

RESOLUTION: _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A PERPETUAL UTILITY EASEMENT AGREEMENT WITH SHOMA LINCOLN DEVELOPMENT LLC F/K/A SHOMA LINCOLN INVESTMENTS LLC ("OWNER" AND "GRANTOR") IN THE FORM APPROVED BY THE CITY ATTORNEY; SAID AGREEMENT GRANTING THE CITY THE RIGHT TO USE AN EASEMENT AREA HAVING APPROXIMATELY 83.1 SQUARE FEET OF OWNER'S PROPERTY, LOCATED AT 1030 15TH STREET, TO ACCESS, INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND UPGRADE THE WATER METERS LOCATED WITHIN THE EASEMENT AREA IN CONNECTION WITH OWNER'S DEVELOPMENT OF A MULTI-FAMILY BUILDING ON OWNER'S PROPERTY; SAID EASEMENT LYING ON A PORTION OF LOT 1, BLOCK 69, OF THE PLAT OF "LINCOLN SUBDIVISION", AS RECORDED IN PLAT BOOK 9, PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, Shoma Lincoln Development LLC f/k/a Shoma Lincoln Investments LLC is the ("Owner" and "Grantor") of the property located at 1030 15th Street (the "Property"), within the City's municipal jurisdiction; and

WHEREAS, the Owner is developing a 43-unit, multi-family building located on the Property, and desires to grant the City ("Grantee") a perpetual utility easement, containing approximately 83.1 square feet, authorizing the City to access, install, operate, maintain, repair, replace and upgrade the water meters located within the Easement Area described in the Sketch and Legal Description, incorporated herein by reference and attached to the City Commission Memorandum accompanying this Resolution as **Exhibit A**; and

WHEREAS, since the City is required to maintain the water infrastructure from the water main to the water meters, including the water meters located on the Property, the Administration recommends authorizing the City Manager and City Clerk to execute a Utility Easement Agreement, in the form approved by the City Attorney; said agreement granting the City authorization to access, install, operate, maintain, repair, replace and upgrade the water meters located on the Property.

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 authorize the City Manager and City Clerk to execute a perpetual Utility Easement Agreement with Shoma Lincoln Development LLC f/k/a Shoma Lincoln Investments LLC ("Owner" and "Grantor") in the form approved by the City Attorney; said Agreement granting the City the right to use an Easement Area having approximately 83.1 square feet of Owner's Property, located at 1030 15th street, to access, install, operate, maintain, repair, replace and upgrade the water meters located within the Easement Area in connection with Owner's development of a multi-family building on Owner's Property; said easement lying on a portion of Lot 1, Block 69, of the Plat of "Lincoln Subdivision", as recorded in Plat Book 9, Page 69, of the Public Records of Miami-Dade County, Florida.

PASSED and ADOPTED this _____ day of _____ 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7-6-22

Date

