

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ACCEPT A PERPETUAL, NON-EXCLUSIVE UTILITY EASEMENT FROM MONAD TERRACE PROPERTY OWNER LLC; SAID EASEMENT INCLUDING ACCESS AND USE OF APPROXIMATELY 250 SQUARE FEET, LYING ON A PORTION OF LOT 1, BLOCK 80, OF SUBDIVISION OF BLOCK EIGHTY OF THE ALTON BEACH REALTY COMPANY, PLAT BOOK 6, AT PAGE 12, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ON PROPERTY HAVING A STREET ADDRESS OF 1300 MONAD TERRACE, FOR THE OPERATION OF TWO (2) WATER METERS IN CONNECTION WITH THE DEVELOPMENT OF A 15 STORY RESIDENTIAL CONDOMINIUM ON THE PROPERTY.

WHEREAS, Monad Terrace Property Owner LLC, a Delaware limited liability company (the "Owner") is the owner of the property located at 1300 Monad Terrace (the "Property"); and

WHEREAS, Owner obtained approval from the City's Design Review Board, under DRB File No. 23249 and File No. DRB16-0103 a/k/a DRB0416-0015 for the construction of a 15 story residential condominium on the Property (the "Development"); and

WHEREAS, during the design and permitting process of the Development, the design engineers determined that the two inch irrigation line and the four inch domestic service line conflicted with existing utilities, the City's required sidewalk widths, and the location of the driveway; thereby, eliminating any potential available space for the required water meters on the public right-of-way; and

WHEREAS, in order to address this development issue, Owner has agreed to convey to the City a perpetual, non-exclusive utility easement for the City to access, construct, install, operate, maintain, repair, replace and upgrade two (2) water meters and related meter boxes relating to a two inch irrigation line and a four inch domestic service line (collectively, the "Water Meters") on the Property; and

WHEREAS, the Easement Area for the operation of the Water Meters will have approximately 250 square feet and will be located on a portion of Lot 1, Block 80, of SUBDIVISION OF BLOCK EIGHTY OF THE ALTON BEACH REALTY COMPANY, Plat Book 6, at Page 12, of the Public Records of Miami-Dade County, Florida; and

WHEREAS, the City Manager recommends the approval of the Utility Easement Agreement for the operation of the Water Meters on the Property, incorporated herein by reference and attached hereto as Exhibit "1".

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager to accept a perpetual, non-exclusive utility easement from Monad Terrace Property Owner, LLC; said easement including access and use of approximately 250 square feet, lying on a portion of Lot 1, Block 80, of SUBDIVISION OF BLOCK EIGHTY OF THE ALTON BEACH REALTY COMPANY, Plat Book 6, at Page 12, of the Public Records of Miami-Dade County, Florida, on Property having a street address of 1300 Monad Terrace, for the operation of two (2) water meters in connection with the development of a 15 story residential condominium on the Property.

PASSED AND ADOPTED this ____ day of _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/28/20

Date