

# Memorandum



Date: December 17, 2013

To: Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)

From: Carlos A. Gimenez  
Mayor

Subject: Authorizing the Conveyance of an Easement to Florida Power and Light Company on County-Owned Land Located at the Southwest Corner of SW 8 Street and SW 127 Avenue, Unincorporated Miami-Dade County - Folio No. A portion of 30-4902-000-0062

This item was amended at the November 14, 2013 meeting of Land and Use Development Committee to remove the following language on the Mayor's memorandum "a mixed used development project" and "ancillary retail and a Miami-Dade Transit park and ride location." It also replaces the completion date of the project to April 30, 2014.

### Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which authorizes the following:

- Conveyance of a 1,314.97 square foot easement to the Florida Power and Light Company (FPL), to service the Gran Via Apartments.

### Scope

The property is located in Commission District 11, which is represented by Commissioner Juan C. Zapata.

### Fiscal Impact/Funding Source

There is no fiscal impact to Miami-Dade County with the conveyance of the easement.

### Track Record/Monitor

Shannon Clark of the Real Estate Development Division in the Internal Services Department is managing the conveyance of this easement.

### Delegation of Authority

Authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred therein.

### Background

On October 4, 2011, through Resolution R-758-11, the Board designated 2.23 acres of County-owned land, located at the southwest corner of SW 8 Street (Tamiami Trail) and SW 127 Avenue for the development of Gran Via for affordable elderly housing units. The construction is underway and is expected to be completed by April 30, 2014. FPL requires the conveyance of an easement through approximately 1,314.97 square feet of County-owned land to accommodate the installation of an electrical transformer and the connection of electric service to the building. It is in the County's best interest to authorize the conveyance of this easement to allow for timely completion of this project.

Edward Marquez  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 17, 2013

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

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

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 Mayor'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)  
12-17-13

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

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY (FPL), THROUGH COUNTY-OWNED LAND, FOR \$1.00, TO SERVICE THE GRAN VIA APARTMENTS BEING BUILT AT THE SOUTHWEST CORNER OF SW 8 STREET AND SW 127 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, the Board desires to accomplish the purpose 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 incorporates the prior recital, authorizes the conveyance of an easement to the Florida Power and Light Company, for \$1.00, in substantially the form attached hereto and made a part hereof, authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County; and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred therein.

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:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of December, 2013. 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.



Monica Rizo

**EASEMENT**

Work Request No. 4871080

Gran Via Apartments

Sec. 1 Twp. 54 South

Miami-Dade County

Parcel I.D. 30-4902-000-0062

Internal Services Department

Form 3722 (Stocked) Rev 7/94

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

Miami, FL 33128

Instrument Prepared by: Internal Services Department

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 described as follows:

See attached Exhibit "A"

Grantor 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 Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

MIAMI-DADE COUNTY FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

, CLERK

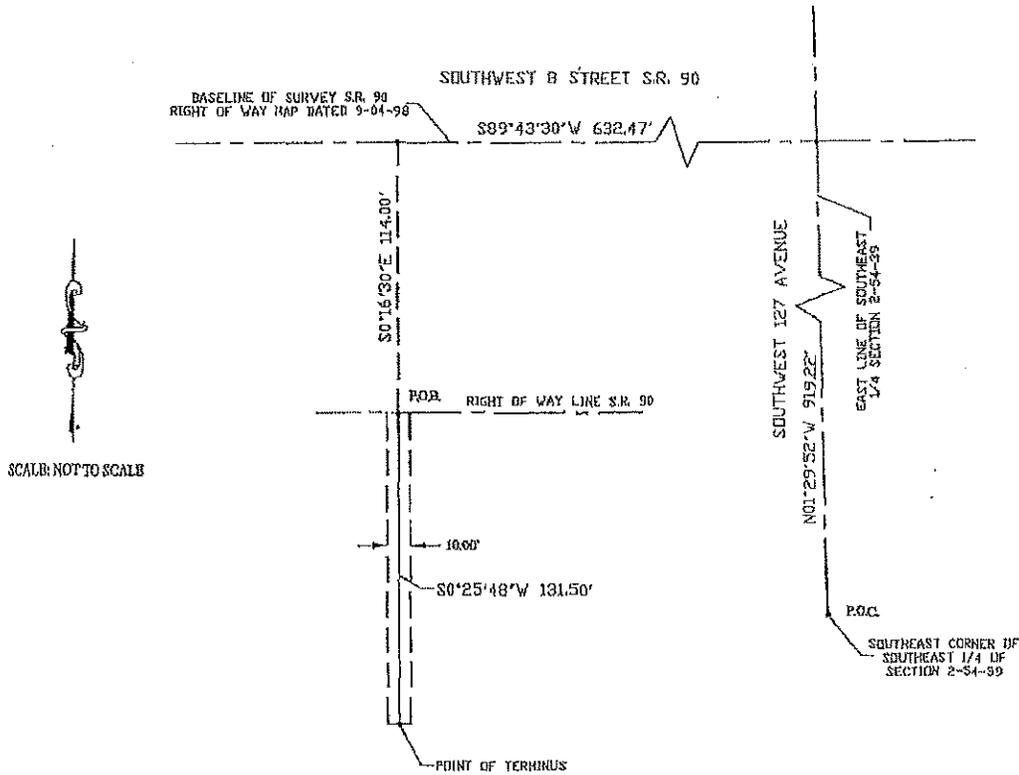
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Carlos A. Gimenez, 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 \_\_\_\_\_, 2013.

**EXHIBIT "A".**  
**10' UTILITY EASEMENT**  
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**



**LEGAL DESCRIPTION**

A portion of land lying in the Southeast  $\frac{1}{4}$  of Section 2, Township 54 South, Range 39 East, Miami-Dade County, Florida, more particularly described as follows:

Commence at the Southeast corner of the Southeast  $\frac{1}{4}$  of Section 2, Township 54 South, Range 39 East; thence North  $01^{\circ}29'52''$  West, along the East line of the Southeast  $\frac{1}{4}$  of Section 2, Township 54 South, Range 39 East, for a distance of 919.22 feet to the point of intersection with the Baseline of Survey for State Road 90 as shown on Florida Department of Transportation Right of Way map dated 9-04-98; thence South  $89^{\circ}43'30''$  West, along said Baseline of Survey for State Road 90, for a distance of 632.47 feet; thence, South  $0^{\circ}16'30''$  East, for a distance of 114.00 feet to the Point of Beginning of the centerline of an easement 10 feet wide with 5 feet to each side and the point of intersection with the South Right of Way Line of State Road 90; thence South  $0^{\circ}25'48''$  West along the said centerline, for 131.50 feet to the point of terminus of the aforementioned centerline.

Side lines must be shortened or lengthened as the case may be to maintain the 10 feet easement conformation. Having 1,314.97 square feet more or less.

*Scott A. Riggs, P.E.*  
 SCOTT A. RIGGS, P.E.  
 Florida License # 6160  
 111 N.W. First Street, Suite #1616  
 Miami, Florida 33128 (305) 377-2657  
 Date: 08-23-2013

**NOTES.**

- 1- THIS IS NOT A BOUNDARY SURVEY.
- 2- The Bearings shown herein are based on The Florida State Plane Coordinate System, East Zone, North American Datum of 1983 (1990 adjusted)
- 3- P.O.C. denotes Point of Commence.
- 4- P.O.B. denotes Point of Beginning.
- 5- S.R. denotes State Road

**MIAMI-DADE COUNTY PUBLIC WORKS  
 AND WASTE MANAGEMENT DEPARTMENT  
 RIGHT-OF-WAY DIVISION**

# My Home

## Miami-Dade County, Florida

[miamidade.gov](http://miamidade.gov)

MIAMI-DADE

### Property Information Map



Aerial Photography - 2012

0 — 162 ft

This map was created on 9/9/2013 4:47:01 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



*Location of Easement*

#### Summary Details:

Folio No.:	30-4902-000-0062
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FL MIAMI FL 33136-

#### Property Information:

Primary Zone:	3800 MULTI-FAMILY - 22-37 U/A
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	2.36 ACRES
Year Built:	0
Legal Description:	2 54 39 2.36 AC M/L BEG 678.55FTN & 40FTW OF SE COR OF SE 1/4 OF SEC CONT S 07 DEG W 622.78FT N 01 DEG W 168.35FT N 89 DEG E 598.28FT SELY AD 38.74FT S 01 POB & BEG

#### Assessment Information:

Year:	2013	2012
Land Value:	\$411,208	\$411,208
Building Value:	\$0	\$0
Market Value:	\$411,208	\$411,208
Assessed Value:	\$411,208	\$411,208

#### Taxable Value Information:

Year:	2013	2012
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$411,208/\$0	\$411,208/\$0
County:	\$411,208/\$0	\$411,208/\$0
School Board:	\$411,208/\$0	\$411,208/\$0