OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 8(F)(1)

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

DATE: September 16, 2014

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

SUBJECT: Resolution authorizing the conveyance of an easement to Florida Power and Light Company (FPL), through County-owned land, for $1.00, to service the Northeast Branch Library being built at 2930 Aventura Boulevard, Aventura, Florida

Resolution No. R-804-14

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

/

Memorandum

MIAMI-DADE COUNTY

Date: September 16, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Authorizing the Conveyance of an Easement to Florida Power and Light Company on County-Owned Land Located at 2930 Aventura Boulevard, Aventura, FL
A portion of Folio No. 28-2203-025-0050

Recommendation
It is recommended that the Board of County Commissioners (Board) authorize the conveyance of a 3,128 square foot easement to the Florida Power and Light Company (FPL) for service at the new Northeast Branch Library in Aventura, FL.

Scope
This property is located in County Commission District 4, which is represented by Commissioner Sally A. Heyman.

Fiscal Impact/Funding Source
There is no fiscal impact to Miami-Dade County associated with the conveyance of this easement.

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

Background
On December 19, 2011, by Resolution No. R-1114-11, the Board approved construction of the new Northeast Branch Library. Construction of the library is underway and is expected to be completed in late 2014.

FPL has requested the conveyance of an easement, for the amount of $1.00, through approximately 3,128 square feet of County-owned land to accommodate the installation of an electrical transformer and the connection of electric service to the building.

Attachment

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: September 16, 2014

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)
9-16-14

RESOLUTION NO. R-804-14

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY (FPL), THROUGH COUNTY-OWNED LAND, FOR $1.00, TO SERVICE THE NORTHEAST BRANCH LIBRARY BEING BUILT AT 2930 AVENTURA BOULEVARD, AVENTURA, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

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

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2014. 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: ***Christopher Agrippa***
Deputy Clerk

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

Geri Bonzon-Keenan

EASEMENT

Work Request No. 5424247

Sec. 34 Twp. 51S Rge 42 E, and

Sec. 3 Twp. 52S Rge 42 E

Parcel I.D. 28-2203-025-0050

Form 3722 (Stocked) Rev 7/94

Northeast Branch Library

Miami-Dade County

Public Library System

111 N.W. 1st 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 1st 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:

, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

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"

FPL EASEMENT
SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

A portion of Tract "G" of "Aventura Second Addition" according to the plat thereof as recorded in Plat Book 99, Page 21, of Miami-Dade County Public Records, more particularly described as follows:

Commence at the most westerly corner of said Tract "G"; thence run South 13°08'55" East along the most westerly boundary line of said Tract "G" for a distance of 283.22 feet to the southwesterly corner of said Tract "G", thence run North 76°51'05" East along the south boundary line of said Tract "G" for a distance of 3.88 feet to the Point Of Beginning of the easement described hereon. From said Point Of Beginning; thence run North 76°51'05" East along the said south boundary line of said Tract "G" for a distance of 294.67 feet to a point of a non-tangent curve to the right having a radius of 509.81 feet, being the southeasterly corner of Parcel B, of said Tract "G"; thence run northeasterly along the easterly line of said Parcel B and along said curve through a central angle of 01°08'10" for a distance of 10.11 feet; thence run South 76°51'05" West along a line parallel and 10 feet north of the south boundary line of said Tract "G" for a distance of 278.83 feet; thence run North 13°08'55" West for a distance of 8.27 feet; thence run South 76°51'05" West for a distance of 17.32 feet, thence run South 13°08'55" East for a distance of 18.27 feet to a point on the south boundary line of said Tract "G", and the said Point of Beginning.

All lying within Section 34, Township 51 South, Range 42 East, City of Aventura, Miami-Dade County, Florida. Being 3,128 square feet more or less.

NOTES:

1. This is not a boundary survey, but only a Legal Description & Sketch thereof.
2. This survey is not valid without the signature and the original raised seal of the attesting registered Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
3. No Title Opinion or Abstract to the subject property has been provided; it is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
4. Bearings shown hereon refer to "Aventura Second Addition" Plat, recorded in Plat Book 99, Page 21, of Miami-Dade County Public Records. The basis of bearing is the west boundary line of said Tract "G" having a bearing of South 13°08'55" East.
5. Legend: L = Arc Length, ORB = Official Record Book, PG = Page, POB = Point of Beginning, POC = Point of Commencement, R = Radius, Δ= Central Angle.

CERTIFICATION:

I hereby certify that this Sketch and Description is true and correct to the best of my knowledge and belief as prepared under my direction. I also certify that the methods and procedures used in connection therewith meet the intent of the applicable provisions of the "Minimum Technical Standards for Land Surveyors in the State of Florida", pursuant to Chapter 472.027, Florida Statutes and in Chapter 5J-17.050 through 5J-17.052 of the Florida Administrative Code.

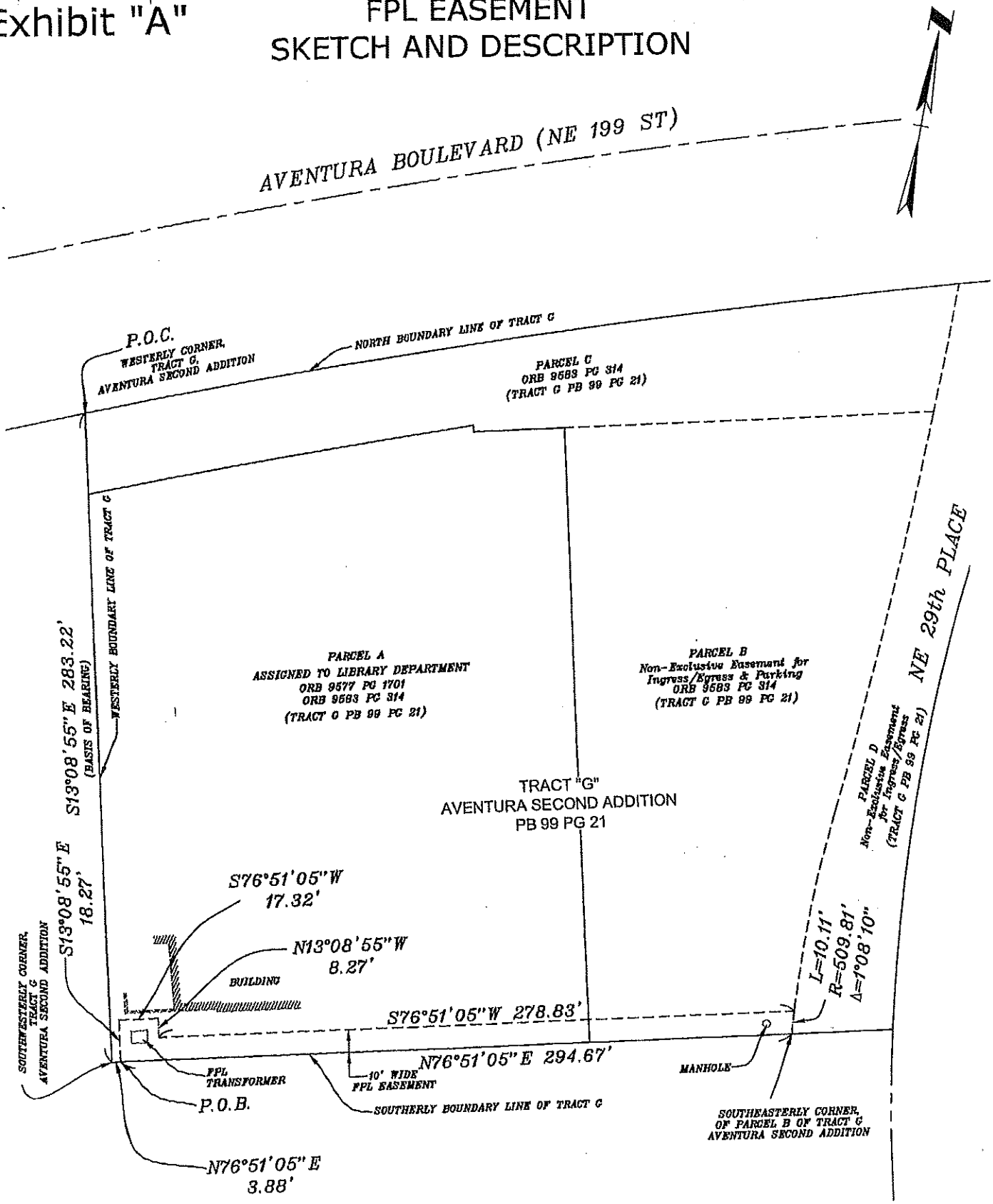
SEAL

John A. Cestnick, PSM
Florida Registration No. 5994
Woolpert, Inc., LB No. 6777

SHEET NO. 1 OF 2	WOOLPERT DESIGN | GEOSPATIAL | INFRASTRUCTURE	WOOLPERT, INC. LB No.6777 10900 NW 25th Street, Suite 100 Miami, Florida 33172 Phone: 305.418.9370 Fax: 305.418.9377	REVISIONS	PROJECT NO. 074261
				DATE: 5/28/2014
				SCALE:
				DR.: JDR
				CKD.: J.C.

Exhibit "A"

FPL EASEMENT
SKETCH AND DESCRIPTION



SHEET NO. 2 OF 2

WOOLPERT
DESIGN | GEOSPATIAL | INFRASTRUCTURE

WOOLPERT, INC. LB No.6777
10900 NW 25th Street, Suite 100
Miami, Florida 33172
Phone: 305.418.9370
Fax: 305.418.9377

REVISIONS

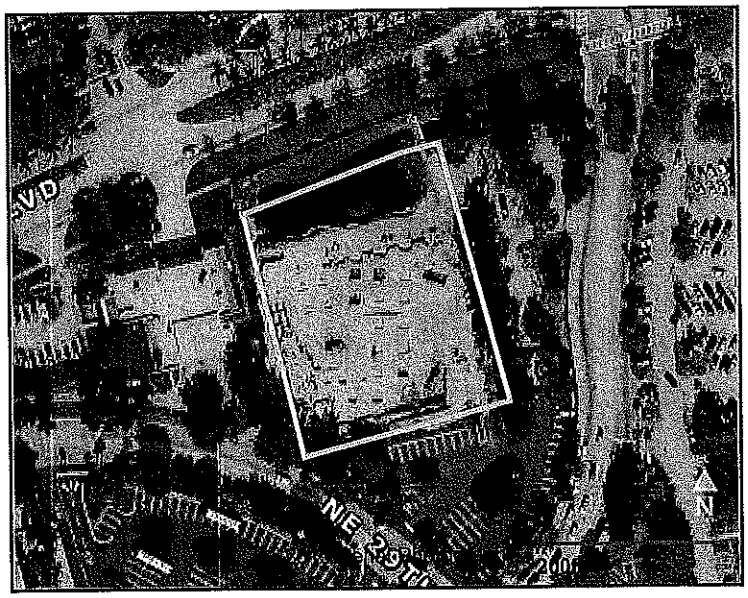
PROJECT NO.	074261
DATE:	5/28/2014
SCALE:	1"=60'
DR.:	JDR
CKD.:	J.C.

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/17/2014

Property Information	
Folio:	28-2203-025-0050
Property Address:	2930 AVENTURABLVD <
Owner	MIAMI-DADE COUNTY LIBRARY DEPARTMENT
Mailing Address	101 W FLAGLER ST MIAMI, FL33130-1504
Primary Zone	8000 COMMUNITY FACILITIES
Primary Land Use	8047 VACANT GOVERNMENTAL : DADE COUNTY
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	54,842 Sq.Ft
Year Built	0



Assessment Information			
Year	2014	2013	2012
Land Value	$1,371,050	$1,371,050	$1,371,050
Building Value	$0	$0	$0
XF Value	$0	$0	$0
Market Value	$1,371,050	$1,371,050	$1,371,050
Assessed Value	$1,371,050	$1,371,050	$1,371,050

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	$1,371,050	$1,371,050	$1,371,050
Taxable Value	$0	$0	$0
School Board			
Exemption Value	$1,371,050	$1,371,050	$1,371,050
Taxable Value	$0	$0	$0
City			
Exemption Value	$1,371,050	$1,371,050	$1,371,050
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$1,371,050	$1,371,050	$1,371,050
Taxable Value	$0	$0	$0

Benefits Information				
Benefit	Type	2014	2013	2012
County	Exemption	$1,371,050	$1,371,050	$1,371,050

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

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
02/01/1977	$60,000	00000-00000	Qual by exam of deed

Short Legal Description
AVENTURA 2ND ADDN PB 99-21
PORT TR G BEG 35.42FT SELY OF
MOST WLY COR TH S 13 DEG E247.8
FT N 76 DEG E210FT NWLY 267.5FT
W40FT NWLY 2.9FT SWLY AD 171.51

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.miamidade.gov/info/disclaimer.asp (http://www.miamidade.gov/info/disclaimer.asp)

Version: