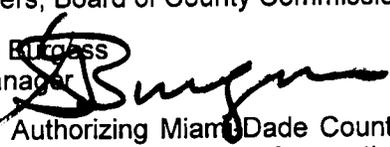


Memorandum



Date: November 4, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Resolution Authorizing Miami-Dade County to Accept Easements From Florida Department of Transportation in Connection with the Acquisition of Land Needed for Right-of-Way for the AirportLink (formerly MIC - Earlington Heights Connector) Project

Agenda Item No. 8(J)(1)(B)

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the County Mayor or designee on behalf of Miami-Dade County to accept four easements from the Florida Department of Transportation (FDOT) in connection with the acquisition of land needed for Right-of-Way (ROW) for the AirportLink (formerly MIC - Earlington Heights Connector) Project.

SCOPE

These easements are physically located within Commission Districts 2, 3 and 6. However, the AirportLink benefits the riding public and, therefore, has a county-wide impact.

FISCAL IMPACT/FUNDING SOURCE

The acceptance of these parcels results in no fiscal impact to Miami-Dade County. Of the four parcels, two (260 and 260A) are land easements. The current total assessed value of the two parcels is \$4,411,720. There is no additional fiscal impact associated with the maintenance of the parcels, since the AirportLink Metrorail passenger station is being constructed on that land, and the cost of maintaining the entire site is already a part of the AirportLink project budget.

TRACK RECORD/MONITOR

The County has acquired numerous easements from FDOT in the past for Miami-Dade Water and Sewer Department (MDWASD), Public Works Department (PWD), and Miami-Dade Transit (MDT). The person responsible for administering and managing this task is Froilan I. Baez, Acting Chief, Right of Way, Utilities & Property Management Division.

DELEGATED

In accordance with Section 2-8.3 of the Miami-Dade County code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution which include authority for the Mayor or Mayor's designee, to execute and terminate the easements.

BACKGROUND

On July 6, 2006, the Board approved Resolution 825-06 authorizing the acquisition of land for ROW needed for the AirportLink, a 2.4 mile corridor, linking the Miami Intermodal Center (MIC) to the Earlington Heights Station located at State Road (SR) 112 and N.W. 22 Avenue in Miami-Dade County, Florida, to be a public necessity. In addition, the Resolution also gave authority to the County Manager and the County Attorney to take any and all appropriate actions to accomplish acquisition in fee simple, easements, donations, and/or eminent domain proceedings, including Declaration of Takings as necessary.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page 2

The attached resolution will provide the authorization in which the County will receive easements from FDOT for the additional ROW needed for the Project. These four parcels, 1) Aerial Easement over State Road 25 between NW 37th Court and NW 37th Avenue (recorded); 2) Aerial Easement over State Road 9 (NW 27th Avenue) at NW 41st Street (recorded); and Parcels 3) 260 and 4) 260A cited in the attached Non-Exclusive Easement are to be considered for acceptance.

Furthermore, MDT shall continue the acquisition process in securing all of the ROW needed in and over lands owned by FDOT. Parcels 261 and 261A, which are still pending to be acquired as easement parcels from FDOT, will be the last two parcels to be incorporated into the final list of parcels needed for the AirportLink.



Assistant County Manager



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 4, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(J)(1)(B)

Please note any items checked.

- _____ "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
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ No committee review
- _____ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- _____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)(B)
11-4-10

RESOLUTION NO. _____

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO ACCEPT EASEMENTS FROM FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE ACQUISITION OF LAND NEEDED FOR RIGHT OF WAY FOR THE CONSTRUCTION OF THE AIRPORTLINK (FORMERLY MIC - EARLINGTON HEIGHTS CONNECTOR) PROJECT

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

WHEREAS, Florida Department of Transportation (FDOT) desires to grant easements as Aerial Easement over State Road 25 between NW 37th Court and NW 37th Court (recorded); Aerial Easement over State Road 9 (NW 27th Avenue) at NW 41st Street (recorded); Parcels 260 and 260A which are cited in the attached Non - Exclusive Easement Agreement; and to be incorporated in the final list of parcels needed for the project. These parcels are legally described in Exhibit "A", illustrated in Exhibit "B", and made a part hereto,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board accepts these easements from FDOT for the purposes of construction, operation and maintenance, of the Airportlink Project, and hereby authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County, with the right to exercise all provisions contained therein.

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:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of November, 2010. 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. 

Bruce Libhaber



CFN 2008R0722744
 DR Bk 26553 Pgs 1663 - 1667 (5pgs)
 RECORDED 09/04/2008 16:01:44
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

This instrument prepared by,
 or under the direction of,
 Alicia Trujillo, Esq. A.T.
 District General Counsel
 Florida Department of Transportation
 1000 N.W. 111th Avenue
 Miami, Florida 33172

Item/Seg No.: 4152301
 Sec/Job No. 87090-2301
 SR No.: 25 (NW 36th Street)
 County: Miami-Dade
 Parcel No.: 4132

PERPETUAL EASEMENT

THIS EASEMENT, made this 4 day of September, 2008, by the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, grantor, to the MIAMI DADE TRANSIT AUTHORITY, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, an easement for the purpose of constructing, maintaining and improving the Metrorail Connector and guideway crossover(s) (the "Facility") over the following described land in Miami-Dade County, Florida, to-wit:

See Exhibit "A" (3 pages) attached hereto and made a part hereof

TO HAVE AND TO HOLD the said premises unto the grantee, subject, however, to the following conditions:

THAT grantee's construction will in no way interfere with grantor's use of its remainder property;

THAT grantee shall at all times keep grantor's remainder area free from obstruction, except as may be required temporarily from time to time to effect inspections, maintenance, repairs, improvements and replacement of the Facility. After construction of the Facility, grantee shall provide at least two-week notice to grantor prior to commencement of any work that may result in obstruction of grantor's remainder area, except in the case of an emergency requiring immediate remedial action. Any such work performed must comply with Florida Department of Transportation procedures regarding lane closure in effect at the time of the closure;

THAT grantee shall promptly repair any damage to the easement area resulting from grantee's exercising its rights outlined above;

THAT grantee will indemnify and hold grantor harmless from any and all damages and/or liability, claims, demand, and suits of any nature associated with grantee's construction on the subject premises and continued use thereof;

Item/Seg No.: 4152301
Sec/Job No.: 87090-2301
SR No.: 25 (NW 36th Street)
County: Miami-Dade
Parcel No.: 4132

THAT the easement is granted pursuant to Resolution No. R-825-06 passed by the Miami-Dade Board of County Commissioners of the Miami-Dade County Florida records, a copy of which is attached herewith and forms part thereof;

THAT if the property ceases to be used for the purpose described above, grantee's easement shall terminate, and grantee shall remove, and bear the cost of removal, of any improvements erected or constructed by grantee in the Perpetual Easement Area;

THAT the provisions of this easement may be enforced by all appropriate actions at law and in equity by the respective parties.

The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns and shall be deemed to run with the land.

This instrument may be amended or modified only by written instrument, executed and acknowledged by the parties hereto or their successors and assigns, and recorded in the Public Records of Miami-Dade County.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its proper officers thereunto duly authorized, the day and year first above written.

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

By: _____

Gus Pego
Gus Pego, P.E.
District Secretary

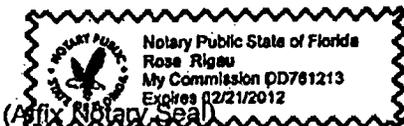
Attest: _____

Margaret Higgins
Margaret Higgins
Executive Secretary

Affix Department Seal

State of Florida
County of Miami -Dade

The foregoing instrument was acknowledged before me this 4th day of September 2008, by Gus Pego, District Secretary for District Six, FDOT, who is personally known to me, or has produced _____ as identification.



Rose Rigau
Notary Public in and for the County and State
mentioned above

My Commission Expires 2/21/2012

EXHIBIT "A"

AERIAL EASEMENT OVER SR 25

SEC 20,29
TWP 53 S
RGE 41 E

Aerial Easement
SR 25 between NW 37 Court and NW 37 Avenue

Legal Description:

An aerial easement within that airspace vertically enclosed above Elevation 55.00 feet and extending to an Elevation of 89.00 feet, according to the National Geodetic Vertical Datum of 1929 (NGVD29) as established by the United States National Geodetic Survey, and which is encompassed within the following horizontal limits:

That portion of NW 36 Street Right of Way (SR 25) in Sections 20 and 29, Township 53 South, Range 41 East, in Miami-Dade County, Florida, as shown on the State Road Department of the State of Florida Right of Way Map of State Road 25 Section 87090-2301 dated 1936, and being more particularly described as follows:

COMMENCE at the Northeast corner of the NE 1/4 of Section 29, Township 53 South, Range 41 East, in Miami-Dade County, Florida; thence run S87°58'59"W, along the centerline of the Right of Way of NW 36 Street (SR 25), being also the North line of said Section 29, for a distance of 308.40 feet to the POINT OF BEGINNING being also a point of intersection with a non tangent circular curve concave to the Southeast whose radius point bears N56°48'59"W; thence run Northeasterly along said non tangent circular curve concave to the Southeast, having a radius of 1326.50 feet, through a central angle of 01°52'19", for an arc distance of 43.34 feet to a point of intersection with the North Right of Way line of NW 36 Street (SR 25) whose radius point bears N54°56'40"W; thence run S87°58'59"W for a distance of 50.95 feet to a point of intersection with the Northwesterly Right of Way line of the Metrorail, being also a non tangent circular curve concave to the Southeast whose radius point bears S56°13'54"E; thence run Southwesterly along said circular curve concave to the Southeast, having a radius of 1367.50 feet, through a central angle of 03°47'11" for an arc distance of 90.37 feet to a point of intersection with the South Right of Way line of NW 36 Street (SR 25), whose radius point bears S60°01'04"E; thence run N87°58'59"E along said South Right of Way line of NW 36 Street (SR 25) for a distance of 48.64 feet to a point of intersection with the Southeasterly Right of Way line of the Metrorail, being also a non tangent circular curve concave to the Southeast whose radius point bears N58°54'16"W, thence run Northeasterly along said non tangent circular curve concave to the Southeast, having a radius of 1326.50 feet, through a central angle of 02°05'17" for an arc distance of 48.34 feet to a point of intersection with the centerline of the Right of Way of NW 36 Street (SR 25), and the POINT OF BEGINNING, containing 3,731 square-feet or 0.086 acres more or less within its horizontal limits.

Applicants Name: Miami-Dade Transit(MDT)

Item/Segment No.: 4152301

Sect/Job No.: 87090-2301

State Road No.: SR 25

County: Miami-Dade

Parcel No.: RWMS 4132

Miami-Dade County Public Works Department
Right of Way Division, Engineering Section
111 NW 1 Street, Suite 1010
Miami, Florida 33128-1010

By: *Carlton D. Scortum*
Carlton D. Scortum, PLS
Professional Land Surveyor No. 4803
State of Florida

NOTICE: Unless it bears the signature and official raised seal of a Florida Licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.



THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

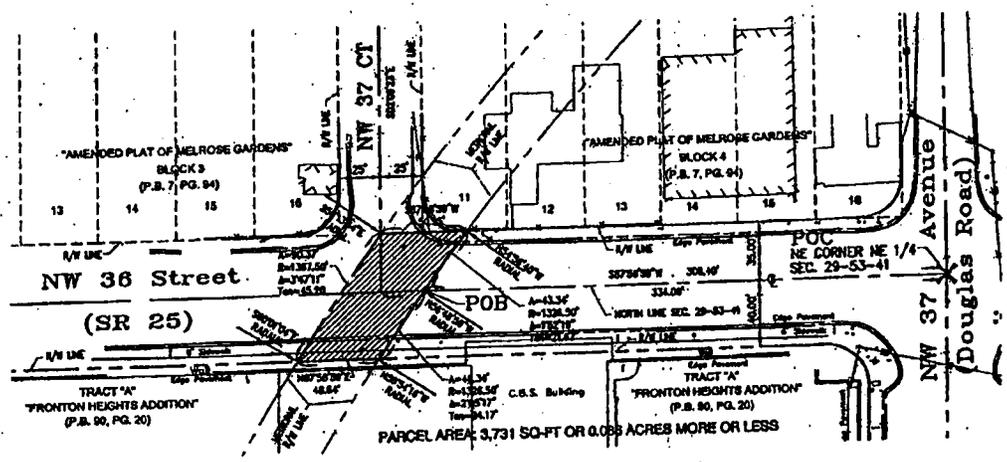


SKETCH TO ACCOMPANY LEGAL DESCRIPTION	EARLINGTON HTS-MSC	SCALE: 1" = 50'	DATE: 07-28-08
MIAMI-DADE COUNTY PUBLIC WORKS DEPT.	CORRIDOR	DRAWN BY: J. FARRER	CHECKED BY: C. SCORTUM
RIGHT OF WAY DIVISION	AERIAL EASEMENT OVER SR 25	PROJECT: 200-078	ISSUE: 1/08
ENGINEERING SECTION			

EXHIBIT "A"
AERIAL EASEMENT OVER SR 25

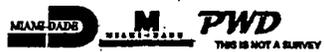
ENGINEER'S LINE		LEGEND		RIGHT-OF-WAY	
---	ROW REQUIRED	---	PROPERTY LINE	00	RADIUS
---	BOUNDARY LINE	---	JOINT USE PARCEL AREA	03	LENGTH
---	CENTER LINE	---	POINT OF INTERSECTION	06	DELT
(POC)	POINT OF COMMENCEMENT	(PC)	POINT OF CURVATURE	---	---
(PI)	POINT OF INTERSECTION	(PCC)	POINT OF COMPOUND CURVATURE	---	---
(POI)	POINT OF BEGINNING	(PCMAE)	PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT	---	---
(C/L)	CENTER LINE	---	---	---	---
SR	STATE ROAD	---	---	---	---
R/W	RIGHT OF WAY	---	---	---	---

SEC 20,29
 TWP 53 S
 RGE 41 E N



PARCEL AREA: 3,731 SQ-FT OR 0.085 ACRES MORE OR LESS

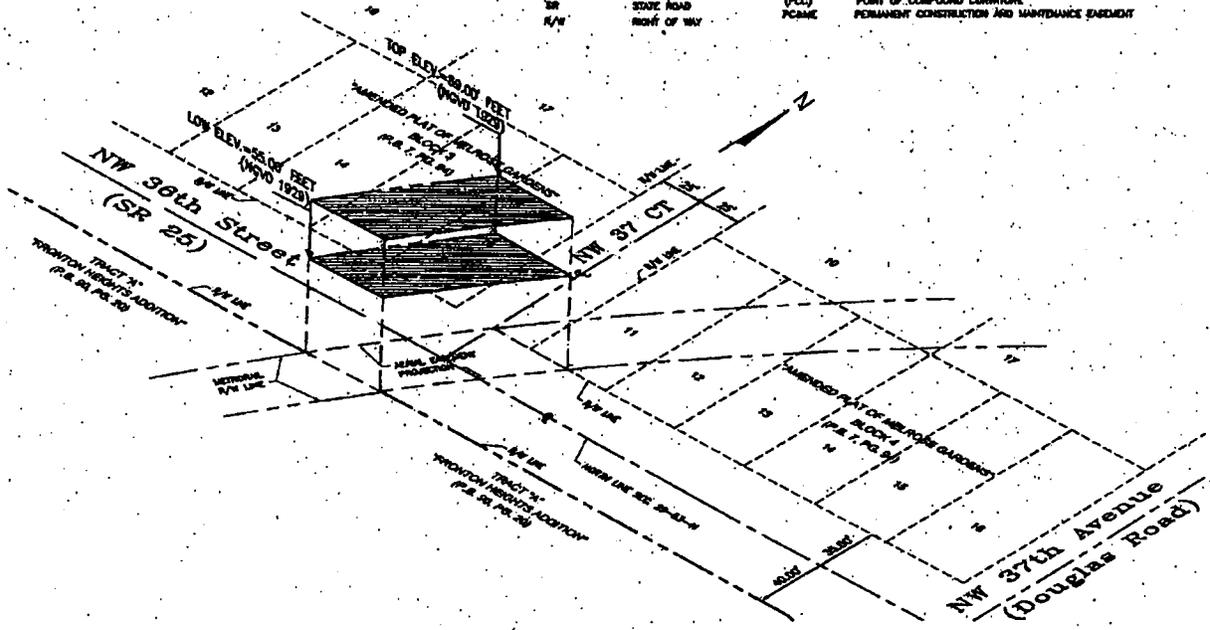
THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.



SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION	EARLINGTON HTS-MIG CORRIDOR	SCALE: 1" = 50' DATE: 03-18-09 DRAWN BY: J. [unclear] CHECKED BY: C. [unclear]
---	--------------------------------	---

EXHIBIT "A"
AERIAL EASEMENT OVER SR 25

BOUNDARY LINE		PROPERTY LINE		RIGHT-OF-WAY	
---	CENTER LINE	---	JOINT USE PARCEL AREA	(R)	RADIUS
(PCD)	POINT OF COMMENCEMENT	(PI)	POINT OF INTERSECTION	(L)	LENGTH
(PT)	POINT OF TANGENCY	(PC)	POINT OF CURVATURE	(Δ)	DELTA
(PCB)	POINT OF BEGINNING	(PL)	PROPERTY LINE		
⊕	CENTER LINE	(PCC)	POINT OF COMPOUND CURVATURE		
SR	STATE ROAD	(PCMC)	PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT		
R/W	RIGHT OF WAY				



THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH



SKETCH TO ACCOMPANY LEGAL DESCRIPTION
MIAMI-DADE COUNTY PUBLIC WORKS DEPT.

HARLINGTON ETS-MDC
PWS/ST/MS

SCALE: 1" = 40'
DATE: 07-29-06
DRAWN BY: L. Eshpar

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
NON-EXCLUSIVE EASEMENT

This instrument prepared by,
or under the direction of
Alicia Trujillo, Esq.
District Six Chief Counsel
State of Florida
Department of Transportation
1000 N.W. 111th Avenue
Miami, Florida 33172

Item/Seg No.: 4068001
Sect/Job No.: N/A
SR No.: MIC
County: Miami-Dade
Parcel Nos.: 4156 and 4143
(Also known as parcels 260
and 260A)

THIS EASEMENT, made this 24th day of December, 2009,
by the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, grantor, to
MIAMI-DADE COUNTY, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, a non-exclusive easement for the purpose of constructing, operating and maintaining a bus plaza and station, and Metro-Rail Station pursuant to plans known as:

Metrorail Extension
MIC-Earlington Heights Connector
Volumes I,II,III,IV,V
Contract No.NCP004-TR06-CT2
Dated: December 2007

(hereafter "the Facility") in, over, under, upon and through the following described land in Miami-Dade County, Florida, to-wit:

Parcel No. 4156 Easement Item/Seg.No. 4068001
(Grantee's parcel 260)

That parcel of land vested in the State of Florida Department of Transportation by Order of Taking dated May 3, 2001, recorded in Official Records Book 19640 at Page 1686 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right of way line, for a distance of 35.46 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated February 16, 1956, recorded in Official Records Book 4838 at Page 547 of the Public Records of Miami-Dade County, Florida and the POINT OF

Item/Seg No.: 4068001
Sect/Job No.: N/A
SR No.: MIC
County: Miami-Dade
Parcel Nos.: 4156 and 4143

BEGINNING; thence continue S01°37'48"E, along said Westerly right of way line, for a distance of 821.16 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated July 15, 1991, recorded in Official Records Book 15131 at Page 985 of the Public Records of Miami-Dade County; thence run S88°34'58"W, along the said North line, for a distance of 144.27 feet to the point of intersection with the Easterly right of way line of NW 38 Ct; thence run N01°43'33"W, along the Easterly right of way line of NW 38 Ct, for a distance of 775.58 feet to the point of curvature of a circular curve concave to the Southeast; thence run Northeasterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency with the Southerly right of way line of NW 25 Street; thence run N79°06'17"E, along the Southerly right of way line of NW 25 Street, for a distance of 126.23 feet to the POINT OF BEGINNING,

(The aforesaid legal description depicts grantor's former acquisition parcel number 110, known as the "Rinker Site")

Parcel No. 4143 Easement Item/Seg.No. 4068001
(Grantee's parcel 260A)

That parcel of land remised, released and quitclaimed to the State of Florida Department of Transportation by County Quit Claim Deed dated February 21, 2001, recorded in Official Records Book 19518 at Page 1328 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right of way line of the Railroad Right of Way, for a distance of 35.46 feet to a point of intersection with the Southerly right of way line of NW 25 Street; thence run S79°06'17"W, along the Southerly right of way line of NW 25 Street, for a distance of 126.23 feet to the POINT OF BEGINNING being also the point of curvature of a circular curve concave to the Southeast; thence run Southwesterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency; thence run S01°43'33"E, along the Easterly right of way line of NW 38 Court, for a distance of 902.30 feet to a point of curvature of a circular curve concave to the Northwest; thence run Southwesterly along said circular curve concave to the Northwest, having a radius of 95.00 feet, through a central angle of 39°02'42", for an arc distance of 64.74 feet to a point of cusp being also a point of intersection with the Westerly right of way line of the Metrorail; thence run N02°02'35"W, along the said Westerly right of way line of the Metrorail, for a distance of 979.15 feet to a point of intersection with the extended Southerly right of way line of NW 25 Street; thence

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Sect/Job No.: N/A
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County: Miami-Dade
Parcel Nos.: 4156 and 4143

run N79°06'17"E, along the said extended Southerly right of way line, for a distance of 48.27 feet to the POINT OF BEGINNING.

The total area of the two parcels combined is 140,343 square feet, more or less. For reference, attached hereto as Composite Exhibit A are two sketches comprising the total easement area. Parcel 4156 is comprised of 117,167 square feet of land, and parcel 4143 is comprised of 23,176 square feet of land.

The Facility is defined as any or all property, structures, fixtures and improvements located, owned or controlled by grantee within the Facility, including, but not limited to, guideway structures, roadbed, tracks, signals and power systems, bridges and any equipment, apparatus or structures appurtenant thereto or associated therewith.

TO HAVE AND TO HOLD the said premises unto the grantee, subject, however, to the following conditions:

THAT grantee's use and occupancy of grantor's land pursuant to this Easement is non-exclusive and will in no way interfere with grantor's use of its remainder property, including but not limited to grantor's potential use of the easement area to generate revenue through advertising or other means not inconsistent with grantee's use of the easement area. Grantee shall not use the Facility or any portion thereof to generate additional revenue unrelated to the uses specifically permitted herein, through advertising or other means.

THAT this easement is solely for the purpose of constructing, operating and maintaining a bus plaza and station, and Metro-Rail Station and no other uses of the land are permitted. Grantor's use of the land subject to this Easement shall in no way interfere with grantee's use of such land consistent with the rights set forth herein.

THAT grantee's access to Parcels 4156 and 4143 pursuant to this easement shall be governed by Contract Specifications Section 01 14 19 issued by grantee in connection with the above-referenced project plans for the Facility, a copy of which is attached hereto as Exhibit B and incorporated herein. Construction activities within the easement area are to be coordinated with grantor and are subject to grantor's use of the area.

THAT grantee shall not obstruct grantor's remainder area, except as may be required temporarily from time to time to effect inspections, maintenance, repairs, improvements and replacement of the Facility. After construction of the Facility, grantee shall provide at least a two-week notice to grantor prior to commencement of any work that may result in obstruction of grantor's remainder area, except in the case of an emergency requiring immediate remedial action. Any such work performed must comply with applicable Florida Department of Transportation procedures and is subject to formal approval and permit.

Item/Seg No.: 4068001
Sect/Job No.: N/A
SR No.: MIC
County: Miami-Dade
Parcel Nos.: 4156 and 4143

THAT grantee shall promptly repair any damage to the easement area resulting from grantee's exercising its rights outlined above.

THAT grantee will further use and occupy the easement property in a careful and proper manner, and not commit any waste thereon. Grantee will not cause, or allow to be caused, any nuisance or objectionable activity of any nature on the property. Grantee will not use or occupy said property for any unlawful purpose and will, at grantee's sole cost and expense, conform to and obey any present or future ordinances and/or rules, regulations, requirements, and orders of governmental authorities or agencies respecting the use and occupation of the easement property.

Any activities in any way involving hazardous materials or any regulated substances of any kind whatsoever are specifically prohibited. As used herein, the term "hazardous materials" or "any regulated substances" includes, but is not limited to, chemicals, or other natural or manmade materials with hazardous or carcinogenic or toxic characteristics, including without limitation any substances defined as or included in the definition of "hazardous substances," "hazardous waste," "hazardous materials," "toxic substances," or "contaminants" or other pollution under any applicable federal or state or local laws, ordinances, rules and regulations now or hereafter in effect, excluding, however, petroleum and petroleum products.

As of the date of this instrument, grantee shall not permit nor cause the release of any hazardous materials on or over the easement property nor on land adjacent or near to the easement property, which may constitute a risk of contamination of the easement property or any adjacent property. As used herein, the "release" of hazardous materials includes disposal, discharging, injecting, spilling, leaking, leaching, dumping, emitting, escaping, emptying, seeping, placing, and the like, into or upon any land or water or air, or otherwise entering into the environment. Grantee shall promptly advise grantor in the event that grantee shall become aware at any time of any release of hazardous materials, in the easement property, or on any real property adjacent thereto.

THAT grantee will indemnify and hold grantor harmless from any and all damages and/or liability, claims, demands, and suits of any nature associated with grantee's design and construction on the subject premises and grantee's use thereof, to the extent and within the limitations of Section 768.28, Florida Statutes. However, nothing herein shall be deemed to indemnify grantor from any liability or claim arising out of the negligent performance or failure of performance of grantor.

THAT grantee or its contractor shall maintain comprehensive general liability insurance in the amount of 10 million dollars, including bodily injury and property damage coverage for all construction operations performed by grantee in the easement area. During the operational phase of the Facility, grantee shall have a comprehensive

Item/Seg No.: 4068001
Sect/Job No.: N/A
SR No.: MIC
County: Miami-Dade
Parcel Nos.: 4156 and 4143

program of protection for liabilities arising out of accidents resulting in bodily injury and property damage. The provisions of this paragraph pertaining to insurance coverage do not in any way modify or limit grantee's obligation to indemnify grantor. Grantor shall be named as Additional Insured in all such policies and grantee will provide a current copy of such insurance certificate to grantor.

THAT in the event the Facility is abandoned or ceases to be used by the grantee for the purposes set forth herein as evidenced by a minimum of twelve consecutive months of abandonment of use, grantee's easement shall terminate. In the event grantee's easement terminates and grantor deems it necessary to request the removal of the Facility occupying the easement area, the removal shall be accomplished by grantee in a manner prescribed by grantor, at no cost to grantor and the area returned to grantor in its original condition. Grantor's option to have grantee remove the Facility in case of grantee's abandonment shall be exercised within 24 months of termination of the easement.

THAT this easement is subject to all applicable permit requirements and any other required agreements or approvals, and concurrences. Grantee shall obtain a permit from grantor for construction of the Facility.

THAT the provisions of this easement may be enforced by all appropriate actions at law and in equity by the respective parties.

THAT the rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns and shall be deemed to run with the land, however, this easement shall not be assigned by grantee without prior approval by grantor.

THAT this instrument may be amended or modified only by written instrument, executed and acknowledged by the parties hereto or their successors and assigns, and recorded in the Public Records of Miami-Dade County.

THAT grantor makes no representations as to the title or condition of the property within the easement area or the suitability of the easement area property for the use intended hereunder.

THAT this easement is subject to all matters of record, including but not limited to that certain easement recorded on Page 879, Official Records Book 25616, in favor of the Miami-Dade Water and Sewer Department, however, this reference is not intended to reimpose same.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its proper officers thereunto duly authorized, the day and year first above written.

WITNESS

[Signature]

Signature

Rosaria Tavella

Printed Name

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

By: [Signature]

Gus Pego, P.E.
District Secretary

WITNESS

[Signature]

Signature

REGINA SOTO

Printed Name

Attest: [Signature]

Margaret Higgins
Executive Secretary

Affix Department Seal Executive Secretary

State of Florida
County of Miami -Dade

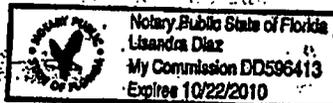
The foregoing instrument was acknowledged before me this 24th day of December 2009, by Gus Pego, District Secretary for District Six, FDOT, who is personally known to me, or has produced _____ as identification.

[Signature]

Notary Public in and for the County
and State mentioned above

By: Gus Pego, P.E.

(Affix Notary Seal) My Commission Expires _____



COMPOSITE EXHIBIT "A"

District 61x
 Item/Segment No.: 4068001
 Sect./Job No.: N/A
 P.A.P. No.: N/A
 State Road No.: 830
 County: Miami-Dade
 Easement Parcel No.: 4113
 Sheet 1 of 2

COMPOSITE EXHIBIT "A"

LEGEND
 --- SURVEY LINE
 --- CENTER LINE
 --- R/W LINE
 --- ACRES-OF-WAY
 (P.O.C.) POINT OF COMMENCEMENT
 (P.O.B.) POINT OF BEGINNING
 (P.O.R.) POINT OF REVERSE
 --- PROPERTY LINE
 --- ADJUT USE PARCEL AREA
 --- BOUNDARY
 --- LENTON
 --- DELTA

SEC 29
 TWP 53 S
 RGE 41 E

NOT SUBDIVIDED
 SEC. 29-S3-41

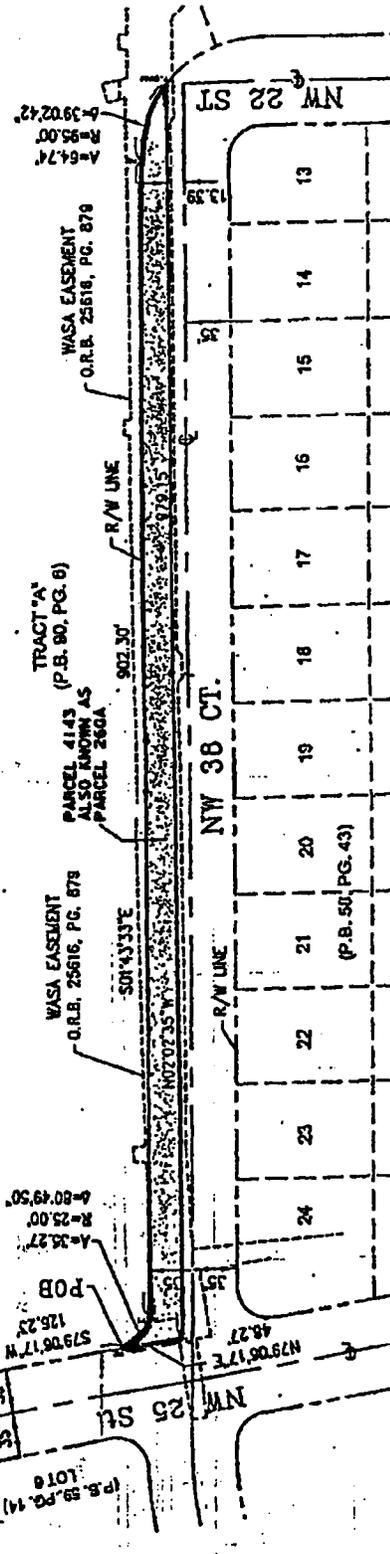
TRACT "A"
 (P.B. 148, PG. 64)

TRICOUNTY RAIL R/W

R/W LINE

R/W LINE

R/W LINE



NOT A SURVEY

FLORIDA DEPARTMENT OF TRANSPORTATION
 SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 830		MICHIGAN		MIAMI-DADE COUNTY	
BY	DATE	PREPARED BY:	DATA SOURCE:		
DRAWN	CHECKED	FOOT DISTRICT VI			
REVISION	BT	DATE	F.P. ID. N/A	SECTION N/A	SHEET 1 OF 1

PARCEL AREA: 23.178 60-FT
 OR 0.531 ACRES MORE OR LESS

COMPOSITE
EXHIBIT "A"

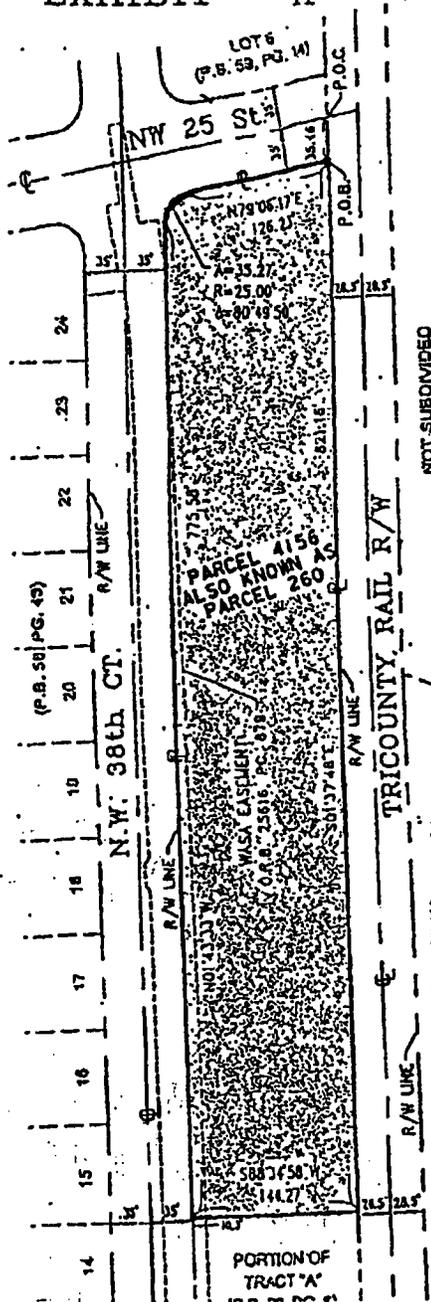
SEC 29
TWP 53 S
RGE 41 E N

LEGEND

- BOUNDARY LINE
- CENTER LINE
- RIGHT-OF-WAY
- (POC) POINT OF COMMENCEMENT
- (POB) POINT OF BEGINNING
- PROPERTY LINE
- (J) JOINT USE PARCEL AREA
- (R) RADIUS
- (A) LENGTH
- (Δ) DELTA

Florida Department of Transportation
District Six
Item/Segment No.: 4068001
Sect/Job No.: N/A
F.A.P. No.: N/A
State Road No.: MIC
County: Miami-Dade
Excess Parcel No.: 4156

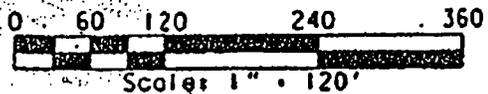
Sheet 2 of 2



NOT SUBDIVIDED
SEC. 29-53-41

TRACT "A"
(P.B. 146, PG. 64)

FOLIO: 30-3129-014-0010
PARCEL AREA: 117,167 SQ-FT OR 2.690 ACRES MORE OR LESS



THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

FLORIDA DEPARTMENT OF TRANSPORTATION									
SKETCH TO ACCOMPANY LEGAL DESCRIPTION - NOT A SURVEY									
STATE ROAD NO. MIC					MIAMI-DADE COUNTY				
			BY		DATE		PREPARED BY:		DATA SOURCE:
			DRAWN				FOOT DISTRICT VI		
REVISION			BY		DATE		F.P. ID. N/A		SECTION N/A
			CHECKED						SHEET 1 OF 1

EXHIBIT "B"

CONTRACT SPECIFICATONS

Map/Sheet No.: N/A
Item/Segment No.: N/A
Sect./ Job No.: N/A
F.A.P. No.: N/A
State Road No.: MDC
County: Miami-Dade
Access Parcel No.: 4143, 4154
Sheet 1 of 4

SECTION 01 14 19 - USE OF THE METRORAIL STATION SITE

PART 1-GENERAL

- 1.01 DESCRIPTION: Ongoing construction of the Rental Car Center (RCC) in the vicinity of the Metrorail station site...
1.02 A. Tri-Rail will remain in service in its present location throughout the duration of this contract...
B. Included herewith are construction work zones as coordinated with FDOT regarding the subject site for calendar years 2009 and 2010...
C. Also included herein are two plan views of the crane radius being used for the construction of the RCF that will also need to be coordinated with regard to safety of the work zone...
D. It should be noted that the indicated construction work zones indicate primary user and controller of the areas but do not intend to convey exclusive use.

PART 2 - PRODUCTS

Not Used.

MIAMI-DADE TRANSIT
OCTOBER 2008

01 14 19 - USE OF THE METRORAIL STATION SITE
CONFORMED

PART 3 - EXECUTION

NOT USED.

PART 4 - MEASUREMENT AND PAYMENT

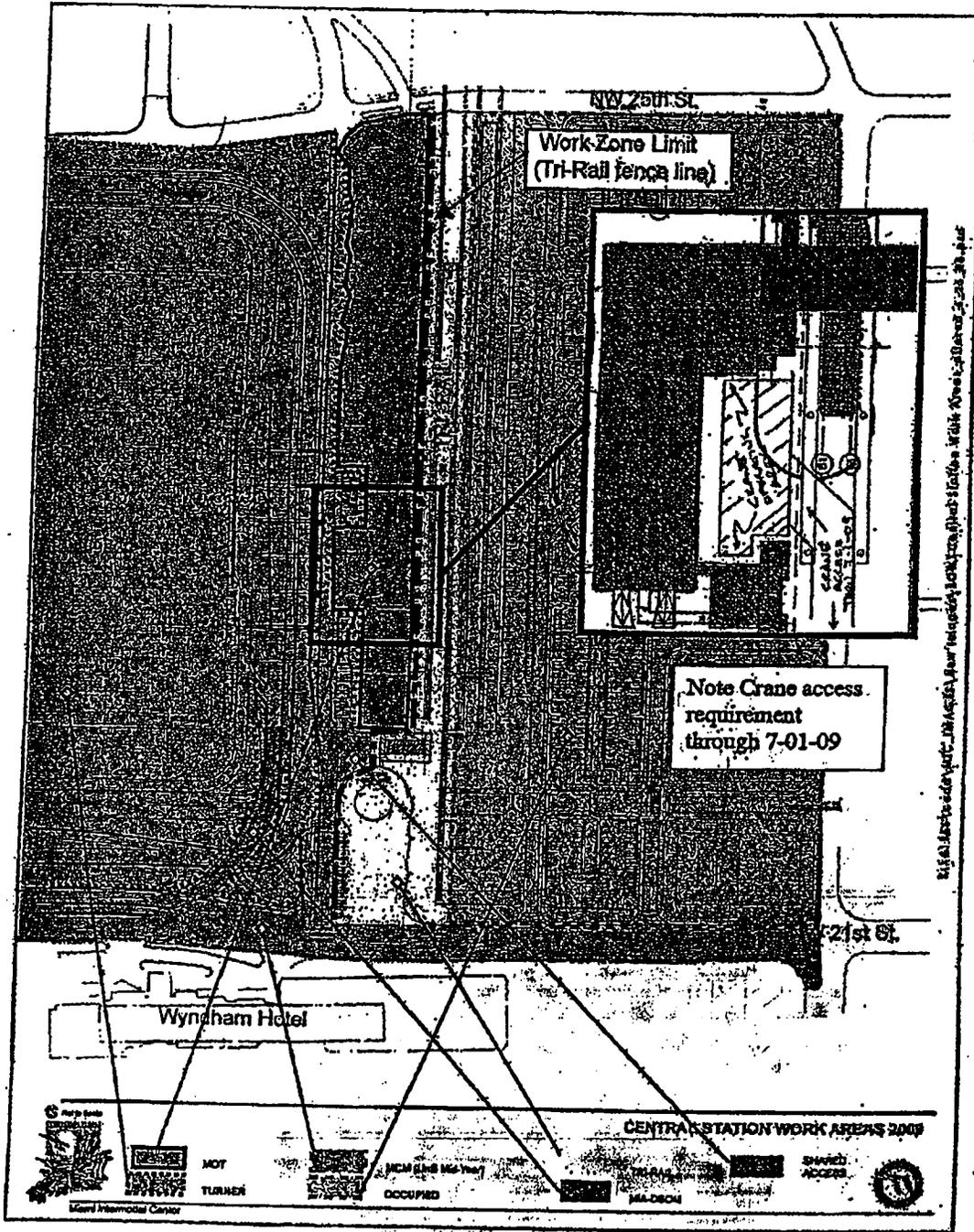
4.01 MEASUREMENT AND PAYMENT

No separate measurement or payment will be made for the Use of the Metrorail Station Site and this will be paid for as part of the overall Contract Lump Sum for that particular item of Work, listed in the BID FORM, as applicable.

MIAMI-DADE TRANSIT
OCTOBER 2008

01 14 18 - 2
USE OF THE METRO RAIL STATION SITE

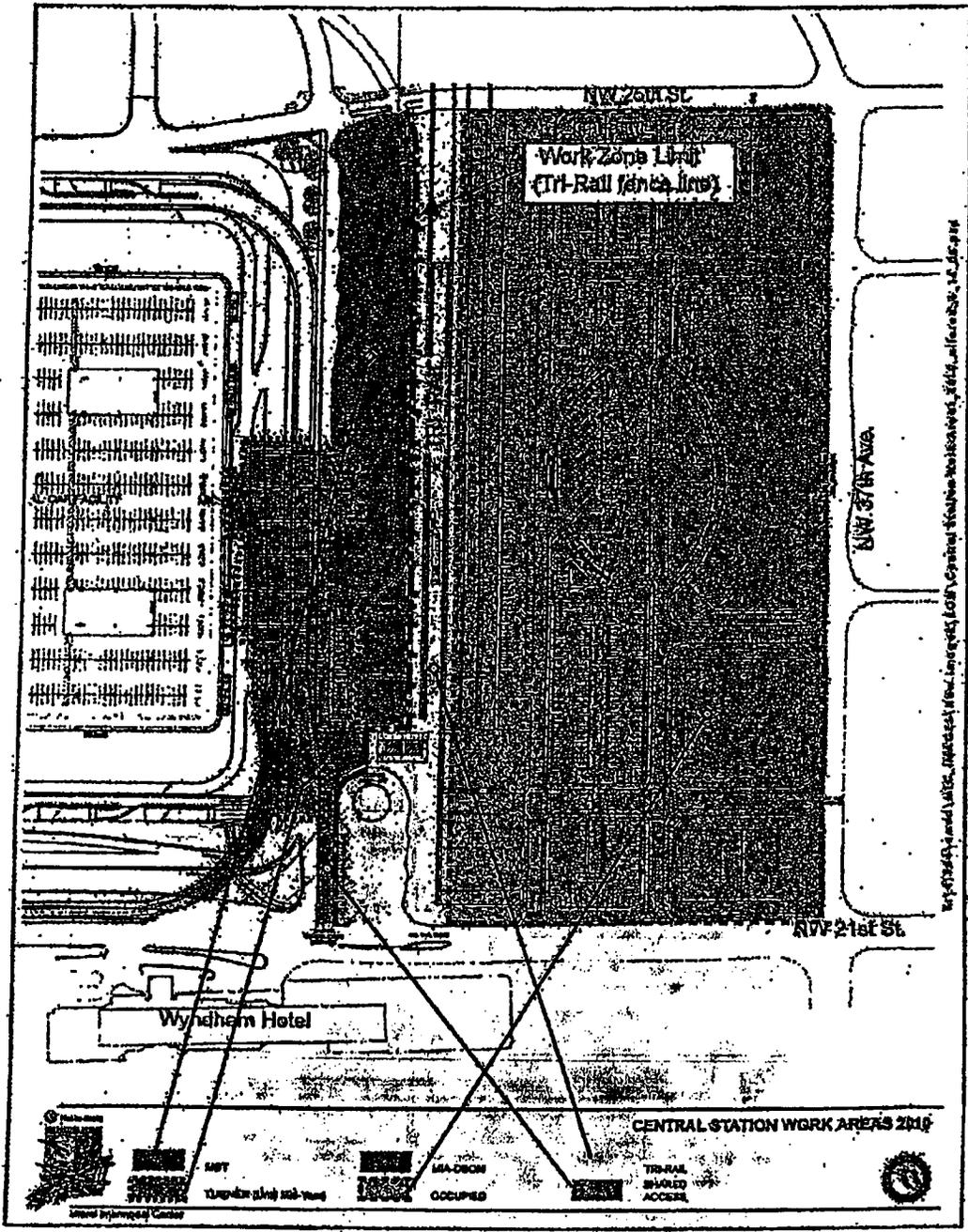
NCP004-TR08-CT2
CONFORMED



MIAMI-DADE TRANSIT
OCTOBER 2008

01 14 10 - 3
USE OF THE METRO RAIL STATION SITE

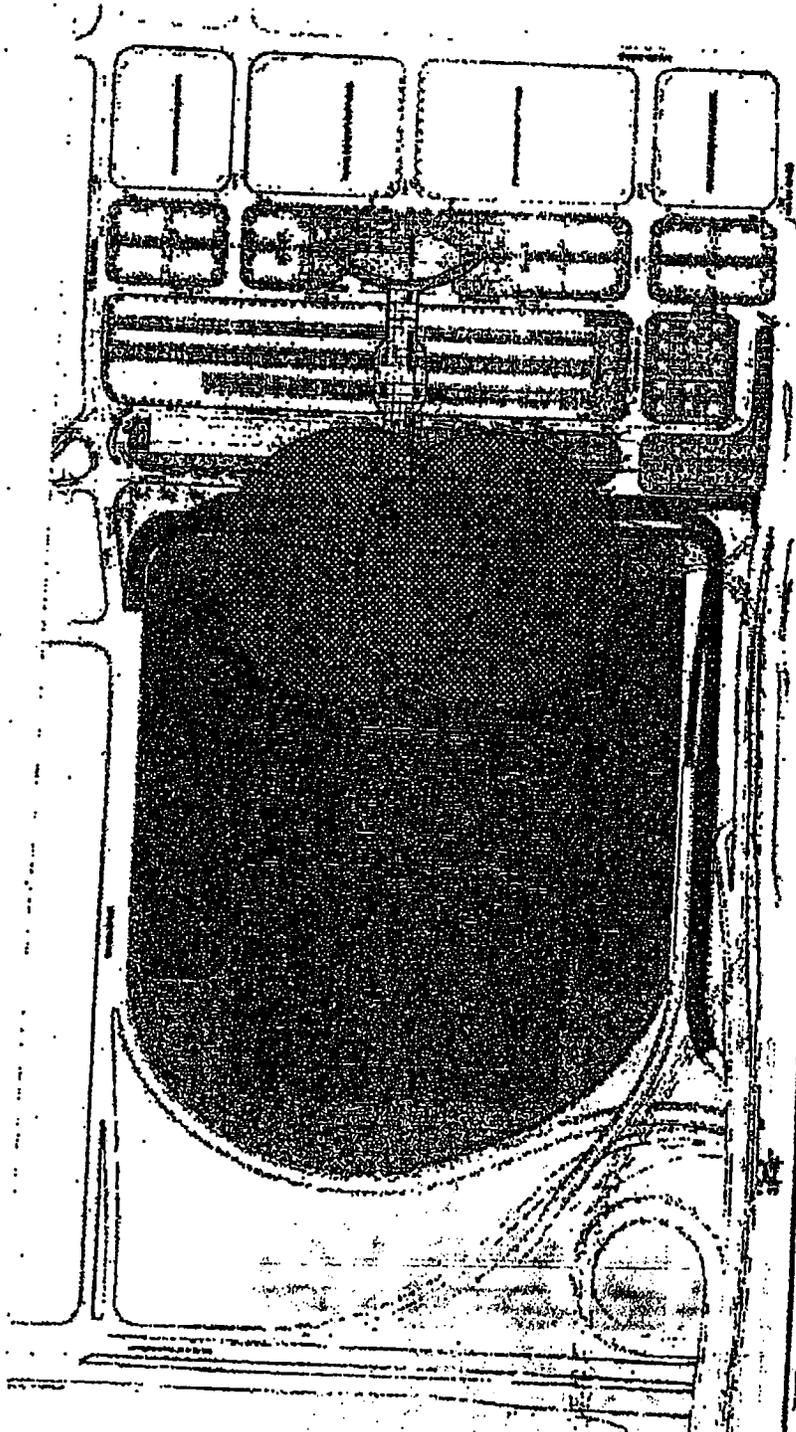
NCP004-TR08-CT2
CONFORMED



MIAMI-DADE TRANSIT
OCTOBER 2008

01 14 19 - 4
USE OF THE METRO RAIL STATION SITE

NCP004-TR06-0T2
CONFORMED



MIAMI INTERNATIONAL CENTER
 1000 BISCAYNE BLVD. SUITE 200
 MIAMI, FL 33134
 TEL: 305.375.1234

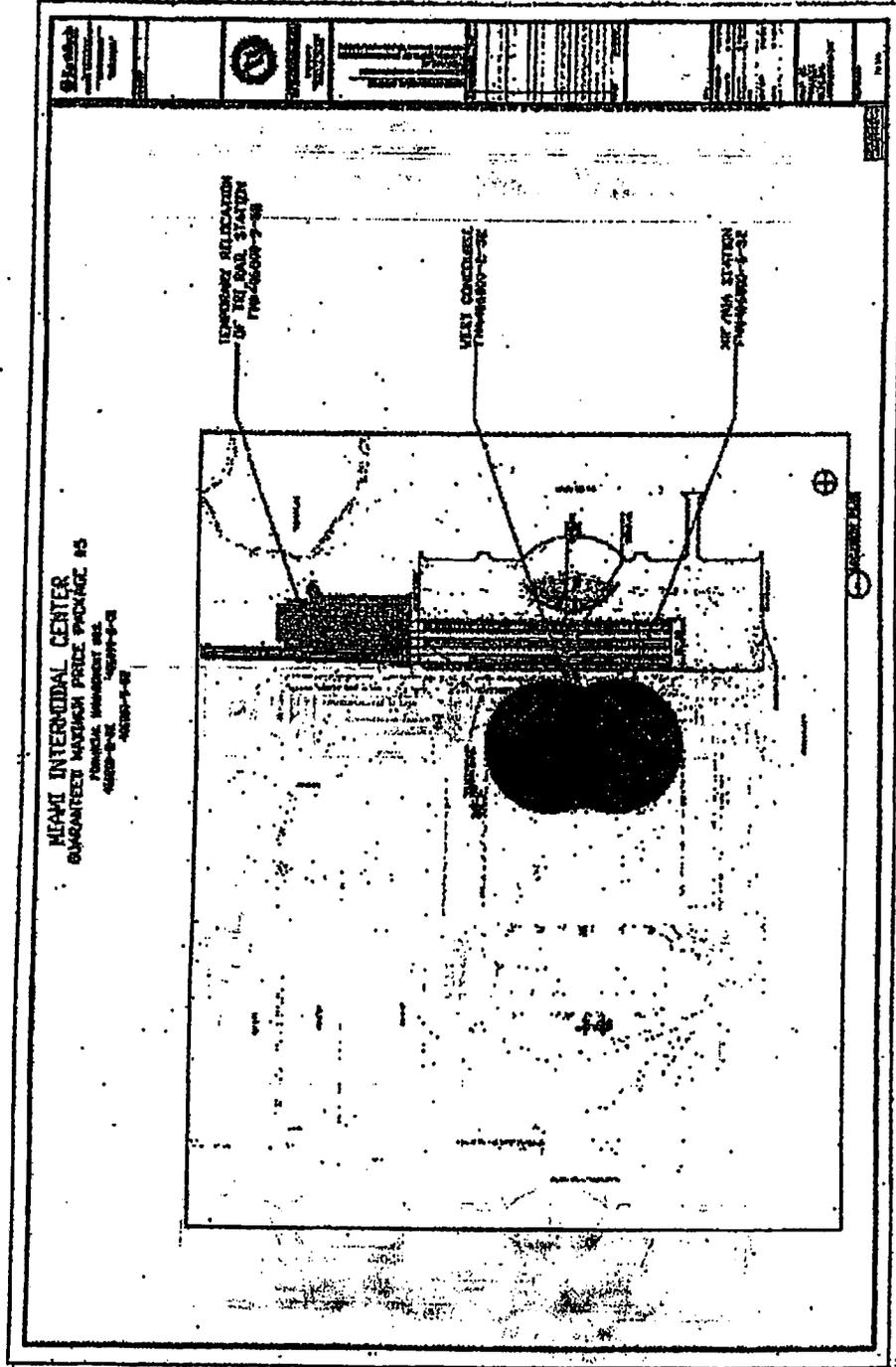
North Street B
 Metrorail Station
 Public Property
 Other

MIAMI-DADE TRANSIT
 OCTOBER 2008

01 14 19 - 5
 USE OF THE METRO RAIL STATION SITE

NCP004-TR08-CT2
 CONFORMED

USE OF THE METRO RAIL STATION SITE



MIAMI INTERMODAL CENTER
6000 METRO CENTER DRIVE, SUITE 100
MIAMI, FLORIDA 33154

END OF SECTION 01 14 19

MIAMI-DADE TRANSIT
OCTOBER 2008

01 14 19 - 6
USE OF THE METRO RAIL STATION SITE

NCP004-TR08-CT2
CONFORMED

EXHIBIT "A"

Aerial Easement over SR 25 SR 25 between NW 37 Court and NW 37 Avenue

Legal Description:

An aerial easement within that airspace vertically enclosed above Elevation 55.00 feet and extending to an Elevation of 89.00 feet, according to the National Geodetic Vertical Datum of 1929 (NGVD29) as established by the United States National Geodetic Survey, and which is encompassed within the following horizontal limits:

That portion of NW 36 Street Right of Way (SR 25) in Sections 20 and 29, Township 53 South, Range 41 East, in Miami-Dade County, Florida, as shown on the State Road Department of the State of Florida Right of Way Map of State Road 25 Section 87090-2301 dated 1936, and being more particularly described as follows:

COMMENCE at the Northeast corner of the NE $\frac{1}{4}$ of Section 29, Township 53 South, Range 41 East, in Miami-Dade County, Florida; thence run S87°58'59"W, along the centerline of the Right of Way of NW 36 Street (SR 25), being also the North line of said Section 29, for a distance of 308.40 feet to the **POINT OF BEGINNING** being also a point of intersection with a non tangent circular curve concave to the Southeast whose radius point bears N56°48'59"W; thence run Northeasterly along said non tangent circular curve concave to the Southeast, having a radius of 1326.50 feet, through a central angle of 01°52'19", for an arc distance of 43.34 feet to a point of intersection with the North Right of Way line of NW 36 Street (SR 25) whose radius point bears N54°56'40"W; thence run S87°58'59"W for a distance of 50.95 feet to a point of intersection with the Northwestern Right of Way line of the Metrorail, being also a non tangent circular curve concave to the Southeast, whose radius point bears S56°13'54"E; thence run Southwesterly along said circular curve concave to the Southeast, having a radius of 1367.50 feet, through a central angle of 03°47'11" for an arc distance of 90.37 feet to a point of intersection with the South Right of Way line of NW 36 Street (SR 25), whose radius point bears S60°01'04"E; thence run N87°58'59"E along said South Right of Way line of NW 36 Street (SR 25) for a distance of 48.64 feet to a point of intersection with the Southeasterly Right of Way line of the Metrorail, being also a non tangent circular curve concave to the Southeast whose radius point bears N58°54'16"W, thence run Northeasterly along said non tangent circular curve concave to the Southeast, having a radius of 1326.50 feet, through a central angle of 02°05'17" for an arc distance of 48.34 feet to a point of intersection with the centerline of the Right of Way of NW 36 Street (SR 25), and the **POINT OF BEGINNING**, containing 3,731 square-feet or 0.086 acres more or less within its horizontal limits.

Aerial Easement over SR 9 NW 27 Avenue (SR 9) at NW 41 Street

Legal Description:

An aerial easement within that airspace vertically enclosed above Elevation 49.00 feet and extending to an Elevation of 75.00 feet, according to the National Geodetic Vertical Datum of 1929 (NGVD29) as established by the United States National Geodetic Survey, and which is encompassed within the following horizontal limits:

That portion of NW 27 Avenue Right of Way which was conveyed to the State Road Department of Florida by County Deed dated August 20, 1949, recorded in Deeds Book 3181 at Page 402 of the Public Records of Miami-Dade County, Florida and being more particularly described as follows:

COMMENCE at the Northeast corner of the SE ¼ of the SE ¼ of Section 21, Township 53 South, Range 41 East, in Miami-Dade County, Florida; thence run N87°36'01"E, along the centerline of the Right of Way of NW 41 Street, being also the North line of the SW ¼ of the SW ¼ of Section 22, for a distance of 59.98 feet to a point; thence run S02°23'59"E perpendicular to the previous course for a distance of 14.86 feet to the **POINT OF BEGINNING**, thence run S02°18'40"E, along the extension and the Easterly Right of Way line of NW 27 Avenue, for a distance of 56.08 to a point of intersection with a non tangent circular curve concave to the Southwest from which its radius point bears S04°27'58"W; thence run Westerly along said non tangent circular curve concave to the Southwest, having a radius of 2987.50 feet, through a central angle of 02°18'46" for an arc distance of 120.59 feet to the point of intersection with the Westerly Right of Way line of NW 27 Avenue from which its radius point bears S02°09'12"W; thence run N02°18'40"W, along the Westerly Right of Way line of NW 27 Avenue and its extension, for a distance of 47.07 feet to a point of intersection with a non tangent circular curve concave to the South, from which its radius point bears S01°13'41"E; thence run Easterly along said non tangent circular curve concave to the South, having a radius of 13512.50 feet through a central angle of 0°30'32" for an arc distance of 120.04 feet to the **POINT OF BEGINNING**, containing 6,151 square-feet or 0.141 acres more or less within its horizontal limits.

AND

Pier No. 78: A permanent construction and maintenance easement on that portion of a parcel of land conveyed to the State Road Department of Florida by County Deed dated February 20, 1962, recorded in Official Records Book 3181 at Page 402, being a portion of the NW 27 Ave (SR 9) Right of Way and being more particularly described as follows:

COMMENCE at the Northeast corner of the SE ¼ of the SE ¼ of Section 21, Township 53 South, Range 41 East, in Miami-Dade County, Florida; thence run S87°39'44"W, along the centerline of the Right of Way of NW 41 Street being also the North line of the SE ¼ of the SE ¼ of said Section 21, for a distance of 45.99 feet to a point; thence run S02°20'16"E, perpendicular to the previous course for a distance of 19.13 feet to the **POINT OF BEGINNING**; thence run S01°14'17"E for a distance of 33.00 feet to a point; thence run S88°45'43"W for a distance of 13.41 feet to a point; thence run N02°18'40"W for a distance of 33.00 feet to a point; thence run N88°45'43"E for a distance of 14.03 feet to a **POINT OF BEGINNING**, containing 453 square-feet or 0.010 acres more or less.

AND

Pier No. 79: A permanent construction and maintenance easement on that portion of a parcel of land conveyed to the State Road Department of Florida by County Deed dated February 20, 1962, recorded in Official Records Book 3181 at Page 402 being a portion of the NW 27 Ave (SR 9) Right of Way and being more particularly described as follows:

COMMENCE at the Northeast corner of the SE ¼ of the SE ¼ of Section 21, Township 53 South, Range 41 East, in Miami-Dade County, Florida; thence run N87°36'01"E, along the centerline of the Right of Way of NW 41 Street being also the North line of the SW ¼ of the SW

¼ of Section 22, Township 53 South, Range 41 East, in Miami-Dade County, Florida for a distance of 59.96 feet to a point; thence run S02°23'59"E, perpendicular to the previous course for a distance of 26.78 feet to the **POINT OF BEGINNING**; thence run S02°18'40"E for a distance of 33.01 feet to a point; thence run S89°19'34"W for a distance of 11.65 feet to a point; thence run N00°40'26"W for a distance of 33.00 feet to a point; thence run N89°19'34"E for a distance of 10.71 feet to the **POINT OF BEGINNING**, containing 369 square-feet or 0.008 acres more or less .

Parcel FDOT 260 Easement

Legal Description:

That parcel of land vested in the State of Florida Department of Transportation by Order of Taking dated May 3, 2001, recorded in Official Records Book 19640 at Page 1686 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right of way line, for a distance of 35.46 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated February 16, 1956, recorded in Official Records Book 4838 at Page 547 of the Public Records of Miami-Dade County, Florida and the **POINT OF BEGINNING**; thence continue S01°37'48"E, along said Westerly right of way line, for a distance of 821.16 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated July 15, 1991, recorded in Official Records Book 15131 at Page 985 of the Public Records of Miami-Dade County; thence run S88°34'58"W, along the said North line, for a distance of 144.27 feet to the point of intersection with the Easterly right of way line of NW 38 Ct; thence run N01°43'33"W, along the Easterly right of way line of NW 38 Ct, for a distance of 775.58 to the point of curvature of a circular curve concave to the Southeast; thence run Northeasterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency with the Southerly right of way line of NW 25 Street; thence run N79°06'17"E, along the Southerly right of way line of NW 25 Street, for a distance of 126.23 feet to the **POINT OF BEGINNING**.

Parcel FDOT 260A Easement

Legal Description:

That parcel of land remised, released and quitclaimed to the State of Florida Department of Transportation by County Quit Claim Deed dated February 21, 2001, recorded in Official Records Book 19518 at Page 1328 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right of way line of the Railroad Right of Way, for a distance of 35.46 feet to a point of intersection with the Southerly right of way line of NW 25 Street; thence run

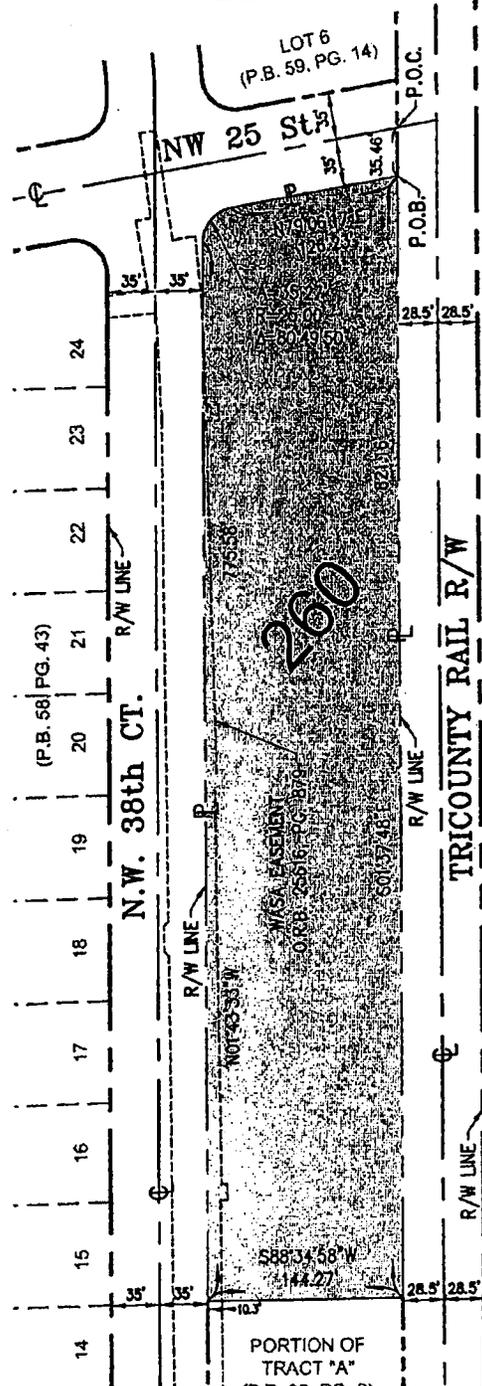
S79°06'17"W, along the Southerly right of way line of NW 25 Street, for a distance of 126.23 feet to the **POINT OF BEGINNING** being also the point of curvature of a circular curve concave to the Southeast; thence run Southwesterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency; thence run S01°43'33"E, along the Easterly right of way line of NW 38 Court, for a distance of 902.30 to a point of curvature of a circular curve concave to the Northwest; thence run Southwesterly along said circular curve concave to the Northwest, having a radius of 95.00 feet, through a central angle of 39°02'42", for an arc distance of 64.74 feet to a point of cusp being also a point of intersection with the Westerly Right of Way line of the Metrorail; thence run N02°02'35"W, along the said Westerly Right of Way line of the Metrorail, for a distance of 979.15 feet to a point of intersection with the extended Southerly right of way line of NW 25 Street; thence run N79°06'17"E, along the said extended Southerly right of way line, for a distance of 48.27 feet to the **POINT OF BEGINNING**.

PARCEL FDOT 260 (JPA)

EXHIBIT "A"

SEC 29
TWP 53 S
RGE 41 E N

- LEGEND**
- BOUNDARY LINE
 - CENTER LINE
 - - - RIGHT-OF-WAY
 - (POC) POINT OF COMMENCEMENT
 - (POB) POINT OF BEGINNING
 - ▭ PROPERTY LINE
 - ▭ JOINT USE PARCEL AREA
 - (R) RADIUS
 - (A) LENGTH
 - (Δ) DELTA



NOT SUBDIVIDED
SEC. 29-53-41

TRACT "A"
(P.B. 148, PG. 54)

FOLIO: 30-3129-014-0010
PARCEL AREA: 117,167 SQ-FT OR 2.690 ACRES MORE OR LESS

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.



THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
MIAMI-DADE COUNTY PUBLIC WORKS DEPT.
RIGHT OF WAY DIVISION
ENGINEERING SECTION

EARLINGTON HTS-MIC
CORRIDOR

PARCEL NO. FDOT 260

SCALE: 1" = 120' DATE: 05-01-08
DRAWN BY: L. Espinosa
CHECKED BY: C. Sacarras
PROJECT 2004-0676 SHEET 1 OF 2

PARCEL FDOT 260 (JPA)

EXHIBIT "A"

SEC 29
TWP 53 S
RGE 41 E N

Legal Description of Parcel FDOT 260:

That parcel of land vested in the State of Florida Department of Transportation by Order of Taking dated May 3, 2001, recorded in Official Records Book 19640 at page 1686 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right of way line, for a distance of 35.46 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated February 16, 1956, recorded in Official Records Book 4838 at page 547 of the Public Records of Miami-Dade County, Florida and the POINT OF BEGINNING; thence continue S01°37'48"E, along said Westerly right of way line, for a distance of 821.16 feet to a point of intersection with the North line of the property conveyed by Warranty Deed dated July 15, 1991, recorded in Official Records Book 15131 at page 985 of the Public Records of Miami-Dade County; thence run S88°34'58"W, along the said North line, for a distance of 144.27 feet to the point of intersection with the Easterly right of way line of NW 38 Ct; thence run N01°43'33"W, along the Easterly right of way line of NW 38 Ct, for a distance of 775.58 to the point of curvature of a circular curve concave to the Southeast; thence run Northeasterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency with the Southerly right-of-way line of NW 25 Street; thence run N79°06'17"E, along the Southerly right-of-way line of NW 25 Street, for a distance of 126.23 feet to the POINT OF BEGINNING.

Subject to easement and lease conditions as set forth in Final Judgment dated October 23, 2001 recorded in Official Records Book 19967 at page 2346 of the Public Records of Miami-Dade County, Florida.

Miami-Dade County Public Works Department
Right of Way Division, Engineering Section
111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

By: _____
Carlos D. Socarras, PLS
Professional Land Surveyor No. 4953
State of Florida

NOTICE: Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.



SKETCH TO ACCOMPANY LEGAL DESCRIPTION
MIAMI-DADE COUNTY PUBLIC WORKS DEPT.
RIGHT OF WAY DIVISION
ENGINEERING SECTION

EARLINGTON HTS-MIC
CORRIDOR
PARCEL NO. FDOT 260

SCALE: NONE DATE: 05-01-08
DRAWN BY: L. Espinosa
CHECKED BY: C. Socarras
PROJECT 2004-0676 SHEET 2 OF 2

LEGEND

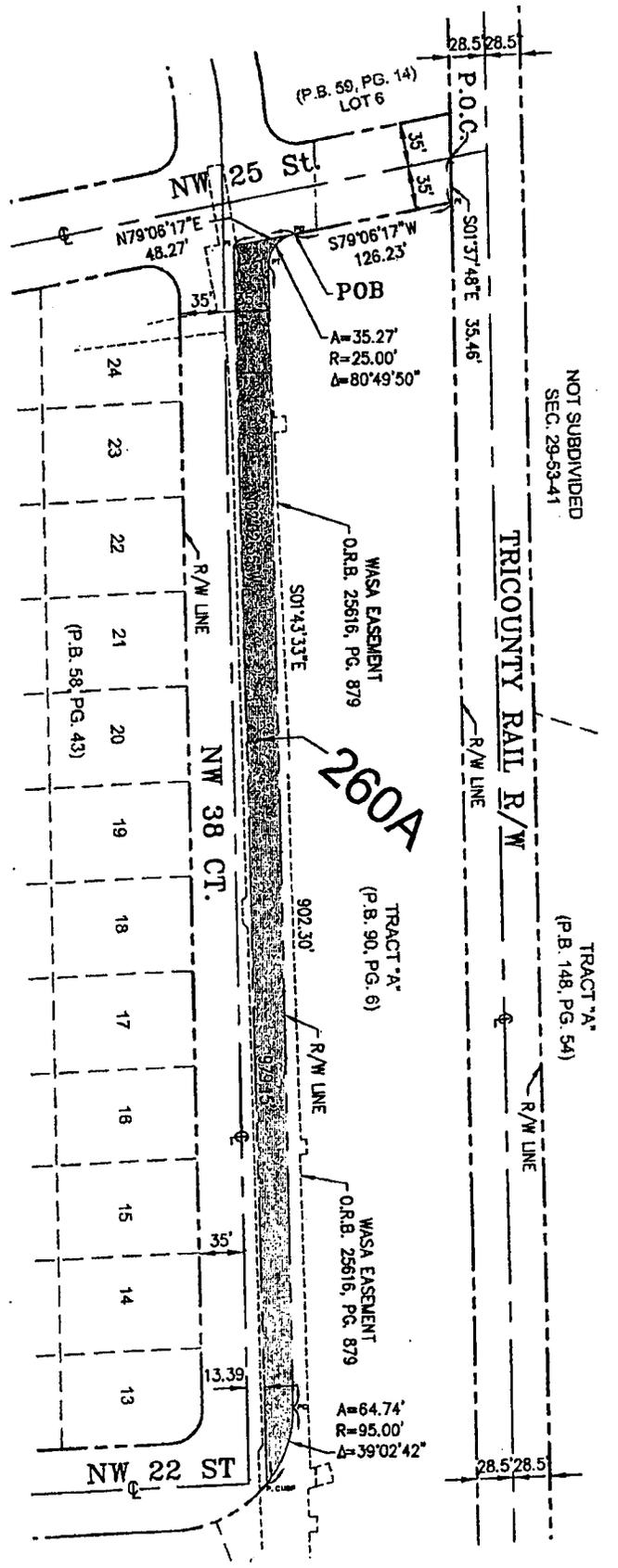
BOUNDARY LINE
 CENTER LINE
 RIGHT-OF-WAY
 (POC) POINT OF COMMENCEMENT
 (POB) POINT OF BEGINNING
 (POB) POINT OF BEGINNING

PROPERTY LINE
 JOINT USE PARCEL AREA
 RADIUS
 LENGTH
 DELTA

PARCEL FOOT 260A (P/A)

EXHIBIT "A"

SEC 29
 TWP 53 S
 RGE 41 E



PARCEL AREA: 23,178 SQ-FT
 OR 0.532 ACRES MORE OR LESS

PARCEL SKETCH



MIAMI-DADE COUNTY PUBLIC WORKS DEPT.
 RIGHT OF WAY DIVISION
 ENGINEERING SECTION

EARLINGTON HTS-MIC
 CORRIDOR
 PARCEL NO. FDOT 260A

SCALE: 1" = 80'
 DATE: 04-29-08
 FIELD BOOK NO. 5
 PREPARED BY: L. ESPINOSA
 PROJECT: 20040818 SHEET: 2 of 2

PARCEL FDOT 260A (JPA)

EXHIBIT "A"

SEC 29

TWP 53 S

RGE 41 E N

Legal Description of Parcel FDOT 260A:

That parcel of land remised, released and quitclaimed to the State of Florida Department of Transportation by County Quit Claim Deed dated February 21, 2001, recorded in Official Records Book 19518 at Page 1328 of the Public Records of Miami-Dade County, Florida, lying in the SE 1/4 of Section 29, Township 53 South, Range 41 East, being more particularly described as follows:

COMMENCE at the point of intersection of the centerline of NW 25 Street and the Westerly right of way line of the Railroad Right of Way (Tri-County Rail Right of Way) as shown on Plat Book 90 at Page 6 of the Public Records of Miami-Dade County, Florida; thence run S01°37'48"E, along said Westerly right-of-way line of the Railroad Right of Way, for a distance of 35.46 feet to a point of intersection with the Southerly right-of-way line of NW 25 Street; thence run N79°06'17"E, along the Southerly right-of-way line of NW 25 Street, for a distance of 126.23 feet to the POINT OF BEGINNING being also the point of curvature of a circular curve concave to the Southeast; thence run Southwesterly along said circular curve concave to the Southeast, having a radius of 25.00 feet, through a central angle of 80°49'50", for an arc distance of 35.27 feet to a point of tangency; thence run N01°43'33"W, along the Easterly right of way line of NW 38 Court, for a distance of 902.30 to a point of curvature of a circular curve concave to the Nothwest; thence run Southwesterly along said circular curve concave to the Northwest, having a radius of 95.00 feet, through a central angle of 39°02'42", for an arc distance of 64.74 feet to a point of cusp being also a point of intersection with the Westerly Right of way line of the Metrorail; thence run N02°02'35"W, along the said Westerly Right of Way line of the Metrorail, for a distance of 979.15 feet to a point of intersection with the extended Southerly right-of-way line of NW 25 Street; thence run N79°06'17"E, along the said extended Southerly right-of-way line, for a distance of 48.27 feet to the POINT OF BEGINNING.

Miami-Dade County Public Works Department
Right of Way Division, Engineering Section
111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

By: _____
Carlos D. Socarras, PLS
Professional Land Surveyor No. 4953
State of Florida

NOTICE: Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

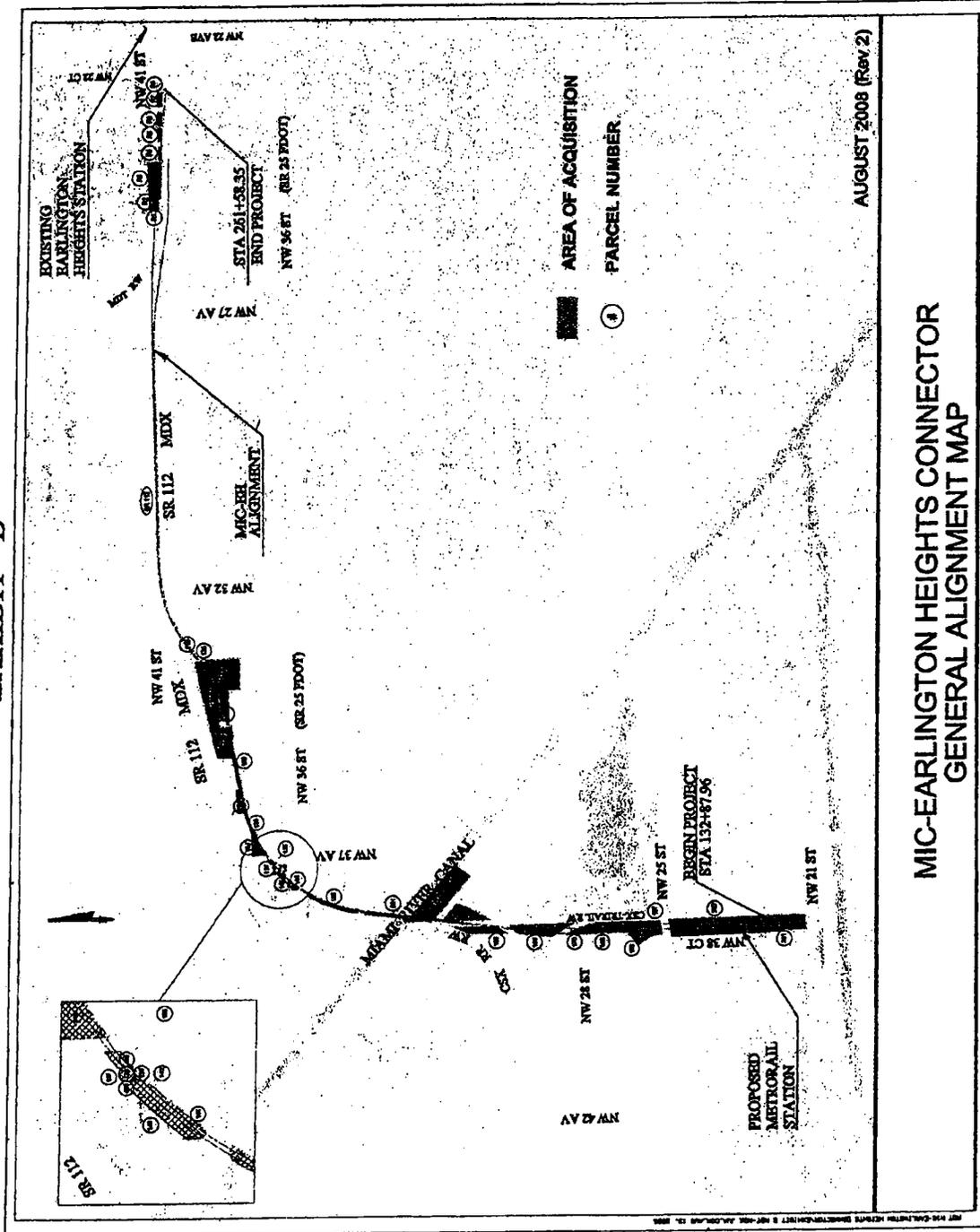


SKETCH TO ACCOMPANY LEGAL DESCRIPTION
MIAMI-DADE COUNTY PUBLIC WORKS DEPT.
RIGHT OF WAY DIVISION
ENGINEERING SECTION

EARLINGTON HTS-MIC
CORRIDOR
PARCEL NO. FDOT 260A

SCALE: NONE DATE:04-28-08
DRAWN BY: L. Espinosa
CHECKED BY: C. Socarras
PROJECT 2004-0676 SHEET 2 OF 2

EXHIBIT " B "



MIC-EARLINGTON HEIGHTS CONNECTOR
GENERAL ALIGNMENT MAP

AUGUST 2008 (REV. 2)