

RESOLUTION NO. 2024-3266

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$107,733 TO FLORIDA POWER & LIGHT (FPL) FOR ELECTRICAL UTILITY FACILITIES TO SERVICE 96TH STREET PARK; APPROVING AND AUTHORIZING THE GRANTING OF AN EASEMENT TO FPL ON A PORTION OF THE 96TH STREET PARK FOR ELECTRICAL UTILITY FACILITIES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in order to commission the new building, field lights and playground equipment at 96th Street Park, three phase electricity is required through contracting with Florida Power & Light (“FPL”) to complete the cable pull, installation of the pad-mounted transformer and all other required utility work (the “Work”); and

WHEREAS, FPL has provided the invoice attached hereto as Attachment “A” for the Work; and

WHEREAS, FPL also requires an easement from the Town to access and service the electrical utility facilities and transformer to be located in the southeast corner of 96th Street Park, which Easement is attached as Attachment “B” (“Easement”), granting FPL accessibility for construction, operation and maintenance of the underground electric facilities and transformer within 96th Street Park; and

WHEREAS, the Town of Surfside (“Town”) Administration is seeking approval and authorization to expend funds in the amount of \$107,733 payable to FPL for the Work; and

WHEREAS, the Town Commission desires to approve the Work and authorize the Town Manager to expend funds for the implementation of the Work in the amount of \$107,733, consistent with the FPL Invoice attached hereto as Attachment “A”; and

WHEREAS, the Town Commission further desires to approve and authorize the Town Manager to grant and execute the Easement to FPL, in substantially the form attached hereto as Attachment “B”, and subject to final approval of the Easement by the Town Manager and Town Attorney as to form, substance, legal description and sufficiency; and

WHEREAS, the Town Commission finds that the Work and this Resolution is in the best interest and welfare of the residents of the Town.

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 true and correct and are incorporated herein by this reference.

Section 2. Approving and Authorizing Expenditure of Funds. The Town Commission approves and authorizes the expenditure of funds for the Work in the amount of \$107,733, consistent with the FPL Invoice attached hereto as Attachment “A.”

Section 3. Approving and Authorizing Granting of Easement to FPL; Town Manager Authorized to Execute Easement; Recording of Easement. The Town Commission approves and authorizes the Town Manager to grant and execute the Easement to FPL, in substantially the form attached hereto as Attachment “B”, and subject to final approval of the Easement by the Town Manager and Town Attorney as to form, substance, legal description and sufficiency. The Town Manager is further authorized to record the Easement in the public records of Miami-Dade County, Florida.

Section 4. Implementation. The Town Manager and Town Officials are hereby authorized to take any and all action necessary to implement the Work, Easement and the purposes of this Resolution.

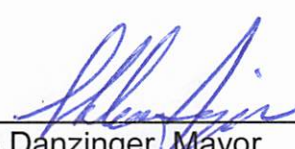
Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 13th day of February, 2024.

Motion By: Vice Mayor Rose
Second By: Commissioner Landsman

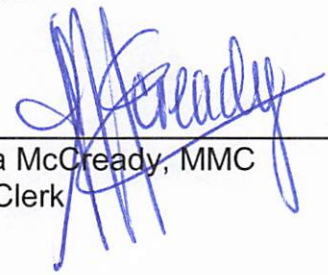
FINAL VOTE ON ADOPTION:

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meisheid	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

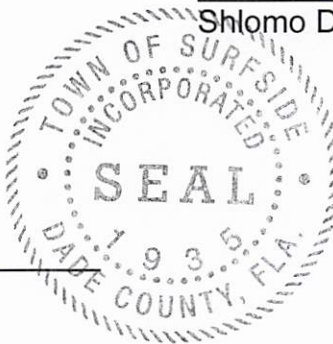


Shlomo Danzinger, Mayor


ATTEST:



Sandra McCready, MMC
Town Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

PAYMENT COUPON

/4115006400553000251517180045069750010773300

HECTOR GOMEZ
9293 HARDING AVE
SURFSIDE FL 33154

Cust. No.: 3000251517 Bill No.: 1800450697	
Payment Due Upon Receipt	Amount Due This Bill \$ 107,733.00
Reference# 1J.D00012848634	

Your payment may be eligible to be paid online. Visit www.fpl.com/construction to learn more. You can also mail a check payable to FPL in USD to the FPL address listed below right. Please mail the top portion of the coupon with your check.

FPL
General Mail Facility
Miami FL 33188-0001

Please retain this portion for your records.

Florida Power & Light Company
Federal Tax Id.#: 59-0247775
Customer Name and Address

HECTOR GOMEZ
9293 HARDING AVE
SURFSIDE FL 33154

Customer Number: 3000251517
Reference Number: 1J.D00012848634
Bill Number: 1800450697
Bill Date: 01/30/2024

CURRENT CHARGES AND CREDITS

Customer No: 3000251517 Bill No: 1800450697

Description	Amount
UG RES FEEDER/9572 BAY DR Reference# 1J.D00012848634	107,733.00
For Inquiries Contact: Isabella Arcos 305 377-6087	Total Amount Due \$107,733.00 Payment Due Upon Receipt

Work Request No. _____

Sec. __, Twp __ S, Rge __ E

Parcel I.D. _____
(Maintained by County Appraiser)

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 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 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 wires to 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 heretofore described, 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:

(Witness' Signature)

Print Name: _____
(Witness)

(Witness' Signature)

Print Name: _____
(Witness)

Entity name

By: _____

Print Name: _____

Print Address: _____

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me 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:

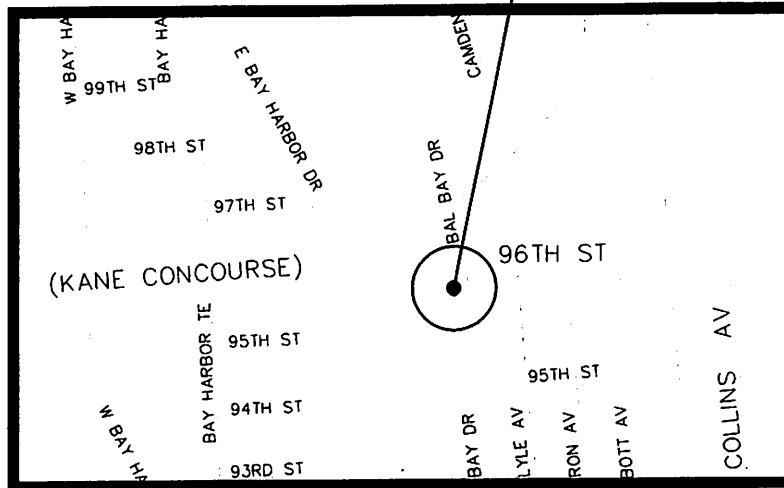
Notary Public, Signature

Print Name _____

FPL UTILITY EASEMENT

EXHIBIT A - SHEET 1 OF 3

PROJECT SITE



LOCATION MAP

SEC 35, TWN 52 S, RNG 41 E

SCALE: 1" = 1000'

REFERENCE PROPERTY ADDRESS:
9572 Bay Dr
Surfside, Florida 33154

REFERENCE FOLIO NUMBER:
14-2235-007-2610
(Miami-Dade County Public Records/Property Appraiser's Office)

EXHIBIT "A" / LEGAL DESCRIPTION OF A 12.64 FOOT WIDE FPL UTILITY EASEMENT.

A 12.64 Foot Wide FPL Utility Easement across the following parcel(s) of the reference folio number 14-2235-007-2610 and more particularly described as:

Lots 8, 9, 10, 11, and the SOUTH 39.01 Feet of Lot 12, of Block 14 of "ALTOS DEL MAR No. 6," as recorded in Plat Book 8 at Page 106, of the records of Miami-Dade County, Florida (PARCEL); said parcel also known as SURFSIDE 96th STREET PARK, being owned by the Town of Surfside.

LEGAL DESCRIPTION OF AN FPL UTILITY EASEMENT:

COMMENCE AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY BEING THE POINT OF COMMENCEMENT (P.O.C.) OF THE FOLLOWING DESCRIBED PERIMETER OF A UTILITY EASEMENT;

THENCE RUN N 05° 22' 36.00" W FOR A DISTANCE OF 16.61 FEET TO THE POINT OF BEGINNING (P.O.B.) OF SAID EASEMENT; THENCE RUN S 84° 34' 42.45" W FOR A DISTANCE OF 20.17 FEET; THENCE RUN N 05° 25' 17.55" W FOR A DISTANCE OF 12.64 FEET; THENCE RUN N 84° 34' 42.45" E FOR A DISTANCE OF 20.17 FEET; THENCE RUN S 05° 22' 36.00" E FOR A DISTANCE OF 12.64 FEET TO THE POINT OF TERMINUS (P.O.T.) OF SAID PERIMETER.

NOT VALID WITHOUT SHEETS
2 & 3 OF 3
(SHEET 1 OF 3 CONTAINS
LEGAL DESCRIPTION)
MICHAEL CAROZZA

CONTAINING APPROXIMATELY 255 SQUARE FEET MORE OR LESS.

Professional Surveyor & Mapper
State of Florida, #6965

SAID LANDS LYING AND BEING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY, FLORIDA.

PREPARED BY:
MPG TECHNICAL GROUP CORP.

CERTIFICATE OF AUTH. # LB-6932

908 S.W. 141st Avenue, Miami, Florida 33184
Phone: (305) 559-9043

This drawing are not valid unless Signed and embossed with the surveyor's seal or the equivalent IGC digital certificate.

CHECKED BY:	M.C.
DRAWN BY:	R.D.S
DATE:	02/12/2024
JOB No.	
Sheet	1 of 3

FPL UTILITY EASEMENT

EXHIBIT A - SHEET 2 OF 3

REFERENCE PROPERTY ADDRESS:

9572 Bay Dr
Surfside, Florida 33154

REFERENCE FOLIO NUMBER:

14-2235-007-2610
(Miami-Dade County Public Records/Property Appraiser's Office)

EXHIBIT "A" / LEGAL DESCRIPTION OF A 12.64 FOOT WIDE FPL UTILITY EASEMENT.

SURVEYOR'S NOTES:

All distances as shown are based on the US Survey foot.

This is not a Boundary Survey, but only a graphic depiction of the description shown hereon.

This instrument was conducted for the purpose of a "LEGAL DESCRIPTION" of a Utility Easement only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other entity. This document does not reflect or determine ownership.

Bearings are based/referred to an assumed meridian where the Centerline of BAY ROAD bears
N 05° 22' 36.00" W

This survey is intended for the use of the parties to whom this survey is certified to and for. Any reproduction is not an original. This surveyor retains an original to verify these dated contents for validity. Not valid without the signature and raised seal of the Florida Surveyor and Mapper or equivalent IGC Digital Certificate.

No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easement.

The "LEGAL DESCRIPTION" and "SKETCH" shown hereon is based on information provided by the client.

CERTIFIED TO:

- FLORIDA POWER & LIGHT UTILITY COMPANY
- TOWN OF SURFSIDE

SURVEYOR'S CERTIFICATE:

This is to certify to the herein named firm and/or persons, that in my professional opinion, this "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" of the herein described property is true and correct as recently surveyed and platted under my direction. I further certify that this map or plat meets the Minimum Technical Standard Requirements, adopted by the Board of Professional Surveyors and Mappers, pursuant to Chapter 472.027 Florida Statutes, as set forth in Chapter 5J-17, Florida Administrative Code, under Sections 5J-17.051 and 5J-17.052 and is a "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" as defined in Section 5J-17.050.

Professional Surveyor & Mapper, # 6965
State of Florida

NOT VALID WITHOUT SHEET 1 & 3 OF 3
(SHEET 2 OF 3 CONTAINS SURVEYORS NOTES)

CHECKED BY: M.C.
DRAWN BY: R.D.S
DATE: 02/12/2024
JOB No.
Sheet 2 of 3

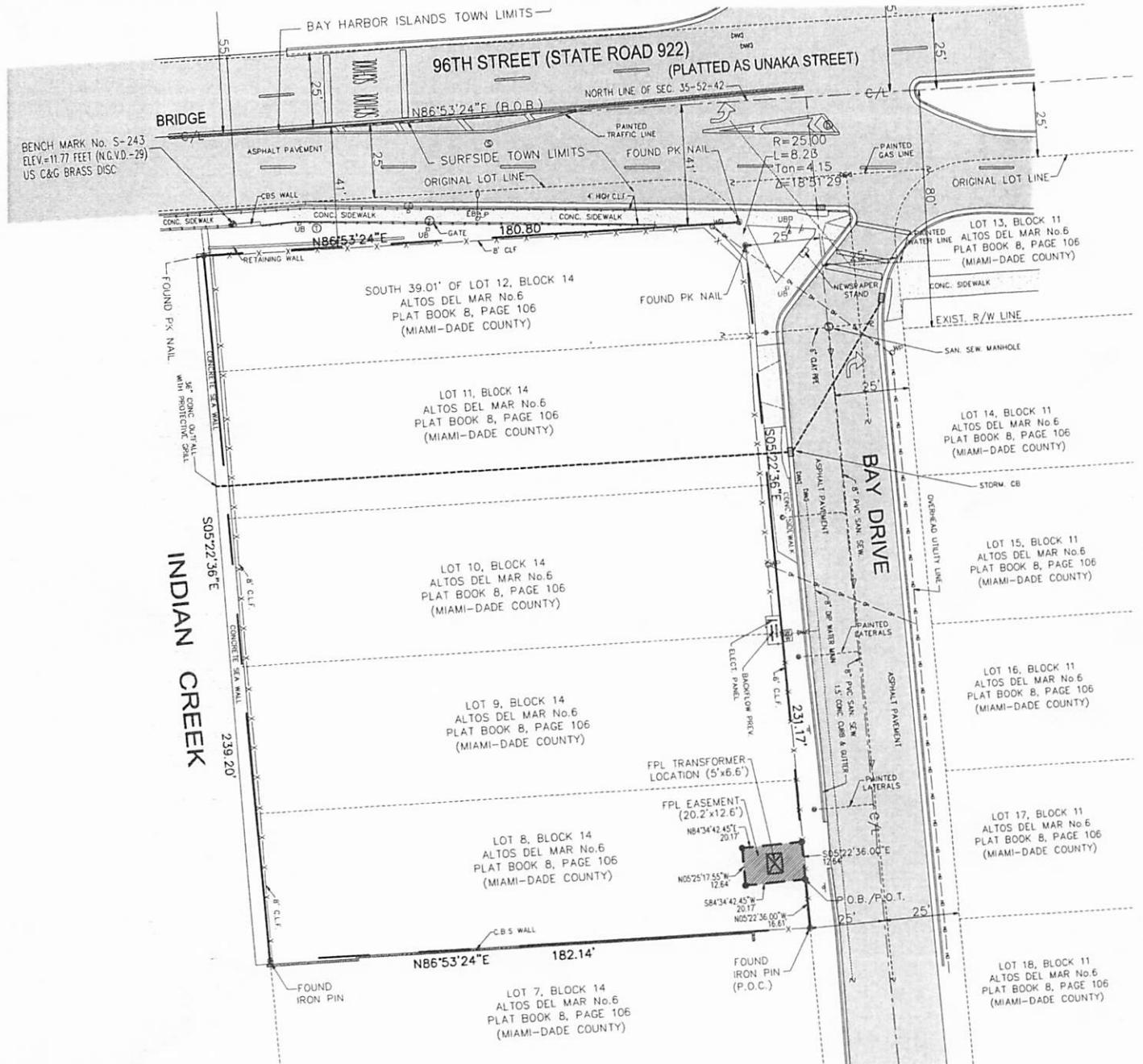
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

PREPARED BY:
MPG TECHNICAL GROUP CORP.

CERTIFICATE OF AUTH. # LB-6932

908 S.W. 141st Avenue, Miami, Florida 33184
 Phone: (305) 559-9043

EXHIBIT A - SHEET 3 OF 3

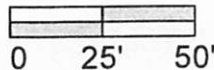


LEGEND

- C/L = CENTERLINE
- FPL = FLORIDA POWER & LIGHT
- P.B. = PLAT BOOK
- PG. = PAGE
- R/W. = RIGHT OF WAY
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCE
- P.O.T. = POINT OF TERMINUS

EASEMENT DETAIL

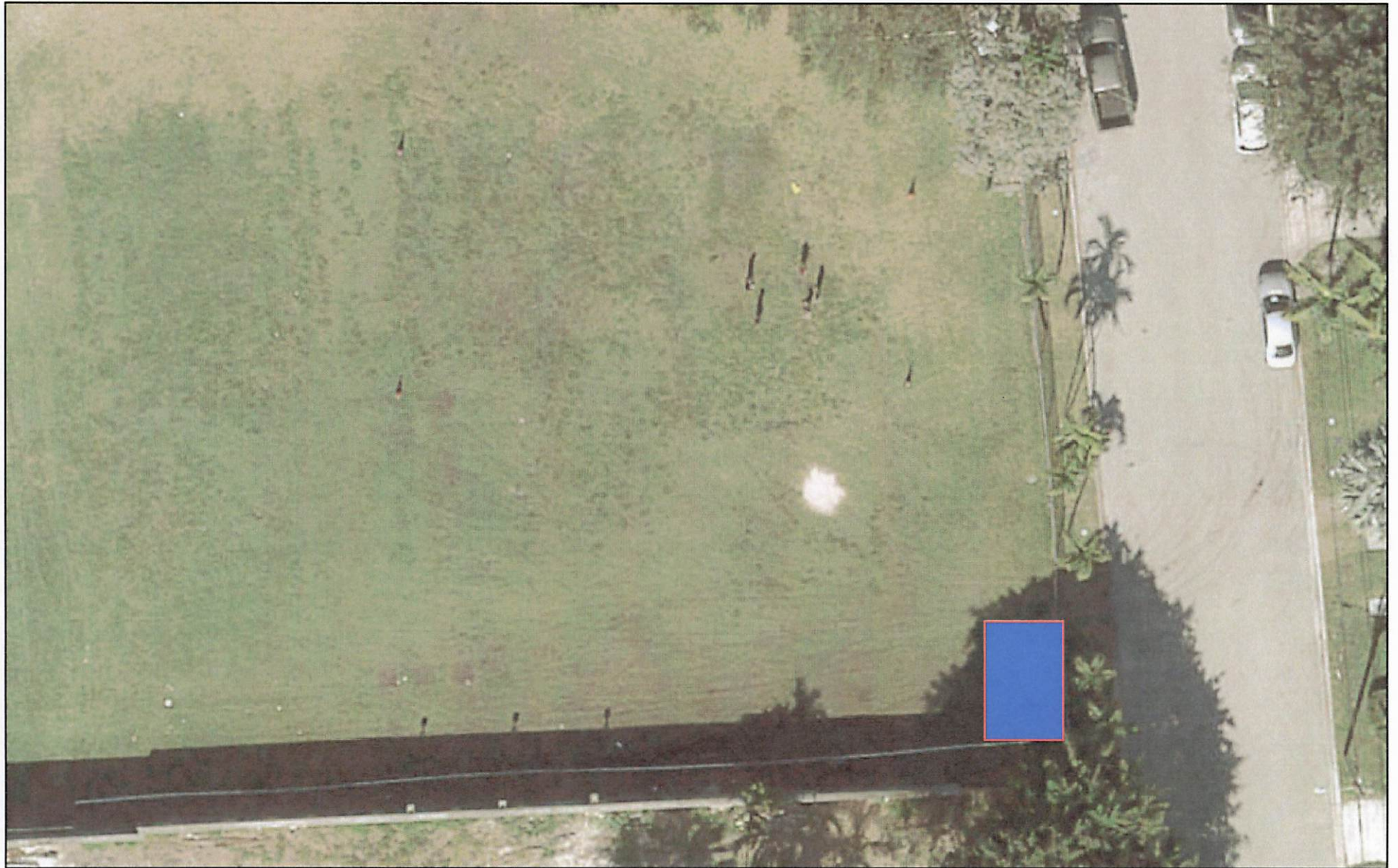
SCALE: 1" = 50'




NOT VALID WITHOUT SHEET 1 & 2 OF 3
 (SHEET 3 OF 3 CONTAINS EASEMENT DETAIL)

CHECKED BY:	M.C.
DRAWN BY:	R.D.S
DATE:	02/12/2024
JOB No.	
Sheet	3 of 3

96th Street Park Easement Location



Date: 1/31/2024

 Proposed easement location

