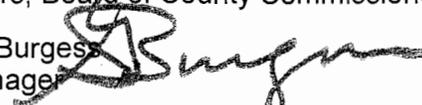


# Memorandum



**Date:** April 15, 2008

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

**From:** George M. Burgess  
County Manager 

**Subject:** Resolution authorizing the conveyance of County-owned property at 1000 NW 209 Street consisting of 0.541 acres to D.R. Horton, Inc. pursuant to a reverter clause in the executed Warranty Deed and authorizing the execution of a County Deed for such purpose

GOE  
Agenda Item No.  
2 (Y)

## RECOMMENDATION

It is recommended that the Board of County Commissioners authorize the conveyance of County-owned property at 1000 NW 209 Street consisting of 0.541 acres of land to D.R. Horton, Inc. pursuant to a reverter clause in an executed Warranty Deed, noted as Official Record 9931, pages 1198-1199, and authorizing the execution of a County Deed for such purpose.

## SCOPE OF AGENDA ITEM

This item has an impact on Commission District 1.

## FISCAL IMPACT/FUNDING SOURCE

The fiscal impact to County is the value of the property which is \$629,984.

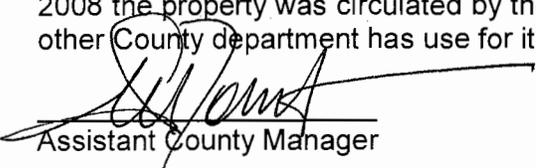
## TRACK RECORD/MONITOR

The Miami-Dade Water and Sewer Department's (WASD) Real Estate Manager will monitor the conveyance of the property and the execution of the County Deed.

## BACKGROUND

On January 27, 1978, the First Federal Savings and Loan Association of Broward County conveyed to the Miami-Dade Water and Sewer Authority (now WASD) a 0.541 acre parcel of property at 1000 NW 209 Street in the City of Miami Gardens where a small sewage treatment plant is located. The Warranty Deed which conveyed the property (Folio Number 34-1135-000-0011) to WASD contains a reverter clause that provides that the property shall revert to the First Federal Savings and Loan Association (the Grantor), or its successor, in the event any portion of the property or the entire property is not used or useful to WASD. Since 1979, ownership of the surrounding property has changed 11 times. On January 26, 2006, D.H. Horton Inc. (Horton) assumed ownership of all the land surrounding the WASD property, therefore becoming the property's successor and having reversionary rights to the WASD property.

The sewage treatment plant was never used by WASD, therefore it was placed out of service in the early 1980's. On May 10, 2006, Horton's representative requested the conveyance of the WASD property for the purpose of development (attached). As the property was never utilized by WASD and there is no future use for the property, the property is being reverted to Horton. Furthermore, in January 2008 the property was circulated by the General Services Administration and it was determined that no other County department has use for it.

  
Assistant County Manager



# MEMORANDUM

(Revised)

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

DATE: May 6, 2008

FROM:   
R. A. Cuevas, Jr.  
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

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO CONVEY COUNTY-OWNED PROPERTY LOCATED AT 1000 N.W. 209 STREET, MIAMI, FLORIDA, IN AS-IS CONDITION, TO D. R. HORTON, INC., PURSUANT TO A REVERTER CLAUSE IN THE WARRANTY DEED TO THE MIAMI-DADE WATER AND SEWER AUTHORITY AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

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 of County Commissioners approves the conveyance of County-owned property located at 1000 N.W. 209 Street, Miami, Florida, in as-is condition to D. R. Horton, Inc., pursuant to a reverter clause in the Warranty Deed to the Miami-Dade Water and Sewer Authority dated January 27, 1978; and authorizes the Mayor or his designee to execute a County Deed for such purpose; 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

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
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

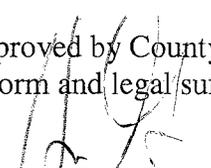
The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.

  
\_\_\_\_\_  
Henry N. Gillman

3/6/08

SALOMON, KANNER, DAMIAN & RODRIGUEZ, P.A.  
ATTORNEYS AT LAW  
2550 BRICKELL BAYVIEW CENTRE  
80 S.W. 8TH STREET  
MIAMI, FLORIDA 33130

JUAN E. RODRIGUEZ

TELEPHONE (305) 379-1681  
TELECOPY (305) 374-1719  
EMAIL: JRODRIGUEZ@SKDR.LAW.COM

May 10, 2006

**Via Certified Mail**  
**Return Receipt Requested**

John W. Renfrow, Director  
Miami-Dade Water and Sewer Authority  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

RECEIVED  
MAY 16 2006  
MIAMI-DADE  
WATER & SEWER DEPT.  
UTILITY LIAISON SECTION

RE: Horton Purchase from Prime Homes  
Our File No.: 04-6953

Dear Mr. Renfrow:

The undersigned represents D. R. Horton, Inc. ("Horton") who owns the property ("Property") described in the enclosed Special Warranty Deed. A portion of said Property was subject to a conveyance in 1978 to the Miami-Dade Water and Sewer Authority ("WASA") and I enclose a copy of said Deed into WASA recorded in Official Records Book 9931, Page 1198.

The Deed into WASA contained a reverter provision which provided that in the event that WASA discontinued operation of the interim sewage treatment facility on the property that title shall revert to the grantor, its successors and assigns. Said property is not being used as an interim sewage treatment facility, is currently vacant and is in the process of being developed by Horton. Horton is the successor to the original grantor. The folio number for the property is 34-1135-000-0010 and the street address 1000 NW 209<sup>th</sup> Street, Miami-Gardens, Florida.

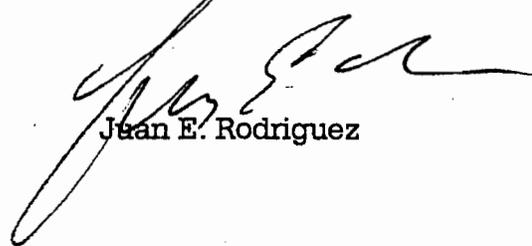
Consequently, in order to clear title to the Property, it is hereby requested that WASA provide a Quit Claim Deed in favor of Horton conveying any interest to Horton. If you desire, I will be glad to send you a Quit Claim Deed for execution.

5

Mr. John W. Renfrow  
Miami-Dade Water and Sewer Authority  
May 10, 2006  
Page 2

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Juan E. Rodriguez', is written over the typed name. The signature is fluid and cursive.

Juan E. Rodriguez

JER/rm  
Enclosure

cc: Lilliana M. Rainey-Lacau, Real Estate Officer, Miami-Dade Water and Sewer Authority (Via Certified Mail Return Receipt Requested)

6

78R 27461

**This Warranty Deed** Made the 27th day of January A. D. 19 78 by **FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF BROWARD COUNTY** hereinafter called the grantor, to **MIAMI-DADE WATER AND SEWER AUTHORITY** an agency and instrumentality of Dade County, Florida with its permanent postoffice address at P.O. Box 330316, Miami, Florida 33133 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, releases, conveys and confirms unto the grantee, all that certain land situate in Dade County, Florida, viz:

EXHIBIT "A" attached hereto.

**REVERTER:** Anything in this conveyance to the contrary notwithstanding, it is agreed that in the event the property herein conveyed or any portion thereof is not used or useful to the grantee, or at such time as the grantee shall discontinue operation of the interim sewage treatment facility constructed on the property, then and in that event occurring title to the property no longer used or useful to the grantee shall ipso facto revert to the grantor, its successors and assigns, in accordance with the terms and conditions contained in Section IV of that certain Agreement for sewer service between grantor and grantee dated February 22, 1974.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**To Have and to Hold,** the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1974.

DADE COUNTY 215512

STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
DEPT. OF REVENUE  
R.B. JAN 3 78  
11027  
00.30

FLORIDA SECRETARY  
JAN 31 78  
00.55

**In Witness Whereof,** the said grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Rosalie Schnell  
Inez Avery  
STATE OF FLORIDA,  
COUNTY OF Broward

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF BROWARD COUNTY

By Edwin P. Dawson, Senior Executive Vice President  
By David J. Richardson, Vice President

I HEREBY CERTIFY that on the 27th day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

-----Edwin P. Dawson and David J. Richardson-----  
to me known to be the person described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of January A. D. 1978.

Rosalie Schnell  
Notary Public  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES MAY 13, 1980  
BONDED THRU GENERAL INSURANCE UNDERWRITERS

This instrument prepared by: William P. Burns, Esq.  
Address 3575 South LeJeune Road  
Miami, Florida 33133

REF 9931 pg 1199

EXHIBIT A

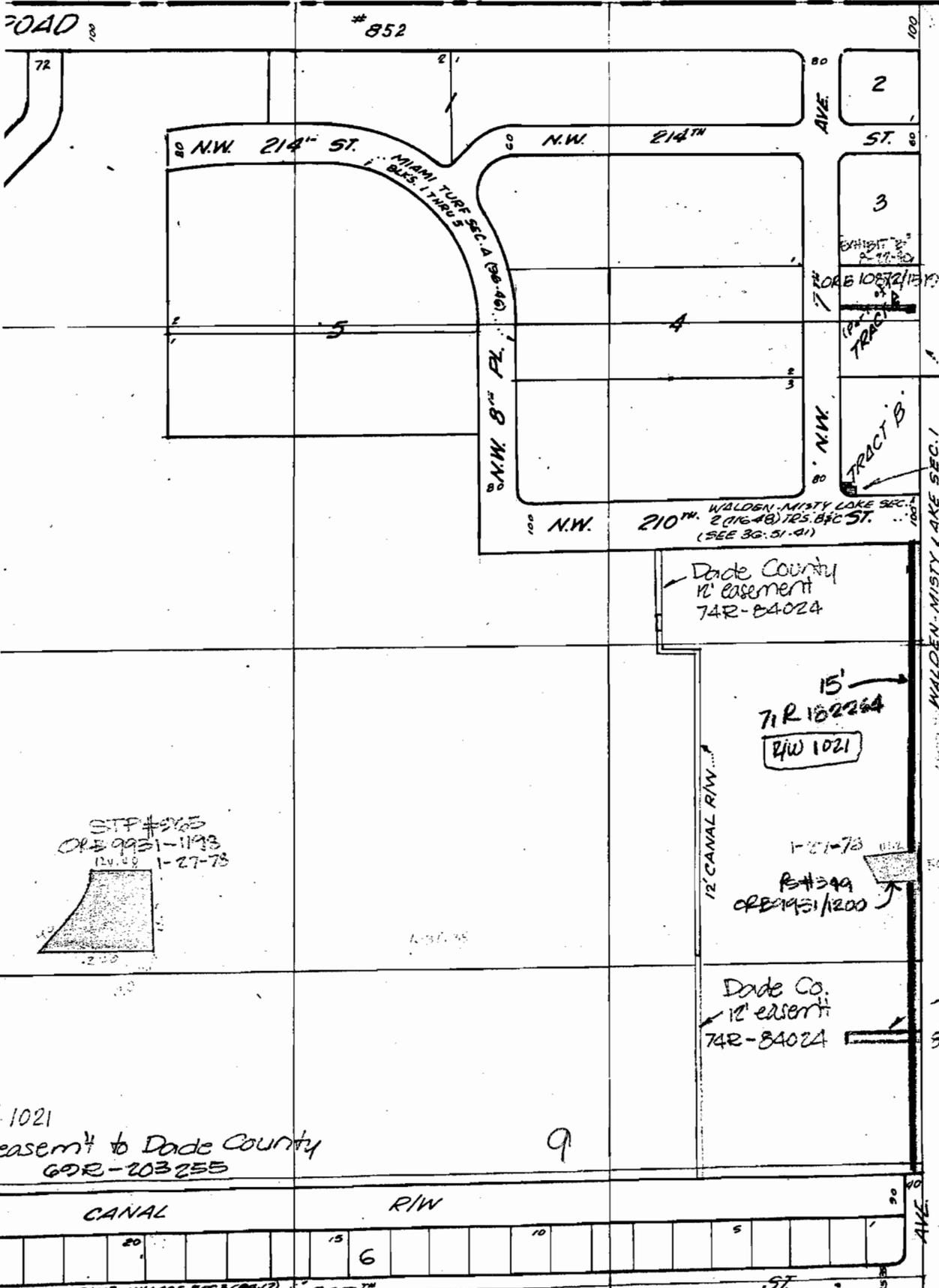
Description of a parcel of land for sewage treatment plant being a portion of Section 35, Township 51 South, Range 41 East, Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 35; thence S  $01^{\circ}31'40''$  E along the Easterly line of said Section 35 a distance of 1937.98' to a point; thence S  $87^{\circ}26'30''$  W departing said Easterly line a distance of 1635.28' to the Point of Beginning; thence S.  $87^{\circ}26'30''$  W a distance of 220.00' to a point; thence N.  $42^{\circ}26'30''$  E a distance of 90.00' to a point of curvature; thence with the arc of a curve to the left having for its elements a radius of 110.00' a central angle of  $49^{\circ}28'10''$  a distance of 94.97' to a point; thence N.  $87^{\circ}26'30''$  E a distance of 124.48' to a point; thence S.  $02^{\circ}33'30''$  E a distance of 150.00' to the Point of Beginning containing 0.541 acres more or less.

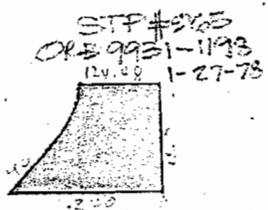
RECORDED IN OFFICIAL RECORDS AREA  
OF DADE COUNTY, FLORIDA.  
DASIS-VERIFIED

RICHARD P. BRINKER,  
CLERK CIRCUIT COURT

DEC 22 1981



SEC. 35  
 TWP. 51  
 RGE. 41



Dade County  
 12' easement  
 74R-84024

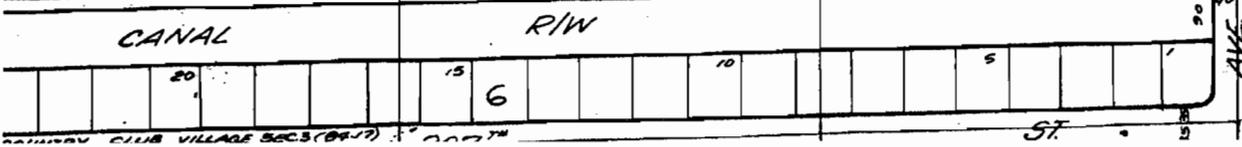
15' →  
 71R 182264  
 RW 1021

1-21-78  
 P# 399  
 ORB 9951/1200

Dade Co.  
 12' easement  
 74R-84024

FP&L  
 10' easement  
 37260/1123

1021  
 easement to Dade County  
 69R-203255



Return Instrument to:  
Liliana M. Rainey-Lacau  
Miami-Dade Water & Sewer Department  
3071 SW 38 Ave, LeJeune Rd. Bldg. 3<sup>rd</sup> Floor  
Miami, Florida 33146

Folio No. 34-1135-000-0110

## COUNTY DEED

Pursuant to the reverter clause contained in the Warranty Deed from First Federal Savings and Loan Association dated January 27, 1978 and recorded in Official Record Book 9931, pages 1198-1199 in Miami-Dade County, Florida, MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida, 33128 grants this County Deed, this day of \_\_\_\_\_, 2008 to the First Federal Savings and Loan Association's successor or assignee, D.R. Horton, Inc., a Delaware corporation, whose address is 1245 South Military Trail, Suite 100, Deerfield Beach, Florida 33442, party of the second part.

### **WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of..... Dollars and No/100 (\$) \_\_\_\_\_ ) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

See Attached 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, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:  
FLORIDA

HARVEY RUVIN, CLERK  
COMMISSIONERS

MIAMI-DADE COUNTY,

BY ITS BOARD OF  
COUNTY

By: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

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 \_\_\_\_\_, 2008.

**EXHIBIT A**

Description of a parcel of land for sewage treatment plant being a portion of Section 35, Township 51 South, Range 41 East, Dade County, Florida being more particularly described as follows:

Commence at the Northeast corner of said Section 35; thence S  $01^{\circ} 31' 40''$  E. along the Easterly line of said Section 35 a distance of 1937.98' to a point; then S  $87^{\circ} 26' 30''$  W departing said Easterly line a distance of 1635.28' to the Point of Beginning; thence S.  $87^{\circ} 26' 30''$  W a distance of 220.00 to a point; thence N.  $42^{\circ} 26' 30''$  E a distance of 90:00' to a point of curvature; thence with the arc of a curve to the left having for its elements a radius of 110:00' a central angle of  $49^{\circ} 28' 10''$  a distance of 94.97' to a point; thence N.  $87^{\circ} 26' 30''$  E a distance of 124.48' to a point; thence S.  $02^{\circ} 33' 30''$  E a distance of 150.00 to the Point of Beginning containing 0.541 acres more or less.



CFN 2006R0094678  
 DR Bk 24183 Pgs 4515 - 4518 (4pgs)  
 RECORDED 01/27/2006 10:30:40  
 DEED DDC TAX 64,406.40  
 SURTAX 48,304.80  
 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by  
 Steven B. Greenfield, Esquire  
 STEVEN B. GREENFIELD, P.A.  
 7000 W. Palmetto Park Road, Suite 402  
 Boca Raton, Florida 33433  
 Our file number: 049970

Folio # 34-1135-000-0011

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 26 day of January, 2006, between Prime Homes at Portofino Gardens, Ltd., a Florida Limited Partnership, having its principal place of business at 21218 Saint Andrews Blvd., #510, Boca Raton, FL 33433, FL, "GRANTOR", and D.R. Horton, Inc., a Delaware corporation, having an address of: 1192 East Newport Center Drive, Suite 150, Deerfield Beach, FL 33442 "GRANTEE".

WITNESSETH: That said GRANTOR, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, to said GRANTOR in hand paid by said GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE, and GRANTEE'S heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to wit:

See "Attached Exhibit A"

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

SUBJECT TO restrictions, easements and limitations of record (while not seeking to reimpose the same); taxes for the year 2006 and subsequent years, and to all valid zoning ordinances.

"GRANTOR" and "GRANTEE" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR's hand and seal the day and year first above written.

Signed, sealed and delivered  
 In the presence of:

Prime Homes at Portofino Gardens, LTD.,  
 a Florida limited partnership  
 BY: Portofino Gardens Builders, Inc.  
 By: Larry M. Abbo, Its Vice-President

[Handwritten Signature]

Witness Signature

[Handwritten Signature]  
 LARRY M. ABBO, vice President

Geovanna Fortner  
 Witness Print Name

[Handwritten Signature]

Witness Signature

Lisha Bouguneau  
 Witness Print Name

STATE OF FLORIDA  
 COUNTY OF Broward

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The foregoing instrument was acknowledged before me this 26 day of January, 2006. by Larry M. Abbo Vice President of Portofino Gardens Builders, Inc.

# EXHIBIT "A"

TRACT "F":

A PORTION OF THE EAST 1/2 OF T.51S.R.41E. FLA SURVEYED BY JOHN W. NEWMAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 118, PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, LYING AND BEING IN THE NORTH 1/2 OF SECTION 35, TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TRACT "C" OF LAKES OF TUSCANY PHASE ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 159 AT PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N53°17'59"E ALONG THE SOUTHEASTERLY LINE OF TRACTS "C" & "D" OF SAID LAKES OF TUSCANY PHASE ONE FOR 721.84 FEET TO THE MOST EASTERLY CORNER OF SAID TRACT "D" ALSO BEING A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N53°17'59"E, THENCE SOUTHEASTERLY ALONG A 440.00 FOOT RADIUS CURVE LEADING TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°45'03" FOR AN ARC DISTANCE OF 51.84 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY ALONG A 25.00 FOOT RADIUS CURVE, LEADING TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 56°36'27" FOR AN ARC DISTANCE OF 24.70 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG A 63.00 FOOT RADIUS CURVE, LEADING TO THE LEFT, THROUGH A CENTRAL ANGLE OF 112°40'08" FOR AN ARC DISTANCE OF 123.89 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE CONTINUING ALONG SAID CURVE NORTHERLY AND NORTHWESTERLY ALONG A 63.00 FOOT RADIUS CURVE, LEADING TO THE LEFT, THROUGH A CENTRAL ANGLE OF 133°56'28" FOR AN ARC DISTANCE OF 147.28 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N36°32'47"E; THE FOLLOWING (6) SIX COURSES BEING ALONG THE EXTERIOR BOUNDARY OF TRACT "B", COUNTY LINE TOWER PLAT, AS RECORDED IN PLAT BOOK 142, PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THENCE SOUTHEASTERLY ALONG A 360.00 FOOT RADIUS CURVE, LEADING TO THE LEFT, THROUGH A CENTRAL ANGLE OF 44°20'49" FOR AN ARC DISTANCE OF 278.64 FEET TO A POINT OF TANGENCY; (2) THENCE N82°11'58"E FOR 339.00 FEET TO A POINT OF CURVATURE WITH A CIRCULAR CURVE CONCAVE SOUTHWESTERLY; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, LEADING TO THE RIGHT, HAVING A RADIUS OF 790.00 FEET THROUGH A CENTRAL ANGLE OF 30°00'00" FOR AN ARC DISTANCE OF 413.64 FEET TO A POINT OF TANGENCY (4) THENCE S67°48'02"E FOR 90.00 FEET TO A POINT OF CURVATURE WITH A CIRCULAR CURVE CONCAVE NORTHEASTERLY; (5) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, LEADING TO THE LEFT, HAVING A RADIUS OF 1233.24 FEET THROUGH A CENTRAL ANGLE OF 20°30'00" FOR AN ARC DISTANCE OF 441.24 FEET TO A POINT OF COMPOUND CURVATURE WITH A CIRCULAR CURVE CONCAVE NORTHERLY; (6) THENCE EASTERLY ALONG THE ARC OF SAID CURVE, LEADING TO THE LEFT, HAVING A RADIUS OF 2824.79 FEET THROUGH A CENTRAL ANGLE OF 03°22'38" FOR AN ARC DISTANCE OF 166.50 FEET; THENCE S02°33'03"E ALONG THE WESTERLY LINE OF THE CANAL RIGHT OF WAY PER OFFICIAL RECORD BOOK 8648 AT PAGE 1247 FOR 38.80 FEET; THENCE S86°57'25"W FOR 1734.63 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A 31.00 FOOT RADIUS CURVE, LEADING TO THE RIGHT, THROUGH A CENTRAL ANGLE 90°00'00" FOR AN ARC DISTANCE OF 48.69 FEET; THENCE N03°02'35"W FOR 95.52 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A 67.00 FOOT RADIUS CURVE, LEADING TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 39°35'20" FOR AN ARC DISTANCE OF 46.29 FEET; THENCE N36°32'45"E FOR 47.03 FEET TO A POINT

TRACT "I"

A PORTION OF SECTION 35 OF TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT OF NEWMAN'S SURVEY, RECORDED IN PLAT BOOK 1, AT PAGE 118 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 35; THENCE N87°26'57"E ALONG THE SOUTHERLY LINE OF SAID NORTHWEST 1/4 FOR A DISTANCE OF 415.69 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF HOMESTEAD EXTENSION OF FLORIDA TURNPIKE; THENCE N02°31'06"W ALONG THE SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 220.00 FEET; THENCE N87°26'55"E ALONG A LINE 220.00 FEET NORTH WITH AND PARALLEL TO THE SOUTH LINE OF THE N. W. 1/4 OF SAID SECTION 35 FOR A DISTANCE OF 2480.09 FEET; THENCE N02°33'30"W FOR A DISTANCE OF 162.26 FEET TO THE POINT OF BEGINNING, THENCE

CONTINUE N02°33'30"W FOR A DISTANCE OF 137.54 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 346.00 FEET AND A CENTRAL ANGLE OF 25°25'05", FOR AN ARC DISTANCE OF 153.30 FEET; THENCE N02°26'58"W FOR A DISTANCE OF 71.71 FEET; THENCE N56°13'50"E FOR A DISTANCE OF 599.00 FEET; THENCE N74°33'45"E FOR A DISTANCE OF 362.38 FEET TO A NON-TANGENT POINT OF A CIRCULAR CURVE, SAID POINT BEARS N83°00'11"W FROM THE CENTER OF SAID CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 591.00 FEET AND A CENTRAL ANGLE OF 04°19'46", FOR AN ARC DISTANCE OF 44.66 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 60°24'42", FOR AN ARC DISTANCE OF 26.36 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE; THENCE SOUTHWESTERLY, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 63.00 FEET AND A CENTRAL ANGLE OF 150°45'26", FOR AN ARC DISTANCE OF 165.77 FEET TO A POINT OF TANGENCY; THENCE S87°40'41"E FOR A DISTANCE OF 21.00; THENCE S02°19'19"W FOR A DISTANCE OF 137.92 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 418.00 FEET AND A CENTRAL ANGLE OF 74°25'20", FOR AN ARC DISTANCE OF 542.95 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 2862.79 FEET AND A CENTRAL ANGLE OF 10°07'31", FOR AN ARC DISTANCE OF 505.91 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINS 10.23 ACRES MORE OR LESS.

BLOCK 1:

A PORTION OF THE EAST 1/2 OF T.51S. R.41E. FLA SURVEYED BY JOHN W. NEWMAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 118, PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, LYING AND BEING IN THE NORTH 1/2 OF SECTION 35, TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TRACT "C" OF LAKES OF TUSCANY PHASE ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 159 AT PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S02°31'06"E ALONG THE EASTERLY RIGHT OF WAY LINE OF FLORIDA'S TURNPIKE, STATE ROAD NO. 91, ALSO KNOWN AS THE SUNSHINE STATE PARKWAY FOR 100.05 FEET; THENCE N87°26'51"E ALONG THE NORTHERLY CANAL RIGHT OF WAY LINE PER PLAT BOOK 87 AT PAGE 37 FOR 127.27 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PORTION OF LAND; THENCE N02°33'03"W FOR 100.11 FEET; THENCE N86°57'25"E FOR 2280.88 FEET; THENCE S02°33'03"E ALONG THE WESTERLY CANAL RIGHT OF WAY LINE PER OFFICIAL RECORDS BOOK 8648, PAGE 1247 FOR 119.64 FEET; THENCE S87°26'51"W ALONG THE NORTHERLY CANAL RIGHT OF WAY LINE PER PLAT BOOK 87 AT PAGE 35 AND SAID NORTHERLY CANAL RIGHT OF WAY LINE PER PLAT BOOK 87 AT PAGE 37 FOR 2280.80 FEET TO THE POINT OF BEGINNING.

BLOCK 2:

A PORTION OF THE EAST 1/2 OF T.51S. R.41E. FLA SURVEYED BY JOHN W. NEWMAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 118, PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, LYING AND BEING IN THE NORTH 1/2 OF SECTION 35, TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT "A", WALDEN POND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 149 AT PAGE 57 OF THE PUBLIC RECORDS OF MIAMI-DADE

COUNTY, FLORIDA; THENCE S87°26'51"W ALONG THE NORTHERLY LINE OF THE CANAL RIGHT OF WAY FOR 330.69 FEET; THENCE N02°33'03"W ALONG THE EASTERLY LINE OF THE CANAL RIGHT OF WAY PER OFFICIAL RECORD BOOK 8648 AT PAGE 1247 ACCORDING TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR 120.25 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE TO THE NORTHWEST AND WHOSE RADIUS POINT BEARS N03°07'19"W; THENCE NORTHEASTERLY ALONG A 2904.79 FOOT RADIUS CURVE, LEADING TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°32'28" FOR AN ARC DISTANCE OF 331.62 FEET; THENCE S02°33'03"E ALONG THE WESTERLY LINE OF SAID TRACT "A" FOR 142.44 FEET TO THE POINT OF BEGINNING.