Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 8(D)(1)(D)

Date: June 5, 2007

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Exchange of Property Rights Between the Florida Department of Transportation (FDOT) and Miami-Dade County for the Relocation of the Northline Canal at the Interchange of S.R. 826/S.R. 836, and the Granting by Miami-Dade County of a Permanent Easement to the FDOT in and Across Portions of the Aforesaid Northline Canal, in Sections 34 & 35, Township 53 South, Range 40 East; Section 2, Township 54 South, Range 40 East; Government Lot 2, Townships 53 & 54 South, Range 40 East; and Granting a License to FDOT for Temporary Use of Property at Miami International Airport (WC-860)

Recommendation

It is recommended that the Board approve a resolution authorizing the exchange of property rights between the Florida Department of Transportation (FDOT) and Miami-Dade County; and the granting by Miami-Dade County of a perpetual easement to the FDOT in and across portions of the Northline Canal for the improvement of S.R. 826/S.R. 836 Interchange, and a license to FDOT covering a parcel of land at Miami International Airport for temporary use for construction purposes.

Scope

The subject item is limited to certain parcels of land owned by the County and located in Commission District No. 6 and Commission District No. 12.

Fiscal Impact/Funding Source

The subject item has no fiscal implication to Miami-Dade County.

Track Record/Monitor

N/A

Background

The Northline Canal is part of the secondary canal system owned and operated by Miami-Dade County for flood protection and water management. The right-of-way for said canal was obtained by implementation of the Water Control Master Plan at no cost to Miami-Dade County. A portion of that canal runs contiguous to the Palmetto Expressway (S.R. 826), and partly under the East-West Expressway (S.R. 836). The Florida Department of Transportation (FDOT) is undertaking a major redevelopment of the highway system at the interchange of S.R. 826/S.R. 836. The proposed improvement, which will improve traffic flow and create a corridor for the future expansion of the Metrorail, is presently restricted by the location of the existing canal. The FDOT is proposing a relocation of a section of that canal to facilitate that improvement.

Miami-Dade County agrees to issue a County Deed to quit claim certain parcels of land no longer needed under the relocation plan. In exchange, the FDOT has submitted a valid deed to the County for the transfer of rights to parcels of land for the relocated section of canal.

In addition, the County will grant to FDOT a perpetual easement for the use of the waterway as needed for bridges and the placement of roadway supports. The County will also grant a temporary

license agreement to FDOT for use of airport property for construction purposes.

Because one of the subject parcels is under the control of the Miami-Dade Aviation Department (MDAD), the Department of Environmental Resources Management (DERM) and MDAD have reviewed the project and recommend Board approval of this item.

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: June 5, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(D)(1)(D)

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 No. 8(D)(1)(D)

06-05-07

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXCHANGE OF PROPERTY RIGHTS BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND MIAMI-DADE COUNTY FOR THE RELOCATION OF THE NORTHLINE CANAL AT THE INTERCHANGE OF S.R. 826/S.R. 836, AND THE GRANTING BY MIAMI-DADE COUNTY OF A PERMANENT EASEMENT TO THE FDOT IN AND ACROSS PORTIONS OF THE AFORESAID NORTHLINE CANAL, IN SECTIONS 34 & 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST; SECTION 2, TOWNSHIP 54 SOUTH, RANGE 40 EAST; GOVERNMENT LOT 2, TOWNSHIPS 53 & 54 SOUTH, RANGE 40 EAST; AND APPROVING A LICENSE AGREEMENT WITH FDOT FOR TEMPORARY USE OF PARCEL 702

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the exchange of property rights between the Florida Department of Transportation (FDOT) and Miami-Dade County; and the granting by Miami-Dade County of a permanent easement to the FDOT in and across portions of the Northline Canal, in Sections 34 & 35, Township 53 South, Range 40 East; Section 2, Township 54 South, Range 40 East; Government Lot 2, Townships 53 & 54 South, Range 40 East, Miami-Dade County, Florida; approves a license agreement with FDOT covering a parcel of land at Miami International Airport (Parcel 702) for temporary use by FDOT during reconstruction of the 826/836 interchange; and authorizes execution and recording by the Mayor in substantially the form attached hereto and made a part hereof.

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:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2007. 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

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.____

Peter S. Tell

Return to:
Water Control Section
Miami-Dade County Department of
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, FL 33136

W.C. 860
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Instrument prepared by:
Elie Mehu
Miami-Dade County Department of
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, FL 33136

Legal Description: Exhibit A

SR 826/SR836 Interchange
FDOT Project No.: 87260-1579

COUNTY DEED

THIS DEED, made this _____ day of _____, 20___, by and between MIAMI-DADE COUNTY, a political subdivision of the State of Florida, whose address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the first part, and the Florida Department of Transportation, an agency of the State of Florida, whose address is 1000 N.W. 111 Avenue, Miami, Florida 33172, party of the second part;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars ($10.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described lands, lying and being in the County of Miami-Dade, State of Florida, to-wit:

EXHIBIT "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF, the said party of the first part, has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Mayor and the Clerk or Deputy Clerk of said Board, the day and year aforesaid.

ATTEST:

HARVEY RUVIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

Print:_____

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

By: _____
Mayor

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

EXHIBIT "A"

PARCEL 161 FPN No. 2495811 PROJECT 87260-2579

A portion of the Right of Way of Northwest Waterway canal of "WINONA PARK FIRST ADDITION", according to the plat thereof as recorded in Plat Book 17 at Page 49, of the Public Records of Miami-Dade County, Florida, lying in the Northwest one-quarter (NW ¼) of the Northwest one-quarter (NW ¼) of Section 2, Township 54 South, Range 40 East, Miami-Dade County, Florida, and a portion of the Right of Way of a canal of "WOOD FARMS", according to the plat thereof as recorded in Plat Book 43 at Page 49, of the Public Records of Miami-Dade County, Florida, lying in the West one-half (W ½) of Government Lot 2 between Township 53 South, Range 40 East and Township 54 South, Range 40 East, Miami-Dade County, Florida, and the East one-half (E ½) of Government Lot 3 between Township 53 South, Range 40 East and Township 54 South, Range 40 East, Miami-Dade County, Florida being more particularly described as follows:

COMMENCE at the Northwest corner of the Northwest one-quarter (NW ¼) of Section 2, Township 54 South, Range 40 East, THENCE run South 88°30'18" West along the South line of said Government Lot 3, for a distance of 50.00 feet to the POINT OF BEGINNING of the hereinafter described parcel; THENCE South 88°30'18" West along the South line of said Government Lot 3 for a distance of 20.25 feet; THENCE North 1°54'23" West along the East Limited Access Right of Way line of State Road 826 for a distance of 403.58 feet; THENCE North 32°05'28" East along the South Limited Access Right of Way line of State Road 836 (Dolphin Expressway) for a distance of 284.76 feet; THENCE North 55°52'11" East along the South Limited Access Right of Way line of State Road 836 (Dolphin Expressway) a distance of 650.96 feet; THENCE North 74°56'57" East along said South Limited Access Right of Way line for a distance of 231.95 feet; THENCE South 89°33'28" East South Limited Access Right of Way line of State Road 836 (Dolphin Expressway) for a distance of 309.07 feet; THENCE South 78°02'28" East South Limited Access Right of Way line of State Road 836 (Dolphin Expressway) for a distance of 205.45 feet; THENCE South 74°56'57" West a distance of 102.91 feet; THENCE South 74°56'57" West a distance of 102.90 feet; THENCE North 83°52'07" West a distance of 100.83 feet; THENCE North 89°33'28" West a distance of 100.02 feet; THENCE North 89°33'28" West a distance of 100.02 feet; THENCE South 74°56'57" West a distance of 102.91 feet; THENCE South 74°56'57" West a distance of 102.89 feet; THENCE South 55°52'11" West a distance of 238.03 feet; THENCE South 55°52'11" West a distance of 118.83 feet; THENCE South 55°52'11" West a distance of 261.55 feet; THENCE South 35°36'36" West a distance of 199.33 feet; THENCE South 1°56'22" East to the South line of said West one-half (W ½) of Government Lot 2, for a distance of 418.70 feet; THENCE North 87°33'57" East along said West one-half (W ½) of Government Lot 2 for a distance of 28.35 feet to the North boundary line of Tract B of "FUTURA EXPO SUBDIVISION" according to the plat thereof as recorded in Plat Book 119 at Page 52, of the Public Records of Miami-Dade County, Florida; THENCE South 48°11'56" East along the South boundary line of said Tract B for a distance of 560.19 feet; THENCE South 41°48'08" West to the North boundary line of Block 44 of "WINONA PARK FIRST ADDITION" for a distance of 80.00 feet; THENCE North 48°11'56" West along said North boundary line of Block 44 for a distance of 562.11 feet; THENCE North 43°52'25" West along the East Limited Access Right of Way line of State Road 826 (Palmetto Expressway) for a distance of 75.78 feet to the POINT OF BEGINNING.

Containing 4.994 acres, more or less.

PARCEL 821 FP No. 2495811 PROJECT 87260-2579

A parcel of NOT SUBDIVIDED land lying in the Southeast one-quarter (SE ¼) of the Southeast one-quarter (SE ¼)of the Northeast one-quarter (NE ¼) and the East one-half (E ½) of the Northeast one-quarter (NE ¼) of the Southeast one-quarter (SE ¼) and the Northeast one-quarter (NE ¼) of the Southeast one-quarter (SE ¼) of the Southeast one-quarter (SE ¼) of Section 34, Township 53 South, Range 40 East and the Northwest one-quarter (NW ¼) of the Southwest one-quarter (SW ¼) of the Southwest one-quarter (SW ¼) of Section 35, Township 53 South, Range 40 East of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Southwest one-quarter (SW ¼) of said Section 35, said point being coincident with the point of intersection of the Baseline of Survey of State Road 826 (Palmetto Expressway) as shown on Right of Way Control Survey of State Road 836/826 interchange, State of Florida Department of Transportation Project No. 87260-2579; THENCE run North 1°43'06" West along said Baseline for a distance of 661.09 feet; THENCE run North 88°16'54" East perpendicular to the previously described course for a distance of 15.00 feet to the POINT OF BEGINNING of the hereinafter described parcel; THENCE continue along the Easterly Limited Access Right of Way line of said State Road 826 (Palmetto Expressway) for the following ten (10) courses: North 1°43'06" West a distance of 8.05 feet; THENCE North 6°43'03" West a distance of 401.64 feet; THENCE North 1°43'06" West a distance of 1,573.18 feet; THENCE North 1°43'20" West a distance of 203.20 feet; THENCE North 88°16'40" East a distance of 7.00 feet; THENCE North 1°43'20" West a distance of 30.00 feet; THENCE South 88°16'40" West a distance of 7.00 feet; THENCE North 1°43'20" West a distance of 255.40 feet; THENCE North 88°16'39" East a distance of 9.50 feet; THENCE North 1°43'20" West a distance of 181.55 feet; THENCE North 87°32'00" East departing said Easterly Limited Access Right of Way line for a distance of 1.95 feet; THENCE South 2°28'22" East a distance of 1,181.54 feet; THENCE North 87°31'36" East a distance of 58.04 feet; THENCE South 1°43'06" East a distance of 147.33 feet; THENCE South 88°16'51" West a distance of 35.00 feet; THENCE South 1°43'06" East along the West line of said Section 35 for a distance of 663.06 feet; THENCE North 89°48'43" East a distance of 35.01 feet; THENCE run the following five (5) courses along the Easterly Right of Way line of North Line canal: South 1°43'06" East for a distance of 247.64 feet; THENCE South 6°43'03" East a distance of 405.63 feet; THENCE South 2°34'10" East a distance of 10.14 feet to the Northerly Right of Way line of C.S.X Railroad; THENCE South 89°51'31" West along said Northerly Right of Way line for a distance of 85.53 feet to the POINT OF BEGINNING.

Containing 2.818 acres, more or less.

PARCEL 186 F.P. No. 2495811 WPI 6113758 PROJECT No.87260-2579
S.R.826/S.R.836 INTERCHANGE

The Right of Way of a canal, lying in the West one-half (W ½) of Government Lot 2, between Township 53 South, Range 40 East and Township 54 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of the West one half (W ½) of Government Lot 2; THENCE run North 89°50'57" East along the North line of the West one-half (W½) of said Government Lot 2, also being the centerline of North West 12th Street for a distance of 361.92 feet; THENCE run South 1°20'28" East along the extended centerline of North West 76th Avenue for a distance of 115.62 feet; THENCE run South 49°53'21" West along the Northerly Right of Way line of said North West 76th Avenue, for a distance of 32.07 feet; THENCE run South 1°20'28" East along the Easterly Limited Access Right of Way of State Road 826, also being the Westerly Limited Access Right of Way line of said North West 76th Avenue, for a distance of 264.41 feet to the POINT OF BEGINNING of the hereinafter described parcel; THENCE South 73°30'00" East along the South Right of Way line of Frontage Road for a distance of 262.42 feet; THENCE continue South 73°30'00" East along the South boundary of Tracts B, C and D of SUMMA CORPORATE CENTER, according to the plat thereof as recorded in Plat Book 127 at Page 97 of the Public Records of Miami-Dade County, Florida, for a distance of 840.43 feet; THENCE South 50°41'33" East along the Southwest boundary line of Tract D of said plat for a distance of 131.58 feet; THENCE South 84°44'30" East along the South boundary line of said Tract D for a distance of 106.90 feet; THENCE South 84°46'27" East along the South boundary line of Northwest 72nd Avenue Realignment (Milam Dairy Road) as shown on Plat Book 112 at Page 50, of the Public Records of Miami-Dade County, Florida, for a distance of 195.04 feet; THENCE North 87°34'37" West along the Northerly Limited Access Right of Way of State Road 836 (Dolphin Expressway) for a distance of 501.63 feet; THENCE North 72°18'25" West along said Northerly Limited Access Right of Way of State Road 836 (Dolphin Expressway) a distance of 1,003.96 feet; THENCE North 1°20'28" West along Easterly Limited Access Right of Way of State Road 826 for a distance of 97.84 feet to the POINT OF BEGINNING.

Containing 2.794 acres, more or less.

PARCEL 823 FP No. 2495811 PROJECT 87260-2579

A parcel of NOT SUBDIVIDED land lying in the Southwest one-quarter (SW ¼) of the Southwest one-quarter (SW ¼) of the Southwest one-quarter (SW ¼) of Section 35, Township 53 South, Range 40 East and Southeast one-quarter (SE ¼) of the Southeast one-quarter (SE ¼) of the Southeast one-quarter (SE ¼) of Section 34, Township 53 South, Range 40 East of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Southwest one-quarter (SW ¼) of said Section 35, said point being coincident with the point of intersection of the Baseline of Survey of State Road 826 (Palmetto Expressway) as shown on Right of Way Control Survey of State Road 836/826 interchange, State of Florida Department of Transportation Project No. 87260-2579; THENCE run North 1°43'06" West along said Baseline for a distance of 60.43 feet; THENCE run South 88°16'54" West perpendicular to the previously described course for a distance of 15.00 feet to the POINT OF BEGINNING of the hereinafter described parcel; THENCE North 1°43'06" West along the East Limited Access Right of Way line of State Road 826 for a distance of 500.62 feet; THENCE North 89°51'31" East a distance of 86.70 feet; THENCE South 2°34'10" East a distance of 500.87 feet; THENCE South 89°50'56" West a distance of 94.14 feet to the POINT OF BEGINNING.

Containing 1.039 acres, more or less.

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY

CONVEYS THE TITLE FOR CANAL PURPOSES

STATE OF FLORIDA,)
COUNTY OF MIAMI-DADE.)

THIS INDENTURE, made this _____ day of _____, 20___, by and between the Florida Department of Transportation, an agency of the State of Florida, whose address is 1000 N.W. 111 Avenue, Miami, Florida 33172, party of the first part, and the County of Miami-Dade, a Political Subdivision of the State of Florida, and its successors in interest, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars ($10.00) to it in hand paid by the party of the second part, 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 canal and purposes incidental thereto, including the right of the party of the second part to ownership and disposal of all spoil material from said canal, the following described lands, situate, lying and being in the County of Miami-Dade, State of Florida, to-wit:

EXHIBIT "B"

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

This instrument was prepared by:

Elie Mehu of
Miami-Dade County Department of
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

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

IN WITNESS WHEREOF, the said party of the first part, has executed by its President or Vice-President, and has caused the same to be attested by its Secretary or Assistant-Secretary, and its Corporate Seal hereon to be impressed, on this, the day and year first above written.

Signed, Sealed, Attested and delivered in our presence:

FLORIDA DEPARTMENT OF TRANSPORTATION
BY ITS DISTRICT SECRATARY

Witnesses:

BY: Joe Mark
DMS

Sign Margaret Higgins
Print Margaret Higgins
Sign Hiroawa Fujita
Print Hiroawa Fujita

Print: John Martinez, P.E.
Address: 1000 NW 111 Avenue, Miami, FL 33172

STATE OF .....,)
)
COUNTY OF .....)

The foregoing instrument was acknowledged before me this 19th day of April, 2007, by John Martinez, who is personally known to me or who has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign _____

Print Martha Villabona

State of Florida at Large Seal
My Commission Expires:

MARTHA VILLABONA
MY COMMISSION # DD 427254
EXPIRES: May 9, 2009
Bonded Thru Notary Public Underwriters

RIGHT-OF-WAY DEED

TO

MIAMI-DADE COUNTY

CONVEYS THE TITLE FOR

CANAL PURPOSES

FROM

Florida Department of Transportation

TO

MIAMI-DADE COUNTY, FLORIDA

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

Sign: _____

Print: _____

Title: Mayor

Address: 111 N.W. 1 Street
Metro-Dade Center
Miami, Florida 33128

ATTEST: HARVEY RUVIN
Clerk of said Board

By: _____
Deputy Clerk

EXHIBIT B

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 1

A PARCEL OF LAND LYING WHOLLY IN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 2 AND 3, TOWNSHIP 54 SOUTH, RANGE 40 EAST, GOVERNMENT LOT 2 (SITUATED TO THE NORTH OF SAID SECTIONS), AND SECTIONS 34 AND 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; ALSO BEING A PORTION OF: TRACT "B" OF "FUTURA-EXPO SUBDIVISION", AS RECORDED IN PLAT BOOK 119 AT PAGE 52; BLOCK 3 OF "WOOD FARMS", AS RECORDED IN PLAT BOOK 43 AT PAGE 49; TRACT "A" & "B" OF "FINE AIR", AS RECORDED IN PLAT BOOK 162 AT PAGE 62 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 12, BLOCK 43, OF "WINONA PARK - 1st ADDITION", AS RECORDED IN PLAT BOOK 17 AT PAGE 49 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT ALSO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826; THENCE N41°48'04"E ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 12.08 FEET; THENCE N48°17'33"W DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 29.35 FEET TO A POINT OF CURVATURE, ALSO BEING THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE ALONG A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 180.50 FEET AND A CENTRAL ANGLE OF 49°29'07"; THENCE NORTHWESTERLY, NORTHERLY, AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 155.89 FEET TO THE POINT OF TANGENCY; THENCE N1°11'35"E FOR 548.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 269.50 FEET AND A CENTRAL ANGLE OF 28°54'03"; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 135.94 FEET TO THE POINT OF TANGENCY; THENCE N27°42'28"W FOR 106.91 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 530.50 FEET AND A CENTRAL ANGLE OF 12°53'16"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 119.33 FEET TO THE POINT OF TANGENCY; THENCE N14°49'12"W FOR 382.22 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 630.50 FEET AND A CENTRAL ANGLE OF 7°50'58"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 86.38 FEET TO THE POINT OF TANGENCY; THENCE N6°58'14"W FOR 316.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 669.50 FEET AND A CENTRAL ANGLE OF 3°54'03"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 45.58 FEET TO THE POINT OF TANGENCY; THENCE N10°52'17"W FOR 249.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1430.50 FEET AND A CENTRAL ANGLE OF 5°51'14"; THENCE

NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 146.15 FEET TO THE POINT OF TANGENCY; THENCE N5°01'03"W FOR 60.33 FEET; (THE NEXT EIGHT COURSES ARE ALONG THE FACE OF SHEET- PILING); THENCE N24°58'50"E FOR 33.00 FEET; THENCE N5°01'03"W FOR 218.38 FEET; THENCE N10°17'01"W FOR 32.29 FEET; THENCE N21°35'36"W FOR 20.40 FEET; THENCE N10°17'01"W FOR 78.11 FEET; THENCE N5°54'53"W FOR 302.02 FEET; THENCE N17°32'18"W FOR 66.02 FEET; THENCE N38°57'44"W FOR 13.66 FEET TO A POINT ON THE SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY; THENCE N89°51'31"E ALONG SAID SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY FOR 54.94 FEET; (THE NEXT SIX COURSES ARE ALONG THE FACE OF SHEET- PILING); THENCE S5°54'53"E DEPARTING SAID SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY LINE FOR 371.09 FEET; THENCE S10°17'01"E FOR 76.73 FEET;THENCE S1°01'34"W FOR 20.40 FEET; THENCE S10°17'01"E FOR 32.29 FEET; THENCE S5°01'03"E FOR 219.66 FEET; THENCE S35°01'03"E FOR 33.00 FEET; THENCE S5°01'03"E FOR 60.33 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1369.50 FEET AND A CENTRAL ANGLE OF 5°51'14"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 139.92 FEET TO THE POINT OF TANGENCY; THENCE S10°52'17"E FOR 249.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 730.50 FEET AND A CENTRAL ANGLE OF 3°54'03"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 49.73 FEET TO THE POINT OF TANGENCY; THENCE S6°58'14"E FOR 316.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 569.50 FEET AND A CENTRAL ANGLE OF 7°50'58"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 78.02 FEET TO THE POINT OF TANGENCY; THENCE S14°49'12"E FOR 328.22 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 469.50 FEET AND A CENTRAL ANGLE OF 12°53'16"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 105.61 FEET TO THE POINT OF TANGENCY; THENCE S27°42'28"E FOR 106.91 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 269.50 FEET AND A CENTRAL ANGLE OF 28°54'03"; THENCE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 135.94 FEET TO THE POINT OF TANGENCY; THENCE S1°11'35"W FOR 548.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 119.50 FEET AND A CENTRAL ANGLE OF 49°29'07"; THENCE SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 103.21 FEET; THENCE S41°42'27"W FOR 61.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 3.86 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 2

A PARCEL OF LAND LYING WHOLLY WITHIN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 34 AND 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 660.33 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE C.S.X. RAILROAD RIGHT OF WAY, SAID LINE ALSO BEING THE NORTH LINE OF SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 35 TOWNSHIP 53 SOUTH, RANGE 40 EAST; AND THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE S 89°51'31" W ALONG SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY FOR 3.92 FEET; THENCE N24°30'19"E FOR 10.44 FEET; THENCE N3°29'58"E FOR 61.31 FEET; THENCE N5°54'53"W FOR 273.56 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 29°34'20"; THENCE NORTHWESTERLY, NORTHERLY, AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 129.03 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 31°47'38"; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 55.49 FEET TO THE POINT OF TANGENCY; THENCE N8°08'18"W FOR 6.94 FEET; THENCE N5°50'45"W FOR 131.09 FEET TO A POINT ON THE NORTH LINE OF THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 35, ALSO BEING THE SOUTHERLY CANAL RESERVATION LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE ALONG SAID CANAL RESERVATION LINE N89°46'30"E FOR 34.94 FEET; THENCE S3°15'58"E DEPARTING SAID CANAL RESERVATION LINE FOR 145.32 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 130.00 FEET AND A CENTRAL ANGLE OF 23°03'14"; THENCE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 52.31 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 25°42'09"; THENCE SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 112.15 FEET TO THE POINT OF TANGENCY; THENCE S5°54'53"E FOR 314.66; THENCE S16°18'42"E FOR 42.20 TO A POINT ON SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY; THENCE S89°51'31"W ALONG SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY FOR 55.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 0.53 ACRE, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 4

A PARCEL OF LAND LYING WHOLLY WITHIN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF THE SE 1/4 OF SECTIONS 34 AND THE SW 1/4 OF SECTION 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 1442.65 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; SAID POINT ALSO BEING THE POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 10,096.00 FEET, A CENTRAL ANGLE OF 2°17'58" AND A CHORD BEARING OF N04°14'09"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 405.17 FEET; THENCE N2°28'22"W FOR 283.79 FEET; THENCE N87°31'38"E FOR 2.38 FEET TO A POINT ON THE STATE ROAD 826 RIGHT OF WAY; THENCE N87°31'38"E, ALONG THE STATE ROAD 826 RIGHT OF WAY LINE FOR 53.20 FEET; THENCE S1°36'27"E, DEPARTING SAID STATE ROAD 826 RIGHT OF WAY LINE, FOR 147.32 FEET TO A POINT ON THE NORTHERLY CANAL RESERVATION
LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S88°16'54"W, ALONG THE SAID NORTHERLY CANAL RESERVATION LINE FOR 33.76 FEET TO A POINT ON SAID EAST LINE OF THE SE 1/4 OF SECTION 34; THENCE S01°43'06"E, ALONG THE SAID EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 541.95 FEET TO THE POINT OF BEGINNING.

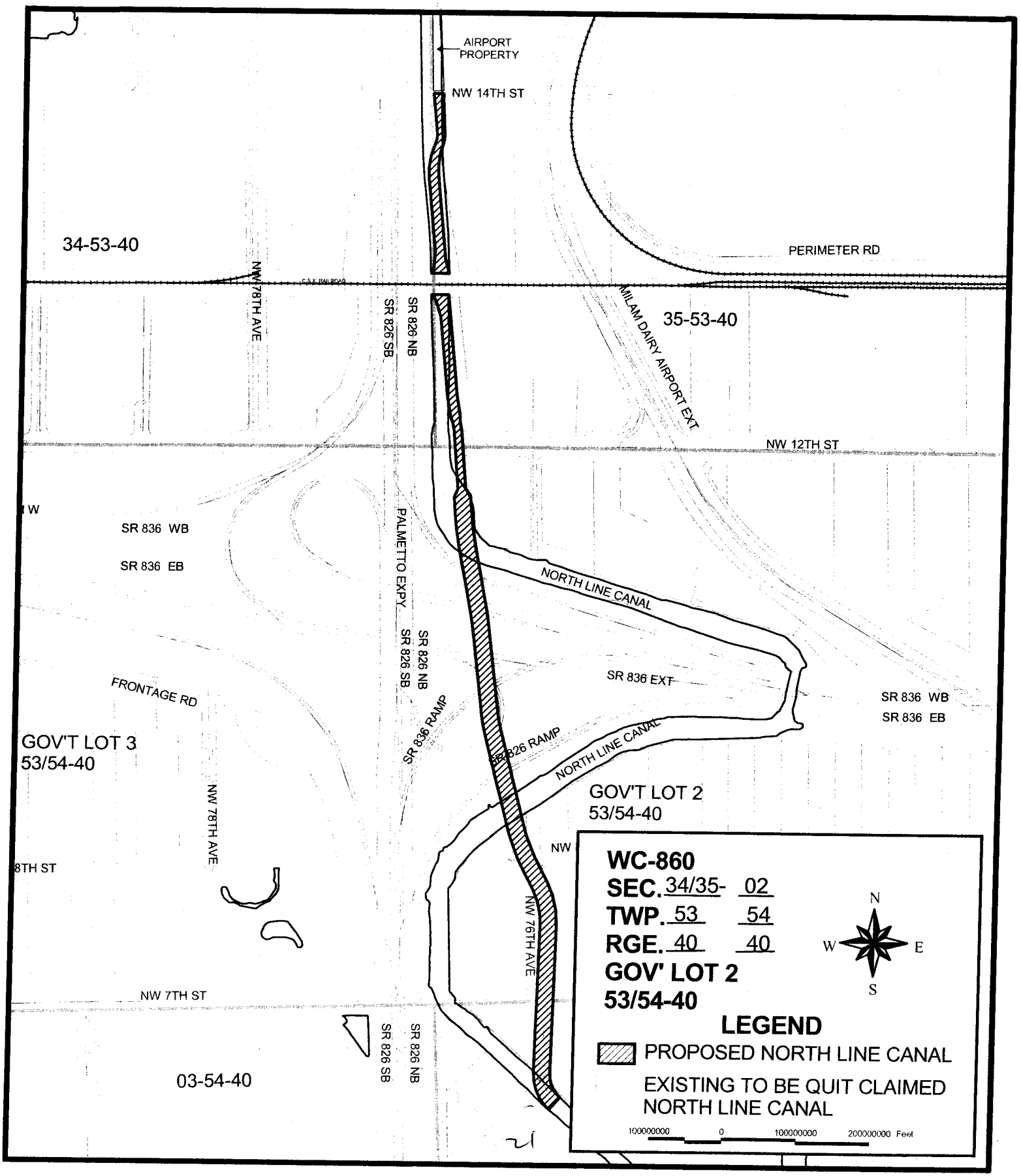
THE ABOVE DESCRIBED PARCEL CONTAINING 14,720 SQUARE FEET, MORE OR LESS.

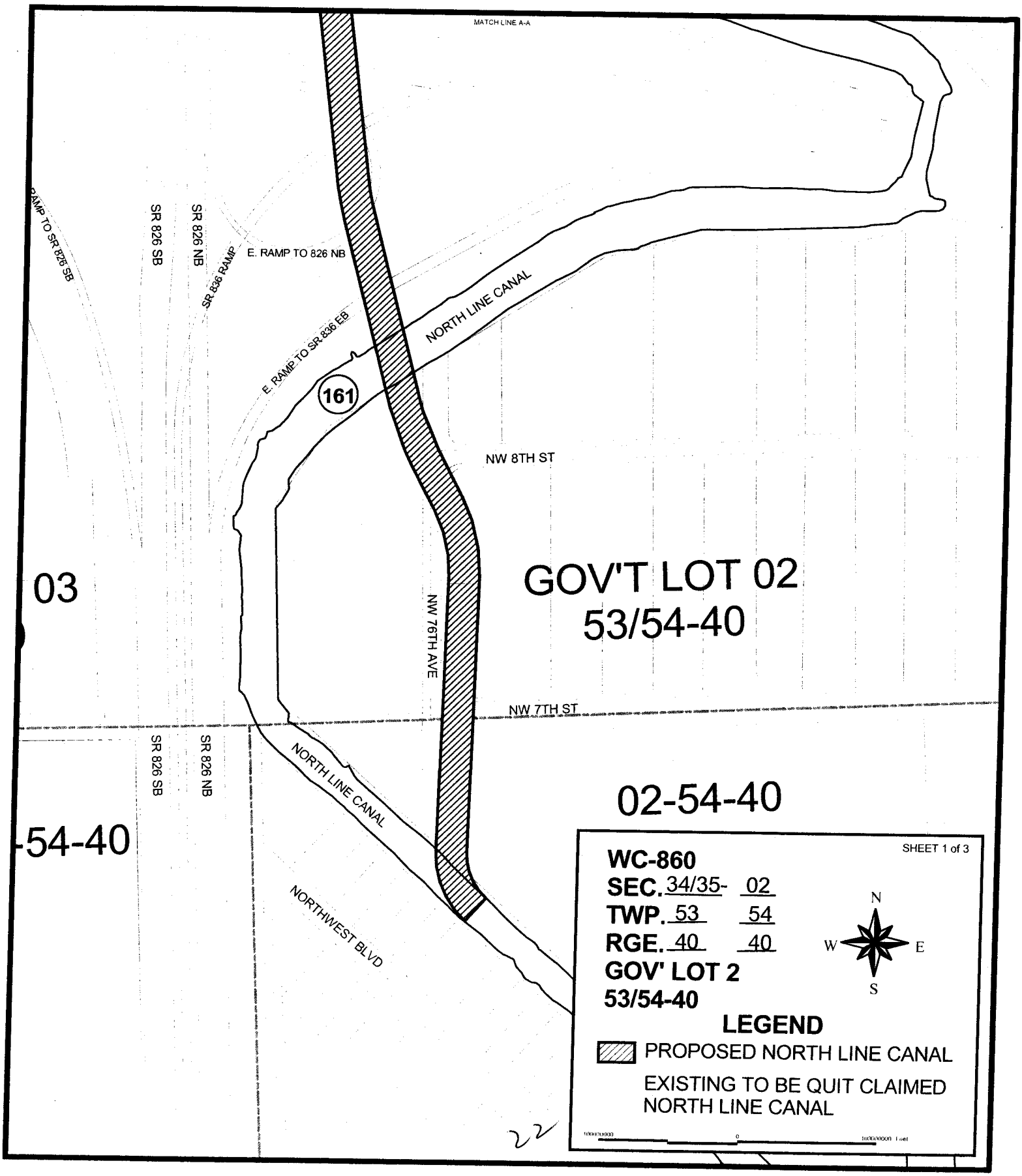
LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 5

A PARCEL OF LAND LYING WHOLLY IN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 34, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

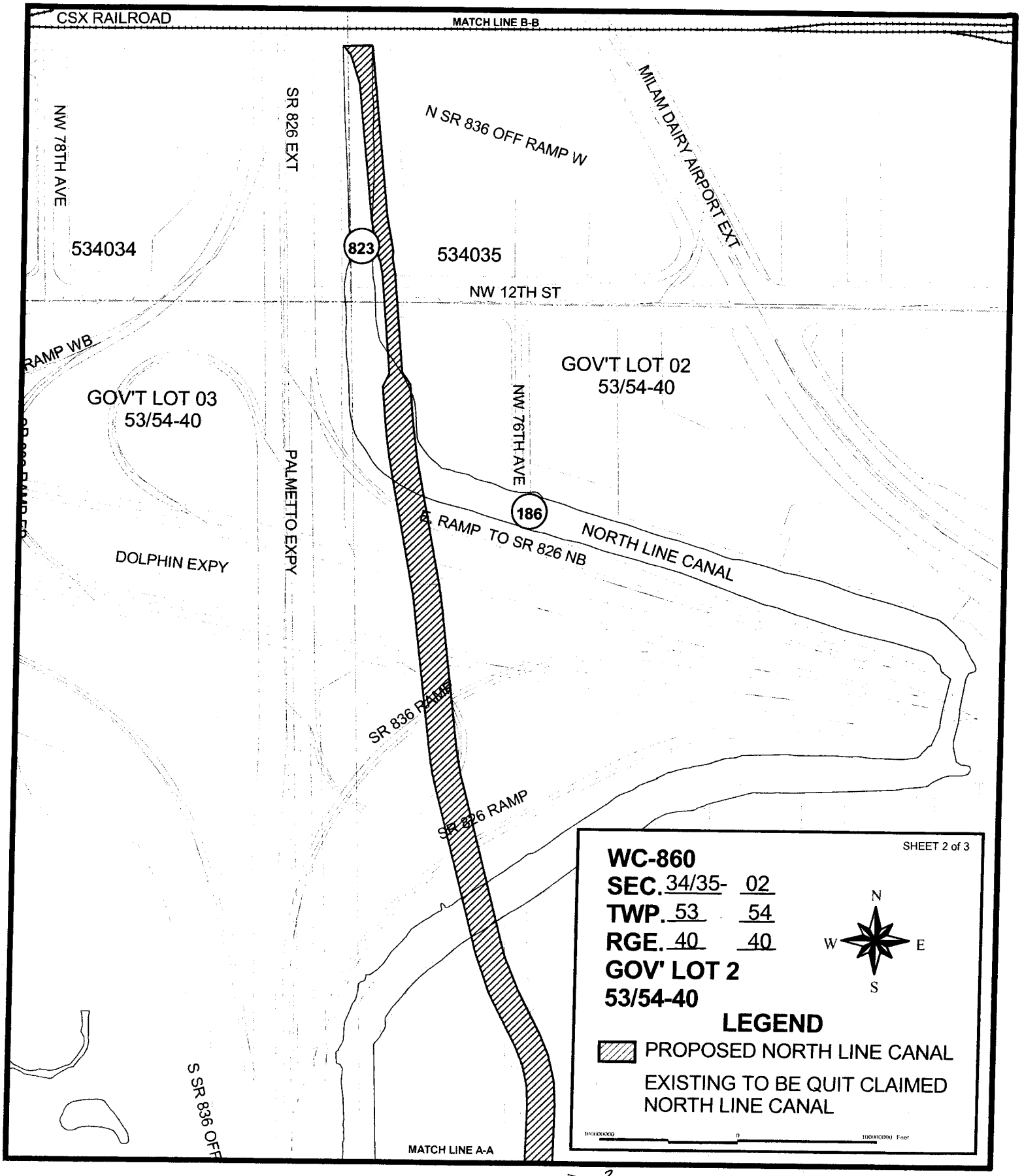
COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 54 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF SAID SE 1/4 OF SECTION 34 FOR 2358.28 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; THENCE S87°31'42"W ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 19.16 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE S87°31'42"W DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 2.38 FEET; THENCE N2°28'22"W FOR 71.87 FEET; THENCE N1°58'22"W FOR 792.44 FEET; THENCE N2°26'43"W FOR 882.03 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826; (THE NEXT FOUR COURSES ARE ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826); THENCE N87°33'20"E FOR 2.38 FEET; THENCE S2°26'43"E FOR 882.06 FEET; THENCE S1°58'22"E FOR 792.42 FEET; THENCE S2°28'22"E FOR 71.85 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 4,148 SQUARE FEET, MORE OR LESS.


AIRPORT PROPERTY
NW 14TH ST
34-53-40
PERIMETER RD
NW 78TH AVE
C.S.X. RAILROAD
SR 826 NB
SR 826 SB
35-53-40
MILAM DAIRY AIRPORT EXT
NW 12TH ST
SR 836 WB
SR 836 EB
PALMETTO EXPY
NORTH LINE CANAL
SR 836 EXT
FRONTAGE RD
SR 836 RAMP
GOV'T LOT 3
53/54-40
GOV'T LOT 2
53/54-40
NW 78TH AVE
NW 76TH AVE
NW 7TH ST
03-54-40
WC-860
SEC. 34/35- 02
TWP. 53 54
RGE. 40 40
GOV' LOT 2
53/54-40
N
W
E
S
LEGEND
PROPOSED NORTH LINE CANAL
EXISTING TO BE QUIT CLAIMED NORTH LINE CANAL
100000000 0 100000000 200000000 Feet


MATCH LINE A-A
RAMP TO SR 826 SB
SR 826 SB
SR 826 NB
SR 836 RAMP
E. RAMP TO 826 NB
E. RAMP TO SR 836 EB
NORTH LINE CANAL
161
NW 8TH ST
GOV'T LOT 02
53/54-40
03
NW 76TH AVE
NW 7TH ST
SR 826 SB
SR 826 NB
NORTH LINE CANAL
02-54-40
-54-40
NORTHWEST BLVD
SHEET 1 of 3
WC-860
SEC. 34/35- 02
TWP. 53 54
RGE. 40 40
GOV' LOT 2
53/54-40
N
W
E
S
LEGEND
PROPOSED NORTH LINE CANAL
EXISTING TO BE QUIT CLAIMED
NORTH LINE CANAL
0
Feet

22


CSX RAILROAD
MATCH LINE B-B
NW 78TH AVE
SR 826 EXT
N SR 836 OFF RAMP W
MILAM DAIRY AIRPORT EXT
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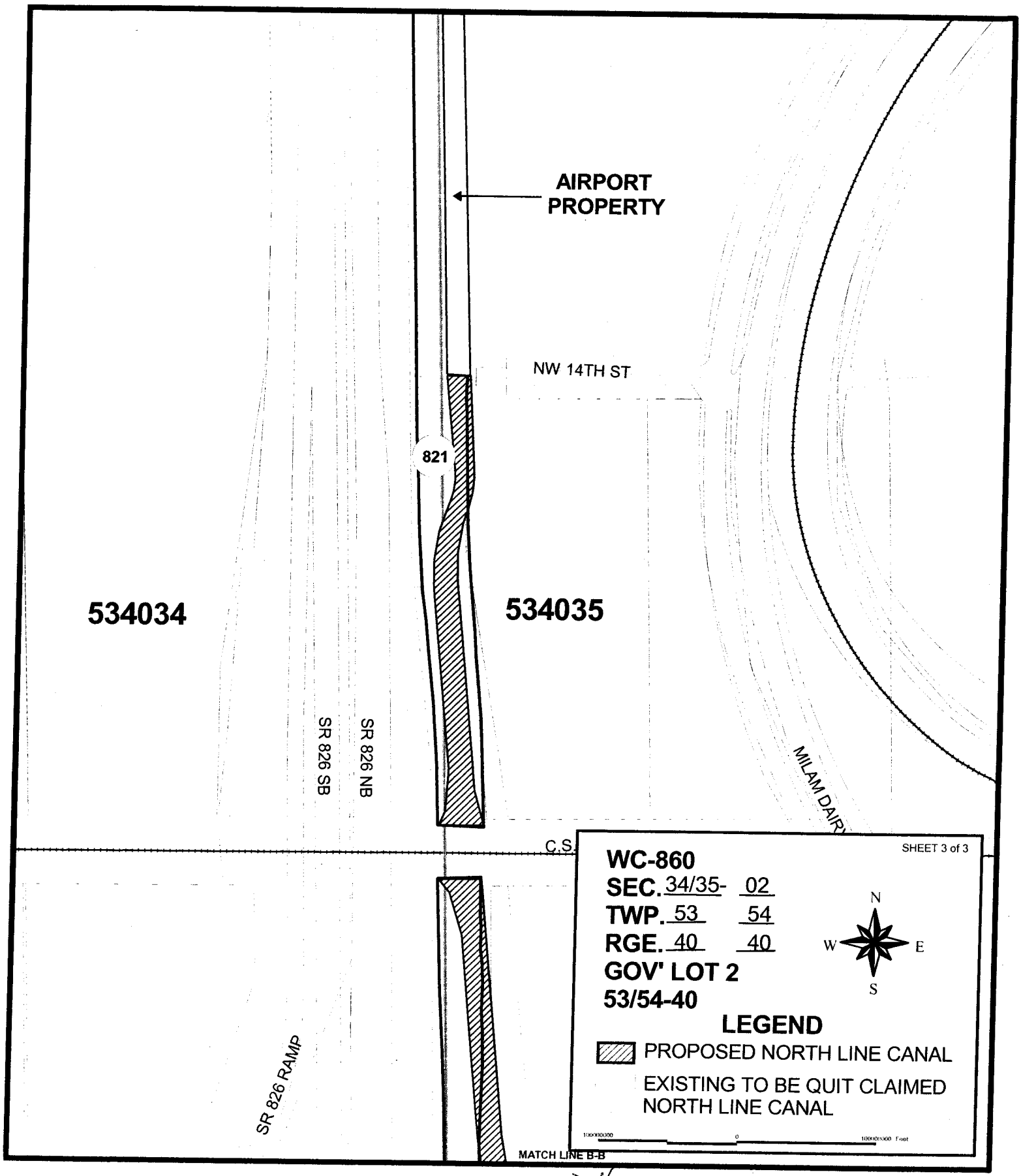
823
534035
NW 12TH ST
RAMP WB
GOV'T LOT 03
53/54-40
GOV'T LOT 02
53/54-40
NW 76TH AVE
PALMETTO EXPY
186
NORTH LINE CANAL
RAMP TO SR 826 NB
DOLPHIN EXPY
SR 836 RAMP
SR 826 RAMP
S SR 836 OFF
MATCH LINE A-A
SHEET 2 of 3
WC-860
SEC. 34/35- 02
TWP. 53 54
RGE. 40 40
GOV' LOT 2
53/54-40
N
W
E
S
LEGEND
PROPOSED NORTH LINE CANAL
EXISTING TO BE QUIT CLAIMED
NORTH LINE CANAL


AIRPORT PROPERTY
NW 14TH ST
821
534034
534035
SR 826 SB
SR 826 NB
MILAM DAIR
C.S.
SR 826 RAMP
MATCH LINE B-B
SHEET 3 of 3
WC-860
SEC. 34/35- 02
TWP. 53 54
RGE. 40 40
GOV' LOT 2
53/54-40
N
W
E
S
LEGEND
PROPOSED NORTH LINE CANAL
EXISTING TO BE QUIT CLAIMED NORTH LINE CANAL
100000000
0
100000000 Feet

24

Return to:
Water Control Section
Miami-Dade County Department of
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, FL 33136

Instrument prepared by:

Miami-Dade County Department of
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, FL 33136

SR 826/SR 836 Interchange
FDOT Project No.: 87260-1579

Legal Description: See Exhibit C

EASEMENT IN
THE NORTHLINE CANAL

THIS EASEMENT, made this _____ day of _____, 20____, by and between **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, whose address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the first part, and the **FLORIDA DEPARTMENT OF TRANSPORTATION,** an agency of the State of Florida, whose address is 1000 N.W. 111 Avenue, Miami, Florida 33172, 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 consideration, does hereby grant to the party of the second part, and its successors in interest, an easement within and across the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to-wit:

SEE EXHIBIT C

This easement is subject to and conditioned upon the full compliance by the Florida Department of Transportation, its grantees, successors, and assigns, with the terms and conditions of the Agreement Providing For Easement to Florida Department of Transportation from Miami-Dade County dated _____, 20__, attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Mayor, and attested by the Clerk or Deputy Clerk of said Board, the day and year aforesaid.

ATTEST:

HARVEY RUVIN,
CLERK OF SAID BOARD

By:_____
Deputy Clerk

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

By:_____
Mayor

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

EXHIBIT C

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 1

A PARCEL OF LAND LYING WHOLLY IN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 2 AND 3, TOWNSHIP 54 SOUTH, RANGE 40 EAST, GOVERNMENT LOT 2 (SITUATED TO THE NORTH OF SAID SECTIONS), AND SECTIONS 34 AND 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; ALSO BEING A PORTION OF: TRACT "B" OF "FUTURA-EXPO SUBDIVISION", AS RECORDED IN PLAT BOOK 119 AT PAGE 52; BLOCK 3 OF "WOOD FARMS", AS RECORDED IN PLAT BOOK 43 AT PAGE 49; TRACT "A" & "B" OF "FINE AIR", AS RECORDED IN PLAT BOOK 162 AT PAGE 62 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 12, BLOCK 43, OF "WINONA PARK - 1st ADDITION", AS RECORDED IN PLAT BOOK 17 AT PAGE 49 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT ALSO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826; THENCE N41°48'04"E ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 12.08 FEET; THENCE N48°17'33"W DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 29.35 FEET TO A POINT OF CURVATURE, ALSO BEING THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE ALONG A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 180.50 FEET AND A CENTRAL ANGLE OF 49°29'07"; THENCE NORTHWESTERLY, NORTHERLY, AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 155.89 FEET TO THE POINT OF TANGENCY; THENCE N1°11'35"E FOR 548.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 269.50 FEET AND A CENTRAL ANGLE OF 28°54'03"; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 135.94 FEET TO THE POINT OF TANGENCY; THENCE N27°42'28"W FOR 106.91 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 530.50 FEET AND A CENTRAL ANGLE OF 12°53'16"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 119.33 FEET TO THE POINT OF TANGENCY; THENCE N14°49'12"W FOR 382.22 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 630.50 FEET AND A CENTRAL ANGLE OF 7°50'58"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 86.38 FEET TO THE POINT OF TANGENCY; THENCE N6°58'14"W FOR 316.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 669.50 FEET AND A CENTRAL ANGLE OF 3°54'03"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 45.58 FEET TO THE POINT OF TANGENCY; THENCE N10°52'17"W FOR 249.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1430.50 FEET AND A CENTRAL ANGLE OF 5°51'14"; THENCE

NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 146.15 FEET TO THE POINT OF TANGENCY; THENCE N5°01'03"W FOR 60.33 FEET; (THE NEXT EIGHT COURSES ARE ALONG THE FACE OF SHEET- PILING); THENCE N24°58'50"E FOR 33.00 FEET; THENCE N5°01'03"W FOR 218.38 FEET; THENCE N10°17'01"W FOR 32.29 FEET; THENCE N21°35'36"W FOR 20.40 FEET; THENCE N10°17'01"W FOR 78.11 FEET; THENCE N5°54'53"W FOR 302.02 FEET; THENCE N17°32'18"W FOR 66.02 FEET; THENCE N38°57'44"W FOR 13.66 FEET TO A POINT ON THE SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY; THENCE N89°51'31"E ALONG SAID SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY FOR 54.94 FEET; (THE NEXT SIX COURSES ARE ALONG THE FACE OF SHEET- PILING); THENCE S5°54'53"E DEPARTING SAID SOUTHERLY LIMITS OF THE C.S.X. RAILROAD RIGHT OF WAY LINE FOR 371.09 FEET; THENCE S10°17'01"E FOR 76.73 FEET;THENCE S1°01'34"W FOR 20.40 FEET; THENCE S10°17'01"E FOR 32.29 FEET; THENCE S5°01'03"E FOR 219.66 FEET; THENCE S35°01'03"E FOR 33.00 FEET; THENCE S5°01'03"E FOR 60.33 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1369.50 FEET AND A CENTRAL ANGLE OF 5°51'14"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 139.92 FEET TO THE POINT OF TANGENCY; THENCE S10°52'17"E FOR 249.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 730.50 FEET AND A CENTRAL ANGLE OF 3°54'03"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 49.73 FEET TO THE POINT OF TANGENCY; THENCE S6°58'14"E FOR 316.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 569.50 FEET AND A CENTRAL ANGLE OF 7°50'58"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 78.02 FEET TO THE POINT OF TANGENCY; THENCE S14°49'12"E FOR 328.22 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 469.50 FEET AND A CENTRAL ANGLE OF 12°53'16"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 105.61 FEET TO THE POINT OF TANGENCY; THENCE S27°42'28"E FOR 106.91 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 269.50 FEET AND A CENTRAL ANGLE OF 28°54'03"; THENCE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 135.94 FEET TO THE POINT OF TANGENCY; THENCE S1°11'35"W FOR 548.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 119.50 FEET AND A CENTRAL ANGLE OF 49°29'07"; THENCE SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 103.21 FEET; THENCE S41°42'27"W FOR 61.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 3.86 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 2

A PARCEL OF LAND LYING WHOLLY WITHIN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 34 AND 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 660.33 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE C.S.X. RAILROAD RIGHT OF WAY, SAID LINE ALSO BEING THE NORTH LINE OF SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 35 TOWNSHIP 53 SOUTH, RANGE 40 EAST; AND THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE S 89°51'31" W ALONG SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY FOR 3.92 FEET; THENCE N24°30'19"E FOR 10.44 FEET; THENCE N3°29'58"E FOR 61.31 FEET; THENCE N5°54'53"W FOR 273.56 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 29°34'20"; THENCE NORTHWESTERLY, NORTHERLY, AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 129.03 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 31°47'38"; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 55.49 FEET TO THE POINT OF TANGENCY; THENCE N8°08'18"W FOR 6.94 FEET; THENCE N5°50'45"W FOR 131.09 FEET TO A POINT ON THE NORTH LINE OF THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 35, ALSO BEING THE SOUTHERLY CANAL RESERVATION LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE ALONG SAID CANAL RESERVATION LINE N89°46'30"E FOR 34.94 FEET; THENCE S3°15'58"E DEPARTING SAID CANAL RESERVATION LINE FOR 145.32 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 130.00 FEET AND A CENTRAL ANGLE OF 23°03'14"; THENCE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 52.31 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 25°42'09"; THENCE SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR 112.15 FEET TO THE POINT OF TANGENCY; THENCE S5°54'53"E FOR 314.66; THENCE S16°18'42"E FOR 42.20 TO A POINT ON SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY; THENCE S89°51'31"W ALONG SAID NORTHERLY LINE OF THE C.S.X. RAIL ROAD RIGHT OF WAY FOR 55.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 0.53 ACRE, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 3

A PARCEL OF LAND LYING WHOLLY WITHIN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF THE SW 1/4 OF SECTION 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 1321.24 FEET TO A POINT ON THE SOUTHERLY CANAL RESERVATION LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N89°46'30"E, ALONG THE SAID SOUTHERLY CANAL RESERVATION LINE FOR 8.44 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE N5°50'45"W, DEPARTING SAID SOUTHERLY CANAL RESERVATION LINE, FOR 40.83 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 10,096.00 FEET AND A CENTRAL ANGLE OF 0°27'36"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 81.08 FEET TO A POINT ON THE SAID EAST LINE OF THE SE 1/4 OF SECTION 34; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 541.95 FEET TO A POINT ON THE NORTHERLY CANAL RESERVATION LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N88°16'54"E ALONG SAID NORTHERLY CANAL RESERVATION LINE FOR 33.76 FEET; THENCE S1°36'27"E, DEPARTING SAID NORTHERLY CANAL RESERVATION LINE, FOR 287.68 FEET; THENCE S3°15'57"E FOR 376.93 FEET TO A POINT ON THE SAID SOUTHERLY CANAL RESERVATION LINE; THENCE S89°46'30"W, ALONG THE SAID SOUTHERLY CANAL RESERVATION LINE FOR 34.94 FEET TO THE POINT OF BEGINNING THE ABOVE DESCRIBED PARCEL CONTAINING 0.54 ACRE, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 4

A PARCEL OF LAND LYING WHOLLY WITHIN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF THE SE 1/4 OF SECTIONS 34 AND THE SW 1/4 OF SECTION 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 1442.65 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; SAID POINT ALSO BEING THE POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 10,096.00 FEET, A CENTRAL ANGLE OF 2°17'58" AND A CHORD BEARING OF N04°14'09"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR 405.17 FEET; THENCE N2°28'22"W FOR 283.79 FEET; THENCE N87°31'38"E FOR 2.38 FEET TO A POINT ON THE STATE ROAD 826 RIGHT OF WAY; THENCE N87°31'38"E, ALONG THE STATE ROAD 826 RIGHT OF WAY LINE FOR 53.20 FEET; THENCE S1°36'27"E, DEPARTING SAID STATE ROAD 826 RIGHT OF WAY LINE, FOR 147.32 FEET TO A POINT ON THE NORTHERLY CANAL RESERVATION LINE AS RECORDED IN BOOK 1482, PAGE 218 OF THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S88°16'54"W, ALONG THE SAID NORTHERLY CANAL RESERVATION LINE FOR 33.76 FEET TO A POINT ON SAID EAST LINE OF THE SE 1/4 OF SECTION 34; THENCE S01°43'06"E, ALONG THE SAID EAST LINE OF THE SE 1/4 OF SECTION 34 FOR 541.95 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 14,720 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION
FOR NORTHLINE CANAL PARCEL 5

A PARCEL OF LAND LYING WHOLLY IN F.D.O.T. RIGHT OF WAY, AS DEFINED IN F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; ALSO BEING PORTIONS OF SECTIONS 34, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SECTION 34, TOWNSHIP 54 SOUTH, RANGE 40 EAST; THENCE N01°43'06"W ALONG THE EAST LINE OF SAID SE 1/4 OF SECTION 34 FOR 2358.28 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID F.D.O.T. RIGHT OF WAY MAP SECTION No. 87260-1579 FOR STATE ROADS 826 AND 836; THENCE S87°31'42"W ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 19.16 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE S87°31'42"W DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826 FOR 2.38 FEET; THENCE N2°28'22"W FOR 71.87 FEET; THENCE N1°58'22"W FOR 792.44 FEET; THENCE N2°26'43"W FOR 882.03 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826; (THE NEXT FOUR COURSES ARE ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 826); THENCE N87°33'20"E FOR 2.38 FEET; THENCE S2°26'43"E FOR 882.06 FEET; THENCE S1°58'22"E FOR 792.42 FEET; THENCE S2°28'22"E FOR 71.85 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 4,148 SQUARE FEET, MORE OR LESS.

AGREEMENT PROVIDING FOR EASEMENT TO FLORIDA DEPARTMENT OF TRANSPORTATION FROM MIAMI-DADE COUNTY

THIS AGREEMENT, entered into this _____ day of _____, 20____, by and between the Miami-Dade County, a political subdivision of the State of Florida, hereinafter referred to as the County, and the State of Florida Department of Transportation, hereinafter referred to as the FDOT.

WITNESSETH:

WHEREAS, the County is the fee simple owner by right-of-way deed of real property currently used for a secondary canal: The Northline Canal running along the East right-of-way line of S.R. 826; and

WHEREAS, a certain portion of said real property has been determined necessary for highway purposes by FDOT; and

WHEREAS, the proposed use of said real property for the construction of additional lanes and bridge supports in the widening and improvement of the interchange of S.R. 826/S.R. 836 requires the subordination of a portion of said fee simple ownership of the County to the FDOT in the form of an easement; and

WHEREAS, said easement desired by FDOT is legally described as set forth in Exhibit "C" attached hereto and incorporated herein by referenced as if fully set forth herein.

NOW, THEREFORE, in consideration of the performance by FDOT, its successors, grantees, and assigns of FDOT's covenants herein contained, it is agreed by and between the County and FDOT as follows:

1. County hereby grants FDOT, subject to the terms and conditions hereinafter set forth, the right and privilege, solely at FDOT's expense, to construct and erect such structures and appurtenances necessary for the widening and improvement of the interchange of S.R. 826/S.R. 836, within the area between the banks of the existing Northline Canal, and which area is legally described as the easement granted herein as set forth in EXHIBIT "C".

2. FDOT shall, at FDOT's sole expense, perform all work which may be required in connection with the redevelopment of the canal cross section wherever impacted by such structures and appurtenances to maintain the hydraulic viability of said canal. Said work shall include, but is not limited to, canal dredging, bank restoration and stabilization, and providing turbidity-control measures during construction, all the foregoing to the satisfaction of County. The FDOT shall, at FDOT's sole expense, do all work required by the County to maintain the hydraulic viability of said canal at a level of hydraulic viability which equals or exceeds the level of hydraulic viability which existed prior to any such structures and appurtenances having been constructed by FDOT. In no event shall the volume or velocity of water flowing through and in the aforesaid canal be negatively impacted at any time or under any circumstances or under any weather conditions by reason of any construction in the easement by FDOT or by the existence of any structures or appurtenances owned or operated by FDOT in the easement.
In the event that FDOT fails at any time, during or after construction, to comply with any or all of the requirements or covenants of FDOT in this Paragraph 2. or in Paragraph 3. herein below or in Paragraph 4. herein below or in Paragraph 5. herein below, then FDOT agrees to remove any and all such structures and appurtenances which are in the easement herein granted upon the written request of the County and at the sole expense of FDOT and within the time period required for such removal by the County. FDOT agrees and covenants that the sole financial responsibility for any costs, expenses or damages of any kind whatsoever caused by such failure or failures to comply shall be borne by FDOT.

3. All work performed by or for FDOT within said canal shall be performed in accordance with County approved plans and as authorized under the terms and conditions of a Class III environmental permit issued by the County.

4. FDOT shall have no right to construct, maintain or operate, or to permit, suffer, allow, or authorize other persons to construct, maintain or operate any structures or appurtenances in the easement granted by the County which are not expressly authorized and permitted by the County in writing in the easement or in this Agreement.

5. FDOT agrees, at FDOT's sole expense, to perform any additional work anywhere in the aforesaid canal deemed necessary by the County in the event water flow contraction, restriction or obstruction occurs at anytime in the canal during and after construction of the structures and appurtenances by FDOT in the easement granted herein.

6. FDOT shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Agreement by the FDOT or its officers, employees, agents, servants, partners, principals or subcontractors. The FDOT shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments and attorney's fees which may issue thereon. Provided, however, this indemnification shall only be to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby the FDOT shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of $100,000, or any claim or judgment or portions thereof, which, when totaled with all other claims or judgments paid by the FDOT arising out of the same incident or occurrence, exceed the sum of $200,000 from any and all personal injury or property damage claims, liabilities, losses or causes of action which may arise as a result of the negligence of the FDOT.

7. Failure of the FDOT to utilize any portion of the easement hereby granted for highway purposes, shall cause that portion of the easement to revert immediately to the County and its grantees, successors and assigns.

8. This Agreement shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of FDOT.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed, the day and year first above written.

ATTEST:

HARVEY RUVIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

Print: _____

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

By: _____
Mayor

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____ as _____, and _____, respectively of Miami-Dade County, Florida, a body corporate and political subdivision of the State of Florida, on behalf of the County. They are personally known to me or who have produced _____, as identification.

NOTARY PUBLIC:

Sign: _____

Print: _____

Witnesses as to FDOT

Sign: Margaret Higgins

Print: Margaret Higgins

Sign: Hiriana Fujita

Print: Hiriana Fujita

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: Joe Mark

John Martinez

Title: District Secretary

1000 N.W. 111th Avenue
Miami, Florida 33172

The foregoing instrument was acknowledged before me this 19th day of April, 2007 by John Martinez, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC:

Sign: _____

Print: Martha Villabona

MARTHA VILLABONA
MY COMMISSION # DD 427254
EXPIRES: May 9, 2009
Bonded Thru Notary Public Underwriters

LICENSE AGREEMENT IN FAVOR OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO TEMPORARY USE OF MIAMI-DADE COUNTY PROPERTY DURING ROADWAY IMPROVEMENTS NEAR MIAMI INTERNATIONAL AIRPORT

This License Agreement, made as of the ____ day of June _____, 2007, by and between Miami-Dade County, Florida, as Licensor, and the Florida Department of Transportation, as Licensee.

WITNESSETH

The Licensor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, hereby grants to the Licensee a license and privilege to enter upon certain lands of the Licensor described as Parcel 702 on the attached Exhibit A, for temporary use by the Licensee during roadway improvements near Miami International Airport; such usage shall be so performed by the Licensee so as not to cause injury or damage to any existing structural improvements in or on the lands of the Licensor.

There is hereby reserved to the Licensor, its successors and assigns, for the use and benefit of Miami-Dade County and the public, a right of flight for the passage of aircraft in the air space above the surface of the lands herein described, together with the right to cause in said air space such noise as may be inherent in the operation of aircraft, now known or hereafter used for navigation or flight in the air using said air space of landing at, taking off from or operating on Miami International Airport.

Licensee expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions to be located as authorized herein on the described premises to such a height so as to comply with Federal Aviation Regulations, Part 77, and with the Code of Metropolitan Dade County, whichever is more restrictive.

Licensee expressly agrees for itself, its successors and assigns, to prevent any use of the described premises which would interfere with or adversely affect the operation or maintenance of Miami international Airport, or otherwise constitute an Airport hazard.

To the extent permitted by general law of the State of Florida, the Licensee shall defend, indemnify and hold Licensor harmless from any and all claims, liability, losses, expenses and causes of action, including appellate proceedings, which may arise out of the granting of this License or the use and activities of the Licensee under this License. Nothing contained herein shall be construed to require the Licensee to indemnify the Licensor for acts, omissions or neglect of the Licensor; nor shall this provision be construed to waive any of the provisions of Section 768.28 of the Florida Statutes.

Licensee agrees to keep the Parcel 702 clean during the term of the License; post project identification signs facing north at the north end of the project; and maintain access to County's soil staging area.

This License shall become effective upon the date first written above, and shall terminate upon the completion of the construction referred to herein, or twenty-four (24) months from the date first above written, whichever is earlier.

IN WITNESS WHEREOF, the said Licensor has caused these presents to be executed by and through the Mayor, and the Licensee has accepted the same under the conditions stated herein, the date first above written.

Florida Department of Transportation

By:_____

Attest:_____

(SEAL)

Miami-Dade County, Florida

By:_____
Mayor

Attest: Harvey Ruvin

By:_____
Deputy Clerk

EXHIBIT "A"

PARCEL 702

A parcel of NOT SUBDIVIDED land lying in the Northwest one-quarter (N.W. ¼) of the Southwest one-quarter (S.W. ¼) of Section 35, Township 53 South, Range 40 East of Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Southwest one-quarter (S.W. ¼) of said Section 35, said point being coincident with the point of intersection of the Baseline of Survey of State Road 826 (Palmetto Expressway) as shown on Right of Way Control Survey of State Road 836/826 interchange, State of Florida Department of Transportation Project No. 87260-2579; THENCE North 1°43'06" West along said Baseline for a distance of 1,320.04 feet; THENCE North 88°16'54" East for a distance of 46.61 feet to the POINT OF BEGINNING of the hereinafter described parcel; THENCE North 3°08'12" West for a distance of 342.17 feet along the limited access right of way as shown on Right of Way Map, State Road 836 section number 87260-1579, sheet 30 of 49; THENCE North 1°36'27" West continuing along the said limited access right of way for a distance of 322.28 feet; THENCE North 88°20'59" East for a distance of 35.00 feet; THENCE South 1°36'27" East for a distance of 322.31 feet; THENCE South 3°08'12" East for a distance of 343.27 feet; THENCE South 89°48'43" West for a distance of 35.04 feet along the south line of the N.W. ¼ of the S.W. ¼ of said Section 35 to the POINT OF BEGINNING.

Containing 23,277 square feet or 0.534 acres, more or less.