

MEMORANDUM

Agenda Item No. 11(A)(4)

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

DATE: July 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the conveyance of a non-exclusive 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 for the Garden Building located within the Jose Marti Villas Phase One development; and authorizing the County Mayor to execute and record the "Underground Easement (Business)", take all actions to effectuate same, and exercise all provisions contained therein

Resolution No. R-681-25

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/ks



MEMORANDUM

(Revised)

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

DATE: July 1, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No.

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. 11(A)(4)
7-1-25

RESOLUTION NO. _____ R-681-25

RESOLUTION APPROVING THE CONVEYANCE OF A NON-EXCLUSIVE 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 FOR THE GARDEN BUILDING LOCATED WITHIN THE JOSE MARTI VILLAS PHASE ONE DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE AND RECORD THE “UNDERGROUND EASEMENT (BUSINESS)”, TAKE ALL ACTIONS TO EFFECTUATE SAME, 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, Florida Power & Light (FPL) requires the County to convey a non-exclusive 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 (“project”); and

WHEREAS, the easement area is more fully described in Exhibit “A” of Attachment “1” attached hereto and incorporated herein by reference; and

WHEREAS, by granting the easement, FPL will be able to provide electrical power to the Garden Building site, which is one of the two project sites of the project; and

WHEREAS, the Garden Building site features 36 units of the total 146 units in the 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 by RUDG or FPL; and

WHEREAS, RUDG has represented that the electrical lines and surface mounted equipment will not adversely impact the building's aesthetics; and

WHEREAS, accordingly, this Board believes 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 recitals as if fully set forth herein.

Section 2. This Board approves the conveyance of a non-exclusive 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 the Garden Building located within the Jose Marti Villas Phase One development. 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 "1" and incorporated herein by reference, to take all actions to effectuate same, 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 the easement in the public record of the County, 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
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of July, 2025. 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.

Terrence A. Smith

Work Request No.

Sec. __, Twp __ S, Rge __ E

Parcel I.D. _____
(Maintained by County Appraiser)**UNDERGROUND EASEMENT
(BUSINESS)**

This Instrument Prepared By

Name: _____
Co. Name: _____
Address: _____

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:

Reserve for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit FPL 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 FPL's communications purposes in connection with electric service; 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 through said Easement Area.

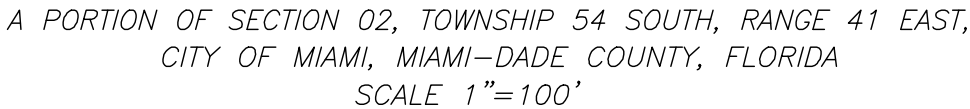
IN WITNESS WHEREOF the undersigned has signed and sealed this instrument on this ____ day of _____, 20__.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Grantor:

ATTEST:

Juan Fernandez-Barquin
Clerk of Court and ComptrollerMIAMI-DADE COUNTY, a political subdivision of
the State of FloridaBy: _____
(Deputy Clerk Signature)
Print Name: _____
Date: _____By: _____
Name: _____
Title: _____
Address: _____Approved as to form and legal
sufficiencyBy: _____
Terrence A. Smith
Assistant County Attorney



1. PREPARED FOR: JOSE MARTI VILLAS, LLC
2. THIS IS NOT A BOUNDARY SURVEY
3. BEARINGS BASED ON AN ASSUMED BEARING OF N87°43'34"E ALONG THE CENTERLINE OF S.W. 4th AVENUE.
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 APRIL 02, 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			SURVEYOR'S CERTIFICATE		
DRAWN BY: J.A.C. DATE: 04/02/25			CHECKED BY: J.G.H. SHEET 1 OF 3 SHEETS		
JOB NUM.: 154948 F.B. N/A PG. 1/1			PREPARED UNDER MY SUPERVISION AND DIRECTION: BY:  JOSE G. HERNANDEZ, PRESIDENT PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.		

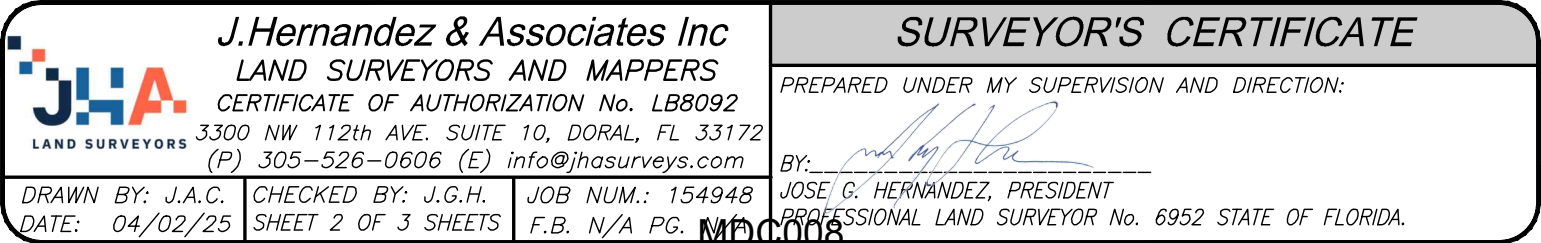
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EXHIBIT A
LEGAL DESCRIPTION
TO ACCOMPANY SKETCH
10 FOOT FLORIDA POWER AND LIGHT
EASEMENT

A PORTION OF LOT 8, BLOCK 94 OF LAWRENCE ESTATE COS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE N.E. CORNER OF SAID LOT 8; THENCE RUN, SOUTH 87 DEGREES 43 MINUTES 34 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 8, FOR A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING OF A STRIP OF LAND 10.00 FEET IN WIDTH, LYING 5.00 FEET ON EACH SIDE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; THENCE, SOUTH 01 DEGREES 45 MINUTES 52 SECONDS EAST, ALONG A LINE PARALLEL WITH AND 5.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID LOT 8, FOR A DISTANCE 16.94 FEET; THENCE, SOUTH 88 DEGREES 13 MINUTES 31 SECONDS WEST FOR A DISTANCE 18.35 FEET TO THE POINT OF TERMINATION.

SIDELINES OF EASEMENT ARE TO BE LENGTHENED OR SHORTENED SO AS TO FORM A CONTINUOUS 10.00 FOOT WIDE STRIP OF LAND.

SIDELINES AT THE POINT OF BEGINNING ARE TO BE LENGTHENED OR SHORTENED SO AS TO INTERSECT THE NORTH LINE OF SAID LOT 8.

SAID EASEMENT CONTAINING 353 SQUARE FEET (0.008 ACRES) MORE OR LESS.

LYING AND BEING IN SECTION 02, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA.

LEGEND

———— DENOTES FP&L EASEMENT
— C — DENOTES CENTER LINE
— R/W — DENOTES RIGHT-OF-WAY LINE
P.B. DENOTES PLAT BOOK
PG. DENOTES PAGE
FP&L DENOTES FLORIDA POWER AND LIGHT



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

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

DRAWN BY: J.A.C.
DATE: 04/02/25

CHECKED BY: J.G.H.
SHEET 3 OF 3 SHEETS

JOB NUM.: 154948
F.B. N/A PG. N/A

MD0009

SURVEYOR'S CERTIFICATE

PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY:

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