## **MEMORANDUM**

Agenda Item No. 8(H)(6)

TO:

Honorable Chairwoman Audrey M. Edmonson

and Members, Board of County Commissioners

DATE:

June 4, 2019

FROM:

Abigail Price-Williams

County Attorney

**SUBJECT:** 

Resolution authorizing

conveyance of an easement to Florida Power and Light Company in exchange for \$1.00 to install and maintain electric power facilities at Camp Matecumbe, 13841 SW 120 Street Miami, FL 33186; authorizing County Mayor to execute easement and exercise all provisions contained therein

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.

Countly Attorney

APW/uw



Date:

June 4, 2019

To:

Honorable Chairwoman Audrey M. Edmonson

and Members, Board of County Q

From:

Carlos A. Gimenez

Mayor

Subject:

Resolution Authorizing Conveyance of an Easement to the Florida Power and Light

Company for the Installation and Maintenance of Electrical Power Transmission

Facilities at Camp Matecumbe

Recommendation

It is recommended that the Board of County Commissioners adopt the attached resolution authorizing the conveyance of an easement 6 feet wide, and approximately 2,324 linear-feet in length to the Florida Power and Light Company for an underground electrical power transmission line at Camp Matecumbe.

**Scope** 

Camp Matecumbe is located at 13841 SW 120 Street, Miami, FL 33186, in County Commission District 11, which is represented by Commissioner Joe A. Martinez.

Fiscal Impact/Funding Source

The fiscal impact is receipt of a one-time payment of \$1.00 from FPL, into Index Code PREMCB458501.

Track Record/Monitor

The Parks, Recreation and Open Spaces Department's (PROS) Planning Landscape Architect II, Jessica Blackwell, will ensure completion of the easement document, its recording, and delivery to the Clerk of the Board.

**Background** 

PROS' Camp Matecumbe needs to provide continuous and unobstructed access to Florida Power and Light Company (FPL) to reach all of its electrical facilities that service Camp Matecumbe at the referenced location attached. The easement (Attachment A to the resolution) is approximately 6-feetwide and approximately 2,324 feet in length. The entire installation will be underground so it will not adversely impact the park's aesthetics, in accordance with Resolution No. R-504-15.

Senior Advisór

Attachment



# MEMORANDUM

(Revised)

TO:	Honorable Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners	DATE:	June 4, 2019				
FROM:	Abigail Price-Williams  County Attorney	SUBJECT:	Agenda Item No.	8(H)(6)			
 Pl	lease note any items checked.						
	"3-Day Rule" for committees applicable if	raised					
	6 weeks required between first reading an	d public hearin	g				
	4 weeks notification to municipal officials hearing	required prior to public					
	Decreases revenues or increases expenditures without balancing budget						
	Budget required						
	Statement of fiscal impact required						
	Statement of social equity required	•					
	Ordinance creating a new board requires report for public hearing	detailed Count	y Mayor's				
<del></del>	No committee review						
	Applicable legislation requires more than present, 2/3 membership, 3/5's 7 vote requirement per 2-116.1(3)(h) or (4) requirement per 2-116.1(3)(h) or (4)(c) requirement per 2-116.1(4)(c)(2)) to s	, unanimo )(c), CDM , or CDMP 9	us, CDMP P 2/3 vote				
	Current information regarding funding so	ource, index cod	le and available				

balance, and available capacity (if debt is contemplated) required

Approved		<u>Mayor</u>	Agenda Item No. 6-4-19	8(H)(6)
Veto			6-4-19	
Override				
	RESOLUTIO	<u> </u>		

RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY IN EXCHANGE FOR \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES AT CAMP MATECUMBE, 13841 SW 120 STREET MIAMI, FL 33186; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE EASEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, the County, through its Parks, Recreation and Open Spaces Department, has converted all overhead electrical facilities to underground electrical facilities at Camp Matecumbe, 13841 SW 120 Street Miami, FL 33186; and

WHEREAS, the Camp Matecumbe Park Site requires electrical power that the County desires to obtain from Florida Power & Light Company; and

WHEREAS, Florida Power & Light Company has agreed to provide electric power facilities to the Camp Matecumbe Park Site in exchange for an easement to allow access to install and maintain the electrical power facilities; and

WHEREAS, the easement is for electrical service facilities which include underground lines that will not adversely impact the park's aesthetics, and the only visible element are power transformers, which will be screened from public view in accordance with Resolution No. R-504-15; and

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:

**Section 1.** This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board hereby authorizes the conveyance of an easement to Florida Power & Light Company for \$1.00 for installation and maintenance of electric power facilities at Camp Matecumbe Park Site, in substantially the form attached hereto as Attachment A and made a part hereof, and authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all provisions contained therein.

Section 3. This Board, pursuant to Resolution No.: R-974-09, (a) directs the County Mayor or County Mayor's designee to record the easement in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within 30 days of recordation of the easement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said easement 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:

Audrey M. Edmonson, Chairwoman Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr. Jose "Pepe" Diaz Eileen Higgins

Joe A. Martinez Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

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The Chairperson thereupon declared this resolution duly passed and adopted this 4<sup>th</sup> day of June, 2019. 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

Approved by County Attorney as to form and legal sufficiency.

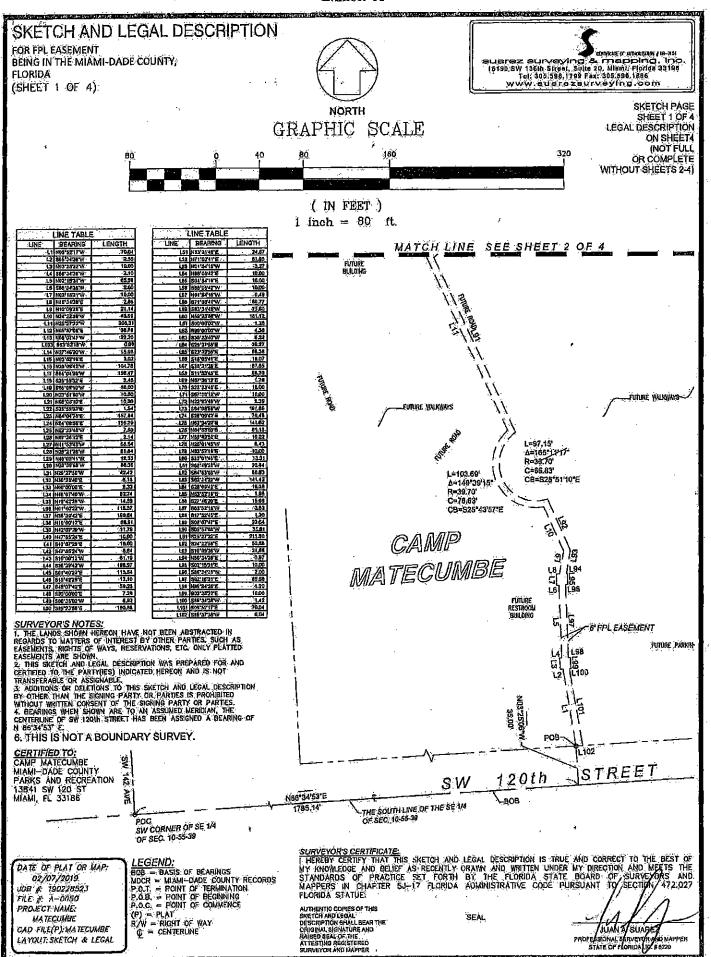
MJS

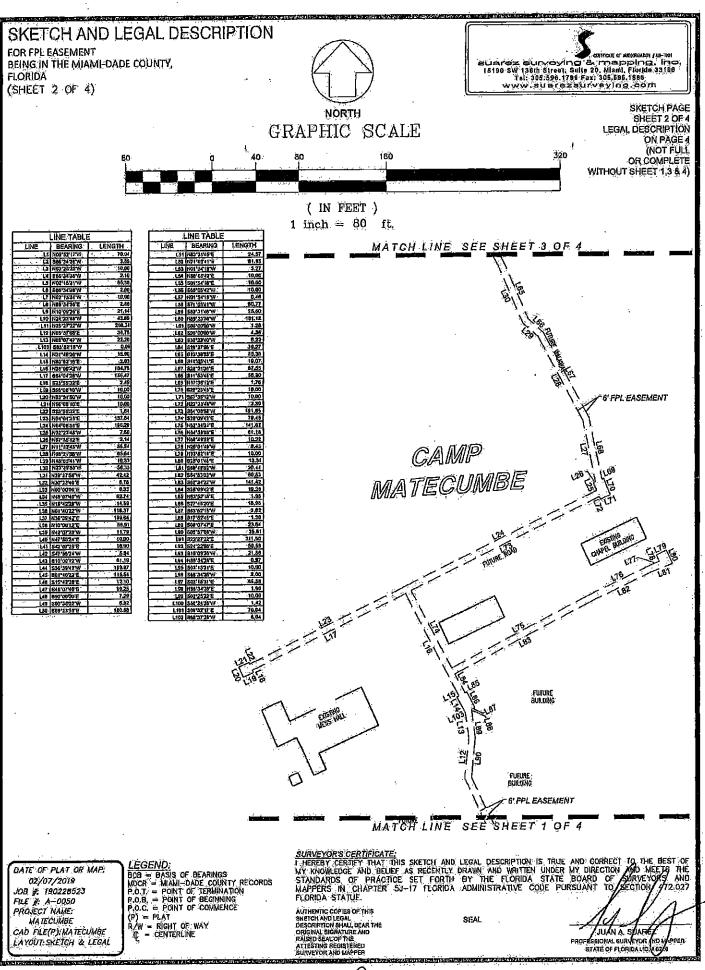
Melanie J. Spencer

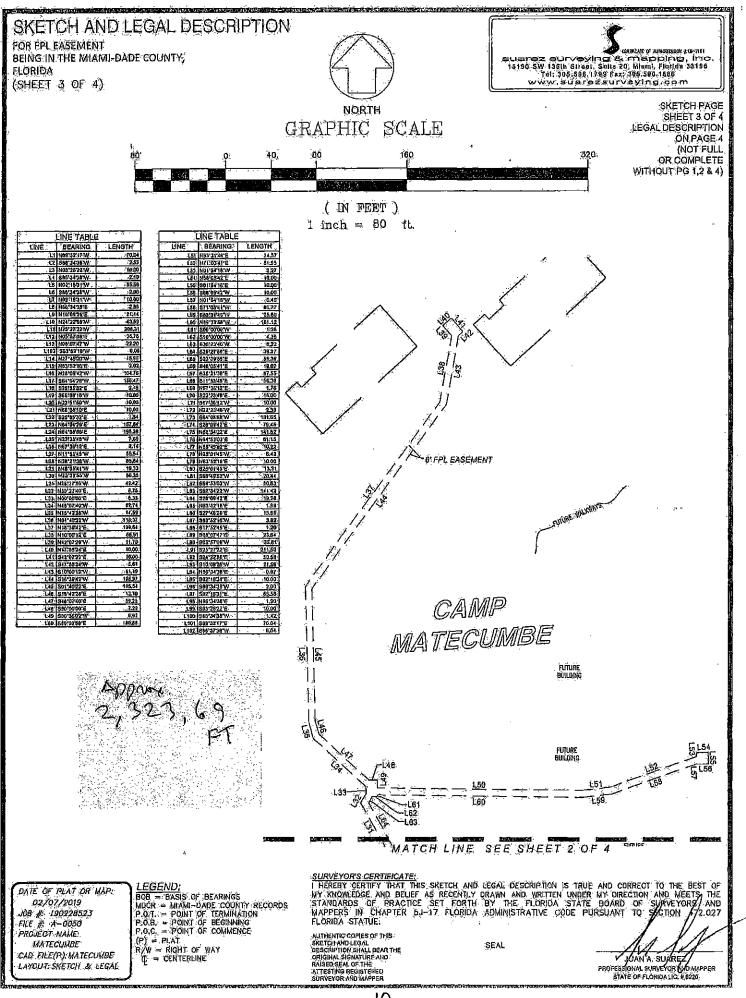
## Attachment A

	TE. A	SEMENT								
Work Request No	This Instrument Prepared By			-						
Sec 10 Two 55 S Rge 39 E  Folio No. 30 5910 000 0150	Name: Co. Name:	Jessica Blackwell Miami Dade County Parks Recreation and Open Spaces Dept. 275 NW 2 St. 4th FL								
Address: 275 NW 2 St. 4 <sup>th</sup> FL Miami, FL 33128  Reserved for Recording  Reserved for Recording										
	See att	ached "Exhibit A"								
Grantors Address:  Miami-Dade County  Florida Power & Light Company  General Mail Facility  Miami, Florida 33128  Together with 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, while still maintaining vegetative screening around the above ground electrical transformer in accordance with Resolution No. R-504-15; 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 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. If the Grantee removes all facilities within the easement and no longer needs the easement, the easement would terminate on its own accord.										
IN WITNESS WHEREOF, the unders										
IN WITNESS WHEROF the said part Board of County Commissioners actin (OFFICIAL SEAL)		yor of said Board, the da								
ATTEST: HARVEY RUVIN, CLERK		BY ITS BO		DA						
By:	<del> </del>	By: Mayor		<u> </u>						
Approved as to Form and Sufficiency Print Name										

Miami-Dade County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2019.







#### SKETCH AND LEGAL DESCRIPTION

FOR FPL EASEMENT BEING IN MIAMI-DADE COUNTY, **FLORIDA** (SHEET 4 OF 4)

auerez surveying 3: mepping, ind 19180 SW 196h Street, Swie 29, Memi, Fielde 33196 TE: 306, 356, 1799 Fax, 305, 599, 180 Www.suarezeurveying.com

LEGAL DESCRIPTION PAGE SHEET 4 OF 4 SKETCH ON SHEETS 1-3 (NOT FULL OR COMPLETE WITHOUT SHEETS 1-3)

#### LEGAL DESCRIPTION

A STRIP OF LAND LYNG WITHIN THE SOUTHEAST, NA OF SECTION 10, TOWNSHIP-39 SOUTH, RANGE 39 EAST, MIXANDADE COUNTY FLORIDA: BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENDER AT SOUTHWEST CORNER OF SAID SOUTHEAST IN OF SECTION TO TOWNSHIP BE SOUTH RANGE SE EAST, THENCE NEWSPAPE ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 1785.14 THENCE NEWSPAPE ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 1785.14 THENCE NEWSPAPE FOR 2.50 FEET, THENCE SEES AT 30 W FOR 2.50 FEET, THENCE NOW 2.50 W FOR 50 SEFEET, THENCE SEES AT 30 W FOR 2.50 FEET, THENCE NOW 2.50 FEET, THENCE NOW 2.50 FEET, THENCE NEWSPAPE FOR 3.50 FEET, THENCE SESTING FOR 3.50 FEET, THENCE SESTING FOR 3.50 FEET, THENCE SESTING FOR 3.50 FEET, THENCE NEWSPAPE FOR 3.50 FEET, THENCE NEWSPAPE FOR 3.50 FEET, THENCE SESTING FOR 3.50 FEET, THENCE NEWSPAPE FOR 3.50 FEET, THE THENCE NOT 2022W FOR 60.35 FEET; THENCE NOT 2027 FOR 62.42 FEET; THENCE NOT 200 FOR 62.35 FEET; THENCE NOT 200 FOR 62.35 FEET; THENCE NOT 200 FOR 62.35 FEET; THENCE NOT 2022W FOR 11.35 FEET; THENCE NIS 42.25 W FOR 11.35 FEET; THENCE NIS 42.25 W FOR 13.35 FEET; THENCE NOT 2022W FOR 11.35 FEET; THENCE NOT 2022W FOR 13.35 FEET; THENCE NOT 2022W FOR 2022W FO

THENCE MICHOUSE FOR 58.91 FEET; THENCE M42'07'20'W FOR 11.79 FEET; THENCE NAT-65'24'E FOR 10.00 FEET; THENCE \$42'07'29'E FOR 18.00 FEET; THENCE \$47.6524W FOR 5.64 FEET: THENCE \$10 DO 12 W FOR 51.18 FEET. THENCE SAFSWAYN FOR 1889 FEET; THENCE SO 1402ZE FOR 1886 FEET;
THENCE SAFAZZE FOR 1210 FEET; THENCE SAFOTAVE FOR 68.26 FEET;
THENCE SAFOTAVE FOR 7.29 FEET; THENCE SAFOTAVE FOR 69.25 FEET;

THENCE SAY 2258'E FOR 180.88 FEET, THENCE NEST 3136'E; FOR 24.87 FEET;
THENCE NOT 54:18 W FOR 327 FEET;
THENCE NOT 54:18 W FOR 327 FEET; THENCE N7170341'E FOR 10,00 FEET; THENCE SOLS 18 FOR 10,00 FEET; THENCE NES-0542'E THENCE SEE OF 42W FOR 10.00 FEET; THENCE NOT SO BY FOR 0.46 FEET; THENCE 571 0341 FOR 60.77 FESTI THENCE 683 3146 FW FOR 25.60 FEST, THENCE 883 23146 FW FOR 124 FEST, THENCE 880 1000 FW FOR 124 FEST, THENCE 880 1000 FW FOR 124 FEST,

THENCE SQU'00'00'W FOR 436 FEET; THENCE 830'23'40'W FOR 522 FEET; THENCE \$29'27'56'E FOR 39.27 FEET; THENCE \$23'39'55'E FOR 59.36 FEET; THENCE SAPORATE FOR 19.07 FEET; THENCE 628:21'38'E FOR 87.55 FEET;

THENCE S11 5345'E FOR 58,30 FEET: THENCE NOT 36 12'E FOR 1.76 FEET! THENCE 822'28'88 FOR 16,00 FEET; THENCE 561'36'12W FOR 10:00 FEET; THENCE 561'36'12W FOR 191.55.FEET; THENCE \$28'09'42'E FOR 79.45 FEET; THENCE NO2 3422'S FOR 141.62 FEET;

THENCE S28'0942'E FOR 78.45 FEET. THENCE NG2'3422'E FOR 141.82 FEET;
THENCE NAF-9842'E FOR 61.5 FEET; THENCE N88'9822'E FOR 10.22 FEET;
THENCE NAS-01454Y FOR 61.3 FEET; THENCE N89'92'AFE FOR 10.22 FEET;
THENCE S25'0148'E FOR 13.31 FEET; THENCE S88'9824Y FOR 20.4 FEET;
THENCE S25'0148'E FOR 13.31 FEET; THENCE S88'9824Y FOR 20.4 FEET;
THENCE S25'0148'E FOR 13.31 FEET; THENCE S83'3122'W FOR 141.42 FEET;
THENCE S25'0149'E FOR 13.38 FEET; THENCE S33'2123W FOR 345 FEET;
THENCE S35'0149'E FOR 125 FEET; THENCE S35'2123W FOR 345 FEET;
THENCE S35'0149'E FOR 125 FEET; THENCE S35'2123W FOR 345 FEET;
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THENCE S35'0149'E FOR 35'51'E THENCE S35'21'22'E FOR 35'51'E FOR 35'51'E THENCE S35'21'51'E FOR 15.55'ET;
THENCE NAS-343'E FOR 35'FEET; THENCE S02'153'E FOR 10.05 FEET;
THENCE S85'34'35'W FOR 2.05 FEET; THENCE S02'153'E FOR 10.05 FEET;
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THENCE S85'34'35'W FOR 5.05 FEET; THENCE S09'55'ETE FOR 10.05 FEET;

THENCE ASS'1738W FOR SALFEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN MIAM DADE COUNTY, FLORIDA CONTAINING 14,628 SQUARE FEET OR 0.34 ACRES.

DATE OF PLAT OR MAP: 02/07/2019 JOB #: 190228523 FILE #: A-0050 PROJECT NAME:

MATECUMBE CAD, FILE(P) MATECUMBE. LAYOUT SKETCH & LEGAL SURVEYOR'S CERTIFICATE:

HERENY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION IS THE AND CORRECT TO THE BEST
OF MY KNOWLEGG AND BELIEF AS RECENTLY DRAWN AND WRITTEN UNDER MY DIRECTION AND MEETS
THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA STATE BOARD OF SURVEYORS AND
MAPPERS IN CHAPTER 53-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 147:027 FLORIDA STATUE

AUTHENTIC COPIES OF THIS SKETCH AND LEGAL OCESCRIPTION SHALL BEAR THE CHIGHNAL SIGNATURE AND RAISEUSEA, OF THE ATTESTING REGISTERED SURVEYOR AND MAPPER

SEAL

JUAN A. SUASE PROFESSIONAL SURVEYOR AND MA STATE OF FLORIDA LC: 96220