

RESOLUTION NO. 14- 1254

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A 10 FOOT WIDE UTILITY EASEMENT AT MIAMI LAKES OPTIMIST PARK FOR FLORIDA POWER AND LIGHT FACILITIES TO PROVIDE ELECTRICAL POWER TO SERVICE OPTIMIST PARK; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT TERMS OF THE EASEMENT; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS OF THE EASEMENT; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE UTILITY EASEMENT; DIRECTING THE TOWN CLERK TO RECORD THE UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) has embarked upon the construction of a new clubhouse (the “Clubhouse”) at the Miami Lakes Optimist Park (the “Park”); and

WHEREAS, to provide power to the Clubhouse and field lighting at the Park, an existing Florida Power and Light (“FPL”) utility line must be relocated (“Service Line”); and

WHEREAS, the construction company that was awarded the contract to construct the Clubhouse, ABC Construction, Inc. (“ABC”), will perform the work necessary to relocate FPL’s Service Line; and

WHEREAS, FPL requires that a 10 foot wide utility easement (the “Utility Easement”) be granted to secure access for maintenance and operation of the Service Line which is required to provide electrical power to service the Clubhouse and field lighting; and

WHEREAS, the Town Engineer recommends approval of the 10 foot wide Utility Easement for FPL facilities required to provide electrical power to service the Clubhouse and field lighting; and

WHEREAS, the Town Council deems it to be in the best interest of the citizens of the Town to approve the Utility Easement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Approval of Easement. The Council approves of the 10 foot wide Utility Easement within Miami Lakes Optimist Park for FPL facilities required to provide electrical power to service the Clubhouse and field lighting at Miami Lakes Optimist Park, in substantially the same form as that which is attached as Exhibit "A", together with such changes as may be required by FPL and acceptable to the Town Manager and approved as to form and legality by the Town Attorney.

Section 3. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Utility Easement.

Section 4. Execution of Agreement. The appropriate Town officials are authorized to execute the Utility Easement on behalf of the Town.

Section 5. Recordation of Easement. The Town Clerk is directed to record the Utility Easement in the Public Records of Miami-Dade County.

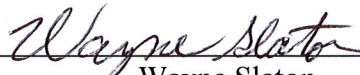
Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

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Passed and adopted this 14th day of October, 2014.

The foregoing resolution was offered by Councilman Mestre who moved its adoption. The motion was seconded by Councilman Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Manny Cid	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Tony Lama	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Frank Mingo	<u>Yes</u>
Councilmember Nelson Rodriguez	<u>Yes</u>



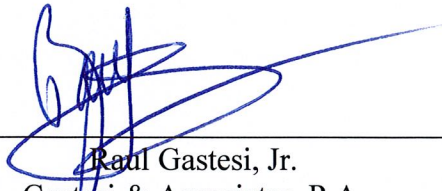
Wayne Slaton
MAYOR

Attest:



Marjorie Tejeda
TOWN CLERK

Approved as to form and legal sufficiency:



Paul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

Work Request No. _____

EASEMENT

This Instrument Prepared By

Sec. __, Twp __ S, Rge __ E

Name: _____

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

Co. Name: _____

Form 3722 (Stocked) Rev. 7/94

Address: _____

pg ____ of ____.

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 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 _____ feet in width described as follows:

Reserved for Circuit Court

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 and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; 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 land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

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)

(Corporate's name)

By: _____
(President's signature)

Print Name: _____

Print Address: _____

Attest _____
(Secretary's signature)

Print Name: _____

Print Address: _____

(Corporate Seal)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, and _____ respectively the _____ President and _____ Secretary of _____, a _____ corporation, on behalf of said corporation, who are personally known to me or have produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____

EXHIBIT "A"

Section Township S, Range E

_____ **County, Florida Scale:** _____

FPL Work Request No. _____

Reserved for Circuit Court

Indicate North

