and Light for the installation and maintenance of a new electric service connection necessary for the High Level Disinfection Facility Upgrade to the South District Wastewater Treatment Plant at 8950 SW 232 Street in Miami-Dade County

---

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution for the Miami-Dade Water and Sewer Department (WASD) authorizing the execution to grant an easement to Florida Power and Light (FPL) for the installation and maintenance of a new electric service connection necessary for the High Level Disinfection Facility Upgrade to the South District Wastewater Treatment Plant (SDWWTP).

SCOPE OF AGENDA ITEM

The SDWWTP is located at 8950 SW 232 Street in District 8 (Exhibit A).

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County associated with this grant of easement.

TRACK RECORD/MONITOR

WASD's Real Estate Manager will monitor the conveyance of the property and the execution of the deed, as attached.

BACKGROUND

The SDWWTP is required to upgrade the level of wastewater treatment to include high level disinfection. This is stipulated in Consent Order 03-1376, issued by the Florida Department of Environmental Protection. It is also mandated by regulatory requirements resulting from a rule change implemented by the United States Environmental Protection Agency to meet effluent quality standards for deep well disposal.

These treatment improvements require the installation of a new FPL electrical feeder to provide additional power, as well as expand the treatment capability. This easement is being granted to FPL to install and maintain the necessary electric equipment to provide electrical power to the High Level Disinfection Facility being designed and constructed at the SDWWTP.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: October 7, 2008

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

SUBJECT: Agenda Item No. 8(R)(1)(C)

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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(R)(1)(C)
10-7-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ELECTRICAL SERVICE FOR THE HIGH LEVEL DISINFECTION FACILITY AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT

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 this Board approves the granting of an easement to Florida Power and Light Company for the construction, operation and maintenance of electrical service for the High Level Disinfection Facility at the South District Wastewater Treatment Plant, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or County Mayor's designee to execute the easement 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
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2008. 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.

Henry N. Gillman

Work Request No. 2869201

Sec.21, Twp 56 S, Rge 40 E

Parcel I.D.30-6021-000-0010
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By

Name: Jose Palomo
Co. Name: Florida Power & Light Company
Address: 14250 SW 112th ST
Miami, FL 33186

Reserved for Circuit Court

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 & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits and appurtenant 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 as described in Exhibit "A" described as follows:

SEE ATTACHED EXHIBIT "A" (2) PAGES

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 hereinabove 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 _____, 20___.

Signed, sealed and delivered in the presence of:

_____
(Witness' Signature)

Print Name: _____
(Witness)

_____
(Witness' Signature)

Print Name: _____
(Witness)

_____
(Corporate's name)

By: _____
(President's signature)

Print Name: _____

Print Address: _____

_____

Attest: _____
(Secretary's signature)

Print Name: _____

Print Address: _____

_____

(Corporate Seal)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, and _____ respectively the _____ President and _____ Secretary of _____, a _____ corporation, on behalf of said corporation, who are personally known to me or have produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

_____
Notary Public, Signature

Print Name _____

5

Land Description
SOUTH DISTRICT WASTEWATER TREATMENT PLANT
FLORIDA POWER & LIGHT EASEMENT

A portion of Section 21, Township 56 South, Range 40 East according to the Public Records of Miami-Dade County, Florida more particularly described as follows:

COMMENCE at the northeast corner of said Section 21, thence South 00°58'45" East, along the east line of said section a distance of 186.14 feet; thence South 89°01'15" West a distance of 1,280.52 feet to the POINT OF BEGINNING; thence North 89°51'17" West a distance of 12.00 feet; thence North 00°08'43" East a distance of 117.48 feet, thence South 89°00'41" West a distance of 943.63 feet, thence South 00°00'00 East a distance of 236.30 feet, thence South 35°43'12" East a distance of 109.62 feet, thence South 00°00'00" East a distance of 312.28 feet, thence North 90°00'00" West a distance of 75.67 feet, thence North 00°00'00" East a distance of 16.00 feet, thence North 90°00'00" East a distance of 63.67 feet, thence North 00°00'00" East a distance of 292.37 feet, thence North 35°42'17" West a distance of 109.66 feet, thence North 00°00'00" East a distance of 251.26 feet, thence North 89°08'30" East a distance of 967.63 feet, thence South 00°08'43" East a distance of 126.82 feet to the POINT OF BEGINNING.

All of said lands lying and being in Miami, Dade County, Florida containing 20,206 square feet more or less.

EXHIBIT "A"

Prepared by:
BNB SERVICES INC.
11550 NW 21st Street
Plantation, Florida 33323
Phone: (954) 472-1031
November 27, 2007
Project No. 07-001L1

SKETCH OF EASEMENT

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
8950 SW 232nd STREET
MIAMI, FLORIDA
FLORIDA POWER & LIGHT EASEMENT

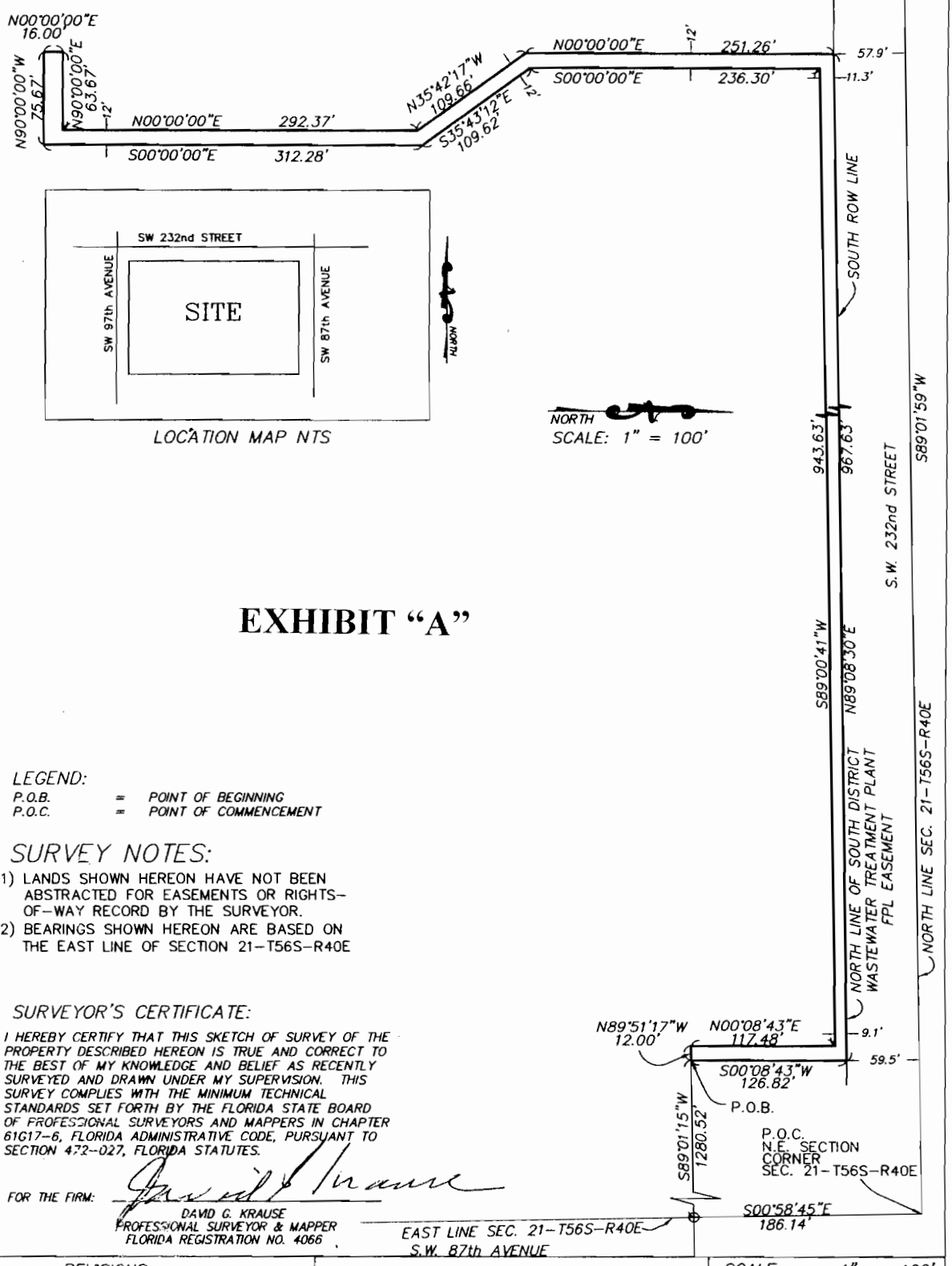

EXHIBIT "A"

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT

SURVEY NOTES:

1) LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR EASEMENTS OR RIGHTS-OF-WAY RECORD BY THE SURVEYOR.
2) BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 21-T56S-R40E

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE PROPERTY DESCRIBED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION. THIS SURVEY COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472-027, FLORIDA STATUTES.

FOR THE FIRM: David G. Krause

DAVID G. KRAUSE
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4066

REVISIONS	BNB SERVICES, INC. LAND SURVEYING		
12/27/07 REVISE EASEMENT TEXT	11550 N.W. 21st Street Plantation, Florida (954) 472-1031	SCALE	1" = 100'
		DATE	11-27-07
		BY	JTB
		CK'D.	dk
		SHEET:	2 OF 2
		JOB NO.	07-001

7