

RESOLUTION NO. 05-300

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A 10 FOOT WIDE UTILITY EASEMENT AT ROYAL OAKS PARK FOR FLORIDA POWER AND LIGHT (“FPL”) FACILITIES TO PROVIDE ELECTRICAL POWER TO SERVICE ROYAL OAKS PARK; 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 Royal Oaks Park Phase I (the “Park”); and

WHEREAS, to service the Park with a power distribution system, distribution lines are required within the Park; and

WHEREAS, FPL will install underground power lines to service the Park; and

WHEREAS, FPL requires that a 10 foot wide utility easement (the “Utility Easement”) be granted to secure access for maintenance and operation of those facilities; 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 Park; 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 10 foot wide Utility Easement within Royal Oaks Park for FPL facilities required to provide electrical power to service Royal Oaks Park, a copy of 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, is approved.

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.

PASSED AND ADOPTED this 12 day of April, 2005.

Motion to adopt by Mary Collins, second by Nancy Simon.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>

Councilmember Peter Thomson

yes

Wayne Slafon
Wayne Slafon
MAYOR

ATTEST:

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:

[Signature]
Weiss, Serota, Helfman, Pastoriza Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY