RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE, IN THE FORM ATTACHED TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, A UTILITY EASEMENT AGREEMENT WITH BELLA ISLA, LLC ("OWNER" AND "GRANTOR"); SAID AGREEMENT GRANTING THE CITY A PERPETUAL, NON-EXCLUSIVE EASEMENT, CONTAINING AN EASEMENT AREA OF APPROXIMATELY 1,125 SQUARE FEET, LYING IN SECTION 33, TOWNSHIP 53 SOUTH, RANGE 42 EAST, IN A PORTION OF TRACT A OF LARKMI, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 41, AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN ORDER TO INSTALL, ACCESS, OPERATE, MAINTAIN, REPAIR, REPLACE AND UPGRADE UNDERGROUND UTILITIES IN CONNECTION WITH THE REPLACEMENT OF THE EXISTING WATER MAIN BETWEEN BELLE ISLE AND DADE BOULEVARD.

WHEREAS, Bella Isla, LLC, a Florida limited liability company ("Grantor" or "Owner"), owns the property located at 31 Venetian Way, Miami Beach, FL 33139 (the "Property"), within the City's municipal jurisdiction; and

WHEREAS, the Grantor desires to grant the City ("Grantee") a perpetual, non-exclusive easement containing approximately 1,125 square feet (the "Easement") in order for the City to access, construct, install, operate, maintain, repair, replace and upgrade underground public water and sewer facilities in the Easement Area described in **Exhibit A** to the proposed Utility Easement Agreement; and

WHEREAS, the City is responsible for the maintenance and operation of all water and sewer infrastructure within City limits; and

WHEREAS, this Easement will provide a route for the replacement of the existing water transmission main between Belle Isle and Dade Boulevard while avoiding a conflict between the newly installed main and the bridge re-construction project currently in design by Miami Dade County Department of Transportation and Public Works; and

WHEREAS, based upon the foregoing, the City Manager recommends executing the Utility Easement Agreement, in the form attached to the City Commission Memorandum accompanying this Resolution.

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, approve and authorize the City Manager and City Clerk to execute, in the form attached to the City Commission Memorandum accompanying this Resolution, a Utility Easement Agreement with Bella Isla, LLC ("Owner" and "Grantor"); said Agreement granting the City a perpetual, non-exclusive Easement, containing an Easement Area of approximately 1,125 square feet, lying in Section 33, Township 53 South, Range 42 East, in a portion of Tract A of LARKMI, according to the Plat thereof, recorded in Plat Book 41, at Page 68, of the Public Records of Miami-Dade County, Florida, in order to install, access, operate, maintain, repair, replace and upgrade underground utilities in connection with the replacement of the existing water main between Belle Isle and Dade Boulevard.

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 8-25-22 Date