

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 AN EASEMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT (FPL), SUBJECT TO APPROVAL BY THE CITY ATTORNEY, FOR THE PERPETUAL, NON-EXCLUSIVE USE OF A TWO HUNDRED TWO POINT SEVEN (202.7) SQUARE FOOT EASEMENT AREA, LOCATED ON A PORTION OF FLAMINGO PARK, BEING AN EASEMENT LYING IN A PORTION OF BLOCK 66 "OCEAN BEACH FLA. ADDITION NO.3", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 81, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND LYING IN SECTION 34, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF BLOCK 7-B, "FIRST ADDITION TO WHITMANS SUBDIVISION OF ESPANOLA VILLAS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, AT PAGE 147, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 01° 58' 41" EAST, ALONG THE NORTHERLY EXTENSION OF AND ALONG THE WESTERLY RIGHT OF WAY LINE OF MERIDIAN AVENUE FORMERLY KNOWN AS "PINE AVE" ACCORDING TO THE SAID PLAT, A DISTANCE OF 681.45 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01° 58' 41" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 12.67 FEET; THENCE SOUTH 88° 01' 19" WEST A DISTANCE OF 16.00 FEET; THENCE NORTH 01° 58' 41" WEST A DISTANCE OF 12.67 FEET; THENCE NORTH 88° 01' 19" EAST, TO THE INTERSECTION WITH THE SAID WESTERLY RIGHT OF WAY LINE OF MERIDIAN AVE FORMERLY KNOWN AS SAID "PINE AVE", A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING, CONTAINING 202.7 SQUARE FEET MORE OR LESS, FOR USE BY FPL TO ACCESS, CONSTRUCT, OPERATE AND MAINTAIN AN ABOVE-GROUND TRANSFORMER, TOGETHER WITH THE RELATED BELOW GROUND FACILITIES, TO PROVIDE ELECTRICITY FOR THE AMENITIES IN THE PARK.

**WHEREAS**, The City of Miami Beach ("City")'s Flamingo Park, spanning 36.53 acres, is located within the Historic Flamingo Park neighborhood in South Beach; and

**WHEREAS**, Flamingo Park has an outdated softball field in need of renovation to enhance its usability; and

**WHEREAS**, as part of the Flamingo Park Master Plan, and funded by the General Obligation Bond (G.O.B.) Project, the field will undergo improvements for the benefit of the community; and

**WHEREAS**, the scope of work includes upgrades to the existing softball field, such as enhanced drainage and regrading, installation of new artificial turf, improvements to dugouts and bleachers, replacement of the current fence with taller fences and netting, new sports and park

lighting, landscaping enhancements, and replacement of sidewalks for pedestrians and vehicles, along with the installation of bollards; and

**WHEREAS**, on October 30, 2024, the Mayor and City Commission approved the award of a contract to H.A. Contracting Corp. to renovate the softball field; and

**WHEREAS**, the construction of the project started on March 10, 2025 and is anticipated to be completed in December 2025; and

**WHEREAS**, during the design review, the Parks and Recreation Department requested the removal of overhead lines adjacent to the softball field due to safety concerns, as part of the removal of the overhead lines, a new transformer and underground lines will need to be installed; and

**WHEREAS**, the undergrounding of the overhead lines will require the City to grant FPL a perpetual non-exclusive Easement for the installation of an FPL transformer on a portion of Flamingo Park, adjacent to Meridian Avenue, within a sixteen (16) feet by twelve point six seven (12.67) feet area, measuring approximately two hundred two point seven (202.7) square feet ("Easement Area"); and

**WHEREAS**, the proposed Easement Agreement in favor of FPL, including the Easement Sketch will permit FPL to access, construct, operate and maintain an above-ground transformer, together with the related below-ground facilities, in order to provide electricity for the amenities in the park; and

**WHEREAS**, the City Manager recommends executing the Easement Agreement with FPL, a copy of which is attached to the City Commission Memorandum accompanying this Resolution as Exhibit "1", for use of the Easement Area more particularly described in the sketch and legal description attached to said Easement Agreement, to access, install, operate and maintain the transformer and related below-ground facilities serving Flamingo Park.

**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 an Easement Agreement in favor of Florida Power & Light (FPL), subject to approval by the City Attorney, for the perpetual, non-exclusive use of an Easement Area having approximately two hundred two point seven (202.7) square foot, located on a portion of Flamingo Park, lying in a portion of Block 66 "Ocean Beach Fla. Addition No.3", according to the plat thereof as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida and lying in Section 34, Township 53 South, Range 42 East, city of Miami Beach, Miami Dade county, Florida and being more particularly described as follows: commence at the southeast corner of Block 7-B, "First Addition to Whitmans Subdivision of Espanola Villas", according to the Plat thereof, recorded in Plat Book 9, at Page 147, public records of Miami-Dade County, Florida; thence South 01° 58' 41" East, along the northerly extension of and along the westerly right of way line of Meridian Avenue formerly known as "Pine Ave" according to the said Plat, a distance of 681.45 feet to the point of beginning; thence continue South 01° 58' 41" east along said westerly right of way line a distance of 12.67 feet; thence South 88° 01' 19" west a distance of 16.00 feet; thence North 01° 58' 41" West a distance of 12.67 feet; thence North 88° 01' 19" East, to the intersection with the said westerly right of way line of Meridian Ave formerly known as said "Pine Ave", a

distance of 16.00 feet to the point of beginning, containing 202.7 square feet more or less, for use by FPL to access, construct, operate and maintain an above-ground transformer, together with the related below ground facilities, to provide electricity for the amenities in the park.

**PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Steven Meiner, Mayor

**ATTEST:**

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

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

5/13/2025  
Date