

**RESOLUTION NO. 2023-R-25**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE EXECUTION OF TWO (2) PERPETUAL EASEMENTS FOR THE CITY-OWNED RIGHT-OF-WAY LOCATED ALONG N.W. 6<sup>TH</sup> COURT, BETWEEN N.W. 140<sup>TH</sup> STREET AND N.W. 143<sup>RD</sup> STREET, ALSO KNOWN AS PARCEL NO. 800, AND THE CITY-OWNED RIGHT-OF-WAY LOCATED ON N.W. 143<sup>RD</sup> STREET, BETWEEN N.W. 6<sup>TH</sup> COURT AND N.W. 6<sup>TH</sup> AVENUE, ALSO KNOWN AS PARCEL NO. 801, FOR IMPROVEMENTS ALONG THE I-95 CORRIDOR ASSOCIATED WITH FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) PROJECT NO. 437053-3, FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE PERPETUAL EASEMENTS ATTACHED AS EXHIBITS “A” AND “B”; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, the Florida Department of Transportation (“FDOT”) desires to acquire two (2) City of North Miami (“City”) rights-of-way, which are identified in the attached Exhibit “A” as parcel No. 800 which is located on N.W. 6<sup>th</sup> Court, between N.W. 140 Street and N.W. 143 Street, and in the attached Exhibit “B” as parcel No. 801 and is located on N.W. 143th Street, between N.W. 6<sup>th</sup> Court and N.W. 6<sup>th</sup> Avenue, for the purpose of constructing roadway improvements to widen the I-95 corridor; and

**WHEREAS**, the City’s execution of perpetual easements running in favor of FDOT is in the public’s best interest and welfare by allowing the use of the Right-of-Way for the construction of the proposed improvements; and

**WHEREAS**, the Mayor and City Council of the City of North Miami have determined that FDOT requires the Right-of-Way for such use, and the Right-of-Way is not otherwise needed for City purposes inconsistent with said use; and

**WHEREAS**, the City’s execution of perpetual easements running in favor of FDOT for said purposes shall be for no monetary compensation; and

**WHEREAS**, the Mayor and City Council desire to authorize the execution of perpetual easements for city-owned rights-of-way in support of FDOT Project No. 437053-3.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

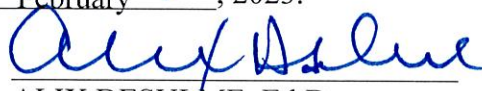
**Section 1.**     **Approval for Parcel 800.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the execution of a Perpetual Easement, in substantially the form attached as Exhibit “A” for the city-owned right-of-way located along N.W. 6<sup>th</sup> Court, between N.W. 140 Street and N.W. 143 Street.

**Section 2.**     **Approval for Parcel 801.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the execution of a Perpetual Easement, in substantially the form attached as Exhibit “B” for the city-owned right-of-way located on N.W. 143<sup>th</sup> Street, between N.W. 6<sup>th</sup> Court and N.W. 6<sup>th</sup> Avenue.

**Section 3.**     **Authority of Interim City Manager.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager to execute the Perpetual Easements attached as Exhibit “A” and Exhibit “B” for Parcels 800 and 801.

**Section 2.**     **Effective Date.** This Resolution shall become effective immediately upon adoption.


**PASSED AND ADOPTED** by a   5-0   vote of the Mayor and City Council of the City of North Miami, Florida, this 14<sup>th</sup> day of February -, 2023.

  
ALIX DESULME, Ed.D.  
MAYOR

ATTEST:

  
\_\_\_\_\_  
VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Estimé-Irvin

**Vote:**

Mayor Alix Desulme, Ed.D.

X (Yes)        (No)

Vice-Mayor Mary Estimé-Irvin

X (Yes)        (No)

Councilman Scott Galvin

X (Yes)        (No)

Councilwoman Kassandra Timothe, MPA

X (Yes)        (No)

Councilman Pierre Frantz Charles

X (Yes)        (No)