## RESOLUTION NO. 2011 - 2025

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AFTER-THE-FACT EASEMENT DESCRIBED IN EXHIBIT "A" GRANTING AND GIVING TO FLORIDA POWER & LIGHT COMPANY FOREVER A TEN (10) FOOT WIDE EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF OVERHEAD AND UNDERGROUND UTILITIES TO BE INSTALLED FOR THE COMMUNITY CENTER AND AQUATIC FACILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town of Surfside has executed on April 27, 2011 an easement described in Exhibit "A" attached hereto, granting and giving to Florida Power & Light Company (hereinafter "FPL") forever a ten (10) foot wide easement for the construction, operation and maintenance of overhead and underground utilities to be installed for the Community Center and Aquatic Facility; and

WHEREAS, it is in the best interest of the Town to approve this easement.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

- **Section 1.** Recitals. The above-stated recitals are hereby adopted and confirmed.
- **Section 2.** Granting of Easement Approved. The FPL Easement attached as "Exhibit "A" is hereby approved after-the-fact and the Town Manager is hereby authorized to do to do all things necessary to effectuate this easement.
- **Section 3. Effective Date.** This Resolution shall be effective immediately from adoption hereof.

**PASSED** and **ADOPTED** on this 10<sup>th</sup> day of May, 2011.

Motion by Commissioner Kupelman, second by Commissioner Olchyk.

## FINAL VOTE ON ADOPTION

Commissioner Michael Karukin
Commissioner Edward Kopelman
Commissioner Marta Olchyk
Vice Mayor Joseph Graubart
Mayor Daniel Dietch

Daniel Dietch, Mayor

ATTEST:

Debra E. Eastman, MMC

Town Clerk

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:

Lynn M. Dannheisser, Town Attorney

Print Name: Darriet Diefek  Print Address: 9293 Harding Ave., Surfside, Florida 33154  Attest: Like Country			VT	
Sec Twp _ S, Rge _ E	Model Dominat Na	This Instrument Pr	repared By:	
Parcel I.D. (Maintained by County Appreiser)  Plat Book 8, Page 92 of Public Records of Marmi- Dada County Plat Book 79, Page 31 of Public Records of Marmi- Dada County 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, (Grantee) having an address of 700 Universe Blvd. Juno Beach, Florida 33408, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant 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 ten (10) feet in width described as follows:  SEE EXHIBIT "A"  Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and la and conduit within the easement and to operate the same for communications purposes; the right of Ingress and egress premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions will easement area, to trim and cut and keep frimmed and cut all dead, weak, leaning or dangerous trees or impos outside easement area which might interfere with or fall upon the lines or systems of communications or power transmis distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights herei granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or the said property. Grantee shall provide notice to Grantor prior to any work being performed in the easement.  IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on  (Wilness Signature)  Print Name:  Print Address: 9293 Harding Av		1 con H. Danubatana 3	F A44	
Parcel LD.  (Melintained by County Appraiser)  Plat Book 8, Page 92 of Public Records of Miami- Dade County Plat Book 70, Page 31 of Public Records of Miami- Dade County Plat Book 70, Page 31 of Public Records of Miami- Dade County Plat Book 70, Page 31 of Public Records of Miami- Dade County 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, (Grantee) having an address of 700 Universe Blvd. Juno Beach, Florida 33408, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtnant 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 ten (10) feet in width described as follows:  SEE EXHIBIT "A"  Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and la and conduit within the easement and to operate the same for communications purposes; the right of Ingress and egress premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions with easement area; to trim and cut and keep it cleared of all trees, undergrowth and other obstructions with easement area; to trim and cut and keep it cleared of all trees, undergrowth and other obstructions with easement area; to trim and cut and keep it cleared of all trees, undergrowth and other obstructions with easement area; to trim and cut and keep it cleared of all trees, undergrowth and other obstructions with easement area; to trim and cut and keep it cleared of all trees, undergrowth and other obstructions or power transmis distribution; and further grants, to the fullest extent th	occ rwp 5, r/ge E			
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Print Address: 9293 Harding Ave., Surfside, Florida 33154	Frint Name:  Frogether with the right to permit an and conduit within the easement are and conduit within the easement area; to trim and cut and easement area; to trim and cut and easement area which might interdistribution; and further grants, to granted on the land heretofore desirated property. Grantee shall provide the WITNESS WHEREOF, the understand the conduction of the land delivered in the conduction of the land delivered in the conduction.  Witness Standard Conduction of the land delivered in the conduction.	ny other person, firm or could to operate the same for ear the land and keep it it keep trimmed and cut after with or fall upon the fullest extent the underibed, over, along, under notice to Grantor prior to ersigned has signed and presence of:	r communications pur cleared of ail trees, unall dead, weak, leaning all dead, weak, leaning a lines or systems of dersigned has the poer and across the road any work being performed by the sealed this instrument.  Print Name: Day Print Address: 929	poses; the right of Ingress and egress to sandergrowth and other obstructions within the growth and other obstructions within the growth and other obstructions within the growth and other obstructions or power transmission were to grant, if at all, the rights hereinabods, streets or highways adjoining or throughomed in the easement.  Son April 27 2011  Mayor Daniel Dietch  Blanding Ave., Surfside, Florida 33154
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(Corporate Seal)	Frint Name:  Frogether with the right to permit an and conduit within the easement are and conduit within the easement area; to trim and cut and easement area; to trim and cut and easement area which might interdistribution; and further grants, to granted on the land heretofore desirated property. Grantee shall provide the WITNESS WHEREOF, the understand the conduction of the land delivered in the conduction of the land delivered in the conduction.  Witness Standard Conduction of the land delivered in the conduction.	ny other person, firm or could to operate the same for ear the land and keep it it keep trimmed and cut after with or fall upon the fullest extent the underibed, over, along, under notice to Grantor prior to ersigned has signed and presence of:	r communications pur cleared of all trees, unall dead, weak, leaning elines or systems of dersigned has the poer and across the road of any work being performed by the sealed this instrument.  Print Name: Da Attest: Color Print Name: T	poses; the right of Ingress and egress to sandergrowth and other obstructions within the gor dangerous trees or limbs outside of the communications or power transmission wer to grant, if at all, the rights hereinabods, streets or highways adjoining or throughormed in the easement.  I on April 27 2011  Mayor Daniel Dietch  B Harding Ave., Surfside, Florida 33154  Debra E. Eastman, M.M.C., Town Clerk  Debra Castman  B Harding Ave., Surfside, Florida 33154
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My Commission Expires:



Surfold as identification, and who did (did not) take an oath.

Moupuelf
Notary Public, Signature

Print Name Madie Dadene Harfing L

## LAND DESCRIPTION SURFSIDE COMMUNITY CENTER 10 FOOT FLORIDA POWER AND LIGHT Co. EASEMENT TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

A strip of land 10 foot in width being a portion of Lot 11, Block 1 as shown on "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92 and a portion of vacated right-of-way of State Road A-1-A as described in the Official Records Book 27172, Page 4775, all in the Public Records of Miami-Dade County, Florida, said strip of land lying 5.00 feet each side of the following described centerline:

COMMENCING at the Northwest corner of Lot 1, Block 1, "SURFSIDE CENTER", according to the Plat thereof, as recorded in Plat Book 70, Page 31, of the Public Records of Miami-Dade County, Florida

THENCE South 86°51'54" West on the Westerly prolongation of the North line of said Lot 1, Block 1, said line also being the South line of Lot 2, Block 2, as shown on said "ALTOS DEL MAR No. 5", a distance of 20.02 feet to the intersection with the West line of a said vacated right-of-way;

THENCE South 05°22'19" East on said West line, a distance of 79.01 feet;

THENCE North 84°37′41" East, a distance of 5.00 feet to the intersection with a line 5.00 feet East of and parallel with said West line of a vacated right-of-way and to the POINT OF BEGINNING of said centerline;

THENCE South 05°22'19" East on said centerline and on said parallel line, a distance of 118.60 to the intersection with a line 12.50 feet North of and parallel with South line of Lot 11, Block 1, "ALTOS DEL MAR No. 5";

THENCE North 86°46'30" East on said centerline and on said parallel line, a distance of 66.30 feet to the POINT OF TERMINATION of said centerline;

The sidelines of this easement are to be shortened or lengthened so as to form a continuous strip of land in width and to intersect existing properties

Said lands lying in Section 35, Township 52 South, Range 42 East, Town of Surfside, Miami-Dade County, Florida and containing a total net area of 1,849 square feet, more or less.

## SURVEYOR'S NOTES:

1. Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

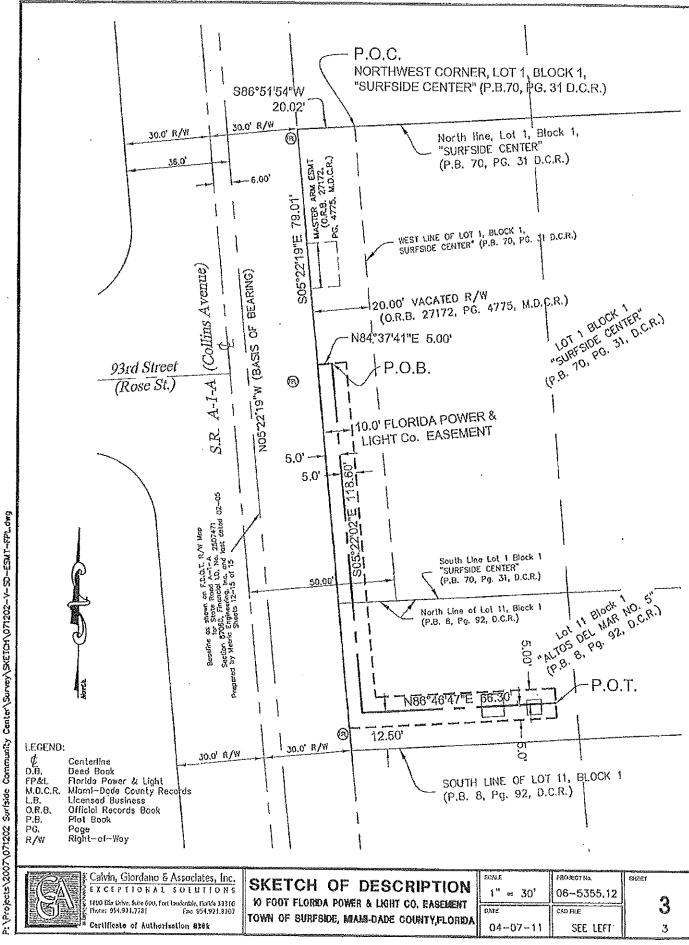
Prepartd by:
CALVIN, GIORDANO & ASSOCIATES, INC.
1800 Eller Drivo - Suite 600
Fort Lectricie, Et. 33316
April 07, 2011
PAPmject/2007/071202 Surfside Community Center/Survey/Legal Descriptions/065355-12-ESMT-FFL.doex

- 2. Lands shown hereon were not abstracted by the surveyor for rights-of-way, easements, ownership or other instruments of record.
- 3. Bearings shown hereon are Relative to Florida Department of Transportation right-of-way map for State Road A-1-A, Section 87060, Financial I.D. No. 2507471, prepared by Metric Engineering, Inc., and last dated February 2005, Sheets 12 to 15 of 15 with the baseline of said State Road having a bearing of North 05°22'19" West.
- 4. The description contained herein does not represent a field boundary survey.

CALVIN, GIORDANO AND ASSOCIATES, INC.

Fregory J. Clements

Professional Surveyor and Mapper Florida Registration Number LS 4479



Center\Survey\SKETCH\071202-V-SD-ESMT-FPL.dwg Community Surfade