

RESOLUTION NO. 11- 929

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO SIGN A GRANT OF EASEMENT TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT FOR POCKET PARK 51 ON LOCH NESS DRIVE; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE GRANT OF EASEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE GRANT OF EASEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Miami-Dade County has transferred title for the Town's local parks to the Town of Miami Lakes (the "Town"); and

WHEREAS, some of the parks include Miami-Dade Water and Sewer Department transmission and distribution facilities, such as pump stations; and

WHEREAS, since the Town holds title to the properties, a Grant of Easement has been requested to permit MDWASD legal access to and use of portions of the property; and

WHEREAS, the MDWASD has requested a Grant of Easement for pocket park 51 on Loch Ness Drive; and

WHEREAS, the Town Council authorizes the Town Manager authority to execute the Grant of Easement to Miami-Dade Water and Sewer Department (MDWASD) for pocket park 51 on Loch Ness Drive, which houses MDWASD equipment.

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

Section 1. Recitals. The above recitals are true and correct and incorporated into this resolution by this reference.

Section 2. Approval of Interlocal Agreement. The Town Manager is hereby authorized to execute a Grant of Easement between the Town of Miami Lakes and Miami-Dade Water and Sewer Department providing for legal access to and use of pocket park 51 on Loch Ness

Drive (the "Grant of Easement"), in such a form as may be 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 Grant of Easement.

Section 4. Execution of the Grant of Easement. The Town Manager is authorized to execute the Grant of Easement on behalf of the Town.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13 day of September, 2011.

Motion to adopt by Mayor Pizzi, second by Councilmember Collins.

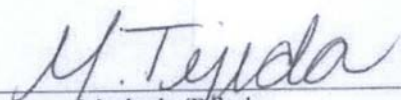
FINAL VOTE AT ADOPTION

Mayor Michael Pizzi
Vice Mayor Nick Perdomo
Councilmember Mary Collins
Councilmember Tim Daubert
Councilmember Nelson Hernandez
Councilmember Ceasar Mestre
Councilmember Richard Pulido

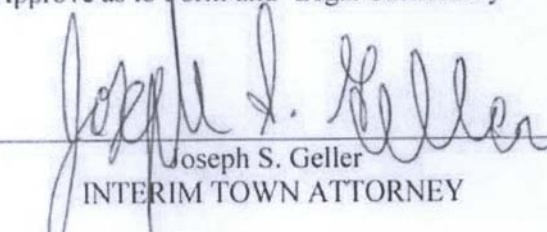
yes
yes
yes
yes
yes
yes
yes


Michael Pizzi
MAYOR

Attest:


Marjorie Tejeda
TOWN CLERK

Approve as to Form and Legal Sufficiency


Joseph S. Geller
INTERIM TOWN ATTORNEY

DOCUMENT COVER PAGE

For those documents not providing the **required** space on the first page, this cover page must be attached.

It must describe the document in sufficient detail to prohibit its transference to another document.

An additional recording fee for this page must be remitted.

(Space above this line reserved for recording office use)

Document Title: Grant of Easement
(Mortgage, Deed, Construction Lien, Etc.)

Executing Party: Town of Miami Lakes

Legal Description: see Exhibit A
(If Applicable)

As more fully described in above described document.

Return Document To / Prepared By:

Martee Duttaney

**F.S. 695.26 Requirements for recording instruments affecting real property—
(Relevant excerpts of statute)**

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(e) A 3-inch by 3-inch space at the top right-hand corner on the first page and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page are reserved for use by the clerk of the court...

GRANT OF EASEMENT

THIS INDENTURE, made this 12th day of October, 2011, between, Town of Miami Lakes whose mailing address is, 16150 NW 79th Court hereinafter called GRANTOR, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, whose mailing address is: c/o Miami-Dade Water and Sewer Department, P.O. Box 330316, Miami, Florida 33233-0316, hereinafter called GRANTEE:

WITNESSETH

THAT, the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by the GRANTOR, has granted and does hereby grant, to the GRANTEE, its successors and assigns, forever, the right, privilege and easement to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and all appurtenances thereto, including but not limited to fire hydrants, and/or sewage transmission and collection facilities and all appurtenant equipment, including the right to remove or demolish, any obstructions including pavers as may be necessary to carry out any right granted herein, and with full right of ingress thereto and egress there from on the property of the GRANTOR described as follows, to wit:

See Exhibit "A" attached

THE GRANTEE shall be held responsible for any damage to the Grantor's property as a result of the operation or maintenance of the sanitary sewage facilities, or any use of the rights granted herein, and further, shall restore the Grantor's property to a condition acceptable to the Grantor.

THE GRANTOR does hereby fully warrant that it has good title to the above-described property and that it has full power and authority to grant this easement.

IN WITNESS WHEREOF, the GRANTOR by its proper officials has hereunto set its hands and seals the year and day first above written.

WITNESSETH:

[Signature]
Signature
JAREN GONZALEZ - BARRERO
Print name

BY: [Signature]
Alex Ray, Town manager

[Signature]
Signature
MARLEE DULANEY
Print name



By: [Signature]
Signature
Marjorie Tejedra, secretary
Print name

By: [Signature]
Signature
NORLAN BENITEZ
Print name

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

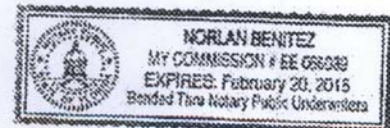
The foregoing instrument was acknowledged before me this 12 day of October, 2011, by Alex Ray, who is personally known to me or has not produced personally as identification and did/did not take an oath.

[Signature]
NOTARY PUBLIC

SERIAL NUMBER

Norlan Benitez
PRINT NAME
12 day of Oct, 2011
Town of Miami Lakes
Certified Copy
[Signature]

This instrument prepared by
Miami-Dade Water and Sewer Department
3575 S. LeJeune Road
Miami, Florida 33233-0316



CERTIFIED COPY
Page 1 of 3 Pages

EXHIBIT "A"

LEGAL DESCRIPTION



12 day of October, 2011

Town of Miami L.

Certified Copy

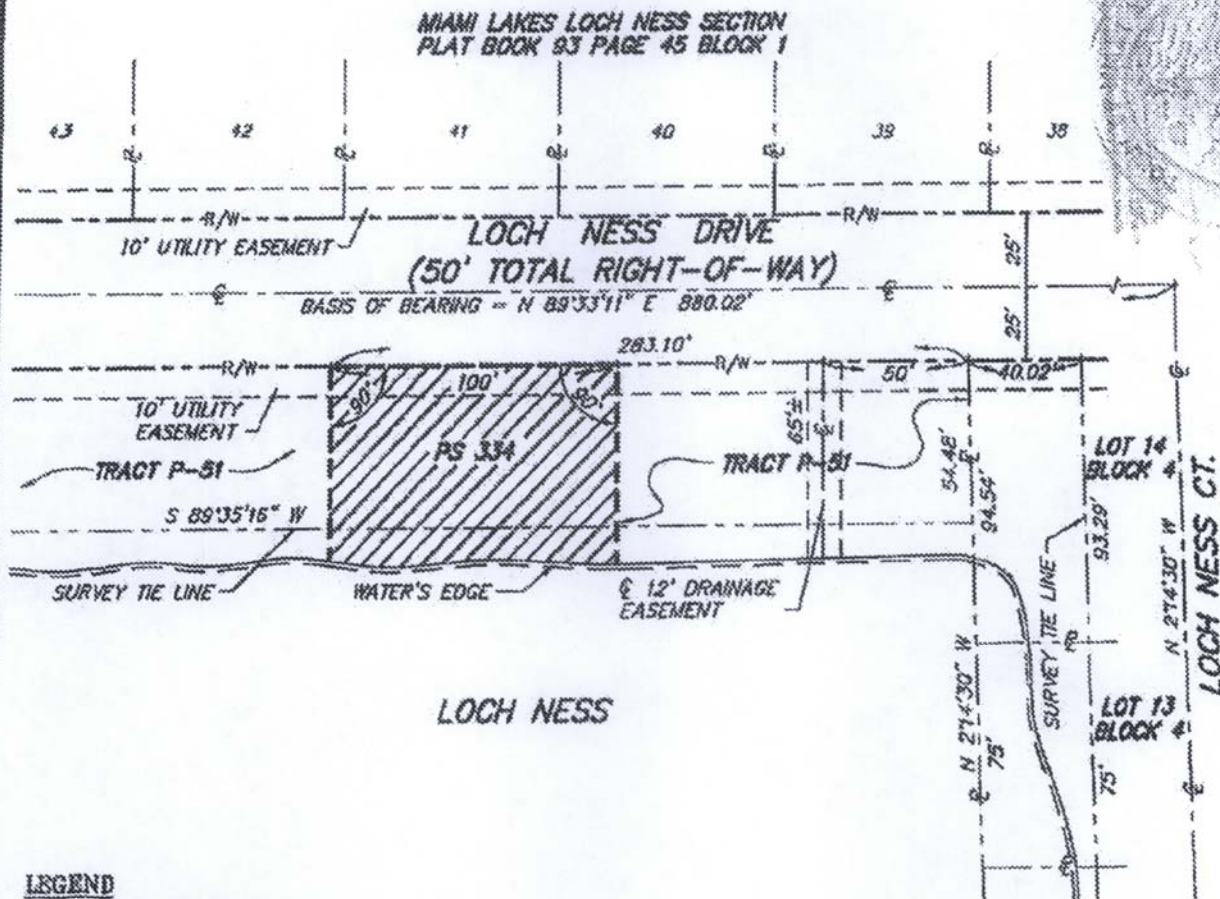
PLS

CERTIFIED COPY
Page 2 of 3 Pages

EXHIBIT 'A'
MIAMI-DADE COUNTY
SEC. 14-52-40



CERTIFIED COPY



LEGEND

- C— CENTER LINE
- L— PROPERTY LINE
- R/W— RIGHT-OF-WAY

LEGAL DESCRIPTION:

THE WEST 100.00 FEET OF THE EAST 283.10 FEET OF TRACT P-51 OF "MIAMI LAKES LOCH NESS SECTION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 93 AT PAGE 45 OF THE PUBLIC RECORDS ON MIAMI-DADE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. CONTAINING 8500 SQUARE FEET, 0.14 ACRES MORE OR LESS.

[Signature]
ESPERAN ORTIZ, P.S.M.
 Professional Surveyor and Mapper
 State of Florida - License No. 5927
 3575 S. Le Jeune Rd. Miami, FL
 33146 WASH (786) 269-5326
 Date: 5/11/2011

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER

THIS IS NOT A BOUNDARY SURVEY

EASEMENT TO M-D.W.A.S.D.	
FOR PUMP STATION 334	
MIAMI-DADE COUNTY, FLORIDA	
MIAMI-DADE WATER AND SEWER DEPARTMENT	
DATE: MAY 2, 2011	SCALE: N.T.S.
DRAWN BY: E.J.P.	S-140