

RESOLUTION NO. 573-89

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH DEDICATING A PORTION OF THE ROAD RIGHT-OF-WAY ADJACENT TO LOT "D", SECTION "E", OF GOLDEN BEACH PLAT BOOK 8, PAGE 122, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED IN AND SHOWN ON EXHIBIT "A", ATTACHED HERETO AND MADE A PART THEREOF FOR USE AS A PUBLIC UTILITY EASEMENT FOR THE PURPOSE OF CONSTRUCTING, SERVICING AND MAINTAINING SEWAGE PUMPING FACILITIES TO FLORIDA POWER & LIGHT COMPANY AND TO METROPOLITAN DADE COUNTY WATER AND SEWER AUTHORITY DEPARTMENT SUBJECT TO CONDITIONS.

WHEREAS, the Town of Golden Beach, owns and maintains road right-of-way for North Bay Drive (Golden Beach Drive) adjacent to Lot "D" Section "E" as recorded in Plat Book 8, Page 122 of the Public Records of Dade County, Florida as is more particularly described in and shown on Exhibit "A" attached hereto.

WHEREAS, Florida Power and Light Company, its licenses, agents, successors, and assigns, and Metropolitan Dade County Water and Sewer Authority require an easement for the construction, operation and maintenance of underground electric utility facilities to be installed from time to time within said right-of-way for the purpose of constructing, servicing and maintaining the pumping facilities, and

WHEREAS, the Town of Golden Beach desires to create a public utility easement for said purposes

NOW THEREFORE, THE TOWN COUNCIL OF GOLDEN BEACH HEREBY RESOLVES:

SECTION 1. That the Town Council of Golden Beach hereby establishes a Public Utility Easement for the purpose of constructing, servicing and maintaining sewage pumping facilities for Florida Power and Light Company and Metropolitan Dade County Water and Sewer Authority their licensees, agents, successors and assigns on right-of-way within North Bay Drive (Golden Beach Drive) as more fully said out and described in exhibit "A" attached hereto.

SECTION 2. That the proper officials of the town be in they are authorized to execute for and or behalf of the town the form of easement attached hereto made a part hereof as Exhibit "B".

SECTION 3. That the said easement shall be subject to the following conditions:

- A. In the event of conflict with any other utility or other use of said easement, the said conflict shall be resolved by Florida Power and Light Company, or


x

PASSED AND ADOPTED this 28 day of November, 1989.


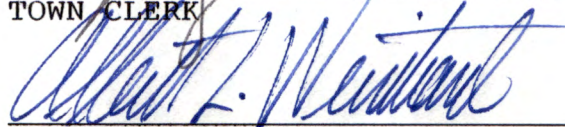
The motion to adopt the foregoing Resolution was offered by:

Vice Mayor Sorota
seconded by:

Councilman Duffner


MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


TOWN CLERK

TOWN ATTORNEY

AND ON ROLL CALL THE FOLLOWING VOTE ENSUED:

MAYOR:	TOBIN	<u>aye</u>
VICE MAYOR:	SOROTA	<u>aye</u>
COUNCILMAN:	DUFFNER	<u>aye</u>
COUNCILMAN:	FRIED	<u>aye</u>
COUNCILMAN:	TWEDDLE	<u>absent</u>

This instrument Prepared By:

RWO/ER _____

Sec. _____, TWP _____ S, Rge _____ E

EASEMENT

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, and Metropolitan Dade County Water and Sewer Authority, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of underground electric utility facilities (including wires, 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 the easement described in exhibit "A" attached hereto.

This easement also includes the Right to install, operate and maintain underground and within and without of our transformer vaults/mats and their associated duct lines, certain transformers, raceways, cables and conduits; all necessary appurtenances for furnishing electric service to us and other, together with the right of ingress and egress to your employees for the purpose of installing, operating, and maintaining the above mentioned part of your distribution system.

Together with the right to permit any other person, firm or corporation to 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 systems of communications 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 January 8, 1976.

Signed, sealed and delivered in the presence of:

By: [Signature]
MAYOR

Attest: [Signature]
TOWN CLERK

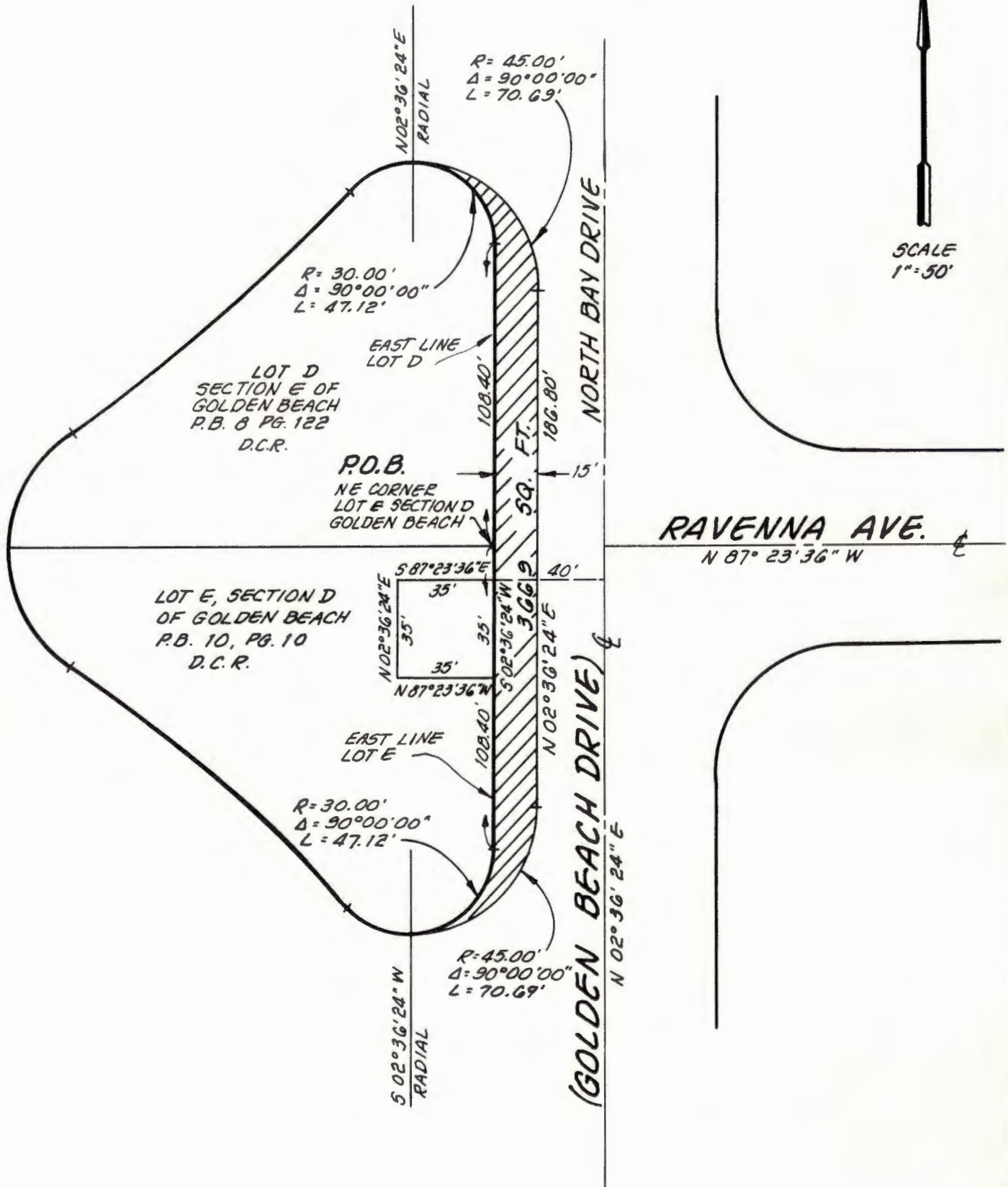
WILLIAMS, HATFIELD AND STONER, INC.

2312 WILTON DRIVE

ENGINEERS • PLANNERS • SURVEYORS

FORT LAUDERDALE, FLORIDA

SKETCH AND DESCRIPTION



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DESCRIPTION

A parcel of land being a portion of the Right-of-Way for North Bay Drive (Golden Beach Drive) as shown on the plat Section E of Golden Beach as recorded in Plat Book 8, Page 122 of the Public Records of Dade County, Florida, and also shown on the plat of Section D of Golden Beach as recorded in Plat Book 10, Page 10 of the Public Records of Dade County, Florida, being more particularly described as follows:

BEGIN at the Northeast corner of Lot E of said Section D of Golden Beach;

THENCE S 02°36'24" W along the East line of said Lot E, said line also being the West right-of-way line of North Bay Drive (Golden Beach Drive) as shown on said plats, a distance of 108.40 feet to a point of curvature of a tangent curve concave to the Northwest;

THENCE Southerly and Southwesterly along the arc of said curve along said East line to the right having a central angle of 90°00'00" and a radius of 30.00 feet for an arc distance of 47.12 feet to a point of cusp of a tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of S 02°36'24" W;

THENCE Northeasterly and Northerly along the arc of said curve to the left having a central angle of 90°00'00" and a radius of 45.00 feet for an arc distance of 70.69 feet to a point of tangency, said point being 15.00 feet East of and parallel with the East line of said Lot E;

THENCE N 02°36'24" E along said parallel line and the extension thereof a distance of 186.80 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Northerly and Northwesterly along the arc of said curve to the left having a central angle of 90°00'00" and radius of 45.00 feet for an arc distance of 70.69 feet to a point of cusp of a tangent curve concave to the Southwest, a radial line of said curve through said point having a bearing of N 02°36'24" E, said point also being on the East line of Lot D of said Section E of Golden Beach;

THENCE Southeasterly and Southerly along the arc of said curve to the right, along said East Lot line having a central angle of 90°00'00" and a radius of 30.00 feet for an arc distance of 47.12 feet to a point of tangency;

THENCE S 02°36'24" W along said East line a distance of 108.40 feet to the POINT OF BEGINNING:

Said land situate within the Town of Golden Beach, Dade County, Florida, containing 3,669 Square Feet, more or less.