



MEMORANDUM

GOE

AGENDA ITEM NO. 2 (S)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed. D. and Members, Board of County Commissioners

DATE: November 14, 2003

FROM: 
George M. Burgess
County Manager

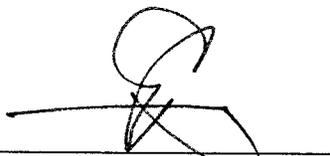
SUBJECT: Resolution Accepting Conveyances of Various Property Interests for Road Purposes to Miami-Dade County, Florida

The following instruments are being forwarded in one (1) Resolution for Commission acceptance.

	<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
1.	ERNESTO DE LA FE and ANA MARIA DE LA FE	RWD*	A portion of SW 52 Avenue, beginning approximately 396 feet south of SW 80 Street south for approximately 264 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. SW 52 Avenue is paved.
2.	Carlos Pastor and Michelle Pastor	RWD*	A portion of Ingraham Highway (Old Cutler Rd.), at approximately theoretical SW 138 Street.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. Ingraham Highway (Old Cutler Rd) is paved.
3.	CARIEQUIPMENT, INC.	RWD* IA*	A portion of NW 58 St. from NW 122 Avenue east for approximately 449 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. NW 58 Street is not paved.

RWD* Right-of-Way Deed
IA* Improvement Agreement

	<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
4.	Murray P. Yanks and Phyllis Yanks	RWD*	A portion of SW 95 Avenue from SW 120 St South for approximately 293 feet and a portion of SW 120 Street from SW 95 Avenue east for approximately 334 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. SW 95 Avenue and SW 120 Street are paved.
5.	Neil Rollnick	RWD*	A portion of NW 127 Avenue beginning approximately 1976.18 feet south of NW 25 Street south for approximately 658.74 feet.	Obtained by private developer to provide right-of-way required for the NW 127 Avenue road construction.
6.	Lowell Dunn and Betty Dunn	RWD*	A portion of NW 127 Avenue beginning approximately 1317.44 feet south of NW 25 Street south for approximately 658.74 feet and beginning approximately 100.2 feet north of NW 12 Street north for approximately 2529.25 feet.	Obtained by private developer to provide right-of-way required for the NW 127 Avenue road construction.



Assistant County Manager

RWD* Right-of-Way Deed
IA* Improvement Agreement



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** December 4, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item

RESOLUTION NO. _____

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS
PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-
DADE COUNTY, FLORIDA

WHEREAS, the following property owners/grantors have tendered instruments conveying to Miami-Dade County the property interests in parcels of land located within Miami-Dade County, Florida, for public purposes identified in the Manager's memorandum and the instruments of conveyance all of which are attached hereto and made a part hereof:

Property Owner's/Grantor's

1. **ERNESTO DE LA FE and ANA MARIA DE LA FE**
2. **Carlos Pastor and Michelle Pastor**
3. **CARIEQUIPMENT, INC.**
4. **Murray P. Yanks and Phyllis Yanks**
5. **Neil Rollnick**
6. **Lowell Dunn and Betty Dunn**

WHEREAS, upon consideration of the recommendation of the Public Works Department, the County Commission finds and determines that the acceptance of such conveyances would be in the public's best interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the conveyances by the above described property owners/grantors be and the same are hereby approved and accepted, and the Director of the Public Works Department is authorized and directed to cause said instruments to be filed for record among the Public Records of Miami-Dade County, Florida; provided, however,

that it is specifically understood that neither this Board nor Miami-Dade County is obligated to construct any improvements within the above described properties tendered for road right-of-way.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

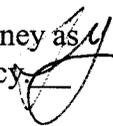
Dr. Barbara Carey-Shuler Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

**MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS**

HARVEY RUVIN, CLERK

Approved by County Attorney as  to form and legal sufficiency.

By: _____
Deputy Clerk

It is the intention of the parties of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the parties of the first part, their heirs and assigns, and they shall have the right to immediately re-possess the same.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said parties of the first part, have hereunto set their hand and seals, the day and year first above written.

Signed, Sealed and Delivered in our presence:

(2 witnesses for each signature of for all)



Witness

Claudio Ravine

Witness Printed Name



Witness

JAMES A. FARRS

Witness Printed Name



(SEAL)

ERNESTO DE LA FE
8150 School House Road
Miami, Fl



(SEAL)

ANA MARIA DE LA FE
8150 School House Road
Miami, Fl

Return to:
Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970
Instrument prepared by:
Alfredo Lorenzo
Folio No. 30-5023-000-0260
User Department: Public Works

OLD CUTLER RD.
(INGRAHAM HIGHWAY)
Sec. 23 TWP. 55 Rq. 40

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 28th day of July, A.D. 2003, by and between Carlos Pastor and Michelle Pastor, whose address is 15951 NW 79th Court, Miami, Florida 33016, parties of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, do hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the parties of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED

9

Approved as description:
Date 10/14/03
D.P.

EXHIBIT "A"

The northwesterly 15 feet of the southeasterly 50 feet, as measured from the centerline of INGRAHAM HIGHWAY, of the following described property:

The north $\frac{1}{2}$ of the south $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; and the south $\frac{1}{2}$ of the south $\frac{1}{2}$ of the South $\frac{1}{2}$ of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 55 South, Range 40 East, lying northwesterly of INGRAHAM HIGHWAY.

P.R.

It is the intention of the parties of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the parties of the first part, their heirs and assigns, and they shall have the right to immediately re-possess the same.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said parties of the first part, have hereunto set their hand(s) and seal(s), the day and year first above written.

Signed, Sealed and Delivered in our presence:

(2 witnesses for each signature of for all)

[Signature]
Witness

ANGEL SAAD
Witness Printed Name

[Signature]
Witness

Susel Ferrer
Witness Printed Name

[Signature]
Witness

ANGEL SAAD
Witness Printed Name

[Signature]
Witness

Alfredo Lorenzo
Witness Printed Name

[Signature] (SEAL)

CARLOS PASTOR
Printed Name

15951 NW 79 Ct.
Address (if different)

[Signature] (SEAL)

Michelle Pastor
Printed Name

15951 NW 79 Ct
Address (if different)

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 5th day of July, 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared _____ and _____, personally known to me, or proven, by producing the following methods of identification:

_____ to be the person(s) who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



Carmen Aslan
Commission # DD 035178
Expires June 20, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

[Signature]
Notary Signature

CARMEN ASLAN
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida.

My commission expires: June 20, 05

Commission/Serial No. DD035178

The foregoing was accepted and approved on the _____ day of _____, A.D. 20____, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Special Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Return to:
Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970
Instrument prepared by:
Pablo Rodríguez, P.L.S.

Folio No. 30-3913-000-0044
User Department: Public Works

NW 58 ST
HW 122 AVENUE

SEC. 13 TWP. 53 Rg. 39

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
BY CORPORATION

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 1st day of July, A.D. 2003, by and between CARIEQUIPMENT, INC., a corporation under the laws of the State of Florida, and having its office and principal place of business at 5790 NW 122nd Avenue, Miami, Florida 33178, party of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "B"

Approved as description
Date 10/14/03
.. P.R.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed, Attested and delivered in our presence: (2 witnesses for each signature or for all).

[Signature]
Witness

Marcella J. Martinez
Printed Name

[Signature]
Witness

Lucila Velez
Printed Name

Witness

Printed Name

Witness

SERGIO MARTINEZ
Printed Name

CARIEQUIPMENT, INC.
Name of Corporation

[Signature] (Seal)
By: President

SERGIO MARTINEZ
Printed Name

285 ST. Thomas Avenue, Key Largo, Fl. 33037
Address if different

[Signature] (Seal)
Attest: Secretary

Printed Name

Address if different
CORP SEAL

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 1st day of July,
A.D. 2003, before me, an officer duly authorized to administer
oaths and take acknowledgments personally appeared Sergio
Martinez and _____,
personally known to me, or proven, by producing the following
identification: Drivers' License
to be the _____ President and _____ Secretary of
CARIEQUIPMENT, INC., a corporation under the
laws of the State of FLORIDA, and in whose name the
foregoing instrument is executed and that said officer(s) severally
acknowledged before me that HE executed said instrument
acting under the authority duly vested by said corporation and its
Corporate Seal is affixed thereto.

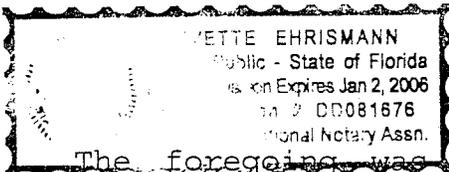
WITNESS my hand and official seal in the County and State
aforesaid, the day and year last aforesaid.

Yvette Ehrismann
Notary Signature

Yvette Ehrismann
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida



My commission expires: _____

Commission/Serial No. _____

The foregoing was accepted and approved on the _____ day of
_____, A.D. 20____, by Resolution No. _____
of the Board of County Commissioners of Miami-Dade County, Florida,
a political subdivision of the State of Florida.

Special Assistant to the
County Manager

Printed Name

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

EXHIBIT "B"

A portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 53 South, Range 39 East, Miami-Dade County, Florida, as follows;

Begin at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 13; thence N01°46'41"W 40.01 feet along the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 13; thence N89°40'29"E 450.28 feet along a line 40 feet north of and parallel with the south line of said Section 13; thence S00°19'31"E 40.00 feet to a point of intersection with the South line of said Section 13; thence S89°40'29"W 449.27 feet, along the South line of said Section 13 to the Point of Beginning.



Return to:

Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970

Instrument prepared by:
Pablo Rodríguez, P.L.S.

Folio No. 30-3913-000-0044
User Department: Public Works

NW 58 ST
NW 122 AVENUE

SEC-13 TWP.S3 Rg.3

DEDICATION AND IMPROVEMENT AGREEMENT

WHEREAS, CARIEQUIPMENT, INC., whose address PO Box 650489, Miami, Florida, 33265-0489, hereinafter referred to as the **OWNERS**, are the owners of the following described property:

SEE EXHIBIT "A" ATTACHED

AND WHEREAS, the said **OWNERS** desire to develop this property in a manner that requires them by law to dedicate and improve a public right-of-way for NW 58th Street in order to obtain a building permit.

AND WHEREAS, the Director of the County Department of Public Works, hereinafter referred to as the **DIRECTOR**, recommends that a building permit not be issued unless the **OWNERS** obligate themselves to immediately dedicate and, at a later time, construct half of the full width for road for NW 58th Street in accordance with County standards;

NOW THEREFORE, the **DIRECTOR**, in consideration of the **OWNERS'** willingness to dedicate and construct a half width road at a later time upon the **DIRECTOR'S** written request as specified below, hereby agrees to recommend that the offered right-of-way for NW 58th Street be accepted by the Board of County Commissioners at this time, without an immediate obligation to construct the usual road improvements within the said right-of-way; and

The **OWNERS**, in consideration of the **DIRECTOR'S** willingness to temporarily delay the road construction requirement, hereby agree:

- (1) To immediately offer the most southerly 40 feet thereof of the described property for public road right-of-way for acceptance at this time (to satisfy the legal requirements for obtaining a building permit); and
- (2) To improve said most southerly 40 feet thereof BY constructing a strip of pavement 12 feet in width with asphaltic concrete, 1 inch thick, together with the standard compacted limerock base, meeting County specifications and standards within 60 days of a written request to do so from the **DIRECTOR**.

It is understood and agreed by the parties hereto, that should the said **OWNER(S)** refuse(s) to improve or fail to make said improvements within said 60 days or be unable to pay for such improvements, the **DIRECTOR** shall have the right to cause said construction to be completed, within the herein offered right-of-way, adjacent to the **OWNERS'** remaining property and to recover, from **OWNERS**, a pro rata share of the total road improvement costs on a front footage basis by means of annual special assessments which, until paid, shall constitute a lien upon **OWNERS'** property to the same extent as the lien for general County taxes, payment of said assessments, as well as the lien and enforcement of said assessments, shall be the same as for Improvement Districts as stated in Chapter 18 of the Code of Miami-Dade County.

This Agreement shall be binding upon the **DIRECTOR** and the **OWNERS** so long as the said **OWNERS** have fee simple title in the hereinabove described property and shall be binding upon their successors and assigns as a covenant running with the land, but in the event of a sale of such property by the said **OWNERS**, who shall be personally relieved of this obligation.

It is understood and agreed by the parties hereto that the **DIRECTOR** or **COUNTY** is not obligated to construct a roadway or provide public access to **OWNERS'** property referred to herein.

IN WITNESS WHEREOF, the DIRECTOR of the Department of Public Works, has executed this instrument and has caused his execution hereof to be attested and they have hereunto placed their hands and seals this 24 day of, July A.D. 2003.

ATTEST:

Martha Interian-Figueroa
Witness

Aristides Rivera
Director
Aristides Rivera, P.E., P.L.S.

Martha Interian-Figueroa
Witness Printed Name

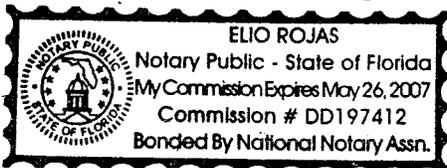
Witness

Witness Printed Name

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 24 day of July, A.D. 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Aristides Rivera, P.E., P.L.S.**, Director of the Department of Public Works of Miami-Dade County, Florida, personally known to me to be the person who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



Elio Rojas
Notary Signature

ELIO ROJAS
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of FLORIDA

My commission expires: MAY 26-2003

Commission/Serial No. DD197412

IN WITNESS WHEREOF, the OWNERS have caused this Agreement to be executed this 1st day of July, A.D. 2003.

Signed, Sealed and Delivered
in our presence:
(2 witnesses for each signature
or for all)

[Signature]
Witness
MARLENA J. MARTINEZ
Witness Printed Name

[Signature] (SEAL)
Sergio Martinez
SERGIO MARTINEZ
Printed Name
285 St. Thomas Avenue, Key Largo, Fl. 33037
Address (if different)

[Signature]
Witness
Lucia Velez
Witness Printed Name

Witness

Witness Printed Name

Witness

Witness Printed Name

(SEAL)

Printed Name

Address (if different)

20

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 1st day of July, A.D. 2002, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sergio Martinez and _____, personally known to me, or proven, by producing the following identification: Dr. License to be the persons who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.


Notary Signature

Yvette Ehrismann
Printed Notary Name

NOTARY SEAL/STAMP



Notary Public, State of Florida

My commission expires: Jan. 2, 2006

Commission/Serial No. DD081676

EXHIBIT "A"

A portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 53 South, Range 39 East, Miami-Dade County, Florida, as follows;
Begin at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 13; thence run N01°46'41"W along the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 13 for a distance of 242.55 feet to a point; thence run N88°13'19"E, at right angles to the last described course for a distance of 235.00 feet to a point; thence run N45°41'33"E for a distance of 199.61 feet to a point; thence run N01°46'41"W, parallel with the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 13, for a distance of 464.40 feet to a point; thence run N88°13'19"E at right angles to the last described course for a distance of 304.20 feet to a point; thence run S01°46'41"E parallel with the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 13 for a distance of 347.97 to a point; the run S89°40'29"W parallel with the south line of said section 13 for a distance of 129.42 feet to a point; thence run S31°46'56"W for a distance of 178.50 feet to a point; thence run S00°19'13"E for a distance of 359.95 feet to a point of intersection with the South line of said Section 13; thence run S89°40'29"W along the South line of said Section 13 for a distance of 449.27 feet to the Point of Beginning.
(AKA Tract 3 of the Manucy & Associates Survey of November 14, 1995)

Return to:

Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970

Instrument prepared by:
Pablo Rodríguez, P.L.S.

SW 95 AVE -
SW 120 ST
Sec. 16 - 55 - 40

Folio No. 30-5016-000-0340
User Department: Public Works Department.

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 6th day of March, A.D. 2003, by and between Murray P. Yanks and Phyllis Yanks, his wife, whose address is 9450 SW 120th Street, Miami, Florida 33176, parties of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, do hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the parties of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED

23

Approved as description
Date 6/9/03
N.A.

EXHIBIT "A"

LEGAL DESCRIPTION:

The south 5 feet of the north 40 feet, and the west 25 feet of the west $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, less the south 391.8 feet thereof, of Section 16, Township 55 South, Range 40 East, Miami-Dade County, Florida;

And

The area bounded by the south line of the north 40 feet and the east line of the west 25 feet of the west $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 16, and bounded by a 25 foot radius arc concave to the southeast, said arc being tangent to both of the last described lines.

It is the intention of the (party/parties) of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the (party/parties) of the first part, (his/her/their) heirs and assigns, and (he/she/they) shall (have/has) the right to immediately re-possess the same.

And the said (party/parties) of the first part (do/does) hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under (him/her/them).

IN WITNESS WHEREOF, the said (party/parties) of the first part, (has/have) hereunto set (his/her/their) hand(s) and seal(s), the day and year first above written.

Signed, Sealed and Delivered in our presence:

(2 witnesses for each signature of for all)

Melinda M. Fleming
Witness

Melinda M. Fleming
Witness Printed Name

Stanley T. Kaplan
Witness

STANLEY T. KAPLAN
Witness Printed Name

Melinda M. Fleming
Witness

Melinda M. Fleming
Witness Printed Name

Stanley T. Kaplan
Witness

STANLEY T. KAPLAN
Witness Printed Name

Murray P. Yanks (SEAL)

Murray P. Yanks
Printed Name

Address (if different)

Phyllis Yanks (SEAL)

Phyllis Yanks
Printed Name

Address (if different)

STATE OF Florida)
)
COUNTY OF Miami-Dade)

I HEREBY CERTIFY, that on this 6th day of March 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Murray P. Yanks, and Phyllis Yanks, his wife, personally known to me, or proven, by producing the following methods of identification:

_____ to be the person(s) who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



NOTARY SEAL/STAMP

Melinda M. Fleming
Notary Signature

Melinda M. Fleming
Printed Notary Name

Notary Public, State of Florida

My commission expires: JUNE 25, 2006

Commission/Serial No. DD128947

The foregoing was accepted and approved on the _____ day of _____, A.D. 20____, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Special Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Return to:
Right of Way Division .
Miami-Dade County Public Works Dept.
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Instrument prepared by: .

Miami-Dade County Public Works Dept.
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Folio No. Portion of 30-3936-000-0030
User Department .

NW 127 AVE
SEC. 36 TWP. 53 Rg. 39

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 27th day of August, 2003, by and between Neil Rollnick, as Trustee under the terms and provisions of the Trust Agreement dated August 3, 1999 for Biscuit Land Trust Agreement whose Post Office address is 2601 S. Bayshore Drive, Suite 1600, Florida 33131, party of the first part, and **MIAMI-DADE COUNTY**, a Political Subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit: See Exhibit "A" attached hereto and made a part hereof.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

ARR TEE

The foregoing was accepted and approved on the _____ day of _____, 2003 A.D.,
by Resolution No. _____ of the Board of County Commissioners of Miami-Dade
County, Florida.

Special Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk



EXHIBIT A

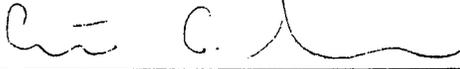
LEGAL DESCRIPTION

Begin at the West ¼ corner of Section 36, Township 53 South, Range 39 East in Miami-Dade County, Florida; thence N01°50'23"W along the West line of said Section 36, as basis of bearing, for 658.74 feet; thence N89°37'09"E for 43.01 feet; thence S01°50'23"E parallel to the West line of said Section 36 for 658.75 feet; thence S89°38'04"W for 43.01 feet to the POINT OF BEGINNING.

P	Property Line	PG.	Page
C	Center Line	P.O.C.	Point of Commencement
P.O.T.	Point of Terminus	P.O.B.	Point of Beginning
P.B.	Plat Book		

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

Ludovici & Orange Consulting Engineers, Inc. L.B. # 1012

By: 

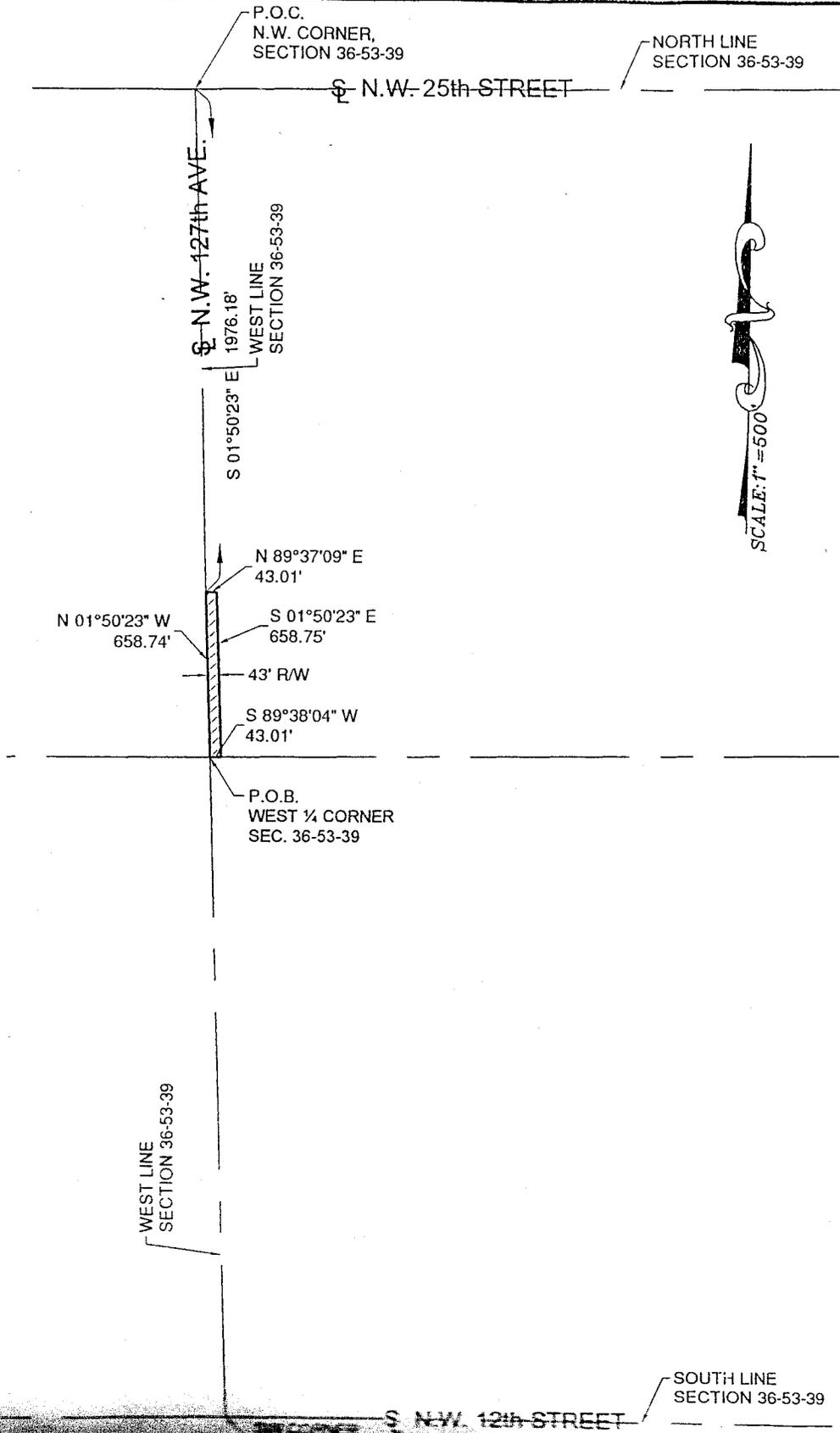
Arturo A. Sosa, P.S.M.
Reg. Surveyor and Mapper # 2629
State of Florida

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.



LUDOVICI & ORANGE
CONSULTING ENGINEERS INC.
100 PALM BEACH AVENUE, CORAL GABLES
FLORIDA 33134
TEL: 305-444-1111 FAX: 305-444-1112

Date: 8-22-03	Drawn: E.T.
Proj. No. 2002-37	Checked:
Proj. Name	
BEACON LAKES	
43' RW @ N.W. 127 AVE	
SHEET 1 OF 2	



LUDWIG & CRANGE
SURVEYING ENGINEERS INC.

Date: 8-22-03	Drawn: E.T.
Proj. No: 2003-07	Checked:
BEACON LAKES N.W. 127th AVE	

Return to:
Right of Way Division .
Miami-Dade County Public Works Dept.
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Instrument prepared by: .

Miami-Dade County Public Works Dept.
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Folio No. . Portion of 30-3936-000-0080
User Department .

NW 127 AVE
SEC. 36 TWP. 53 Rq. 39

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 26 day of August, 2003, by and between Lowell Dunn and Betty Dunn, husband and wife, having an address of 8083 NW103 Street, Hialeah Gardens, FL 33016, party of the first part, and **MIAMI-DADE COUNTY**, a Political Subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit: See Exhibit "A" attached hereto and made a part hereof.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed and Delivered in our presence:

Yanet Toledo
Witness

Yanet Toledo
Witness Printed Name

Kathy M Rangel
Witness

KATHY M RANGEL
Witness Printed Name

Lowell Dunn
Lowell Dunn

Betty Dunn
Betty Dunn

(2 witnesses for each signature or for all)

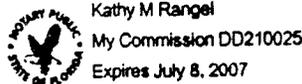
STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 26 day of August, 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared and, personally known to me, or proven, by producing the following identification: to Lowell Dunn and Betty Dunn, husband and wife and in whose name the foregoing instrument is executed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

Kathy M Rangel
Notary Public, State of Florida
Printed Notary Name: KATHY M. RANGEL

NOTARY SEAL/STAMP
My commission expires:
Commission/Serial No.



The foregoing was accepted and approved on the _____ day of _____, 2003 A.D.,
by Resolution No. _____ of the Board of County Commissioners of Miami-Dade
County, Florida.

Special Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

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EXHIBIT A

LEGAL DESCRIPTION

Commence at the Northwest corner of Section 36, Township 53 South, Range 39 East in Miami-Dade County, Florida; thence S01°50'23"E along the West line of said Section 36, as basis of bearing, for 1317.44 feet to the POINT OF BEGINNING of the following described parcel; thence N89°36'14"E for 43.01 feet; thence S01°50'23"E parallel to the West line of said Section 36 for 658.75 feet; thence S89°37'09"W for 43.01 feet; thence N01°50'23"W along the West line of said Section 36 for 658.74 feet to the POINT OF BEGINNING;

together with;

Begin at the West ¼ corner of Section 36, Township 53 South, Range 39 East in Miami-Dade County, Florida; thence N89°38'04"E for 43.01 feet; thence S01°50'23"E parallel to the West line of said Section 36 for 2549.25 feet; thence N72°01'30"W for 45.71 feet; thence N01°50'23"W along the West line of said Section 36, as basis of bearing, for 2534.86 feet to the POINT OF BEGINNING.

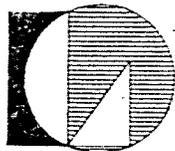
- P Property Line
- C Center Line
- P.O.T. Point of Terminus
- P.B. Plat Book
- PG. Page
- P.O.C. Point of Commencement
- P.O.B. Point of Beginning

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

Ludovici & Orange Consulting Engineers, Inc. L.B. # 1012

By: Arturo A. Sosa
Arturo A. Sosa, P.S.M.
Reg. Surveyor and Mapper # 2629
State of Florida

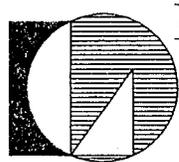
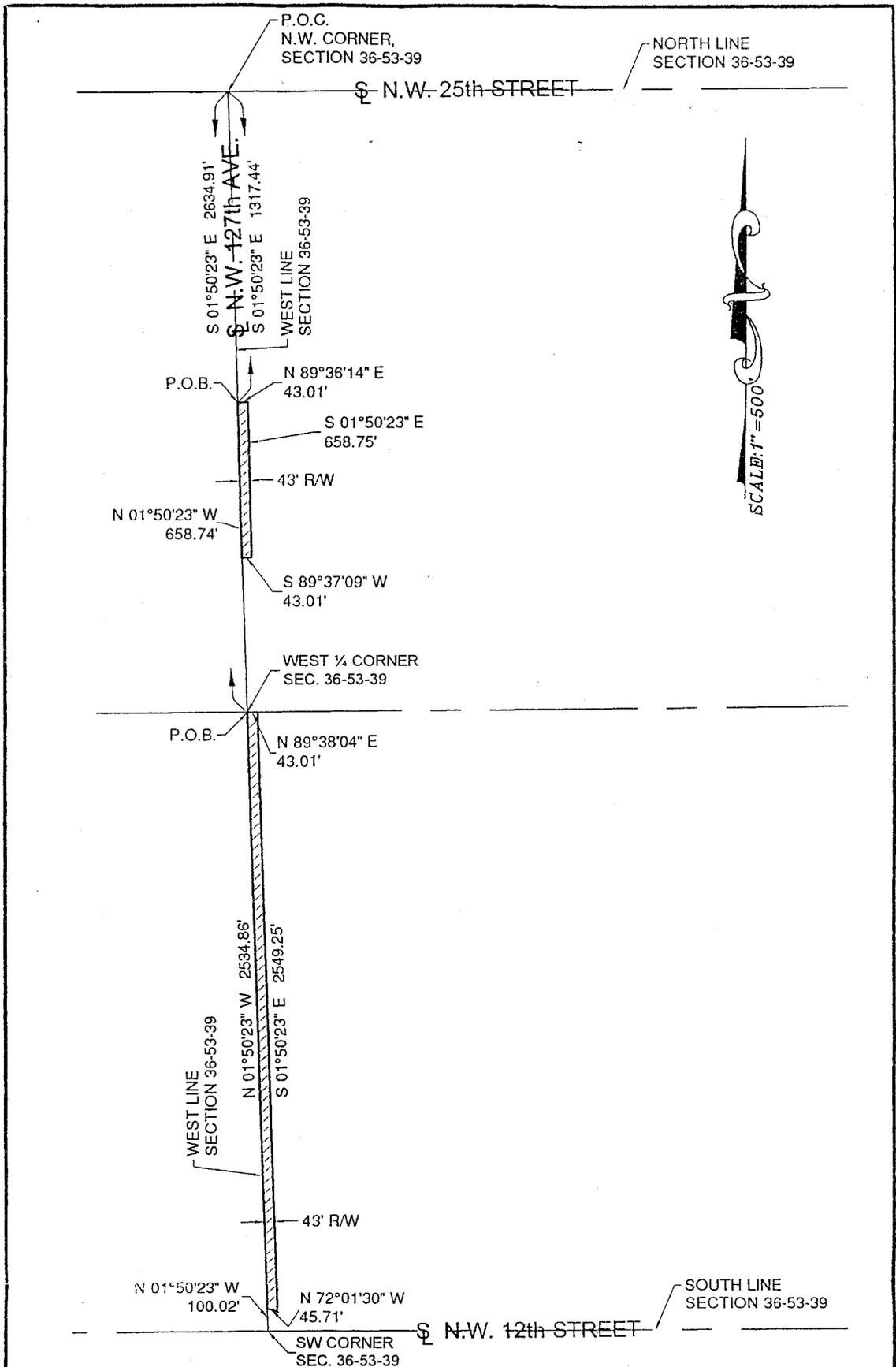
Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.



LUDOVICI & ORANGE
CONSULTING ENGINEERS INC.
329 PALERMO AVENUE, CORAL GABLES
FLORIDA 33134 LB 1012
TEL (305) 448-1600 FAX (305) 446-3876

Date: 8-22-03	Drawn: E.T.
Proj.No. 2002-37	Checked:
Proj.Name: BEACON LAKES 43' RW @ N.W. 127 AVE SHEET 1 OF 2	

35



LUDOVICI & ORANGE
CONSULTING ENGINEERS INC.
 329 PALERMO AVENUE, CORAL GABLES
 FLORIDA 33134 LB 1012
 TEL (305) 448-1600 FAX (305) 446-3876

Date: 8-22-03	Drawn: E.T.
Proj.No. 2002-37	Checked:
Proj.Name: BEACON LAKES 43' RW @ N.W. 127 AVE SHEET 2 OF 2	

36