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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: March 15, 2011

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

From: George M. Burgess
County Manager

Agenda Item No. 5(C)

Resolution No. R-192-11

Subject: FLORIDA POWER & LIGHT COMPANY

Recommendation
The following waiver of plat is hereby submitted for consideration by the Board of County Commissioners for approval. The Miami-Dade County Plat Committee recommends approval of the waiver of plat listed below. This waiver of plat is bounded on the north by approximately West Flagler Street, on the east by approximately SW 87 Avenue, on the south by SW 4 Street, and on the west by SW 92 Avenue.

Scope
This waiver of plat is located within the boundaries of Commission District 6.

Fiscal Impact /Funding Source
If this waiver of plat is approved, the fiscal impact to the County would be approximately $200.00 per year for the annual maintenance cost of that portion of SW 4th Street once the road is constructed adjacent to the project and will be funded through the Department's General Fund allocation.

Track Record/Monitor
Not Applicable

Background
FLORIDA POWER & LIGHT COMPANY (D-23167)

- Located in Section 4, Township 54 South, Range 40 East
- Commission District: 6
- Zoning: BU-2 & RU-5A
- Proposed Usage: Electrical substation and parking lot
- Number of parcels: 2
- This waiver of plat meets concurrency

Plat Restrictions

- Plat restrictions: none, waiver of plat.
- Covenant requirements: none, waiver of plat.

Developer's Obligation

- All required road construction improvements for that portion of SW 4th Street have been guaranteed by the current owners, their successors, and assigns through the submittal of an Improvement Agreement Covenant that runs with the land encompassed by the boundaries of this waiver of plat. The owners, their successors, and assigns are bound by said covenant to effectuate the construction of said improvements, which must meet all applicable County specifications and standards, within 60 days of a written request to do so from the Director of the Department of Public Works.

Should you need additional information, please contact Mr. Raul Pino, PLS, Chief, Land Development Division, Public Works Department at (305) 375-2112.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: March 15, 2011

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

SUBJECT: Agenda Item No. 5(C)

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. 5(C)
3-15-11

RESOLUTION NO. R-192-11

RESOLUTION APPROVING THE WAIVER OF PLAT OF FLORIDA POWER & LIGHT COMPANY, D-23167, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY WEST FLAGLER STREET, ON THE EAST BY APPROXIMATELY SW 87 AVENUE, ON THE SOUTH BY SW 4 STREET AND ON THE WEST BY SW 92 AVENUE)

WHEREAS, Florida Power & Light Company, a Florida corporation, has this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as a portion of Tract 7, Block 4, of "Richardson-Kellet Company's Plat", according to the plat thereof, as recorded in Plat Book 4, at Page 100, of the Public Records of Miami-Dade County, Florida, lying and being in the Southeast 1/4 of Section 4, Township 54 South, Range 40 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said waiver of plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said waiver of plat is hereby approved; that the property has been found to be in compliance with Chapter 28 Subdivision of Miami-Dade County Code; that approval of this waiver of plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this waiver of plat conform to those requirements; this approval is conditioned upon the proper execution of all documents required by the County Attorney's Office.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was second by Commissioner **Sen Javier D. Souto** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			aye
Bruno A. Barreiro	aye	Lynda Bell	aye
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Natacha Seijas	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of March, 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.

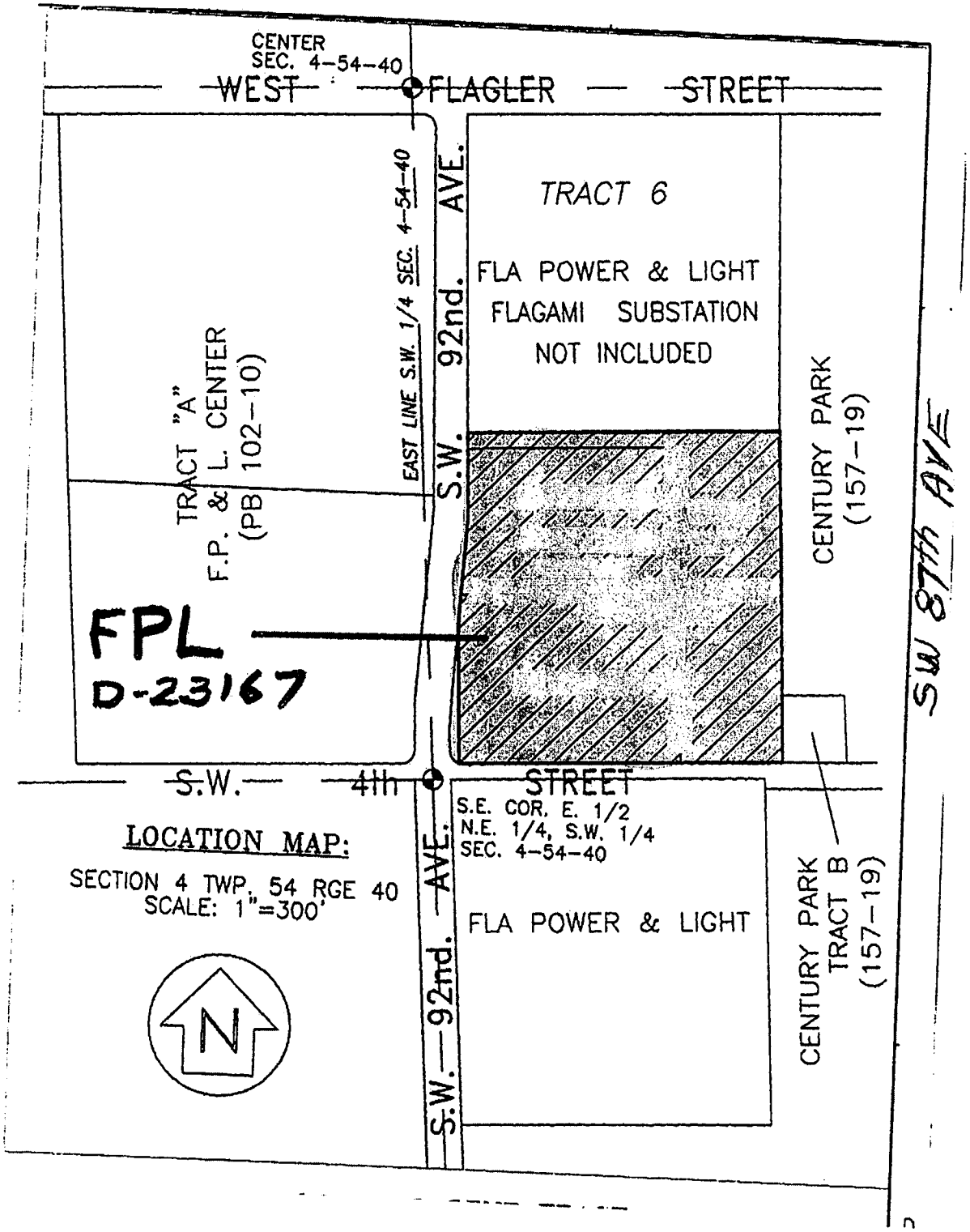
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

BY: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JM

John McInnis


CENTER
SEC. 4-54-40
WEST
FLAGLER
STREET
TRACT 6
FLA POWER & LIGHT
FLAGAMI SUBSTATION
NOT INCLUDED
EAST LINE S.W. 1/4 SEC. 4-54-40
S.W. 92nd. AVE.
TRACT "A"
F.P. & L. CENTER
(PB 102-10)
CENTURY PARK
(157-19)
SW 87TH AVE
FPL
D-23167
S.W.
4th
STREET
S.E. COR. E. 1/2
N.E. 1/4, S.W. 1/4
SEC. 4-54-40
LOCATION MAP:
SECTION 4 TWP. 54 RGE 40
SCALE: 1"=300'
N
S.W. 92nd. AVE.
FLA POWER & LIGHT
CENTURY PARK
TRACT B
(157-19)