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

MEMORANDUM

Agenda Item No. 8(H)(1)

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

DATE: April 5, 2016

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 Zoo Miami, located at 12450 SW 152 Street; authorizing County Mayor to execute easement and exercise all provisions contained therein

Resolution No. R-274-16

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 Dennis C. Moss.

Abigail Price-Williams
County Attorney

APW/cp

Memorandum

MIAMI-DADE COUNTY

Date: April 5, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company for the Installation and Maintenance of Electrical Power Transmission Facilities at Zoo Miami

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Recommendation

It is recommended that the Board of County Commissioners adopt the attached resolution authorizing the conveyance of a 2,317-square foot easement to Florida Power and Light Company (FPL) for underground electrical lines, an electrical transformer, and related equipment for a composter machine at Zoo Miami.

Scope

Zoo Miami is located at 12450 SW 152 Street in County Commission District 9, which is represented by Commissioner Dennis C. Moss.

Fiscal Impact/Funding Source

The fiscal impact is receipt of $1.00 from FPL, into Index Code PREHAU438731.

Track Record/Monitor

The Property Management Supervisor of the Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS), John Bowers, will ensure completion of the easement document, its recording, and delivery to the Clerk of the Board.

Background

A new composting machine requires electrical power at Zoo Miami. FPL will provide electrical power in exchange for Miami-Dade County's providing a 2,317-square foot easement for underground electrical lines, an electrical transformer, and related equipment. The easement area is approximately 10-feet wide and 230-feet in length. The only above-ground facility will be the transformer, mounted on a concrete pad, which has been located in an area (Attachment A to the resolution) out of the public view so that it will not adversely impact the park's aesthetics in accordance with Resolution No. R-504-15.

Attachments

Michael Spring, Senior Advisor
Office of the Mayor

MEMORANDUM

(Revised)

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

DATE: April 5, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(H)(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**

_____ **Statement of social equity 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(H)(1)
4-5-16

RESOLUTION NO. R-274-16

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 ZOO MIAMI, LOCATED AT 12450 SW 152 STREET; 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, is installing a composting machine at Zoo Miami, located at 12450 SW 152 Street; and

WHEREAS, the machine requires electrical power facilities that the County desires to obtain from Florida Power and Light Company; and

WHEREAS, Florida Power and Light Company agrees to provide electric power facilities to the new machine in exchange for an easement to allow access to install and maintain them; and

WHEREAS, the easement is for electrical service that includes underground lines that will not adversely impact the park's aesthetics, with the only visible element, a power transformer, to be located in a service area of Zoo Miami, not viewable by the public, in accordance with Resolution No. R-504-15 and as depicted in Attachment A to this Resolution; 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 and Light Company for $1.00 for installation and maintenance of electric power facilities at Zoo Miami, in substantially the form attached hereto as Attachment B 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. Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or County Mayor's designee to record the easement into the Public Records of Miami-Dade County Florida and to provide a recorded copy of the easement to the Clerk of the Board within 30 days of the recordation of the easement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of the easement together with the resolution.

The foregoing resolution was offered by Commissioner **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of April, 2016. 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.

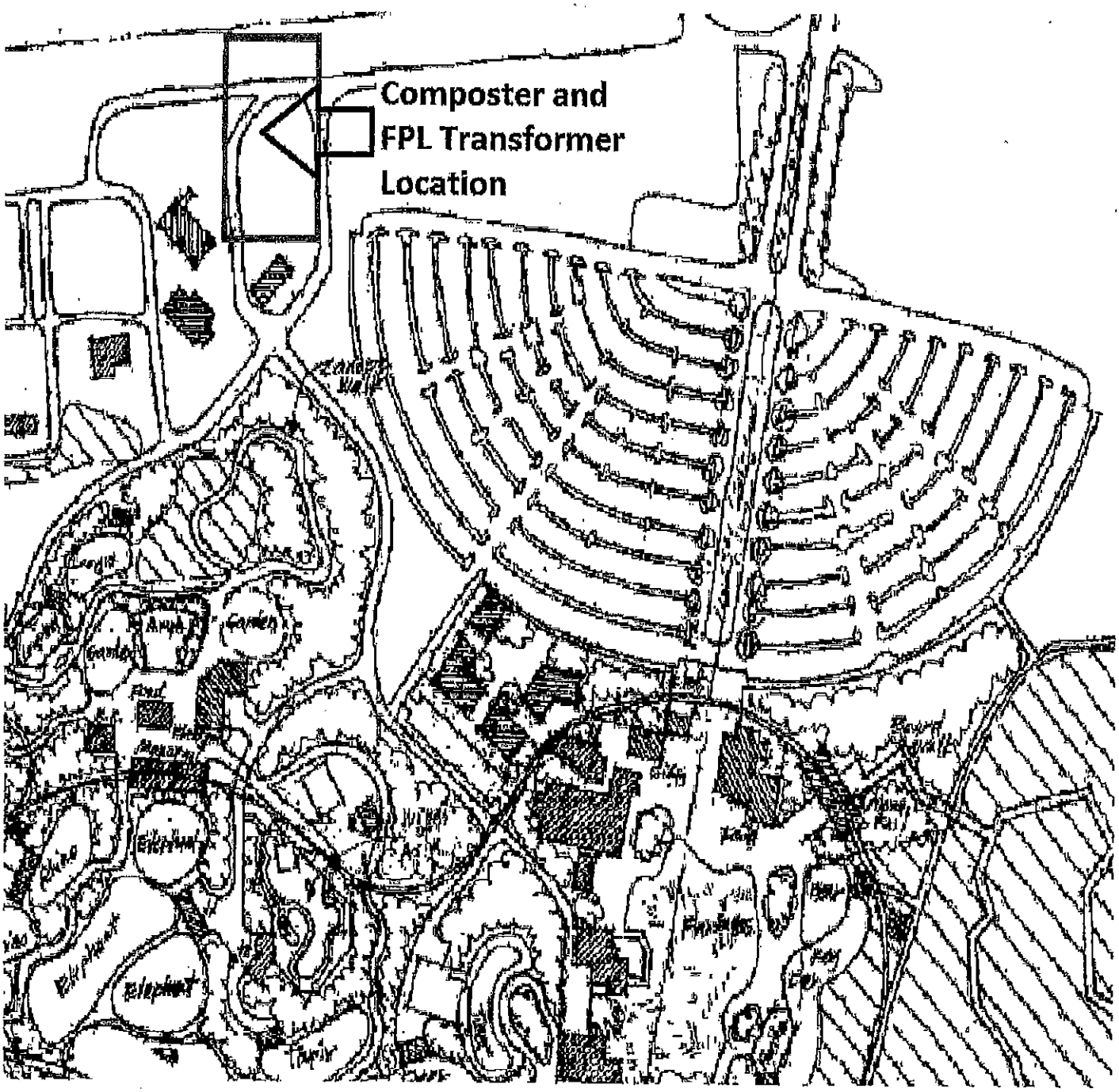
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

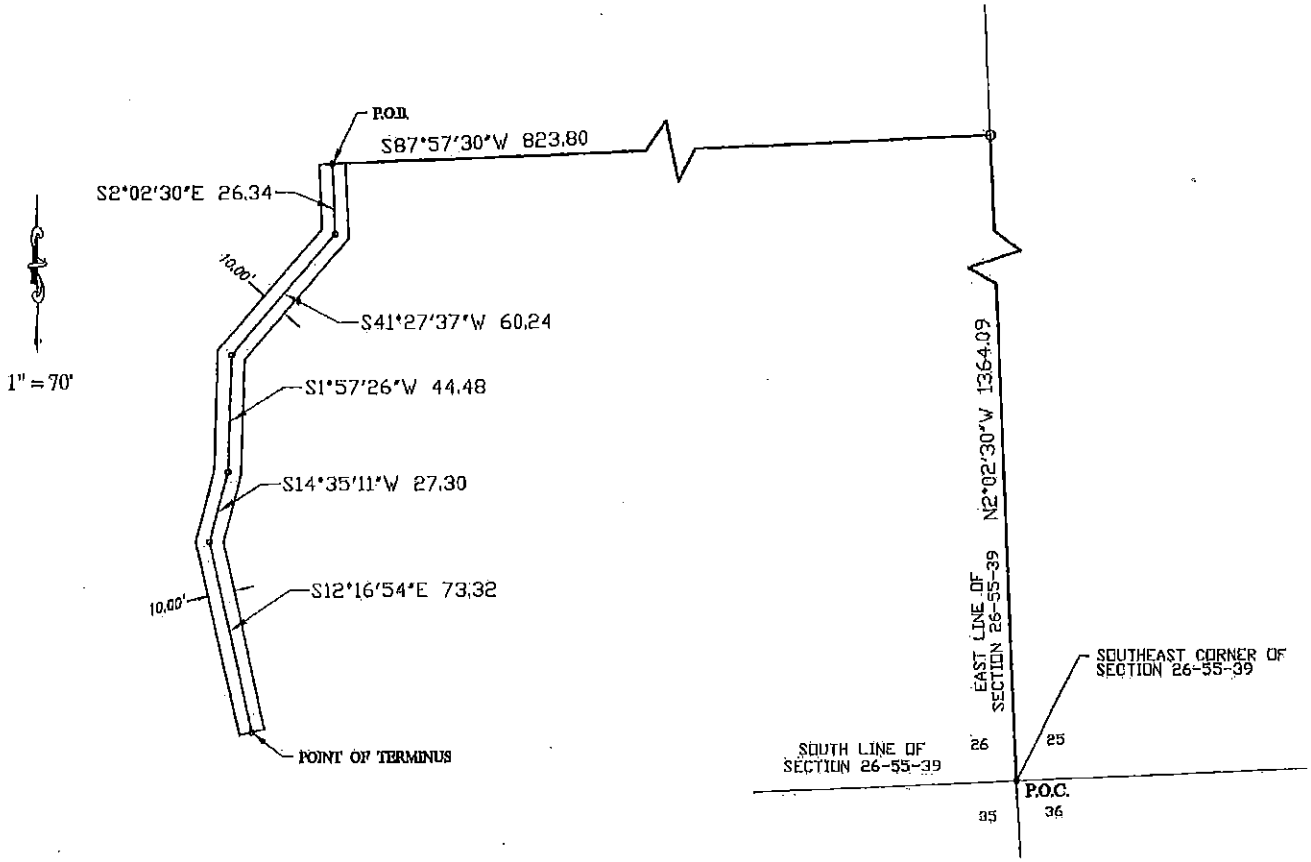
Approved by County Attorney as
to form and legal sufficiency. MAG

Miguel A. Gonzalez



ATTACHMENT A

EXHIBIT "A"
10' F.P.L. UTILITY EASEMENT
LEGAL DESCRIPTION



LEGAL DESCRIPTION

A parcel of land lying in the Southeast ¼ of Section 26, Township 55 S, Range 39 E, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the SW ¼ of Section 26, Township 55 S, Range 39 E; thence N 02°02'30" W along the East line of the SW ¼ of Section 26, Township 55 S, Range 39 E for a distance of 1364.09 feet; thence S 87°57'30" W for a distance of 823.80 feet to the Point of Beginning of the centerline of a easement 10 feet wide with 5 feet to each side; thence continue S 02°02'30" E for a distance of 26.34 feet; thence S 41°27'37" W, for a distance of 60.24 feet; thence S 01°57'26" W for a distance of 44.48 feet; thence S 14°35'11" W for a distance of 27.30 feet; thence S 12°16'54" E for a distance of 73.32 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 2,317 square feet or 0.05 acres, more or less.

SCOTT A. RIGGS, PSM
Florida License # 6160
111 NW First Street, Suite # 1610
Miami, Florida 33128 (305) 375-2657
Date: 11-04-2015

MIAMI-DADE COUNTY
Department of Transportation and Public Works

This Description and the accompanying sketch are not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper. This description and the accompanying Sketch are not valid one without the other.

ATTACHMENT B

EASEMENT

Work Request No. _____

Sec 26 Twp 55 Rge 39

Folio No.
30 5936 000 0050

This Instrument Prepared By

Name: Randy Koper
Co. Name: Miami Dade County Parks Recreation and Open Spaces Dept.
Address: 275 NW 2 St. #430
Miami, FL 33128

Reserved for Recording

The undersigned, in consideration of the payment of $1.00 and other good and valuable consideration, the adequacy and receipt of which is 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 wires, poles, guys, cables, conduits and appurtenance equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of, and remove such facilities or any of them located at **Zoo Miami**, 12450 SW 152 Street, within the following described property:

See attached "Exhibit A"

Grantors Address:
Miami-Dade County
111 NW 1st Street
Miami, Florida 33128

Grantee Address:
Florida Power and Light Company
9250 West Flagler Street
Miami, Florida 33174

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; 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.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2016.

IN WITNESS WHEROF 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 Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

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

By: _____
Mayor

Approved as to Form and Sufficiency _____
Print Name_____

The foregoing was authorized and approved by Resolution_____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of _____, 2016.