

# MEMORANDUM

Agenda Item No. 8(F)(1)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** March 3, 2015

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

**SUBJECT:** Resolution authorizing the conveyance of an easement to Florida Power and Light Company through County-owned land, for \$1.00, to service the Historic Hampton House being renovated at 4240 NW 27 Avenue, Miami, Florida

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The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

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

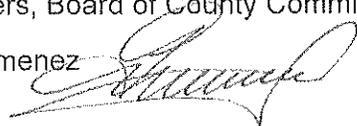
RAC/cp

# Memorandum



**Date:** March 3, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing Conveyance of an Easement to Florida Power and Light Company on County-owned Land Located at 4240 NW 27 Avenue, Miami, Florida - a portion of Folio No. 30-3121-000-1316

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) authorize the conveyance of a 267 square foot easement to the Florida Power and Light Company (FPL) for service at the historic Hampton House in Miami, Florida.

## **Scope**

This property is located in Commission District 3, which is represented by Commissioner Audrey M. Edmonson.

## **Fiscal Impact/Funding Source**

There is no fiscal impact to the County associated with the conveyance of this 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**

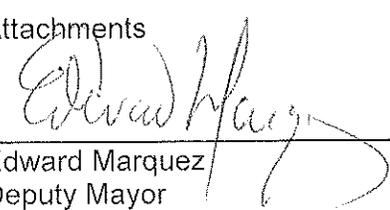
Authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred herein.

## **Background**

On April 16, 2013, through Resolution R-292-13, the Board approved renovation of the Historic Hampton House, which is underway and expected to be completed in early 2015.

FPL has requested the conveyance of an easement, for the amount of \$1.00, for approximately 267 square feet of County-owned land to accommodate the installation of an electrical transformer and the connection of electric service to the building. This conveyance is needed to complete the renovation of the Historic Hampton House.

Attachments

  
Edward Marquez  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** March 3, 2015

**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)  
3-3-15

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

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY THROUGH COUNTY-OWNED LAND, FOR \$1.00, TO SERVICE THE HISTORIC HAMPTON HOUSE BEING RENOVATED AT 4240 NW 27 AVENUE, MIAMI, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

**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: 1) this Board adopts the foregoing recitals incorporated as if fully set forth herein; 2) authorizes the conveyance of an easement to the Florida Power and Light Company, for the amount of \$1.00, in substantially the form attached hereto and made a part hereof; 3) authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein; and 4) pursuant to Resolution No. R-974-09, (a) directs the County Mayor or County Mayor's designee to record the instrument of conveyance executed herein in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instrument together with this resolution.

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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

MAP

Matthew Papkin

**EASEMENT**

Work Request No. 5503431

Historic Hampton House

Sec. 21 Twp. 53 Rge 41 E

Miami-Dade County

Parcel I.D. 30-3121-000-1316

Public Housing and Community Development

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; 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:

, CLERK

MIAMI-DADE COUNTY FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

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

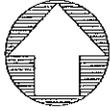
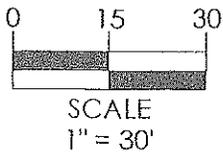
By: \_\_\_\_\_  
Carlos A. Gimenez, Mayor

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 \_\_\_\_\_, 20\_\_.

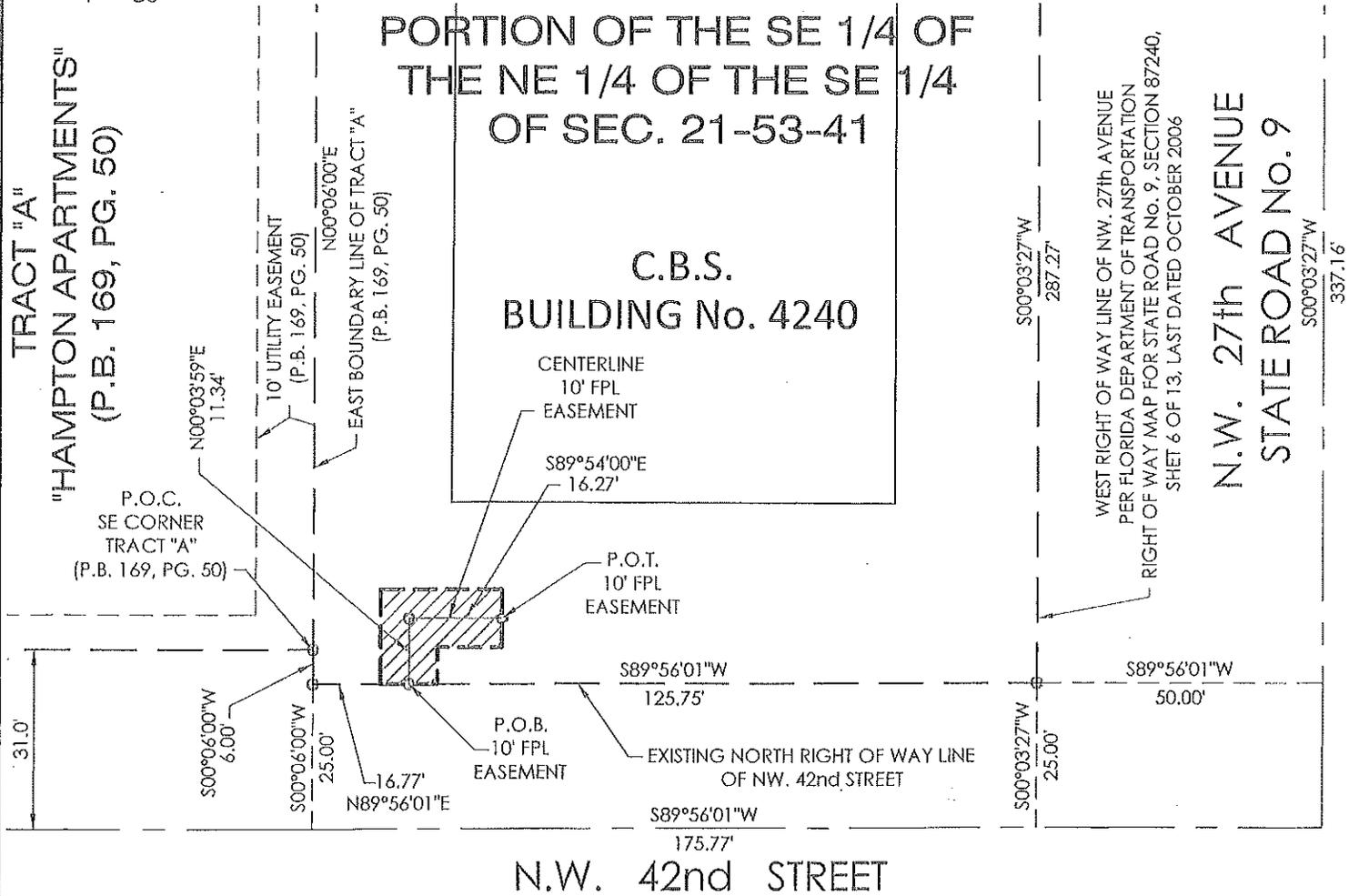
# EXHIBIT "A"

## 10' FPL EASEMENT FOR HISTORIC HAMPTON HOUSE



**LEGEND:**

FPL = FLORIDA POWER AND LIGHT COMPANY  
 P.O.C. = POINT OF COMMENCEMENT  
 P.O.B. = POINT OF BEGINNING



**LEGAL DESCRIPTION OF 10' FPL EASEMENT**

A portion of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 21, Township 53 South, Range 41 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast Corner of Tract "A" of "HAMPTON APARTMENTS", according to the Plat thereof, as recorded in Plat Book 169 at Page 50 of the Public Records of Miami-Dade County, Florida; thence S00°06'00"W along the Southerly prolongation of the East Boundary Line of said Tract "A", for 6.00 feet to a point on the North Right of Way Line of N.W. 42nd Street; thence N89°56'01"E along said North Right of Way Line of N.W. 42nd Street for 16.77 feet to the POINT OF BEGINNING of a 10 Foot Wide Utility Easement, lying 5 feet on each side of the following described centerline (shortening of extending the side lines thereof, so as to create a continuous strip of land); thence N00°03'59"E for 11.34 feet; thence S89°54'00"E for 16.27 feet to the Point of Termination of the aforementioned centerline.

Containing 276 Square Feet, more or less, by calculations.



3900 NW 79TH AVENUE, SUITE 601  
 DORAL, FL. 33166  
 PHONE: (305)463-0912 FAX: (305)513-5680  
 WWW.LONGITUDESURVEYORS.COM

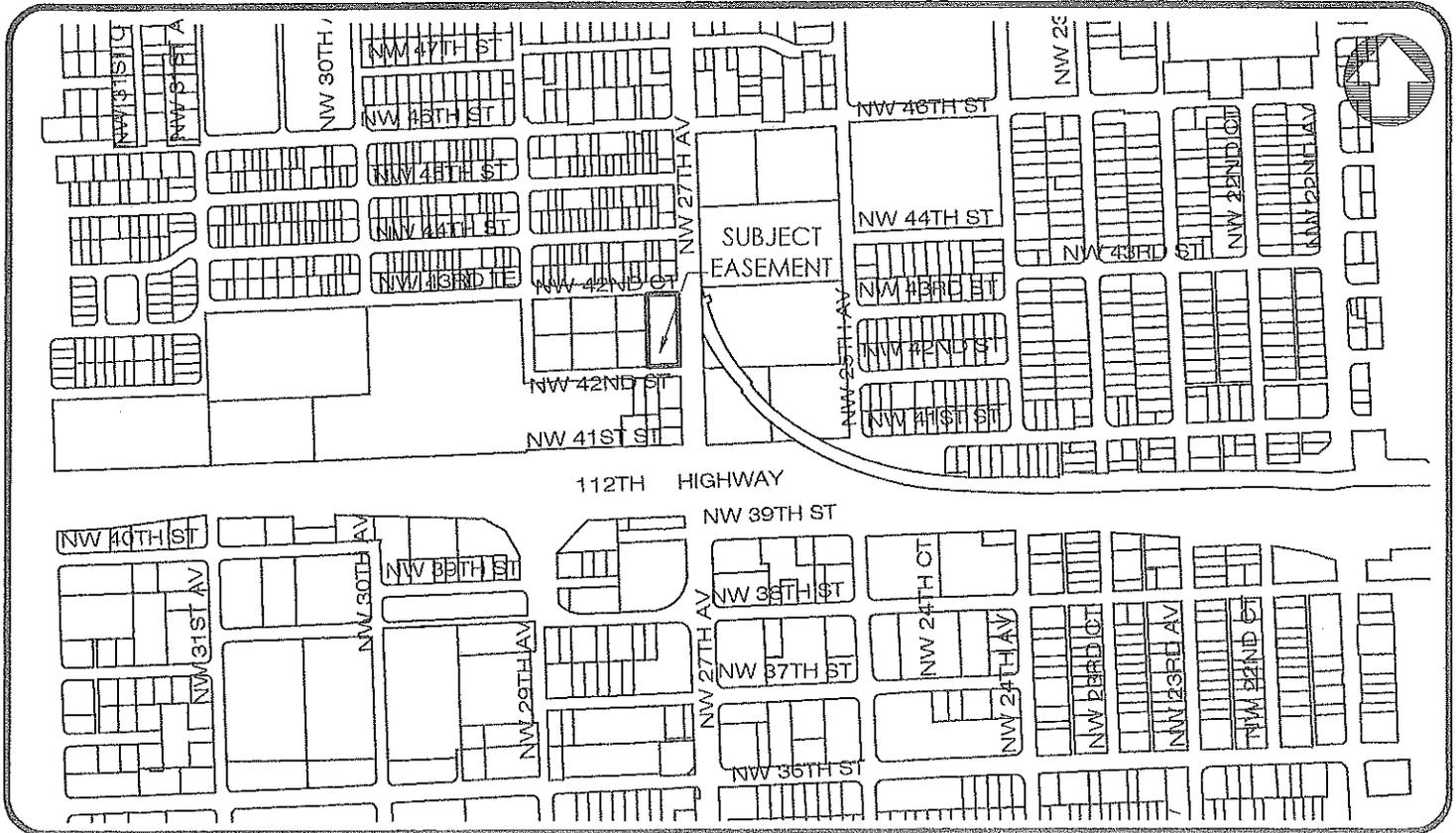
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JOB NO.: 13384  
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# EXHIBIT "A"

## 10' FPL EASEMENT FOR HISTORIC HAMPTON HOUSE



### LOCATION MAP

NOT TO SCALE

#### PERTINENT INFORMATION USED FOR SURVEY:

The Legal Description of the Subject Parcel was generated from the following documents:

1. Plat of HAMPTON APARTMENTS, recorded in Plat Book 169, at Page 50 of the Public Records of Miami-Dade County, Florida.
2. Water and Sewer Civil Plan C-1.03, prepared by Juan Muniz, PE No. 55484, from JCM Consultants, Inc., with a physical address of 8401 SW 184th Street, Miami, Florida, 33187, and last dated on October 30, 2013.

Bearings as shown hereon are based upon the centerline of N.W. 42nd Street, with an assumed bearing of S89°56'01"W.

#### EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations Item with respect to possible restrictions of record and utility services.

#### RESTRICTIONS:

Since no other information were furnished other than what is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

#### SURVEYOR'S CERTIFICATE:

I hereby certify: That this "Sketch to Accompany Legal Description" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company  
Florida Certificate of Authorization Number LB7335

By: Jose Senas  
Jose Senas, PSM  
Registered Surveyor and Mapper LS5938  
State of Florida

Date: 06/27/14

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

NOTICE: Not full and complete without all two (2) pages.

JOB NO.: 13384  
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**LONGITUDE**  
SURVEYORS

3900 NW 79TH AVENUE, SUITE 601  
DORAL, FL. 33166  
PHONE: (305)463-0912 FAX: (305)513-5680  
WWW.LONGITUDESURVEYORS.COM



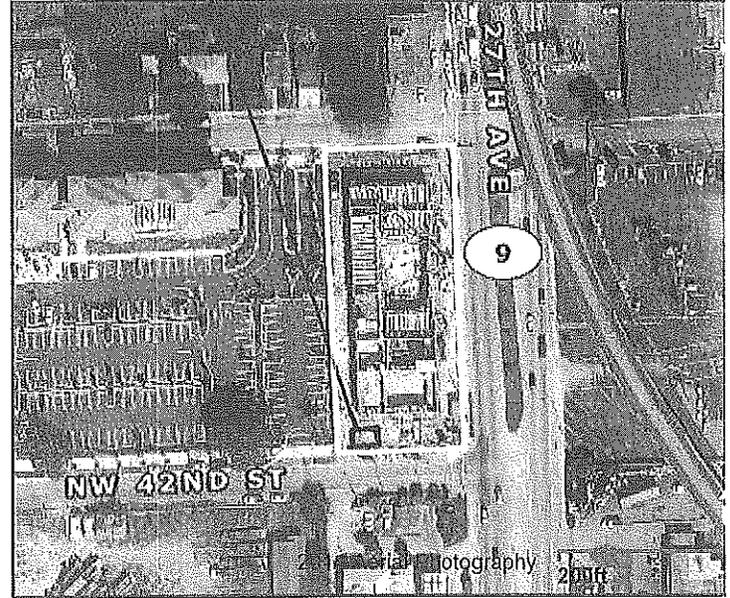
# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Location of Easement

Generated On : 11/24/

Property Information	
Folio:	30-3121-000-1316
Property Address:	4240 NW 27AVE
Owner	MIAMI DADE COUNTY OCED
Mailing Address	701 NW 1 CT 14TH FLOOR MIAMI, FL33136
Primary Zone	6600 COMMERCIAL - LIBERAL
Primary Land Use	8647 COUNTY : DADE COUNTY
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	22,145 Sq.Ft
Lot Size	36,162 Sq.Ft
Year Built	1955



Assessment Information			
Year	2014	2013	2012
Land Value	\$289,296	\$289,296	\$361,620
Building Value	\$76,635	\$76,635	\$81,860
XF Value	\$3,723	\$3,723	\$4,402
Market Value	\$369,654	\$369,654	\$447,882
Assessed Value	\$369,654	\$369,654	\$447,882

Benefits Information				
Benefit	Type	2014	2013	2012
County	Exemption	\$369,654	\$369,654	\$447,882

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
21 53 41	
ALL OF N1/2 OF SE1/4 OF NE1/4 OF	
SE1/4 EXCEPT THE W493.13FT & LESS	
ST ON N-S & E	
LOT SIZE 287.000 X 126	

Taxable Value Information			
	2014	2013	2012
<b>County</b>			
Exemption Value	\$369,654	\$369,654	\$447,882
Taxable Value	\$0	\$0	
<b>School Board</b>			
Exemption Value	\$369,654	\$369,654	\$447,882
Taxable Value	\$0	\$0	
<b>City</b>			
Exemption Value	\$0	\$0	
Taxable Value	\$0	\$0	
<b>Regional</b>			
Exemption Value	\$369,654	\$369,654	\$447,882
Taxable Value	\$0	\$0	

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/01/1998	\$1,035,000	18032-1445	Qual by verifiable & documented evidence
02/01/1997	\$0	17528-4073	Qual by exam of deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidadegov/info/disclaimer.asp>

Version: