

C7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN EASEMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT (FPL), FOR THE PERPETUAL, NON-EXCLUSIVE USE OF A TWO HUNDRED TWO AND SEVEN TENTHS (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.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN EASEMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT (FPL), FOR THE PERPETUAL, NON-EXCLUSIVE USE OF A TWO HUNDRED TWO AND SEVEN TENTHS (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.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the Resolution.

BACKGROUND/HISTORY

The City of Miami Beach's ("City") Flamingo Park, spanning 36.53 acres, is located within the Historic Flamingo Park neighborhood in South Beach. Within the park is an outdated softball field in need of renovation to enhance its usability. As part of the Flamingo Park Master Plan and funded by the General Obligation Bond (G.O.B.), the field will undergo improvements for the benefit of the community.

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 and gates, along with the installation of bollards.

On October 30, 2024, the City Commission approved the award of a contract to H.A Contracting Corp. for the renovation of the softball field. The construction of the project started on March 10, 2025, and is anticipated to be completed in December 2025.

ANALYSIS

During the development of construction documents, due to safety concerns and in order to expand usability of the park, the Parks and Recreation Department requested the removal of overhead lines adjacent to the softball field. As part of the removal of the overhead lines, a new transformer, replacing the existing pole mounted transformer, and underground lines will need to be installed.

The undergrounding of the overhead lines and the installation of an FPL transformer on City owned park property, will require a two hundred two and seven tenths (202.7) square feet, perpetual non-exclusive easement within the limits of Flamingo Park, adjacent to Meridian Avenue.

The proposed Easement Agreement (Exhibit 1) in favor of FPL, including the accompanying 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 existing amenities in the park.

The easement is required for unlimited access for the installation and energizing of the requested transformer, and future operation and maintenance of the FPL facility.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends that the City Commission approve the resolution.

Applicable Area

South Beach

**Is this a "Residents Right to Know" item,
pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond
Project?**

Yes

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

Capital Improvement Projects

Sponsor(s)

Co-sponsor(s)

Condensed Title

Execute FPL Easement Agreement, Flamingo Park. CIP

Previous Action (For City Clerk Use Only)

**NON-EXCLUSIVE
EASEMENT
(BUSINESS)**

Exhibit "1"

Work Request No. _____

Sec. 34, Twp 53 S, Rge 42 E

Parcel I.D. 02-3234-000-0050
(Maintained by County Appraiser)

This Instrument Prepared By

Name: Edwardo Suarez, P.S.M.
Co. Name: Longitude Surveors, LLC
Address: 7700 N. Kendall Dr. Suite 705
Miami, Florida 33156

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of an above-ground transformer and underground electric utility facilities (including wires, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit FPL to attach wires to the transformer and lay cable and conduit within the Easement Area and to operate the same for FPL's communications purposes in connection with electric service; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, together with ingress and egress over, along, under and across the roads, streets or highways adjoining or through said Easement Area. The parties agree to terminate this Easement if FPL abandons use of the transformer within the Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2025.

Signed, sealed and delivered in the presence of:

City of Miami Beach

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Address: 1700 Convention Center Dr., Miami Beach, FL 33139

Print Name: Eric T. Carpenter, P.E., City Manager

Print Address: 1700 Convention Center Drive 4th Floor

(Witness' Signature)

Miami Beach, Florida 33139

Print Name: _____

(Witness)

Address: 1700 Convention Center Dr., Miami Beach, FL 33139

The foregoing instrument was acknowledged before me, by means of () physical presence or () online notarization.

Witness my signature and official seal this _____ day of _____, _____, in the County and State aforesaid.

(Type of Identification)

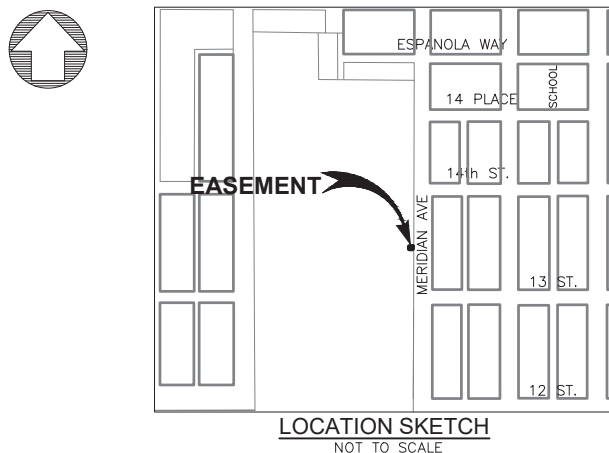
My Commission Expires:

Notary Public, Signature

Print Name _____

SKETCH TO ACCOMPANY DESCRIPTION

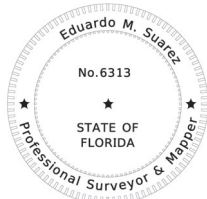
THIS DOCUMENT CONTAINS 3 SHEETS AND SHALL NOT BE CONSIDERED FULL AND COMPLETE WITHOUT THE SURVEYORS NOTES & CERTIFICATE (SHEET 1), LEGAL DESCRIPTION (SHEET 2), SKETCH (SHEET 3),

EASEMENT**Surveyors Notes:**

- 1.) This is not a Survey.
- 2.) Bearings as shown hereon are referenced to westerly right of way of Meridian Avenue (Pine Avenue), with an assumed bearing of $501^{\circ}58'41''$ E.
- 3.) This Sketch to Accompany Description contains sheets and is not full and complete without all sheets.
- 4.) Northing and Easting coordinates are relative to the North American Datum of 1983-2011 adjustment (NAD 83/2011) and is relative to the Florida State Plane Coordinate System East Zone.
- 5.) The purpose of this Sketch to Accompany Description is to prepare an easement.
- 6.) This Sketch to Accompany Description is not valid without the signature and authorized Seal by the Surveyor as per FS 5J-17-062.
- 7.) No Title Report or Opinion of Title has been ordered or prepared for the subject area(s) nor has the signing Surveyor or his subordinates performed any type of research of the public records.
- 8.) Certified to the City of Miami Beach.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: That this "Sketch to Accompany Description" is true and correct to the best of my knowledge and belief, it was prepared under my direction and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.



Eduardo M. Suarez Digitally signed by
Eduardo M Suarez
Date: 2025.04.16
13:58:33 -04'00'

EDUARDO M. SUAREZ, PSM
Professional Surveyor and Mapper
State of Florida Reg. No.6313
Date: 04/15/2025

THE SKETCH IS NOT A SURVEY

LONGITUDE SURVEYORS
7700 N. KENDALL DRIVE,
MIAMI, FL 33156, SUITE 705
PHONE: (305) 463-0912
WWW.LONGITUDESURVEYORS.COM

SURVEYOR OF RECORD:

BRIAN T. BELLINO, PSM
FLORIDA LICENSE #4973

REVISED

TITLE:

EASEMENT

JOB No. 25020.3.01

PAGE 1 OF 3

SKETCH TO ACCOMPANY DESCRIPTION

THIS DOCUMENT CONTAINS 3 SHEETS AND SHALL NOT BE CONSIDERED FULL AND COMPLETE WITHOUT THE SURVEYORS NOTES & CERTIFICATE (SHEET 1), LEGAL DESCRIPTION (SHEET 2), SKETCH (SHEET 3),

EASEMENT**DESCRIPTION:**

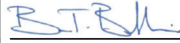
Being an Easement lying in a portion of Block 66 "Ocean Beach Fla. Addition No.3", according to the Plat thereof as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida and lying in Section 34, Township 53 South, Range 42 East, City of Miami beach, Miami-Dade County, 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 $01^{\circ} 58' 41''$ 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 $01^{\circ} 58' 41''$ East along said Westerly Right of Way line a distance of 12.67 feet; Thence South $88^{\circ} 01' 19''$ West a distance of 16.00 feet; Thence North $01^{\circ} 58' 41''$ West a distance of 12.67 feet; Thence North $88^{\circ} 01' 19''$ 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.

THE SKETCH IS NOT A SURVEY

LONGITUDE SURVEYORS
7700 N. KENDALL DRIVE,
MIAMI, FL 33156, SUITE 705
PHONE: (305) 463-0912
WWW.LONGITUDESURVEYORS.COM

SURVEYOR OF RECORD:

BRIAN T. BELLINO, PSM
FLORIDA LICENSE #4973

REVISED

TITLE:

EASEMENT

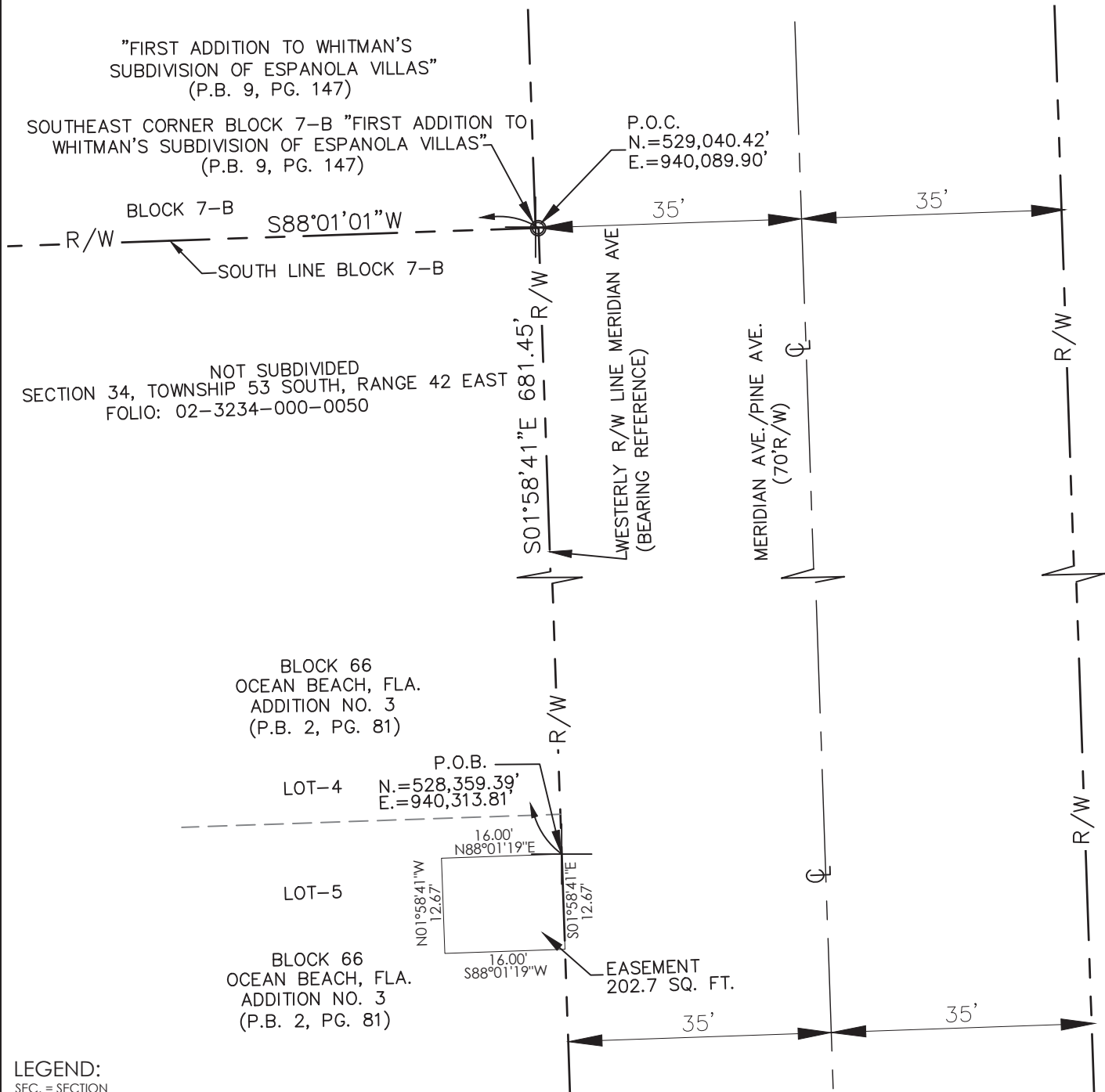
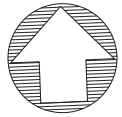
JOB No. 25020.3.01

PAGE 2 OF 3

SKETCH TO ACCOMPANY DESCRIPTION

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EASEMENT



LEGEND:

SEC. = SECTION
R/W = RIGHT OF WAY
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
O.R.B. = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
CL = CENTERLINE LINE

THE SKETCH IS NOT A SURVEY



SCALE
1" = 20'

LONGITUDE SURVEYORS

7700 N. KENDALL DRIVE,
MIAMI, FL 33156, SUITE 705
PHONE: (305)463-0912
WWW.LONGITUDESURVEYORS.COM

SURVEYOR OF RECORD:

B.T.B.
BRIAN T. BELLINO, PSM
FLORIDA LICENSE #4973

REVISED

TITLE:

EASEMENT

JOB No. 25020.3.01

PAGE 3 OF 3

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