

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2016-29465, WHICH APPROVED A PERPETUAL EASEMENT IN FAVOR OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), FOR CONSTRUCTING, MAINTAINING AND REPAIRING A PORTION OF ALTON ROAD ON CITY PROPERTY KNOWN AS THE "MIAMI BEACH GOLF COURSE," LOCATED AT 2301 ALTON ROAD, ALONG THE EAST SIDE OF ALTON ROAD, FROM MICHIGAN AVENUE, FOR 581 FEET TOWARDS THE NORTH; SAID AMENDMENT AMENDING THE SCOPE OF THE EASEMENT TO INCLUDE THE INSTALLATION AND MAINTENANCE OF A SIGNALIZATION MAST ARM; AND FURTHER APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDED EASEMENT AND THE DONATION OF PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, IN THE FORM ATTACHED TO THIS RESOLUTION AS COMPOSITE EXHIBIT "1".**

**WHEREAS**, in 2016, the State of Florida Department of Transportation ("FDOT") proposed to improve the intersection of Michigan Avenue at Alton Road; and

**WHEREAS**, the construction work, which began in April of 2017 and has now been completed, included roadway reconstruction, drainage improvements, intersection improvements, milling and resurfacing, adjustment of numerous valves and manholes, sidewalk and curb ramps, signage, pavement markings, and signalization; and

**WHEREAS**, at the time, FDOT requested that the City grant it a perpetual easement ("Easement") to accommodate this project on land the City owns, known as the "Miami Beach Golf Course," located at 2301 Alton Road ("Golf Course"); and

**WHEREAS**, the proposed Easement was approximately 14 feet wide by 581 feet long, and the entire easement contained about 8,392 square feet; and

**WHEREAS**, the golf course has over 149 acres of land, consisting of 18 holes, water features, mature landscaping, and an extensive perimeter buffer; and

**WHEREAS**, FDOT needed the Easement area, in an effort to assist the City with pending traffic concerns, by providing a necessary turning lane from Michigan Avenue to Alton Road, which would be within the outer perimeter landscape buffer to the Golf Course, and would not interfere with the quiet enjoyment of the Golf Course; and

**WHEREAS**, in order to accommodate the intersection modification, FDOT proposed adding a second southbound left turn lane to Alton Road, in the area east of the east FDOT right-of-way line, which area fell within the City's Golf Course; and

**WHEREAS**, the widened roadway required FDOT to obtain from the City a perpetual, easement to use, maintain, repair, and construct the roadway along the west side of the City owned property, which request was granted on July 13, 2016 pursuant to Resolution No. 2016-29465; and

**WHEREAS**, FDOT would like to amend the scope of the Easement to include the installation and maintenance of a signalization mast arm, which was part of the project and was omitted in error; and

**WHEREAS**, in connection with this Easement donation, FDOT is requesting that the City execute a Donation of Property, pursuant to Section 337.25, Florida Statutes; and

**WHEREAS**, the Administration recommends executing the amended Easement and the Donation of Property to the Florida Department of Transportation, incorporated herein by reference and attached to this Resolution as composite Exhibit "1".

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby amend Resolution No. 2016-29465, which approved a perpetual easement in favor of the State of Florida Department of Transportation ("FDOT"), for constructing, maintaining and repairing a portion of Alton Road on City property known as the "Miami Beach Golf Course," located at 2301 Alton Road, along the east side of Alton Road, from Michigan Avenue, for 581 feet towards the north; said amendment amending the scope of the Easement to include the installation and maintenance of a signalization mast arm; and further approve and authorize the Mayor and City Clerk to execute the amended Easement and the Donation of Property to the Florida Department of Transportation, in the form attached to this Resolution as composite Exhibit "1".

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Dan Gelber, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

*Rafael E. Granado* 1-7-20  
\_\_\_\_\_  
City Attorney Date

*AM*

07-PE.13

This instrument prepared by,  
or under the direction of,  
Alicia Trujillo, Esq.  
District Six Chief Counsel  
State of Florida  
Department of Transportation  
1000 N.W. 111<sup>th</sup> Avenue  
Miami, Florida 33172  
June 21, 2016 – DD

Parcel No.: 804.1R (5/28/2019)EQ  
Item/Segment No.: 429193-2  
Managing District: 6

### PERPETUAL EASEMENT

THIS EASEMENT Made the \_\_\_\_ day of \_\_\_\_\_, 2019, by THE CITY OF MIAMI BEACH, a municipality of the State of Florida, Grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual easement for the purpose of constructing, installing and maintaining a signalization mast arm, asphalt pavement, curb and gutter, drainage improvements, signing, and lighting, and for other related transportation purposes in, over, under, upon and through the following described land in Miami-Dade County, Florida, viz:

PARCEL 804

FIN. No. 429193-2

A portion of NOT SUBDIVIDED land, lying in the NW 1/4 of Section 34 and the SW 1/4 of Section 27, Township 53 South, Range 42 East, in the City of Miami Beach, Florida, and being more particularly described as follows:

COMMENCE at the intersection of the Baseline of Survey of State Road 907 (Alton Road), as it is shown on the Florida Department of Transportation Project Network Control for said State Road 907, Project No. 429193-1, dated 09/30/2011, and the Centerline of Michigan Avenue; thence N 39°19'22" E, along said Baseline of Survey of State Road 907 (Alton Road), for a distance of 72.60 feet; thence, departing said Baseline of Survey at right angle, S 50°40'38" E for a distance of 57.00 feet to a point on a line which is 7.00 feet Easterly of, as measured at right angle, and parallel with the existing Southeasterly right-of-way line of said State Road 907 (Alton Road), as it is shown on the Florida Department of Transportation Right of Way Map for said State Road 907, Section 87037-2507, last revised on 12/15/1989, said point being the POINT OF BEGINNING of the following described parcel:

Thence N 39°19'22" E, along said parallel line, for a distance of 373.69 feet; thence N 50°40'38" W for a distance of 3.00 feet; thence N 39°19'22" E, along a line being 4.00 feet Easterly of, as measured at right angles, and parallel with said existing Southeasterly right-of-way line of State Road 907 (Alton Road), for a distance of 166.92 feet to a point on a tangent curve concave to the Northwest and having a radius of 801.39 feet, a chord bearing of N 38°20'31" E, and a chord distance of 27.44 feet; thence Northeasterly along the arc of said curve, through a central angle of 01°57'42", for a distance of 27.44 feet; thence S 52°38'20" E, along a radial line to lastly described curve, for a distance of 14.00 feet to a point on a non-tangent curve concave to the Northwest and having a radius of 815.39 feet, a chord bearing of S 38°20'31" W, and a chord distance of 27.92 feet; thence Southwesterly along the arc of said curve, through a central angle of 01°57'42", for a distance of 27.92 feet to a point of tangency; thence S 39°19'22" W for a



distance of 152.92 feet; thence S 50°40'38" E for a distance of 3.00 feet; thence S 39°19'22" W for a distance of 429.02 feet to a point on a non-tangent curve concave to the Southeast and having a radius of 68.00 feet, a chord bearing of N 20°36'32" E, and a chord distance of 43.64 feet; thence Northeasterly along the arc of said curve, through a central angle of 37°25'41", for a distance of 44.42 feet to the POINT OF BEGINNING.

Containing 8,392 square feet, more or less.

John Liptak, PSM #5664 State of Florida  
Triangle Surveying & Mapping, Inc.  
Date: 04/19/16  
Rev. by D.Denis: 05/05/16

AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND TO BE MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns forever, and the Grantor will defend the title to said lands against all persons claiming by, through or under said Grantor.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST: \_\_\_\_\_  
Its City Clerk

**THE CITY OF MIAMI BEACH**

By: \_\_\_\_\_

Its Mayor

\_\_\_\_\_

\_\_\_\_\_

Address

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,  
by \_\_\_\_\_, Mayor, who is personally known to me or who has produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Type, print or stamp name under signature)

Title or rank and serial number, if any: \_\_\_\_\_

SHEET- 1000-49

### EXHIBIT "A"

**LEGAL DESCRIPTION - PARCEL 804:**


A portion of NOT SUBDIVIDED land, lying in the NW 1/4 of Section 34 and the SW 1/4 of Section 27, Township 53 South, Range 42 East, in the City of Miami Beach, Florida, and being more particularly described as follows:

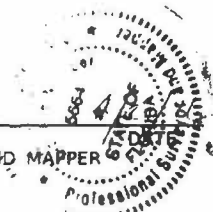
COMMENCE at the intersection of the Baseline of Survey of State Road 907 (Alton Road), as it is shown on the Florida Department of Transportation Project Network Control for said State Road 907, Project No. 429193-1, dated 09/30/2011, and the Centerline of Michigan Avenue; thence N 39°19'22" E, along said Baseline of Survey of State Road 907 (Alton Road), for a distance of 72.60 feet; thence, departing said Baseline of Survey at right angles, S 50°40'38" E for a distance of 57.00 feet to a point on a line which is 7.00 feet Easterly of, as measured at right angles, and parallel with the existing Southeasterly right-of-way line of said State Road 907 (Alton Road), as it is shown on the Florida Department of Transportation Right of Way Map for said State Road 907, Section 87037-2507, last revised on 12/15/1989, said point being the POINT OF BEGINNING of the following described parcel:

Thence N 39°19'22" E, along said parallel line, for a distance of 373.69 feet; thence N 50°40'38" W for a distance of 3.00 feet; thence N 39°19'22" E, along a line being 4.00 feet Easterly of, as measured at right angles, and parallel with said existing Southeasterly right-of-way line of State Road 907 (Alton Road), for a distance of 166.92 feet to a point on a tangent curve concave to the Northwest and having a radius of 801.39 feet, a chord bearing of N 38°20'31" E, and a chord distance of 27.44 feet; thence Northeasterly along the arc of said curve, through a central angle of 01°57'42", for a distance of 27.44 feet; thence S 52°38'20" E, along a radial line to lastly described curve, for a distance of 14.00 feet to a point on a non-tangent curve concave to the Northwest and having a radius of 815.39 feet, a chord bearing of S 38°20'31" W, and a chord distance of 27.92 feet; thence Southwesterly along the arc of said curve, through a central angle of 01°57'42", for a distance of 27.92 feet to a point of tangency; thence S 39°19'22" W for a distance of 152.92 feet; thence S 50°40'38" E for a distance of 3.00 feet; thence S 39°19'22" W for a distance of 429.02 feet to a point on a non-tangent curve concave to the Southeast and having a radius of 68.00 feet, a chord bearing of N 20°36'32" E, and a chord distance of 43.64 feet; thence Northeasterly along the arc of said curve, through a central angle of 37°25'41", for a distance of 44.42 feet to the POINT OF BEGINNING.

Containing 8.392 square feet, more or less.

This document consists of three (3) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

  
**JOHN LIPTAK**  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA LICENSE NO. 5664



**THIS IS NOT A SURVEY**

<b>FLORIDA DEPARTMENT OF TRANSPORTATION</b>													
<b>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</b>													
<b>STATE ROAD NO. 907</b>					<b>MIAMI-DADE COUNTY</b>								
REV. PARCEL		SHAPE		D.DENIS		05/04/16		DRAWN		D.DENIS		04/15/16	
REVISION		BY		DATE		CHECKED		J.L.		04/23/16		F.P. NO. 429193-2	
SECTION 87037										SHEET 1 OF 3			

P:\FDOT\1000 RW Mapping\1000-49 51907 0804(429193)2\mmap\RW\PS804\_R=20160305.dgn 3/5/2016 2:42:08 PM ddenis

## EXHIBIT "A"

**GENERAL NOTES:**

- Reproductions of this map are not valid without the signature and the original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
- Lands shown hereon were not abstracted by this office for right of way, easement of record ownership, abandonments, deed restrictions, or Murphy Act Deeds. This information should be obtained through appropriate verification.
- The Bearings shown hereon are referenced to the Baseline of Survey of State Road 907 (Alton Road), having a bearing of N 39°19'22" E, as shown on the Florida Department of Transportation Project Network Control for said State Road 907, completed on 09/30/2011 by Manuel G. Vera and Associates, Inc., for Project No. 429193-1
- Right-of-Way lines shown are per the Florida Department of Transportation Right of Way Map for said State Road 907, Section 87037-2507, last revised on 12/15/1989.
- Section line and Lot lines shown are approximated per information found in Plat Book 8, Page 52, and are not supported by a survey. They are shown for graphical reference only.
- Dimensions and areas are calculated based on existing plats, right of way maps, and digital files as provided by client.
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Triangle Surveying & Mapping, Inc. carries Professional Liability Insurance for Surveying & Mapping services.
- This Sketch to Accompany Legal Description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors and Mappers, referenced in Rule SJ-17 Florida Administrative code pursuant to Section 472-027, Florida Statutes.

**LEGEND:**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li> - Baseline</li> <li> - Center Line</li> <li>CB - Chord Bearing</li> <li>CD - Chord Distance</li> <li> - Parcel Identification Number</li> <li>Δ - Curve Central Angle</li> <li>EXIST. - Existing</li> <li>FDOT - Florida Department of Transportation</li> <li>F.P. - Financial Project</li> <li>L - Length</li> <li>NO. - Number</li> </ul> | <ul style="list-style-type: none"> <li>(P) - Plat</li> <li>P.B. - Plat Book</li> <li>PC - Point of Curvature</li> <li>PG. - Page</li> <li>R - Radius</li> <li>RGE. - Range</li> <li>RT - Right</li> <li>R/W - Right-of-Way</li> <li>SEC. - Section</li> <li>STA. - Station</li> <li>TWP. - Township</li> <li> - Block Number</li> </ul> |
|--|---|

This document consists of three (3) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

**THIS IS NOT A SURVEY**

P:\2016\24257\24257.dwg 04/22/16 10:00 AM 1000 4/4

<b>FLORIDA DEPARTMENT OF TRANSPORTATION</b>			
<b>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</b>			
<b>STATE ROAD NO. 907</b>		<b>MIAMI-DADE COUNTY</b>	
DATE PLOTTED: 04/22/16 10:00 AM	DRAWN: D DENIS 04/19/16	CHECKED: JLS 04/22/16	F.P. NO. 429193-2 SECTION 87037 SHEET 2 OF 3

SKETCH 1000149

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
804	CITY OF MIAMI BEACH	8,392 SQ. FT.	UNDETERMINED	

**(C1)**  
 $\Delta=01^{\circ}57'42''$   
 $R=801.39'$   
 $L=27.44'$   
 $CD=27.44'$   
 $CB=N 38^{\circ}20'31'' E$

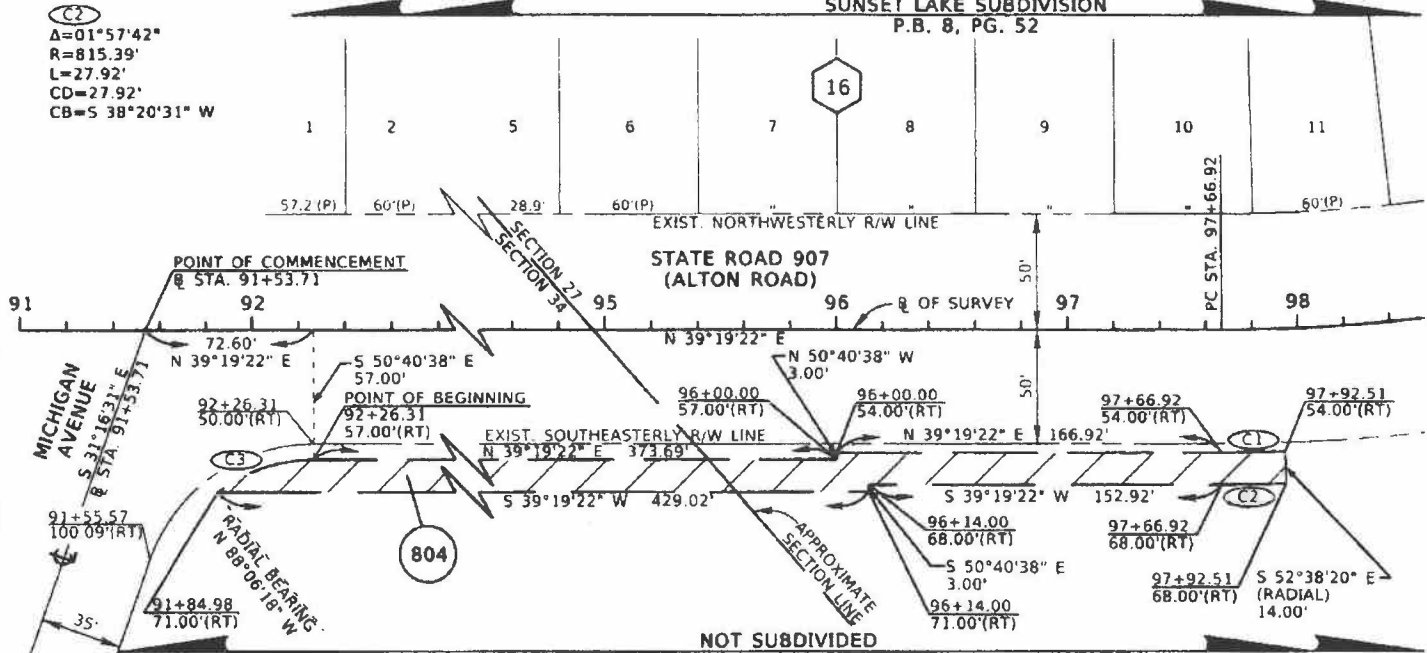
**(C3)**  
 $\Delta=37^{\circ}25'41''$   
 $R=68.00'$   
 $L=44.42'$   
 $CD=43.64'$   
 $CB=N 20^{\circ}36'32'' E$

**(C2)**  
 $\Delta=01^{\circ}57'42''$   
 $R=815.39'$   
 $L=27.92'$   
 $CD=27.92'$   
 $CB=S 38^{\circ}20'31'' W$

EXHIBIT "A"

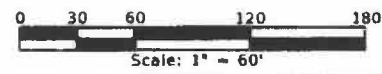


AMENDED PLAT OF  
 SUNSET LAKE SUBDIVISION  
 P.B. 8, PG. 52



CITY OF MIAMI BEACH  
 MIAMI-DADE COUNTY, FLORIDA

THIS IS NOT A SURVEY



This document consists of three (3) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

FLORIDA DEPARTMENT OF  
 TRANSPORTATION  
 SKETCH TO ACCOMPANY  
 LEGAL DESCRIPTION

STATE ROAD NO. 907			MIAMI-DADE COUNTY		
REV.	DATE	BY	DATE	BY	DATE
1	04/19/16	D.DENIS	04/19/16		
2	04/21/16	J.L.	04/21/16		
DRAWN			F.P. NO. 429193-2		
CHECKED			SECTION 87037		
			SHEET 3 OF 3		

5/5/2016 2:43:15 PM ddenis

5 OF 5



### Florida Department of Transportation

RON DESANTIS  
GOVERNOR

Office of Right of Way  
1000 NW 111th Avenue, Room 6105-B  
Miami, FL 33172

KEVIN J. THIBAUT, P.E.  
SECRETARY

#### Donation of Property to the Florida Department of Transportation

May 29, 2019

The City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

ITEM/SEGMENT NO.:	<u>429193-2</u>
MANAGING DISTRICT:	<u>6</u>
F.A.P. NO.:	<u>N/A</u>
STATE ROAD NO.:	<u>Alton RD</u>
COUNTY:	<u>Miami-Dade</u>
PARCEL NO.:	<u>804</u>
INTEREST CONVEYED:	<u>Perpetual Easement</u>

This is to advise that the undersigned, as owner of the property or property interest referenced above and as shown on Right of Way maps for referenced project, desires to make a voluntary donation of said property or property interest to the State of Florida for the use and benefit of the Florida Department of Transportation.

The undersigned hereby acknowledges that he/she has been fully advised by a Department representative of his/her right to have the referenced property or property interest appraised, to accompany the appraiser during the appraisal inspection of the property, to receive full compensation for the above referenced property, and to receive reimbursement for reasonable fees and costs incurred, if any. Having been fully informed of the above rights, I hereby waive those rights unless otherwise noted below.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Type or Print Property Owner's Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Date