

**MEMORANDUM**

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

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** October 4, 2011

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

**SUBJECT:** Resolution authorizing the conveyance of a utility easement to the Florida Power and Light Company (FPL) through County-owned land located at 8795 N.W. 58 Street, Miami

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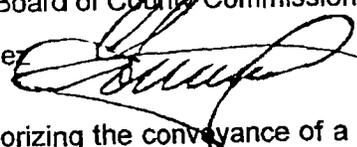
The accompanying resolution was prepared by the General Services Administration Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp

# Memorandum



**Date:** October 4, 2011  
**To:** Honorable Chairman Joe A. Martinez  
And Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Resolution authorizing the conveyance of a utility easement to the Florida Power and Light Company (FPL) through County-owned land located at 8795 N.W. 58 Street, Miami

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## RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing the conveyance of a utility easement to the Florida Power and Light Company, to service the telecommunications facility for the Miami-Dade Fire Rescue UHF Radio System, through County-owned land located at 8795 N.W. 58 Street, Miami. The item was prepared by General Services Administration at the request of the Miami-Dade Fire Rescue Department.

**OWNER:** Miami-Dade County, Solid Waste Management

**TAX FOLIO NUMBER:** 30-3016-000-0010

**SIZE:** Approximately 125 square feet

**LOCATION:** 8795 N.W. 58 Street, Miami

**COMMISSION DISTRICT:** 12

**COMMISSION DISTRICT IMPACTED:** Countywide

**ZONING:** GU – Interim District. Uses depend on character of neighborhood; otherwise EU-2 standards apply. According to the Department of Planning and Zoning, the existing use is a permitted use under the current zoning.

**BACKGROUND:** On April 13, 2004, by Resolution No. R-457-04, the Board authorized execution of a contract with Motorola, Inc. to implement a new UHF radio system for the Miami-Dade Fire Rescue Department.

On September 21, 2009, MDR and the Department of Solid Waste Management (SWM) entered into a 20-year Interdepartmental Agreement to set forth terms for the erection, construction and operation of a telecommunications facility for the MDR UHF Radio System at the 58 Street Landfill, a County facility owned and operated by the Department of Solid Waste Management.

JUSTIFICATION:

The five foot wide utility easement will be located within close proximity to the MDRF UHF Radio System and will allow FPL to adequately provide power to the system. The radio system consists of a one hundred forty-five foot high monopole, an equipment shelter, a generator, a propane tank, a grassed area, a graveled access road, and an eight foot high chain link fence.

The installation of the monopole and construction of the new shelter are complete. Once power is connected by FPL, Motorola Inc. will install the radio equipment.

FISCAL IMPACT/  
FUNDING SOURCES:

The grant of easement has no fiscal impact to the County. The MDRF UHF Radio System is funded with proceeds from the Miami-Dade Fire Rescue Communications Bureau. Index Code FRECOMMUNOPS Sub-object Code 25190.

MONITOR:

Shannon Clark, Real Estate Officer

DELEGATED  
AUTHORITY:

Authorizes the Mayor or Mayor's designee to execute this easement in substantially the form attached hereto.



Director  
General Services Administration



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez      **DATE:** October 4, 2011  
and Members, Board of County Commissioners

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

**SUBJECT:** Agenda Item No. 8(F)(1)(B)

Please note any items checked.

- \_\_\_\_\_ **“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**
- \_\_\_\_\_ **Ordinance creating a new board requires detailed County Manager’s report for public hearing**
- \_\_\_\_\_ **No committee review**
- \_\_\_\_\_ **Applicable legislation requires more than a majority vote (i.e., 2/3’s \_\_\_\_, 3/5’s \_\_\_\_, unanimous \_\_\_\_ ) to approve**
- \_\_\_\_\_ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(F)(1)(B)  
10-4-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE CONVEYANCE OF, AND EXECUTION BY THE COUNTY MAYOR OR MAYOR'S DESIGNEE OF, A UTILITY EASEMENT TO THE FLORIDA POWER AND LIGHT COMPANY (FPL), FOR \$1.00, TO SERVICE THE MDFR UHF RADIO SYSTEM, THROUGH COUNTY-OWNED LAND LOCATED AT 8795 N.W. 58 STREET, MIAMI

**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 hereby authorizes the conveyance of a utility Easement to the Florida Power and Light Company, for \$1.00, as described in the Easement, in substantially the form attached hereto and made a part hereof, and authorizing the Mayor or Mayor's designee to execute said Easement on behalf of Miami-Dade County.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of October, 2011. 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.

GBK

Geri Bonzon-Keenan

**EASEMENT**

Work Request No. 11-0112

Name: Miami-Dade County Fire Rescue Department

Sec. 16 Twp. 53

Co. Name: Miami-Dade County

Parcel I.D. 30-3016-000-0010

General Services Administration

Form 3722 (Stocked) Rev 7/94

Address: 111 N.W. 1<sup>st</sup> Street, Suite 2460

Miami, FL 33128

Instrument Prepared by: General Services Administration Real Estate Management

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, grant and give to Florida Power and Light Company, its licensees, agents, successors, and assigns ("Grantee"), an easement forever for the construction, operation, and maintenance of underground electric utility facilities (including cables and conduits) and appurtenant above ground equipment to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well the size and remove such facilities or any of them within an easement 5 feet in width described as follows:

See attached Exhibits "A" and "B"

Grantors Address:  
Miami Dade County  
111 NW 1<sup>st</sup> Street, Suite 2460  
Miami, Florida 33128

Grantee Address:  
Florida Power and Light  
9250 West Flagler Street  
Miami, Florida 33174

Together with the right to permit Grantee to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for Grantee's communication purposes; the right to 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 said Easement Area.

The County shall have the right and privilege to use the Easement Area in any manner that does not interfere with the rights, use and enjoyment granted hereunder to Grantee.

IN WITNESS WHEREOF 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:

, CLERK

MIAMI-DADE COUNTY FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor

Approved for Legal Sufficiency: \_\_\_\_\_

The foregoing was authorized and approved by Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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# DESCRIPTION SKETCH

IN SECTION 16, TOWNSHIP 53 SOUTH, RANGE 40 EAST  
 DADE COUNTY, FLORIDA  
 FOR: MACTEC ENGINEERING & CONSULTING

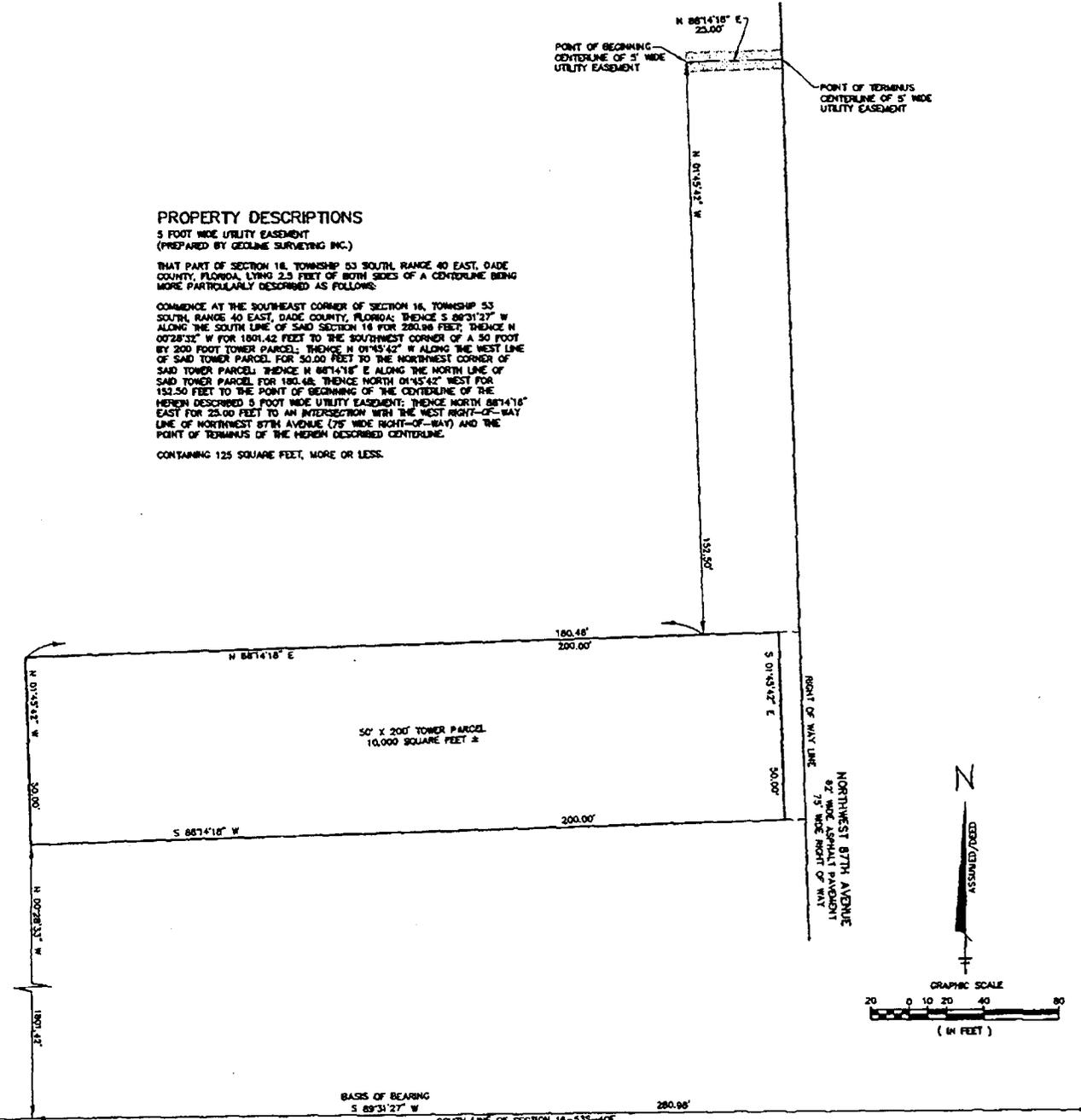
## PROPERTY DESCRIPTIONS

5 FOOT WIDE UTILITY EASEMENT  
 (PREPARED BY GEOLINE SURVEYING INC.)

THAT PART OF SECTION 16, TOWNSHIP 53 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA, LYING 2.5 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 53 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA; THENCE S 89°31'27" W ALONG THE SOUTH LINE OF SAID SECTION 16 FOR 280.98 FEET; THENCE N 02°28'52" W FOR 1801.42 FEET TO THE SOUTHWEST CORNER OF A 50 FOOT BY 200 FOOT TOWER PARCEL; THENCE N 01°45'42" W ALONG THE WEST LINE OF SAID TOWER PARCEL FOR 50.00 FEET TO THE NORTHWEST CORNER OF SAID TOWER PARCEL; THENCE N 88°14'18" E ALONG THE NORTH LINE OF SAID TOWER PARCEL FOR 180.68 FEET; THENCE NORTH 01°45'42" WEST FOR 152.50 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE HEREIN DESCRIBED 5 FOOT WIDE UTILITY EASEMENT; THENCE NORTH 88°14'18" EAST FOR 25.00 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 87TH AVENUE (75' WIDE RIGHT-OF-WAY) AND THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

CONTAINING 125 SQUARE FEET, MORE OR LESS.



## SURVEYOR'S NOTES

1. BEARINGS HEREON ARE REFERENCED TO THE ASSUMED BEARING OF S 89°31'27" W ALONG THE SOUTH LINE OF SECTION 16.
2. THIS IS NOT A BOUNDARY SURVEY.



GEOLINE SURVEYING, INC., LB 7082  
*David G. Short* 5/17/2011  
 DAVID G. SHORT  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
 CERTIFICATE OF REGISTRATION NO. 5022

<b>GEOLINE SURVEYING, INC.</b>		Professional Land Surveyors 13430 NW 104th Terrace, Suite A Aurora, Florida 32616 (305)418-0500 Fax: (305)462-9906 geoline@geolineinc.com	
DESIGNED: CHARLES GAGE	DRAWN: CHARLES GAGE	SCALE: 1" = 40'	DATE: MAY 17, 2011
CHECKED: DAVID SHORT		PROJECT #	240-129
<b>MOTOROLA SOLID WASTE SITE DADE COUNTY, FLORIDA</b>			
DATE: 240-129	MACTEC ENGINEERING & CONSULTING	PAGE: 1 OF 1	

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Exhibit "B"

5 FOOT WIDE UTILITY EASEMENT  
(PREPARED BY GEOLINE SURVEYING INC.)

THAT PART OF SECTION 16, TOWNSHIP 53 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA, LYING 2.5 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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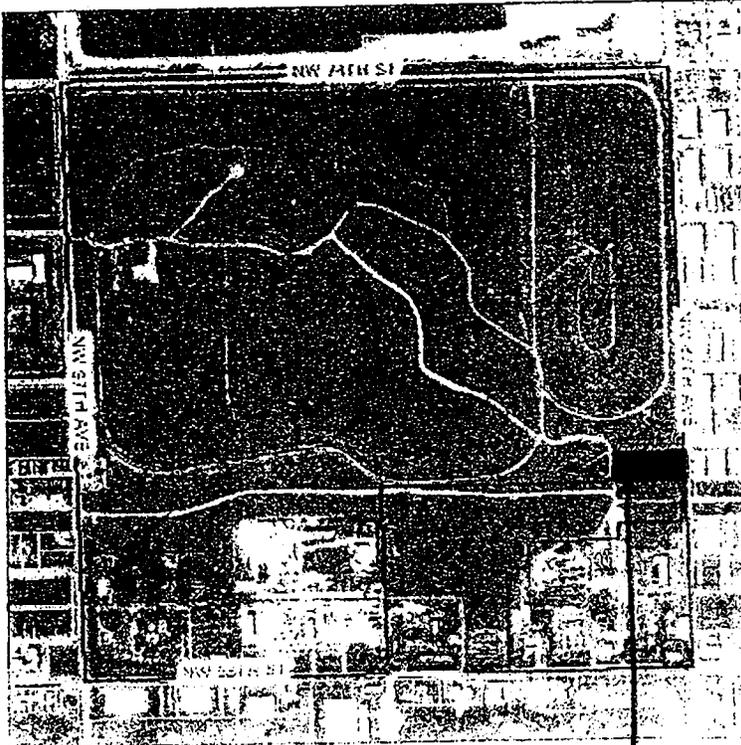
CONTAINING 125 SQUARE FEET, MORE OR LESS.

My Home  
Miami-Dade County, Florida

MIAMI-DADE

miamidade.gov

Property Information Map



Aerial Photography 2009

This map was created on 11/09/2010 11:30:11 AM. No inference is made as to the accuracy of the information shown on this map. Web Site © 2009 Miami-Dade County. All rights reserved.

Summary Details:

Folio No.:	30-3010-009-0910
Property:	8795 NW 58 ST
Mailing Address:	MIAMI-DADE COUNTY SOLID WASTE MANAGEMENT 2525 NW 62 ST MIAMI FL 33147-7704

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	2
Living Units:	0
Adj Sq Footage:	146,586
Lot Size:	581.96 ACRES
Year Built:	1957
Legal Description:	16 53 40 581.96 AC ML ALL OF SEC LESS BEG SE COR OF SE 1/4 TH N243.70FT W243.70FT S243.70FT E243.70FT TO POB & LESS SW 1/4 OF SW 1/4 OF SE 1/4 & LESS BEG NW COR OF SW 1/4 OF SW 1/4 OF

Assessment Information:

Year:	2010	2009
Land Value:	\$13,787,554	\$13,787,831
Building Value:	\$9,611,141	\$8,922,674
Market Value:	\$22,428,995	\$22,690,728
Assessed Value:	\$22,428,995	\$22,390,728

Taxable Value Information:

Year:	2010	2009
Applied Exemption:		
Taxing Authority:	Applied Taxable Value:	Applied Exemption Taxable Value:
Regional:	\$22,428,995 \$0	\$22,690,728 \$0
County:	\$22,428,995 \$0	\$22,690,728 \$0
School Board:	\$22,428,995 \$0	\$22,690,728 \$0

→ MDR Communication Site @ SW 1/4