

MEMORANDUM

Agenda Item No. 11(A)(12)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 4, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the conveyance of a non-exclusive permanent easement to Florida Power & Light Company (FPL) for a nominal amount for the purpose of FPL constructing, operating and maintaining an overhead and underground electric utility facilities, including wires, guys, cables, conduits and appurtenant equipment, for Jose Marti Villas Phase One; and authorizing the County Mayor to execute and record the “underground easement (business)”, and exercise all provisions contained therein

Resolution No. R-257-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.


Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 4, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(12)

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 ____, majority plus one ____, 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) ____, 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. 11(A)(12)
3-4-25

RESOLUTION NO. R-257-25

RESOLUTION APPROVING THE CONVEYANCE OF A NON-EXCLUSIVE PERMANENT EASEMENT TO FLORIDA POWER & LIGHT COMPANY (FPL) FOR A NOMINAL AMOUNT FOR THE PURPOSE OF FPL CONSTRUCTING, OPERATING AND MAINTAINING AN OVERHEAD AND UNDERGROUND ELECTRIC UTILITY FACILITIES, INCLUDING WIRES, GUYS, CABLES, CONDUITS AND APPURTENANT EQUIPMENT, FOR JOSE MARTI VILLAS PHASE ONE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE AND RECORD THE “UNDERGROUND EASEMENT (BUSINESS)”, AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, on October 17, 2023, this Board adopted Resolution No. R-924-23, granting site control to RUDG, LLC (RUDG) for the redevelopment of Jose Marti Villas, which is currently being developed by Jose Marti Villas, LLC, an affiliate of RUDG; and

WHEREAS, the development of Jose Marti Villas Phase One on County-owned property will consist of 146 units; and

WHEREAS, FPL requires a non-exclusive permanent easement for the construction, operation, and maintenance of underground electric utility facilities, including cables, conduits, appurtenant equipment, and appurtenant above ground equipment, for the Jose Marti Villas Phase One project; and

WHEREAS, in accordance with Resolution No. R-504-15, the electrical lines will be placed underground, and surface mounted equipment will be concealed with vegetation cover; and

WHEREAS, this Board finds that it is in the County’s best interest to grant the easement to ensure that electrical power is provided to the project,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board adopts and incorporates the foregoing recital and accompanying memorandum as if fully set forth herein.

Section 2. This Board approves the conveyance of a non-exclusive permanent easement to Florida Power and Light Company (FPL), for a nominal amount, for the purpose of FPL constructing, operating, and maintaining overhead and underground electric utility facilities, including wires, conduits and appurtenant equipment for Jose Marti Villas Phase One. This Board further authorizes the County Mayor or County Mayor's designee to execute the Easement (Business) ("easement"), in substantially the form attached hereto as Attachment "A" and incorporated herein by reference, and to exercise all provisions contained therein that are consistent with this resolution.

Section 3. This Board directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record in the public record the easement, and to provide a copy of such recorded instruments to the Clerk of the Board within 30 days of execution and final acceptance. This Board further directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins. It was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	absent	Roberto J. Gonzalez	aye
Keon Hardemon	absent	Danielle Cohen Higgins	aye
Eileen Higgins	absent	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of March, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

Work Request No. 13197457**UNDERGROUND EASEMENT
(BUSINESS)**Sec. 03, Twp 54, Rge 41

This Instrument Prepared By

Parcel I.D. 01-4103-074-0010

(Maintained by County Appraiser)

Name: Alberto PariusCo. Name: Related Urban Development GroupAddress: 2850 Tigertail AvenueSuite 800, Miami FL 33133

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 & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits, appurtenant equipment, 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 as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right 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 Easement Area, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed and delivered in the presence of:

Entity Name

(Witness' Signature)

By: _____

Print Name: _____

(Witness)

Print Name: _____

Print Address: _____

Print Title: _____

Print Address: _____

(Witness' Signature)

Print Name: _____

(Witness)

Print Address: _____

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me by [] physical presence or [] on-line notarization, this _____ day of _____, 20__, by _____, the _____ of _____ a _____, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

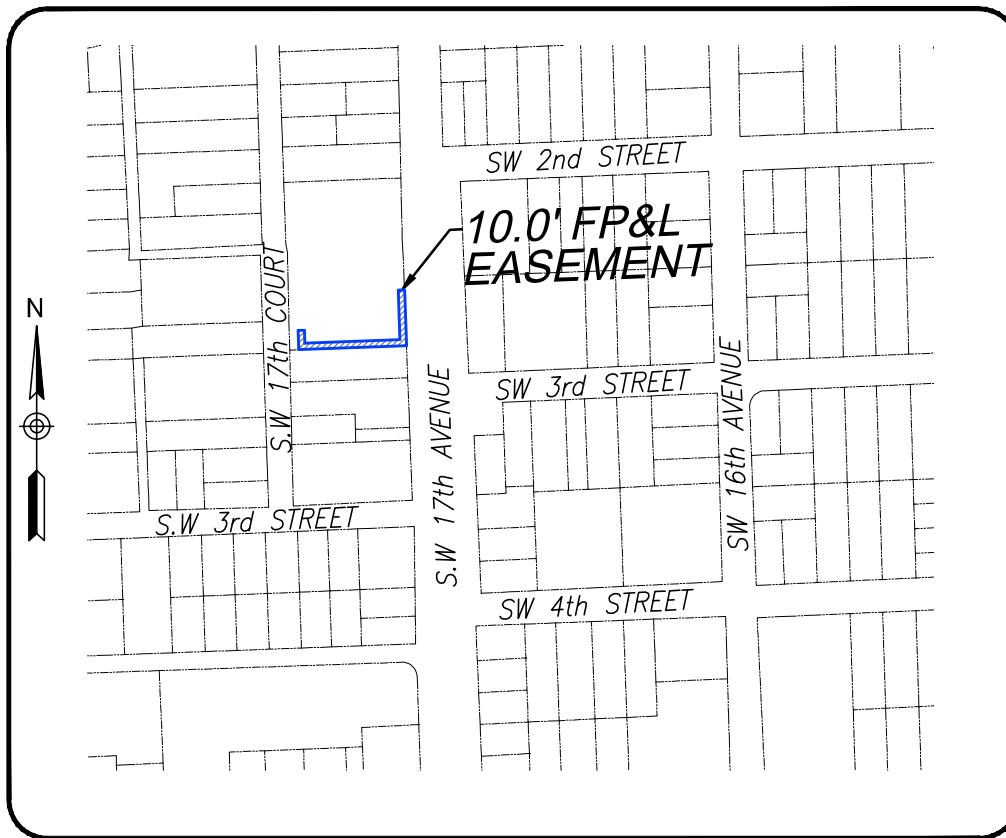
Notary Public, Signature

Print Name _____

EXHIBIT "A"

LOCATION MAP

10 FOOT FLORIDA POWER AND LIGHT EASEMENT



A PORTION OF SECTION 03, TOWNSHIP 54 SOUTH, RANGE 41 EAST,
CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA
SCALE 1"=300'

NOTES:

1. PREPARED FOR: JOSE MARTI VILLAS, LLC
2. THIS IS NOT A BOUNDARY SURVEY
3. BEARINGS BASED ON AN ASSUMED BEARING OF S01°21'10"E ALONG THE EAST LINE OF TRACT "A".
4. THIS EASEMENT STRIP FORMS A CLOSED GEOMETRIC FIGURE
5. I HEREBY CERTIFY THAT THIS "SKETCH AND LEGAL DESCRIPTION" OF THE PROPERTY DESCRIBED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY SUPERVISION AND DIRECTION. THIS SKETCH AND LEGAL DESCRIPTION COMPLIES WITH STANDARDS OF PRACTICE REQUIREMENTS ADOPTED BY THE FLORIDA STATE BOARD OF SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.
6. THE ELECTRONICAL SEAL AND SIGNATURE APPEARING ON THIS SURVEY WAS AUTHORIZED BY JOSE G. HERNANDEZ, PROFESSIONAL LAND SURVEYOR No. 6952 OF THE STATE OF FLORIDA ON FEBRUARY 13, 2025.



J.Hernandez & Associates Inc
LAND SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION No. LB8092

3300 NW 112th AVE. SUITE 10, DORAL, FL 33172
(P) 305-526-0606 (E) info@jhasurveys.com

DRAWN BY: C.A.F.	CHECKED BY: J.G.H.	JOB NUM.: 154879
DATE: 01/13/25	SHEET 1 OF 3 SHEETS	F.B. N/A

SURVEYOR'S CERTIFICATE

PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY: 

JOSE G. HERNANDEZ, PRESIDENT
PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

MDC007

[illegible]

 <i>J. Hernandez & Associates Inc</i> LAND SURVEYORS AND MAPPERS CERTIFICATE OF AUTHORIZATION No. LB8092 3300 NW 112th AVE. SUITE 10, DORAL, FL 33172 (P) 305-526-0606 (E) info@jhasurveys.com		
DRAWN BY: C.A.F.	CHECKED BY: J.G.H.	JOB NUM.: 154879
DATE: 01/13/25	SHEET 2 OF 3 SHEETS	F.B. N/A

PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY:

JOSE G. HERNANDEZ, PRESIDENT
PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

EXHIBIT A
LEGAL DESCRIPTION
TO ACCOMPANY SKETCH
10 FOOT FLORIDA POWER AND LIGHT
EASEMENT

THE EAST 10.00 FEET OF THE SOUTH 87.30 FEET OF TRACT "A", OF LITTLE HAVANA FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

THE SOUTH 10.00 FEET, LESS THE WEST 11.13 FEET OF SAID TRACT "A", OF SAID LITTLE HAVANA FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH

THE EAST 10.00 FEET OF THE WEST 21.13 FEET OF THE SOUTH 30.00 FEET OF SAID TRACT "A", OF SAID LITTLE HAVANA FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID EASEMENT CONTAINING 2,659 SQUARE FEET (0.061 ACRES) MORE OR LESS.

LYING AND BEING IN SECTION 03, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA.

LEGEND

—	DENOTES FP&L EASEMENT	FP&L	DENOTES FLORIDA POWER AND LIGHT
—M—	DENOTES MONUMENT LINE	O.R.B.	DENOTES OFFICIAL RECORD BOOK
—C—	DENOTES CENTER LINE		
—R/W—	DENOTES RIGHT-OF-WAY LINE		
P.B.	DENOTES PLAT BOOK		
PG.	DENOTES PAGE		
SQ.FT.	DENOTES SQUARE FEET		



J. Hernandez & Associates Inc

LAND SURVEYORS AND MAPPERS

CERTIFICATE OF AUTHORIZATION No. LB8092

3300 NW 112th AVE. SUITE 10, DORAL, FL 33172

(P) 305-526-0606 (E) info@jhasurveys.com

DRAWN BY: C.A.F.

DATE: 01/13/25

CHECKED BY: J.G.H.

SHEET 3 OF 3 SHEETS

JOB NUM.: 154879

F.B. N/A

SURVEYOR'S CERTIFICATE

PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY:

JOSE G. HERNANDEZ, PRESIDENT

PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

MDC009