

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 A NON-EXCLUSIVE, PERPETUAL EASEMENT AND RELATED DOCUMENTS, PURSUANT TO FLORIDA STATUTES SECTIONS 337.25 AND 337.29, IN FAVOR OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), IN THE FORM ATTACHED TO THIS RESOLUTION AS COMPOSITE EXHIBIT "1"; SAID EASEMENT CONTAINING AN EASEMENT AREA DESCRIBED AS PARCEL 802 AND HAVING APPROXIMATELY 3,338 SQUARE FEET, LOCATED ALONG A PORTION OF WEST 29TH STREET, AS SHOWN ON THE AMENDED PLAT OF SUNSET LAKE SUBDIVISION, RECORDED IN PLAT BOOK 8, PAGE 52 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS MORE PARTICULARLY DESCRIBED IN THE EASEMENT, FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, AND MAINTAINING DRAINAGE IMPROVEMENTS, DRAINAGE STRUCTURES, ELECTRICAL PANELS, AN OUTFALL, A PUMP STATION, AND A BACK-UP GENERATOR FOR THE PUMP STATION.

WHEREAS, the Florida Department of Transportation (FDOT) is planning roadway improvements along State Road (SR) 907/Alton Road from Michigan Avenue to Ed Sullivan Drive/43 Street (the "Project"); and

WHEREAS, work for the Project is expected to begin in the spring of 2025; and

WHEREAS, in connection with the Project, FDOT is requesting that the City grant FDOT a non-exclusive, perpetual easement ("Easement"), containing an easement area of approximately 3,338 square feet ("Easement Area"), located along a portion of the public right-of-way of West 29th Street, for the purpose of constructing, installing, and maintaining drainage improvements, drainage structures, electrical panels, an outfall, a pump station, and a back-up generator for the pump station; and execute a Donation of Property form pursuant to Florida Statutes Sections 337.25 and 337.29, related to the transfer of this non-exclusive Easement to FDOT for use in connection with transportation purposes; and

WHEREAS, the proposed Easement Area, identified as Parcel 802, is shown on the AMENDED PLAT OF SUNSET LAKE SUBDIVISION, recorded in Plat Book 8, Page 52, of the Public Records of Miami-Dade County, Florida, lying in Section 27, Township 53 South, Range 42 East, in the City of Miami Beach, Florida, as more particularly described in the proposed Easement; and

WHEREAS, the City has reviewed all documents provided by FDOT and has determined that the City's property interests are not adversely affected and that the Easement would serve an important public purpose; therefore, the City Manager recommends approving the execution of the Easement in favor of FDOT and the associated documents, incorporated herein by reference and attached hereto 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 approve and authorize the City Manager and City Clerk to execute a non-exclusive, perpetual Easement and related documents, pursuant to Florida Statutes Sections 337.25 and 337.29, in favor of the Florida Department of Transportation (FDOT), in the form attached to this Resolution as composite Exhibit "1"; said Easement containing an Area described as Parcel 802 and having approximately 3,338 square feet, located along a portion of West 29th Street, as shown on AMENDED PLAT OF SUNSET LAKE SUB DIVISION, recorded in Plat Book 8, Page 52 of the Public Records of Miami-Dade County, Florida, lying in Section 27, Township 53 South, Range 42 East, as more particularly described in the Easement, for the purpose of constructing, installing, and maintaining drainage improvements, drainage structures, electrical panels, an outfall, a pump station, and a back-up generator for the pump station.

PASSED and **ADOPTED THIS** ____ day of _____, 2023.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *grt* 9-28-23
Date



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172-5800

JARED W. PERDUE, P.E.
SECRETARY

May 02, 2023

City of Miami Beach
Attn: **Mr. Joe Gomez**
P.E. Public Works Director
1700 Convention Center Drive
Miami Beach, FL 33139

SUBJECT: REQUEST FOR A PERPETUAL EASEMENT DONATION (SUBMITTED VIA EMAIL)

Item/Segment No.: 429193-1
Managing District: 6
State Road No.: 907/Alton Road from Michigan Avenue to Ed Sullivan Drive/43 Street
County: Miami-Dade
Parcel No. (s): 802 (Perpetual Easement)
Size: 3,338 SF, more or less
Folio No.: N/A
Property Location: See attached Legal Description

Dear Mr. Gomez,

The Florida Department of Transportation (FDOT) is planning some improvements along State Road (SR) 907/Alton Road from Michigan Avenue to Ed Sullivan Drive/43 Street. Work is expected to begin in the spring of 2025. Please note that the start date and duration of construction are subject to change.

FDOT has identified Parcel 802 as property owned by the City of Miami Beach and as part of the construction project and pursuant to Sections 337.25 and 337.29, Florida Statutes, requests the City of Miami Beach to donate the perpetual easement of this parcel to FDOT for the purpose of constructing, installing, and maintaining drainage improvements, drainage structures, electrical panels, an outfall, a pump station, and a back-up generator for the pump station.

By agreeing to the transfer or donation of the above referenced parcel, the City of Miami Beach confirms that all applicable federal and state procedures and regulations were followed prior to the conveyance of said property.

If possible, to meet the right-of-way certification date, FDOT would like this donation to be executed by the City of Miami Beach by January 31, 2024.

Attached please find the following documents for your review and to begin the process for approval:

1. Project Fact Sheet
2. Right of Way Map(s)
3. Roadway Plans
4. Staking Pictures of Parcel 802
5. Perpetual Easement Document 802.1
6. Legal Description
7. Donation Form and Instructions for Completion (to be executed by the City of Miami Beach)

I look forward to working together for the fulfillment of this request.
If you have a question or need additional information, please contact me.



Yarley Millan

Right of Way Agent

Florida Department of Transportation

Adam Leigh Cann Building

1000 NW 111th Avenue, Ste # 6105-A

Miami, FL 33172

Phone: (305)470-5159

Email: Yarley.Millan@dot.state.fl.us

Enclosures

Cc: File



PROJECT FACT SHEET

FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT SIX

State Road (SR) 907/Alton Road From Michigan Avenue to Ed Sullivan Drive/43 Street Project
Identification Number: 429193-1-52-01

The Florida Department of Transportation (FDOT) is developing the design for a roadway project along SR 907/Alton Road from Michigan Avenue to Ed Sullivan Drive/43 Street, in Miami-Dade County.

PROJECT DETAILS

- Changing the roadway elevation
- Adding two new pump stations with new inlets and upgrades to the existing drainage
- Widening the northbound lanes towards the golf course to accommodate a bi-direction bicycle facility and sidewalk
- Installing guardrail and barrier wall
- Adjusting manholes
- Upgrading signage
- Improving pedestrian signalization and pavement markings
- Adding new lighting along the road
- Removing or relocating landscape encroaching the road
- Repaving and restriping the roadway

ESTIMATED PROJECT

COST \$46 million

PROJECT DATES

Work is expected to begin Spring 2025 and last about three years. Please note that the construction start date and duration is subject to change.

MUNICIPALITIES IN PROJECT

AREA City of Miami Beach

POSSIBLE EFFECTS DURING CONSTRUCTION Work will be done in phases to reduce the effects of construction on the community. Vehicular and pedestrian traffic will be impacted.

MAINTENANCE OF TRAFFIC

During construction, temporary lane closures and detours will affect traffic. Pedestrian detours will be established with clear signage. Access to adjacent businesses and neighborhoods will be maintained.

FOR MORE INFORMATION

If you have any questions or comments, please contact FDOT Community Outreach Specialist Rodolfo Roman by telephone at 305-470-5477 or by email at Rodolfo.Roman@dot.state.fl.us.



Please let us know how you prefer to receive information about future projects (mail, email, or other). Your comments are important to us. Please visit our website: www.fdotmiamidade.com.
Thank you for your participation.



Follow us on Twitter
twitter.com/MyFDOT_Miami



Like our Facebook Page
facebook.com/MyFDOTMiami



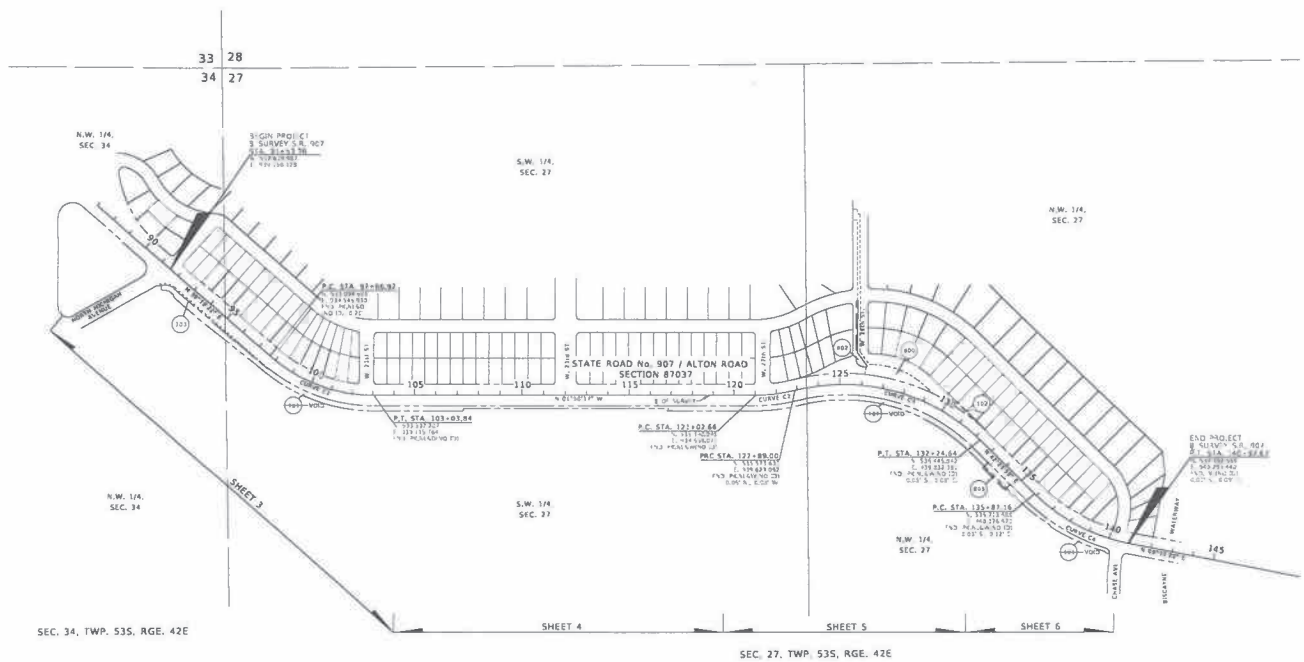
Subscribe to our YouTube Page
youtube.com/user/MyFDOTMiami



1000 NW 111 Avenue, Miami, FL 33172

CITY OF MIAMI BEACH, MIAMI - DADE COUNTY
SECTIONS 27 & 34, TOWNSHIP 53 SOUTH, RANGE 42 EAST

SCALE 1" = 200'
NORTH



CURV. E1	CURV. C2	CURV. C3	CURV. C4
1. 100.00	2. 100.00	3. 100.00	4. 100.00
5. 100.00	6. 100.00	7. 100.00	8. 100.00
9. 100.00	10. 100.00	11. 100.00	12. 100.00
13. 100.00	14. 100.00	15. 100.00	16. 100.00
17. 100.00	18. 100.00	19. 100.00	20. 100.00
21. 100.00	22. 100.00	23. 100.00	24. 100.00
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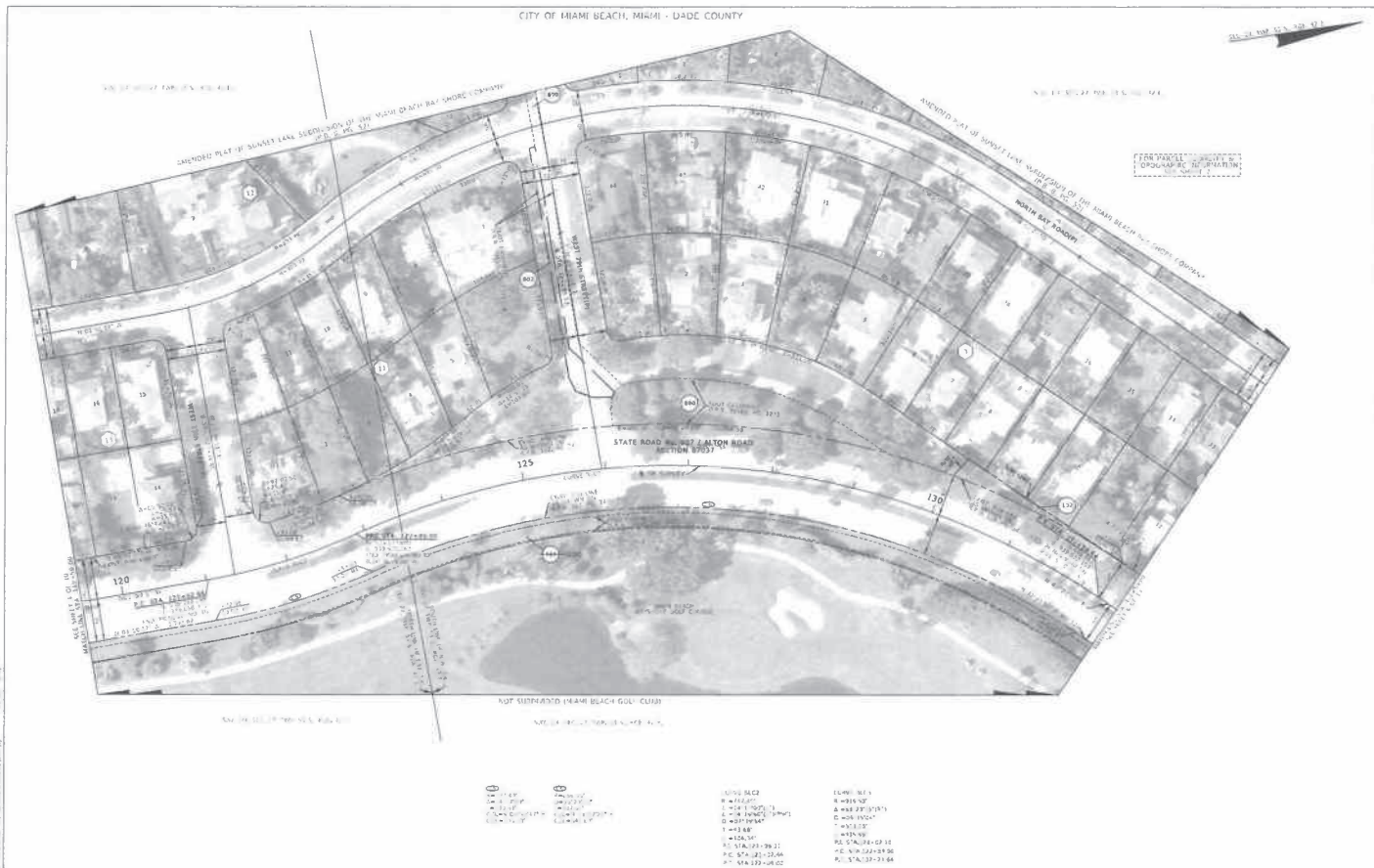
SEC. 27, TWP. 53S, RGE. 42E

KEY SHEET
THIS MAP IS NOT A SURVEY

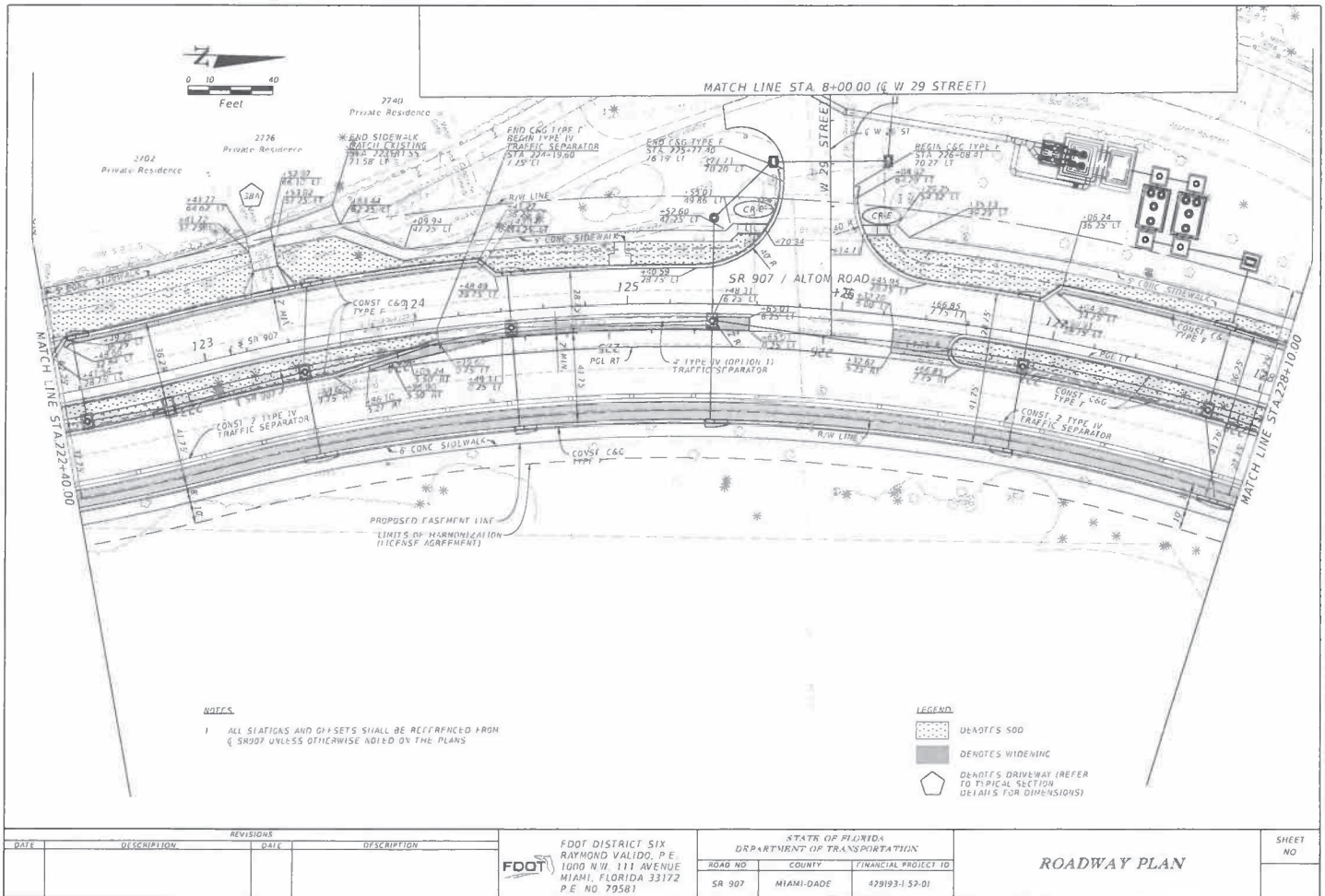
SEE SHEET 1 FOR LEGEND & GENERAL NOTES

LIMITS: STATE ROAD 907 (ALTON ROAD) FROM: HIGHWAY AVENUE TO: CHASE AVENUE

RIGHT OF WAY MAP	FLORIDA DEPARTMENT OF TRANSPORTATION SURVEYING AND MAPPING	DATE: 11/19/2022	PROJECT NO: 420193-1	SECTION: 83037	STATE ROAD NO. 907	MIAMI-DADE COUNTY	DATE: 11/19/2022	SHEET: 3 OF 8
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SEE SHEET 1 FOR LEGEND & GENERAL NOTES		LIMITS: STATE ROAD 927 (ALTON ROAD) FROM: MICHIGAN AVENUE TO: CHASE AVENUE	
RIGHT OF WAY MAP		SECTION 87037	
FLORIDA DEPARTMENT OF TRANSPORTATION SURVEYING AND MAPPING		MIAMI-DADE COUNTY	
DATE: 11/19/2022		F.D. NO. 429193-1	
PROJECT: STATE ROAD 927		SHEET 5 OF 8	



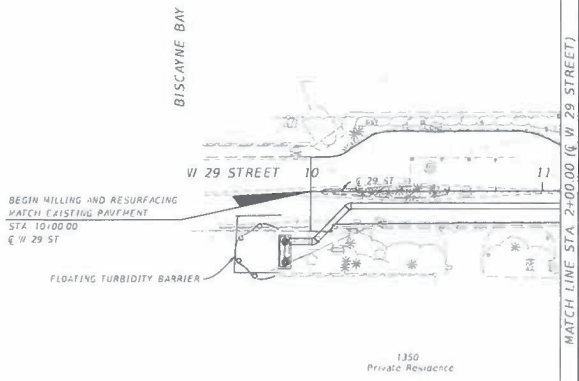
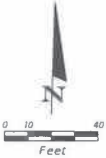
REVISIONS		FOOT DISTRICT SIX		STATE OF FLORIDA		ROADWAY PLAN	SHEET NO
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO	COUNTY		
				SR 907	MIAMI-DADE		

RAYMOND VALIDO, P.E.
1600 N.W. 111 AVENUE
MIAMI, FLORIDA 33172
P.E. NO. 79581

DEPARTMENT OF TRANSPORTATION
FINANCIAL PROJECT ID: 429193-1.52-01

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61075-23.004, F.A.C.

4/16/2023 10:32:48 AM C:\p\projects\429193-1.52-01\roadway\SR 907.dwg



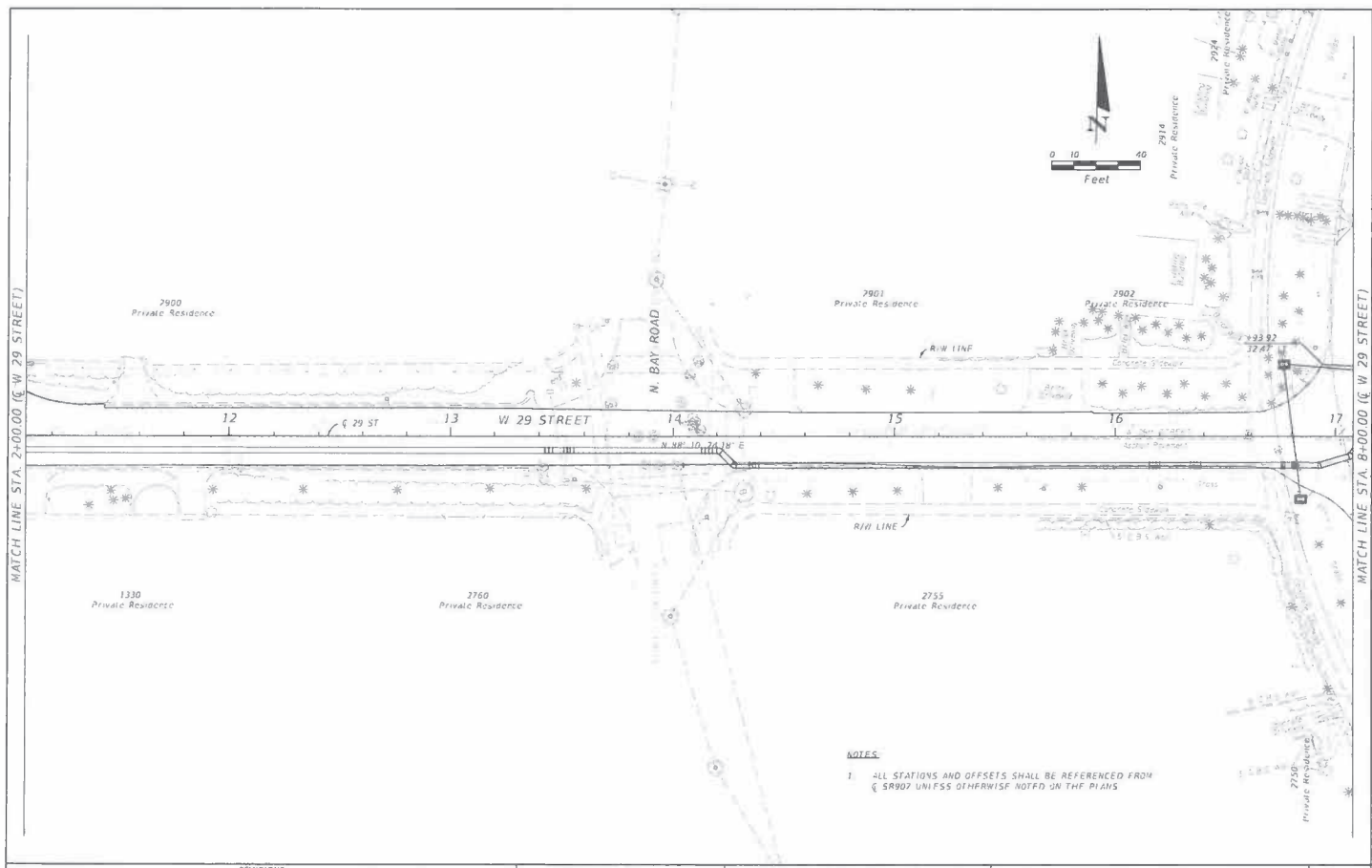
NOTES:
1. ALL STATIONS AND OFFSETS SHALL BE REFERENCED FROM E 54907 UNLESS OTHERWISE NOTED ON THE PLANS.

REVISIONS				STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	ROADWAY PLAN	SHEET NO
DATE	DESCRIPTION	DATE	DESCRIPTION			
				ROAD NO	COUNTY	FINANCIAL PROJECT ID
				SR 907	MIAMI DADE	429193-1-57-01

FDOT DISTRICT SIX
RAYMOND VALDO, P.E.
1000 N.W. 111 AVENUE
MIAMI, FLORIDA 33172
P.E. NO. 79581

4/20/2022 10:45:44 C:\p10\m14\2018\13\01\roadway\plan\roadway.dwg

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



NOTES

1. ALL STATIONS AND OFFSETS SHALL BE REFERENCED FROM
 & SR907 UNLESS OTHERWISE NOTED ON THE PLANS

REVISIONS				 FDOT FLORIDA DEPARTMENT OF TRANSPORTATION	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PLAN	SHEET NO
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO	COUNTY	FINANCIAL PROJECT ID		
					SR 907	MIAMI-DADE	429193-1-52-01		



FOOT DISTRICT SIX
 RAYMOND VALDO, P.E.
 1000 N.W. 111 AVENUE
 MIAMI, FLORIDA 33172
 P.E. NO. 79581

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER SEAL 610193-1-52-01

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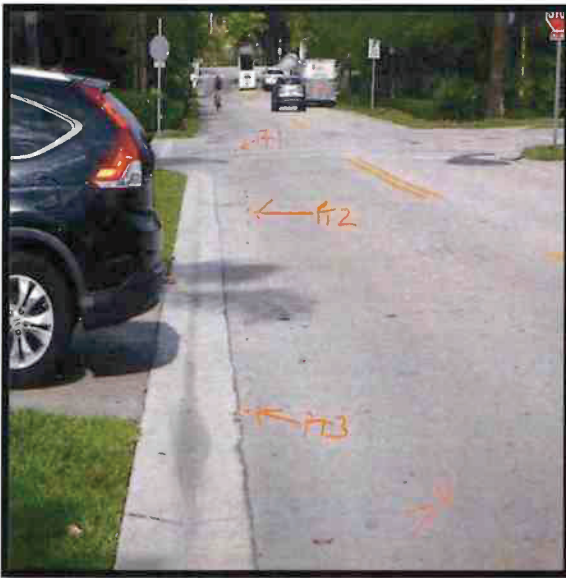
STAKING PICTURES

Project #: 429193-1
Parcel #: 802
Size: 3,338 SF, more or less
Owner: Miami Dade County
Folio: N/A



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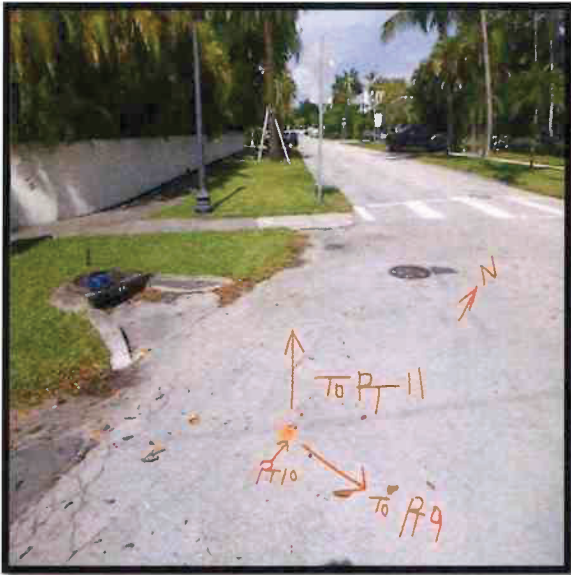
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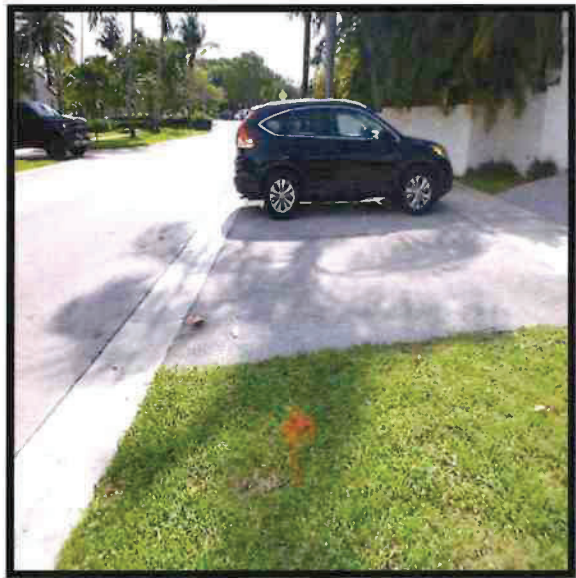
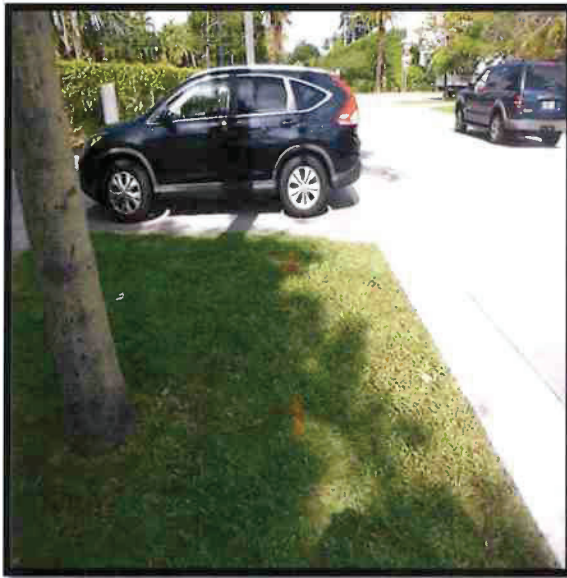
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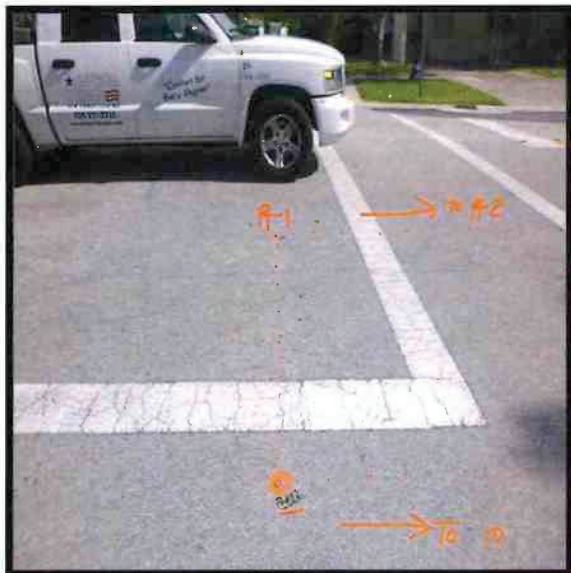
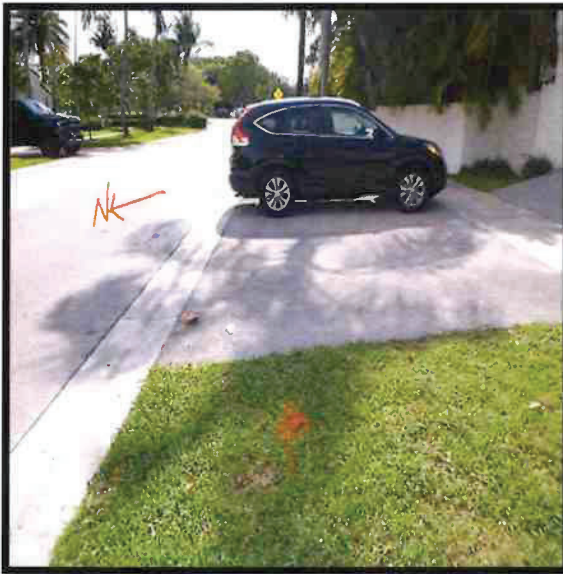
STAKING PICTURES

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Parcel #: 802
Size: 3,338 SF, more or less
Owner: Miami Dade County
Folio: N/A



STAKING PICTURES

Project #: 429193-1
Parcel #: 802
Size: 3,338 SF, more or less
Owner: Miami Dade County
Folio: N/A



07-PE.02-04/93

This instrument prepared by

or under the direction of, at

Alicia Trujillo, Esq.

District Six Chief Counsel

Document prepared by: RTB ^{DS} RTB

State of Florida

Department of Transportation

1000 N.W. 111th Avenue

Miami, Florida 33172

September 15, 2022

Parcel No. : 802.1R(9/26/2023)MF

Item/Segment No. : 429193-1

Managing District : 6

Parcel Folio : N/A

PERPETUAL EASEMENT

THIS EASEMENT Made the ____ day of _____, 20 ____, by **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 consideration paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual non-exclusive easement in, over, under, upon and through below described parcel for the purpose of constructing, installing and maintaining drainage improvements, drainage structures, electrical panels, an outfall, a pump station, and a back-up generator for the pump station.

The easement parcel is legally described as follows:

Parcel 802

F.P. No.: 429193-1

A portion of public right of way of West 29th Street, as shown on AMENDED PLAT OF SUNSET LAKE SUBDIVISION, as recorded in Plat Book 8, Page 52 of the Public Records of Miami-Dade County, Florida, lying in 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 Centerline of West 29th Street with the Baseline of Survey for State Road 907 (Alton Road), as shown on the Dade County Public Works Department Right of Way Map of Alton Road, dated February 1980, and recorded in Road Map Book 112, Page 34, of the Public Records of Miami-Dade County, Florida; thence S 88°04'51" W, along said Centerline of West 29th Street, for a distance of 393.09 feet; thence S 01°55'09" E, departing said Centerline at a right angle, for a distance of 12.37 feet to a point on the South line of a Florida Department of Transportation Perpetual Easement, recorded in Official Records Book 30163, Page 1223, of the Public Records of Miami-Dade County, Florida, and the POINT OF BEGINNING of the following described parcel:

Thence along the previously described line for the following seven (7) courses: 1) thence N 87°40'15" E for a distance of 56.44 feet; 2) thence N 89°47'38" E for a distance of 65.06 feet; 3) thence N 86°56'01" E for a distance of 28.29 feet; 4) thence N 88°01'14" E for a distance of 94.25 feet; 5) thence N 52°01'59" E for a distance of 75.76 feet; 6) thence S 57°36'42" E for a distance of 5.38 feet to a point on a non-tangent curve concave to the Northeast; 7) thence Southeasterly, along the arc of said curve to the left, having a radius of 25.20 feet, a central angle of 03°19'34", a chord bearing of S 61°55'33" E, and a chord distance of 1.46 feet, for an arc distance of 1.46 feet; thence S 07°58'45" W for a distance of 23.43 feet; thence S 26°41'59" W for a distance of 21.79 feet; thence S 71°41'59" W for a distance of 18.71 feet; thence S 88°10'24" W for a distance of 278.57 feet; thence N 01°49'36" W for a distance of 7.09 feet to the POINT OF BEGINNING.

Said lands containing 3,338 square feet, more or less.

Denis Denis, PSM
License No. 7017, State of Florida
Colliers Engineering & Design, Inc.
Date: 10/11/2022

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 City Manager, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST: _____
Rafael E. Granado
Its City Clerk

CITY OF MIAMI BEACH
a municipality of the State of Florida

By: _____
Alina T. Hudak

Its City Manager

Address _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____ 20____, by _____ Alina T. Hudak _____, City Manager, who is personally known to me or who has produced _____ as identification.

Notary Stamp

(Signature of person taking acknowledgment)

(Type, print or stamp name under signature)
Title or rank and serial number, if any: _____

LEGAL DESCRIPTION - PARCEL 802:

F.P. No. 429193-1

A portion of public right of way of West 29th Street, as shown on AMENDED PLAT OF SUNSET LAKE SUBDIVISION, as recorded in Plat Book 8, Page 52 of the Public Records of Miami-Dade County, Florida, lying in Section 27, Township 53 South, Range 42 East, in the City of Miami Beach, Florida, and being more particularly described as follows:

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Thence along the previously described line for the following seven (7) courses: 1) thence N 87°40'15" E for a distance of 56.44 feet; 2) thence N 89°47'38" E for a distance of 65.06 feet; 3) thence N 86°56'01" E for a distance of 28.29 feet; 4) thence N 88°01'14" E for a distance of 94.25 feet; 5) thence N 52°01'59" E for a distance of 75.76 feet; 6) thence S 57°36'42" E for a distance of 5.38 feet to a point on a non-tangent curve concave to the Northeast; 7) thence Southeasterly, along the arc of said curve to the left, having a radius of 25.20 feet, a central angle of 03°19'34", a chord bearing of S 61°55'33" E, and a chord distance of 1.46 feet, for an arc distance of 1.46 feet; thence S 07°58'45" W for a distance of 23.43 feet; thence S 26°41'59" W for a distance of 21.79 feet; thence S 71°41'59" W for a distance of 18.71 feet; thence S 88°10'24" W for a distance of 278.57 feet; thence N 01°49'36" W for a distance of 7.09 feet to the POINT OF BEGINNING.

Said lands containing 3,338 square feet, more or less.

Denis Denis, PSM
License No. 7017, State of Florida

Colliers Engineering & Design, Inc.
Date: 10/11/2022



Florida Department of Transportation

RON DESANTIS
GOVERNOR

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

JARED W. PERDUE, P.E.
SECRETARY

Donation of Property to the Florida Department of Transportation

May 02, 2023

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

ITEM/SEGMENT NO.:	<u>429193-1</u>
MANAGING DISTRICT:	<u>6</u>
F.A.P. NO.:	<u>N/A</u>
STATE ROAD NO.:	<u>907/Alton Road</u>
COUNTY:	<u>Miami Dade</u>
PARCEL NO.:	<u>802</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



Florida Department of Transportation

**INSTRUCTIONS FOR COMPLETION OF THE
DONATION OF PROPERTY TO THE
FLORIDA DEPARTMENT OF TRANSPORTATION (FORM 575-030-12)**

This form should be printed on official DOT letterhead.

DATE AND INSIDE ADDRESS: Space is provided for a date and inside address of the property owner.

PROJECT/PARCEL INFORMATION: The following information can be located in the legal documents and Right of Way map for each project and is required on official Department forms:

Item/Segment No.
Managing District
F.A.P. No.
State Road No.
County
Parcel No.

OWNER'S SIGNATURE BLOCK: The owner must sign and provide an address and date before the Department can accept the donation.

ORIGINAL: Parcel File

COPIES: Owner(s)