

## MEMORANDUM

Agenda Item No. 8(K)(1)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** May 4, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution authorizing an amendment to a Non-Exclusive Utility Easement to Peoples Gas System, a division of Tampa Electric Company, for the relocation of an existing gas line servicing Three Round Towers and Dante Fascell public housing sites for the construction of a new proposed building, Brisas del Este, being developed on vacant land located within the Three Round Towers public housing site; and authorizing the County Mayor to execute the Easement Amendment Agreement to release and extinguish the original easement as to any property not legally described in such amendment, to exercise all provisions contained therein, and to take all actions to effectuate same

Resolution No. R-427-21

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The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



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Geri Bonzon-Keenan  
County Attorney

GBK/uw

# Memorandum



**Date:** May 4, 2021

**To:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava   
Mayor

**Subject:** Amendment to Non-exclusive Utility Easement to Peoples Gas System, a Division of Tampa Electric Company, to Relocate the Existing Gas Line Serving Three Round Towers and Dante Fascell Housing Developments

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## **Recommendation**

It is recommended that the Miami-Dade Board of County Commissioners (Board) approve an Easement Amendment Agreement (amendment), attached as Exhibit A to the resolution, to the existing Non-exclusive Utility Easement (Utility Easement) to Peoples Gas System, a division of Tampa Electric Company (Peoples Gas), attached as Attachment 1 to this memorandum, for the relocation of an existing gas line servicing Three Round Towers and Dante Fascell housing developments. The relocation of the existing gas line is necessary for the construction of a new proposed building, Brisas del Este Phase II, to be developed on vacant land located within the Three Round Towers development site. It is further recommended that the Board authorize the County Mayor or the County Mayor’s designee to execute the amendment, to release and extinguish the original easement as to any property not legally described herein, and to exercise all provisions contained therein.

## **Scope**

The easement area, which is approximately 4,526 square feet, is more specifically noted on Exhibit A – “Sketch of Legal Description for 2920 NW 18th Avenue, Miami-Dade County, Florida,” which is attached to the resolution. The project and the easement area are located within County Commission District 3 represented by Commissioner Keon Hardemon.

## **Fiscal Impact/Funding Source**

The granting of the easement has no fiscal impact to the County.

## **Track Record/Monitor**

This project will be monitored by Michael Liu, Director of the Public Housing and Community Development Department (Department).

## **Delegation of Authority**

Upon approval of the resolution, the County Mayor or the County Mayor’s designee will be authorized to execute the amendment, to release and extinguish the original easement as to any property not legally described herein, and to exercise all provisions contained therein.

**Background**

Request for Proposal No. 794 was issued on July 14, 2011 to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites owned by the County and managed by the Department. The solicitation sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions.

On November 23, 2011, the Board adopted Resolution No. R-1026-11, which awarded site control through ground leases to six developers for 28 project sites, including award of the Three Round Towers and Dante Fascell redevelopment to Related Urban Development Group (RUDG). On October 22, 2013, the Board also adopted Resolution No. R-855-13, which approved a ground lease to be executed by the County and RUDG or its assignee for Three Round Towers.

On July 1, 2014, the Board adopted Resolution No. R-604-14, which authorized the conveyance of a non-exclusive utility easement to Peoples Gas for the installation, maintenance and repair of natural gas facilities in, on, over, under, across and along the specific easement for Three Round Towers and Dante Fascell public housing sites. This easement was necessary to provide gas service to Three Round Towers and Dante Fascell. The easement, dated May 9, 2016, was recorded in the public records on May 16, 2016.

Peoples Gas has advised the County that it requires an amendment to the authorized non-exclusive utility easement to relocate the existing gas line servicing Three Round Towers and Dante Fascell that is necessary for the construction of a new proposed 120 unit, affordable apartment building called Brisas del Este Phase II, to be developed on vacant land located on the existing Three Round Towers site. To maintain the construction schedule, Peoples Gas completed the work on March 13, 2020. In accordance with Resolution No. R-504-15, the entire installation will be underground so it will not adversely impact the building’s aesthetics.

The Department recommends that it is in the County’s best interest to grant this amendment to the existing utility easement and release and extinguish the original easement as to any property not legally described herein in order to relocate the existing gas line and avoid interruption of this service to the residents.



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Morris Copeland  
Chief Community Services Officer

Attachment



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** May 4, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 8(K)(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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ 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(K)(1)  
5-4-21

RESOLUTION NO. \_\_\_\_\_ R-427-21

RESOLUTION AUTHORIZING AN AMENDMENT TO A NON-EXCLUSIVE UTILITY EASEMENT TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, FOR THE RELOCATION OF AN EXISTING GAS LINE SERVICING THREE ROUND TOWERS AND DANTE FASCELL PUBLIC HOUSING SITES FOR THE CONSTRUCTION OF A NEW PROPOSED BUILDING, BRISAS DEL ESTE, BEING DEVELOPED ON VACANT LAND LOCATED WITHIN THE THREE ROUND TOWERS PUBLIC HOUSING SITE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT AMENDMENT AGREEMENT TO RELEASE AND EXTINGUISH THE ORIGINAL EASEMENT AS TO ANY PROPERTY NOT LEGALLY DESCRIBED IN SUCH AMENDMENT, TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, AND TO TAKE ALL ACTIONS TO EFFECTUATE SAME

**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 recital and the accompanying memorandum as if fully set forth herein.

**Section 2.** This Board approves an amendment to the existing Non-Exclusive Utility Easement ("original easement") to Peoples Gas System, a division of Tampa Electric Company, in substantially the form of the Easement Amendment Agreement attached hereto as Exhibit "A" and incorporated herein by reference ("amendment"), for the new location of the relocated gas line currently servicing the Three Round Towers and Dante Fascell housing developments, in order to

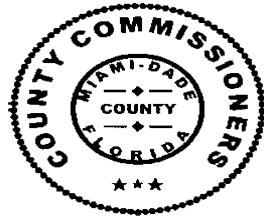
provide utility services to an additional building, Brisas del Este Phase II, being developed on vacant land located within the Three Round Towers development site. This Board further authorizes the County Mayor or the County Mayor's designee to execute the amendment, to release and extinguish the original easement as to any property not legally described therein, and to exercise all provisions contained the amendment, and to take all actions to effectuate same.

**Section 3.** This Board, pursuant to Resolution No. R-974-09, (a) directs the County Mayor or County Mayor's designee to record the instrument of conveyance referenced herein in the public records of Miami-Dade County, Florida, and to provide a recorded copy of the instrument to the Clerk of the Board within 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 **Sally A. Heyman** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

|                      |                                       |                        |               |
|----------------------|---------------------------------------|------------------------|---------------|
|                      | Jose "Pepe" Diaz, Chairman            | <b>aye</b>             |               |
|                      | Oliver G. Gilbert, III, Vice-Chairman | <b>aye</b>             |               |
| Sen. René García     | <b>aye</b>                            | Keon Hardemon          | <b>absent</b> |
| Sally A. Heyman      | <b>aye</b>                            | Danielle Cohen Higgins | <b>aye</b>    |
| Eileen Higgins       | <b>aye</b>                            | Joe A. Martinez        | <b>aye</b>    |
| Kionne L. McGhee     | <b>aye</b>                            | Jean Monestime         | <b>aye</b>    |
| Raquel A. Regalado   | <b>aye</b>                            | Rebeca Sosa            | <b>aye</b>    |
| Sen. Javier D. Souto | <b>aye</b>                            |                        |               |

The Chairperson thereupon declared this resolution duly passed and adopted this 4<sup>th</sup> day of May, 2021. 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: Melissa Adames  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "TAS", is written over a horizontal line.

Terrence A. Smith

ATTACHMENT 1

CFN: 20160286505 BOOK 30077 PAGE 738  
DATE: 05/16/2016 01:17:34 PM  
DEED DOC 0.60  
SURTAX 0.45  
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

CLERK OF CIRCUIT COURT RETURN TO PREPARER:

Prepared by: Joe Romano  
Peoplos Gas System  
702 N. Franklin Street  
Tampa, FL 33602

Space Reserved for Clerk

**GRANT OF NON-EXCLUSIVE UTILITY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, FLORIDA, (the "Grantor") whose address is 111 NW 1st St., Miami, FL 33128, in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, a Florida corporation (the "Grantee") whose principal address is P. O. Box 2562, Tampa, Florida 33601, and to its successors and assigns, a non-exclusive perpetual easement (the "Easement") for the installation, maintenance and repair of natural gas facilities (the "Facilities"), over, under and upon a portion of the parcel of land owned by the Grantor described on Exhibit "A" attached hereto (the "Grantor's Parcel").

The width of the Easement (the "Easement Area") shall be ten (10) feet encompassing the Facilities as installed. The approximate location of the Easement Area is shown on the drawing attached hereto as Exhibit "A".

1. Use: Grantee's use of the Easement shall at all times be in compliance with all Federal, State and local laws, regulations, ordinances and statutes.

2. Repair by Grantee. Grantee shall promptly repair any damage to the Easement, or any other property not owned by Grantee, caused by Grantee exercising its rights under this agreement including without limitation, landscaping, ground cover, planting, roadways, driveways, sidewalks, parking areas and structures. In the event that Grantee, its employees, agents or contractors cause damage to the Easement in the exercise of the privilege granted herein, Grantee agrees to restore the Easement parcel so damaged to its original condition and grade. Notwithstanding the foregoing, Grantor reserves the right to install minor landscaping, irrigation and/or fencing within the utility easement parcel provided that it does or will not directly interfere with the Grantee's Facilities; Grantor further acknowledges that under the "Underground Facility Damage Prevention and Safety Act" (F.S. §556), that Grantor is obligated to notify "Sunshine State One-Call of Florida, Inc." of its intent to engage in excavation or demolition prior to commencing any work and that this notification system shall provide member operations an opportunity to identify and locate if applicable, their underground Facilities prior to said excavation or demolition. In the event Grantor fails to notify as set forth above, Grantor may be held responsible for costs and expenses incurred due to damage of Grantee's Facilities.

3. Relocation: The Grantee agrees upon the request of Grantor to relocate its Facilities, over, under and upon subject parcel at the expense of Grantor with the vacated portion of this easement being released and conveyed back to Grantor and the site of the relocated Facilities being conveyed and included in this easement grant as though it had been included ab initio.

4. Entire Agreement: This Grant of Easement constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. This Grant of Easement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought. This Grant of Easement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the Grantor has executed this Grant of Non-Exclusive Easement this 9 day of May, 2016.

Signed, Sealed and Delivered  
in the presence of:

WITNESS: [Signature]  
Print Name: Everlyn Castro

WITNESS: [Signature]  
Print Name: Richard Thomas

GRANTOR:  
MIAMI-DADE COUNTY, FLORIDA

By: [Signature]  
Print or Type Name: Deputy Mayor

STATE OF Florida  
COUNTY OF Miami-Dade

The forgoing instrument was acknowledged before me this 9 day of May, 2016 by Russell Benford. He/She personally appeared before me, is personally known to me or has produced \_\_\_\_\_ as identification and who did ( did not ) take an oath.

(SEAL)



[Signature]  
Notary Public  
Print Name  
Commission Expires:

Signed Seal and Delivered  
in the presence of:

WITNESS: [Signature]  
Print Name: Crystal Corbitt

WITNESS: Shawna McDonald  
Print Name: Shawna McDonald

STATE OF FLORIDA  
COUNTY OF HILSBOROUGH

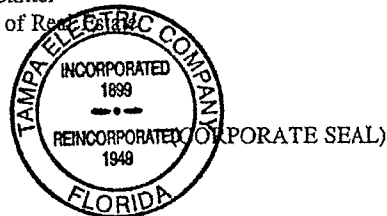
The forgoing instrument was acknowledged before me this 2nd day of February, 2016 by J.A. Kickliter, Director of Real Estate, on behalf of the corporation. He personally appeared before me, is personally known to me.



GRANTEE:

PEOPLES GAS SYSTEM, A DIVISION OF  
TAMPA ELECTRIC COMPANY,  
a Florida corporation

By: [Signature]  
J. A. Kickliter  
Director of Real Estate



[Signature]  
Notary Public  
Print Name: Crystal L. Corbitt  
Commission Expires:

SKETCH OF LEGAL DESCRIPTION  
TECO PEOPLES GAS

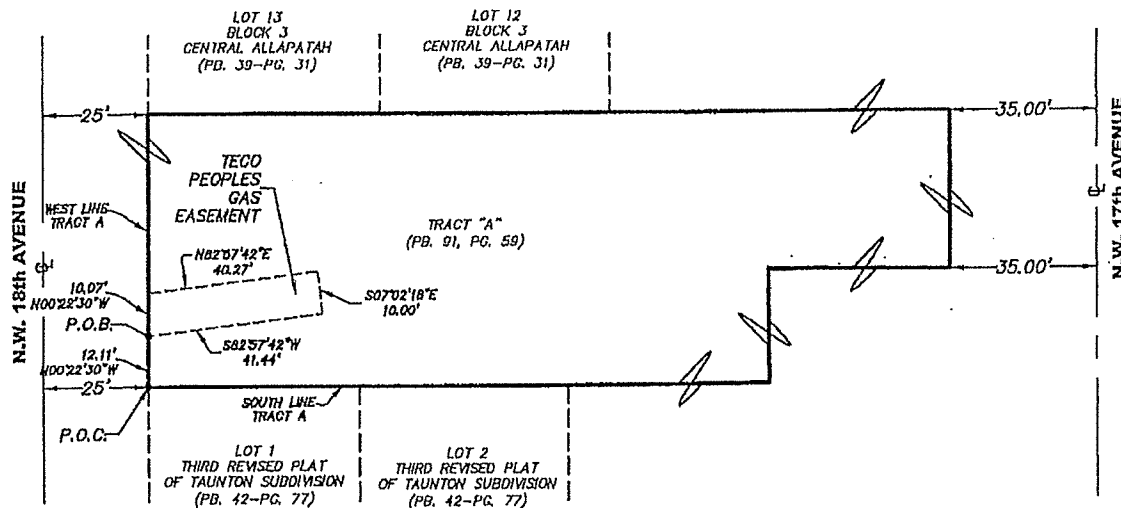
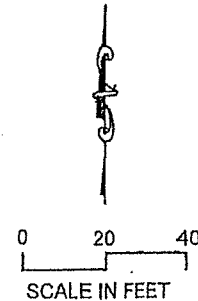
EXHIBIT A

A portion of land in the N.E. 1/4, Section 27, Township 53 South, Range 41 East  
City of Miami, Miami-Dade County, Florida.

Scale 1" = 40'

For: DANTE FASCELL PRESERVATION, LLC  
Address: 2936 N.W. 17th Ave, Miami, FL 33142

A TECO Peoples Gas easement located in Tract "A" of E.D.C. SUBDIVISION, according to the Plat thereof as recorded in Plat Book 91, Page 59, of the Public Records of Miami-Dade County, Florida, more particularly described as follows: Commence at the Southwest corner of Tract "A"; thence N00°22'30"W for 12.11 feet to the Point of Beginning of said easement; thence continue N00°22'30"W for 10.07 feet; thence N82°57'42"E for 40.27 feet; thence S07°02'18"E for 10.00 feet; thence S82°57'42"W for 41.44 feet to the Point of Beginning.



Date: 03 / 19 / 2014

This Sketch is not a Boundary Survey.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

PREPARED BY:

RENE AIGUESVIVES  
PROFESSIONAL SURVEYOR AND  
MAPPER No. 4327. State of Florida.

ABBREVIATIONS:

P.O.C. = Denotes Point of Commencement

P.O.B. = Denotes Point of Beginning

Bearings based on Plat Meridian (reference) WEST &amp; N00°22'30"W

Not valid unless  
it bears the  
signature and the  
original raised  
seal of Florida  
licensed Surveyor  
and Mapper.

Alvarez, Aiguesvives and Associates, Inc.

L.B. No. 6867

Surveyors, Mappers and Land Planners

5701 S.W. 107th Avenue # 204, Miami, FL 33173

Phone 305-220-2424 Fax 305-552-8181

11-15243

**SKETCH OF LEGAL DESCRIPTION**  
**TECO PEOPLES GAS**

**EXHIBIT A**

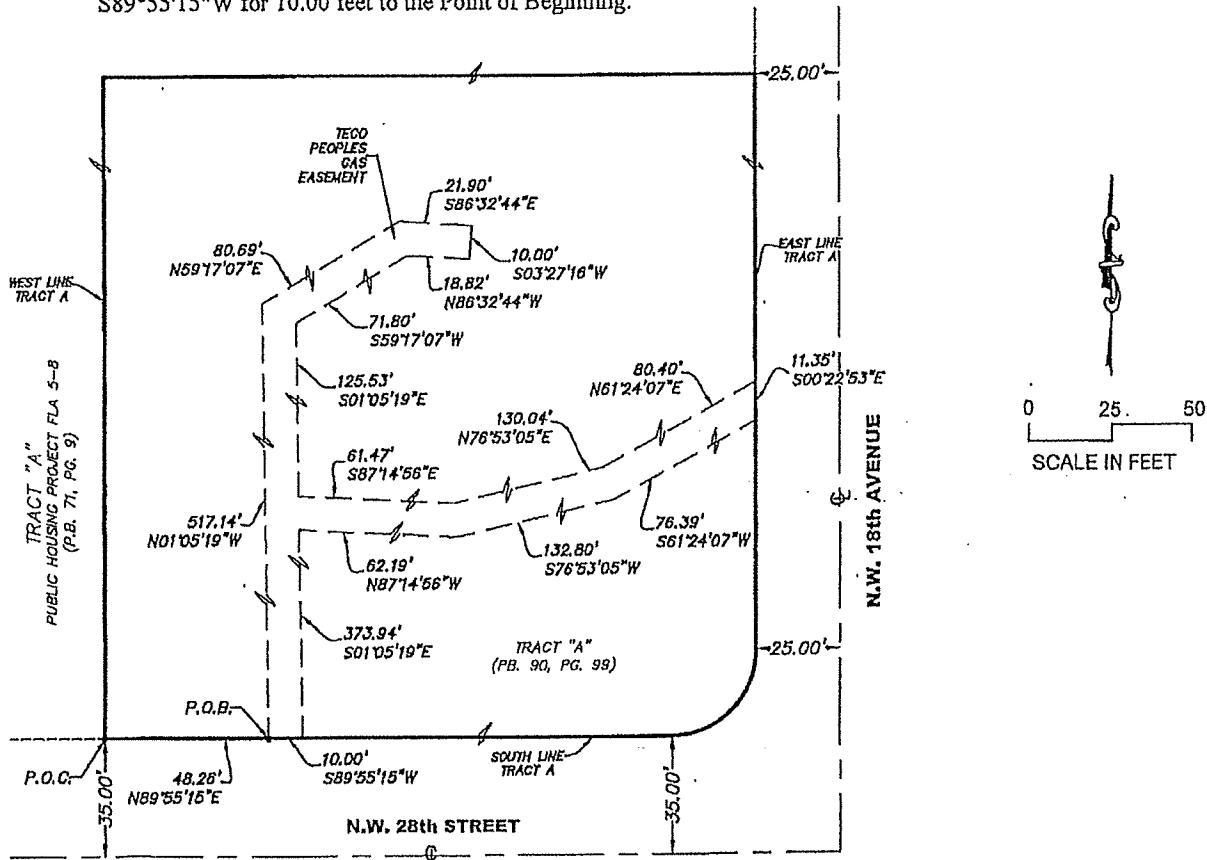
A portion of land the N.E.  $\frac{1}{4}$  of Section 27, Township 53 South, Range 41 East  
 City of Miami, Miami-Dade County, Florida.

Scale 1" = 50'

For: THREE ROUND TOWER PRESERVATION  
 Address: 2920 N.W. 18th Avenue, Miami, FL 33142

A TECO Peoples Gas easement located in Tract A, FORMAN SUBDIVISION, according to the Plat thereof as recorded in Plat Book 90, Page 99, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Commence at the Southwest corner of Tract "A"; thence N89°55'15"E for 48.26 feet to the Point of Beginning; thence N01°05'19"W for 517.14 feet; thence N59°17'07"E for 80.69 feet; thence S86°32'44"E for 21.90 feet; thence S03°27'16"W for 10.00 feet; thence N86°32'44"W for 18.82 feet; thence S59°17'07"W for 71.80 feet; thence S01°05'19"E for 125.53 feet; thence S87°14'56"E for 61.47 feet; thence N76°53'05"E for 130.04 feet; thence N61°24'07"E for 80.40 feet; thence S00°22'53"E for 11.35 feet; thence S61°24'07"W for 76.39 feet; thence S76°53'05"W for 132.80 feet; thence N87°14'56"W for 62.19 feet; thence S01°05'19"E for 373.94 feet; thence S89°55'15"W for 10.00 feet to the Point of Beginning.

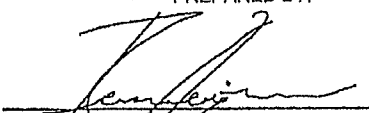


Date: 03 / 19 / 2014

This Sketch is not a Boundary Survey.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

PREPARED BY:

  
 RENE AIGUESVIVES  
 PROFESSIONAL SURVEYOR AND  
 MAPPER No. 4327, State of Florida.

11-15244

**ABBREVIATIONS:**

P.O.C. = Denotes Point of Commencement

P.O.B. = Denotes Point of Beginning

Bearings based on Assumed Meridian (reference) EAST to N00°22'30"W

Not valid unless  
 it bears the  
 signature and the  
 original raised  
 seal of Florida  
 licensed Surveyor  
 and Mapper.

Alvarez, Aiguesvives and Associates, Inc.  
 L.B. No. 6867

Surveyors, Mappers and Land Planners  
 5701 S.W. 107th Avenue # 204, Miami, FL 33173  
 Phone 305-220-2424 Fax 305-652-8181

**EXHIBIT A**

SEC. 27 TWP. 53S. RGE. 41E.  
FOLIO/PARCEL ID NO. 01-3127-079-0010  
R.E. CARD NO. N/A

**PREPARED BY AND RETURN TO:**

Monica Otero  
Real Estate Department  
Peoples Gas System  
702 N. Franklin Street  
Tampa, FL 33602

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**EASEMENT AMENDMENT AGREEMENT**

This Easement Amendment Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between **MIAMI-DADE COUNTY, FLORIDA**, whose address is 111 NW 1<sup>st</sup> Street, Miami, FL 33128 ("Grantor") and **PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY**, a Florida corporation, whose post office address is P.O. Box 2562, Tampa, Florida 33601 ("Company").

**WITNESSETH:**

WHEREAS, the Grantor owns certain real property encumbered by a certain easement in favor of the Company, as recorded in Official Records Book 30077, Pages 738-741 dated May 9, 2016, and recorded May 16, 2016, in the Public Records of Miami-Dade County, Florida (the "Original Easement").

WHEREAS, the parties desire to modify and amend the land encumbered by the aforesaid Easement.

NOW, THEREFORE, in consideration of the promises and mutual covenants hereinafter contained, the parties hereto agree as follows:

1. The Original Easement is hereby modified and amended to depict the easement area recorded in Official Records Book 30077, Page 741 as shown on Exhibit "A", Pages 1-3 attached hereto and by reference made a part hereof. The Original Easement is released and extinguished as to any property which is not legally described hererin.
2. Except as modified herein, all other provisions, terms and conditions of the Original Easement recorded in Official Records Book 30077, Pages 738-741 dated May 16<sup>th</sup>, 2016, shall hereby remain ratified and confirmed by the parties.

IN WITNESS WHEREOF the Grantor and Company has caused these presents to be executed by their authorized representatives this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**GRANTOR:**

**MIAMI-DADE COUNTY, FLORIDA**

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**SIGNED AND DELIVERED IN THE PRESENCE OF:  
WITNESSES TO EXECUTION BY GRANTOR:**

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, on behalf of said company by means of ☐ physical presence or ☐ online notarization who is personally known to me or has produced \_\_\_\_\_ as identification.  
(Type of identification)

Witness my hand and official seal the date aforesaid,

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
Notary: Print or Type Name  
MY COMMISSION EXPIRES \_\_\_\_\_

Signed, sealed and delivered  
in the presence of:

**PEOPLES GAS SYSTEM, A DIVISION OF  
TAMPA ELECTRIC COMPANY,**  
a Florida corporation

Witness: \_\_\_\_\_  
Print name: \_\_\_\_\_

By: \_\_\_\_\_  
Rick F. Wall,  
Vice-President – Engineering & Operations

Witness: \_\_\_\_\_  
Print name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Rick f. Wall, Vice President of Peoples Gas System, on behalf of the corporation by means of ☐ physical presence or ☐ online notarization who is personally known to me.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(Print notary name)  
My Commission Expires:

## Exhibit "A" (1 of 3)

### SKETCH TO ACCOMPANY LEGAL DESCRIPTION for

Brisas del Este Phase II, LLC

prepared by:



**HADONNE**

LAND SURVEYOR AND MAPPERS  
3D LASER SCANNING  
UTILITY COORDINATION  
SUBSURFACE UTILITY ENGINEERING

### EXHIBIT "A"

### RELOCATED TECO PEOPLES GAS EASEMENT

#### LEGAL DESCRIPTION:

A portion of Tract "A" of "FORMAN SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 90, at Page 99, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the SW Corner of said Tract "A"; thence N89°55'15"E along the South Boundary Line of said Tract "A", said line also being the North Right of Way Line of NW 28th Street, for 58.26 feet; the following Two (2) courses being along the East Boundary Line of a 10 foot wide TECO Peoples Gas Easement as described on a certain Grant of Non-Exclusive Utility Easement, recorded in Official Records Book 30077, at Page 738, of the Public Records of Miami-Dade County, Florida; (1) thence N01°05'19"W for 327.26 feet to Reference Point "A"; (2) thence continue N01°01'19"W for 48.69 feet; the following Two (2) courses being along the most Southerly Boundary Line of said 10 foot wide TECO Peoples Gas Easement as described on a Grant of Non-Exclusive Utility Easement, recorded in Official Records Book 30077, at Page 738, of the Public Records of Miami-Dade County, Florida; (1) thence S87°14'56"E for 62.19 feet; thence N76°53'05"E for 62.88 feet to Reference Point "B" and the Point of Termination of this description.

AND

BEGIN at Reference Point "A", said point being the POINT OF BEGINNING of a 10 Foot wide TECO Peoples Gas Easement; thence S89°47'30"E for 36.07 feet; thence S82°10'43"E for 33.12 feet; thence N82°10'56"E for 22.09 feet; thence N57°37'48"E for 17.21 feet; thence N32°22'12"W for 10.00 feet; thence S57°37'48"W for 15.03 feet; thence S82°10'56"W for 18.54 feet; thence N82°10'43"W for 32.41 feet; thence N89°47'30"W for 36.96 feet; thence S01°05'19"E along said East Boundary Line of a 10 foot wide TECO Peoples Gas Easement as described on a Grant of Non-Exclusive Utility Easement, recorded in Official Records Book 30077, at Page 738, of the Public Records of Miami-Dade County, Florida, for 10.00 feet to the Point of Termination of said TECO Peoples Gas Easement.

AND

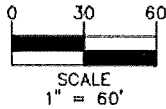
BEGIN at Reference Point "B", said point being the POINT OF BEGINNING of a 10 Foot wide TECO Peoples Gas Easement; thence S47°38'33"E for 21.62 feet; thence S40°39'13"E for 92.41 feet; thence S56°37'29"E for 23.62 feet; thence S68°14'10"E for 42.87 feet; thence N00°23'01"W along the East Boundary Line of said Tract "A", said line also being the West Right of Way Line of NW 18th Avenue, for 177.05 feet; thence S61°24'07"W for 11.35 feet; thence S00°23'01"E along a line parallel with and 10 feet West of the East Boundary Line of said Tract "A", said line also being the West Right of Way Line of NW 18th Avenue, for 156.81 feet; thence N68°14'10"W for 26.98 feet; thence N56°37'29"W for 21.20 feet; thence N40°39'13"W for 91.62 feet; thence N47°38'33"W for 27.49 feet; thence S76°53'05"W along a line parallel with and 10 feet Northerly of said most Southerly Boundary Line of said 10 foot wide TECO Peoples Gas Easement as described on a Grant of Non-Exclusive Utility Easement, recorded in Official Records Book 30077, at Page 738, of the Public Records of Miami-Dade County, Florida, for 12.14 feet; thence S47°38'33"E for 12.14 feet to the Point of Termination of said TECO Peoples Gas Easement.

Containing 4,526 Square Feet, more or less, by calculations.

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# Exhibit "A" (2 of 3)



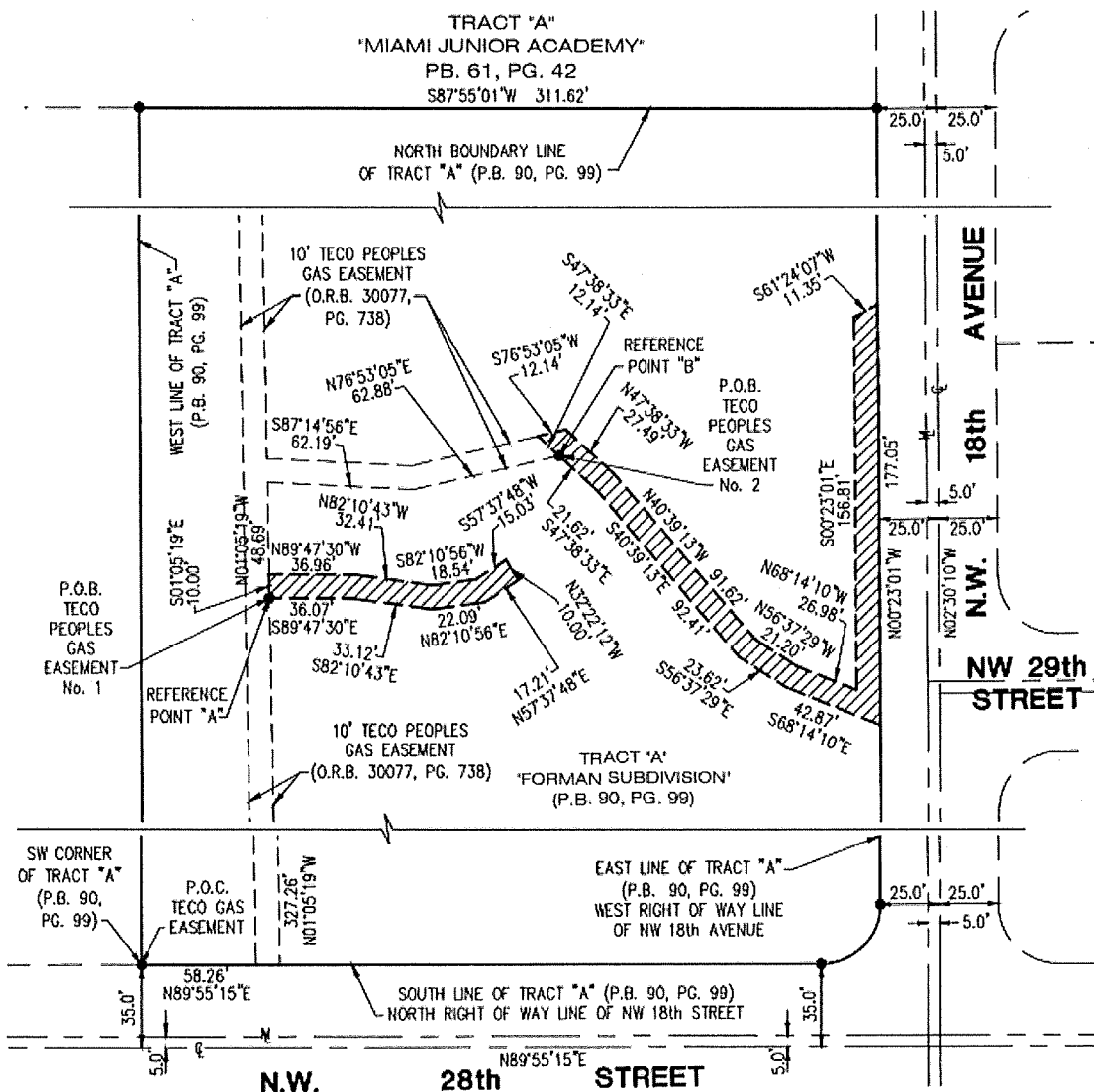
SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
for  
Brisas del Este Phase II, LLC  
prepared by:



**HADONNE**

LAND SURVEYOR AND MAPPERS  
3D LASER SCANNING  
UTILITY COORDINATION  
SUBSURFACE UTILITY ENGINEERING

## EXHIBIT "A" RELOCATED TECO PEOPLES GAS EASEMENT



### LEGEND

P.B. = PLAT BOOK  
PG. = PAGE  
O.R.B. = OFFICIAL RECORDS BOOK  
C = CENTERLINE  
M = CITY OF MIAMI MONUMENT LINE  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

Page 2 of 3  
JOB: 19069

## Exhibit "A" (3 of 3)

### SKETCH TO ACCOMPANY LEGAL DESCRIPTION for

Brisas del Este Phase II, LLC

prepared by:



# HADONNE

LAND SURVEYOR AND MAPPER  
3D LASER SCANNING  
UTILITY COORDINATION  
SUBSURFACE UTILITY ENGINEERING

### EXHIBIT "A"

### RELOCATED TECO PEOPLES GAS EASEMENT

#### SOURCES OF DATA:

The Legal Description was generated from the Plat of "FORMAN SUBDIVISION", as recorded in Plat Book 90, at Page 99 of the Public Records of Miami-Dade County, Florida.

City of Miami Municipal Atlas Sheet 19H, prepared by the City of Miami, Public Works Department, last dated on January 29, 1981.

Bearings as shown hereon are based upon the centerline of NW 18th Avenue, with an assumed bearing of N00°23'01"W.

#### EASEMENTS AND ENCUMBRANCES:

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

#### LIMITATIONS:

Since no other information was furnished other than that which 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 the 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," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By:

Date: 9/15/2020

Raul Izquierdo, P.S.M.  
For The Firm  
Professional Surveyor and Mapper LS6099  
HADONNE CORP.  
Land Surveyors and Mappers  
Certificate of Authorization LB7097  
1985 NW 26 Court, Suite 101  
Doral, Florida 33172  
305.266.1188 phone  
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 5J-17.051 of the Florida Administrative Code.

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