



**MEMORANDUM**

Agenda Item No. 8(L) (3)

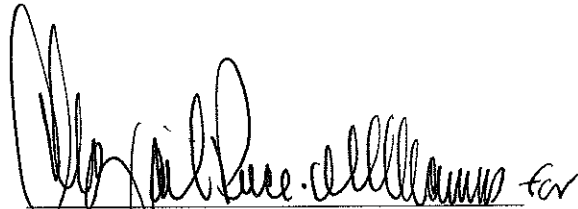
**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** April 3, 2012

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

**SUBJECT:** Resolution authorizing the conveyance  
of non-exclusive easements to  
Bellsouth Telecommunications,  
Inc.

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Co-Prime Sponsors Vice Chairwoman Audrey M. Edmonson and Commissioner Jean Monestime.



R. A. Cuevas, Jr.  
County Attorney

RAC/up

# Memorandum



**Date:** April 3, 2012

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing the Conveyance of Non-exclusive Easements and Exclusive Easement to BellSouth Telecommunications, Inc for the Construction, Operation, Maintenance, and/or the Removal of Systems or Facilities for the HOPE VI-Phase II Development

---

### Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the conveyance of non-exclusive easements and an exclusive easement to BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities under a portion of the lands described in for the HOPE VI-Phase II project sites as noted on the attached easement agreements. These easements are necessary to provide utilities to the new Northpark at the Scott-Carver development.

### Scope

The extent of each easement is more specifically noted on each attached non-exclusive and exclusive easement agreements located generally at the intersection of NW 75<sup>th</sup> Street and NW 22<sup>nd</sup> Avenue in conjunction with the HOPE VI redevelopment project. The folios contained in the attached easements and the corresponding Commission districts are provided below:

Folio	District	Folio	District
30-3110-079-0010	3	30-3110-081-0010	2
30-3110-079-0020	3	30-3110-081-0020	3
30-3110-079-0030	3	30-3110-081-0030	2
30-3110-080-0010	3	30-3110-081-0040	2
30-3110-080-0020	3	30-3110-081-0050	3
30-3110-080-0030	3	30-3110-081-0060	2

### Fiscal Impact/Funding Source

Approval of this resolution will have no fiscal impact to Miami-Dade County.

### Track Record/Monitor

This project will be monitored by Jorge R. Cibran, Director of Facilities & Development for Public Housing and Community Development (PHCD).

Honorable Joe A. Martinez  
And Members, Board of County Commissioners  
Page 2

**Background**

BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a/ AT&T Florida has requested easements as delineated in the attachments in order to provide utility requirements to the new HOPE VI-Phase 2 development. PHCD has no objection to these proposed locations.

The HOPE VI redevelopment project was made possible by the U.S. Housing and Urban Development (HUD) 1999 grant, which has been leveraged with other funding sources to facilitate the financial viability of the project.

Phase II of the redevelopment effort was started immediately after the execution of a Master Development Agreement (MDA) with the HOPE VI-Phase II developer, McCormack Baron Salazar, Inc. (MBS) in December 2008, and is anticipated to be completed by the end of 2012. A total of 354 family rental units are planned for this phase, of which 177 are public housing units, 107 are low and moderate income units and 70 are market-rate units.

Attachments

A handwritten signature in black ink, consisting of a stylized, cursive 'M' followed by a horizontal line extending to the right.

Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** April 3, 2012

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

**SUBJECT:** Agenda Item No. 8(L) (3)

**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(L) (3)  
4-3-12

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

RESOLUTION AUTHORIZING THE CONVEYANCE OF NON-EXCLUSIVE EASEMENTS AND AN EXCLUSIVE EASEMENT TO BELLSOUTH TELECOMMUNICATIONS, INC., A GEORGIA CORPORATION, D/B/A AT&T FLORIDA TO CONSTRUCT, OPERATE, MAINTAIN, ADD, AND/OR REMOVE SUCH SYSTEMS OF COMMUNICATIONS (INCLUDING BROADCAST), FACILITIES UNDER PROPERTY OWNED BY MIAMI-DADE COUNTY LOCATED GENERALLY AT THE INTERSECTION OF NW 75TH STREET AND NW 22ND AVENUE IN CONJUNCTION WITH HOPE VI-PHASE II PROJECT SITES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AGREEMENTS

**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 hereby authorizes the conveyance of non-exclusive easements and an exclusive easement to BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida (AT&T) to construct, maintain, add, and/or remove such systems of communications (including broadcast), facilities under Miami-Dade County-owned property located generally at the intersection of NW 75th Street and NW 22nd Avenue in conjunction with the HOPE VI-Phase II development, as more fully described in the attached AT&T easements, in substantially the form attached hereto and incorporated by reference; authorizes the County Mayor or County Mayor's designee to execute said easements for and on behalf of Miami-Dade County and to exercise all provisions therein; and pursuant to Resolution No. R-974-09, directs the County Mayor or the County Mayor's

designee to record the instruments of easement conveyance accepted herein in the Public Records of Miami-Dade County, Florida; directs the County Mayor or the County Mayor's designee to provide a recorded copy of the instruments to the Clerk of the Board within thirty (30) days of the execution of said instruments; and directs the Clerk of the Board to attach and permanently store recorded copies together with this resolution.

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:

- |                      |                                     |
|----------------------|-------------------------------------|
|                      | Joe A. Martinez, Chairman           |
|                      | Audrey M. Edmonson, Vice Chairwoman |
| Bruno A. Barreiro    | Lynda Bell                          |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz                    |
| Sally A. Heyman      | Barbara J. Jordan                   |
| Jean Monestime       | Dennis C. Moss                      |
| Rebeca Sosa          | Sen. Javier D. Souto                |
| Xavier L. Suarez     |                                     |

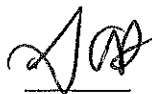
The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of April, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Terrence A. Smith

STATE OF FLORIDA  
COUNTY OF Miami-Dade

8416-C-FL  
(08-2007)

Preparer's name and address:  
Steven B. Massie  
BellSouth Telecommunications, Inc.  
9101 SW 24 St  
Miami, FL 33165

Grantee's Address:  
BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
9101 SW 24 St  
Miami, FL 33165

Non-Exclusive EASEMENT

For and in consideration of One and 00/100 <sup>non-exclusive</sup> dollars (\$ 1.00 ) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, (hereinafter referred to as "Grantor"), do(es) hereby grant to BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in Deed Book Plat Book 168, page 92, Miami-Dade County, Florida Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section 10, Township 53S, Range 41E, Tallahassee Meridian, Miami-Dade County, State of Florida, consisting of a (  strip ) (  parcel ) of land as more particularly described on attached Exhibit "A" ; Sketch to Accompany Legal Description prepared by Biscayne Engineering Company, Inc. dated October 13, 2011. Folio numbers: 30-3110-081-0040, 30-3110-081-0050, 30-3110-081-0060, 30-3110-081-0010, 30-3110-081-0020, and 30-3110-081-0030.

The following rights are also granted: the <sup>non-</sup>exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements, the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:  
**All facilities within the easement area to be installed underground. Generators and associated fuel supply systems within the easement area are permitted only for emergency power provisioning and will be removed by Grantee when no longer required. Upon completion of any work by Grantee or its contractor within the easement area, all disturbed areas shall be restored to original or better condition.**

In witness whereof, the undersigned has/have caused this instrument to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

Witness (Print Name) _____  _____  Witness (Print Name) _____  _____	Name of Corporation (Address) _____ _____ _____ _____ By: _____ Title: _____ Attest: _____ _____
--	--

State of Florida, County of \_\_\_\_\_

I HEREBY CERTIFY that \_\_\_\_\_, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name and title of officer) of \_\_\_\_\_ (name or corporation), a \_\_\_\_\_ corporation, on behalf of the corporation. He/she is personally known to me or has produced \_\_\_\_\_ identification and who did/did not take an oath.

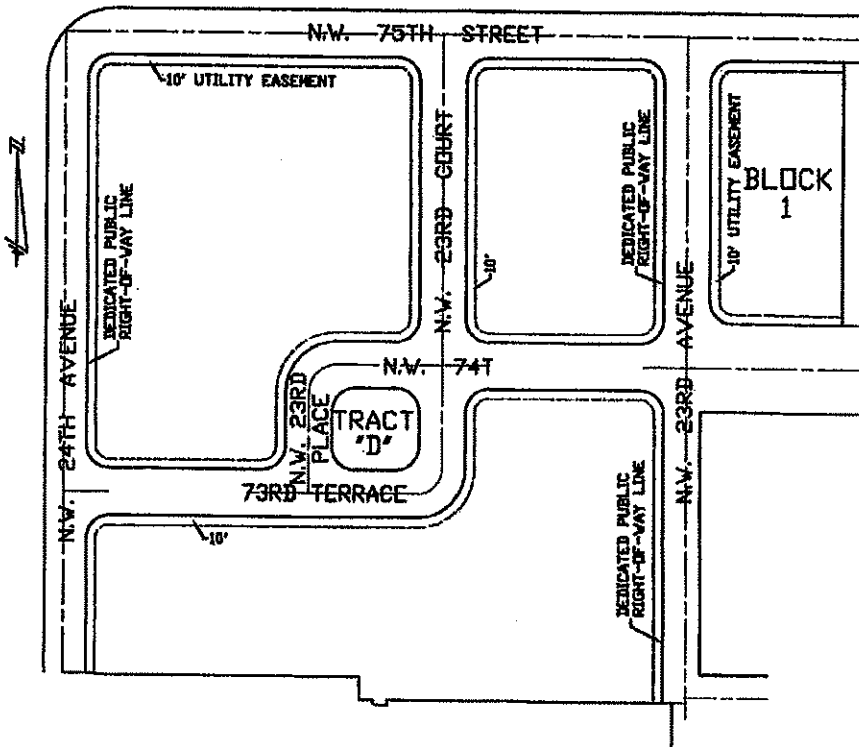
Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public  
 (Print Name) \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
 Commission Number \_\_\_\_\_

**TO BE COMPLETED BY GRANTEE**

District <b>SFL</b>	FRC	Wire Center/NXX	Authority
Drawing	Area Number	Plat Number	RWD
Parcel ID	Approval	Title	





IN

Robin D. Teagarden, Jr., for the firm

STATE OF FLORIDA  
COUNTY OF Miami-Dade

8418-C-FL  
(08-2007)

Preparer's name and address:

Steven B. Massie  
BellSouth Telecommunications, Inc.  
9101 SW 24 St  
Miami, FL 33168

Grantee's Address:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
9101 SW 24 St  
Miami, FL 33165

Non-Exclusive EASEMENT

For and in consideration of One and 00/100 <sup>non-exclusive</sup> dollars (\$ 1.00 ) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, (hereinafter referred to as "Grantor"), do(es) hereby grant to BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in

Deed Book Plat Book 168, page 92, Miami-Dade County, Florida Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section 10, Township 53S, Range 41E, Tallahassee Meridian, Miami-Dade County, State of Florida, consisting of a (  strip ) (  parcel ) of land as more particularly described on attached Exhibit "A" ; Sketch to Accompany Legal Description prepared by Biscayne Engineering Company, Inc. dated October 28, 2011. Folio numbers: 30-3110-079-0010, 30-3110-079-0020, 30-3110-079-0030.

The following rights are also granted: the <sup>non</sup> exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements, the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:  
All facilities within the easement area to be installed underground. Generators and associated fuel supply systems within the easement area are permitted only for emergency power provisioning and will be removed by Grantee when no longer required. Upon completion of any work by Grantee or it's contractor within the easement area, all disturbed areas shall be restored to original or better condition.

In witness whereof, the undersigned has/have caused this instrument to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

_____ Witness (Print Name) _____	_____ Name of Corporation (Address) _____ _____ _____
_____ Witness (Print Name) _____	By: _____ Title: _____ Attest: _____ _____

State of Florida, County of \_\_\_\_\_

I HEREBY CERTIFY that \_\_\_\_\_, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name and title of officer) of \_\_\_\_\_

\_\_\_\_\_ (name or corporation), a \_\_\_\_\_ corporation, on behalf of the corporation. He/she is personally known to me or has produced \_\_\_\_\_ identification and who did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public  
 (Print Name) \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
 Commission Number \_\_\_\_\_

**TO BE COMPLETED BY GRANTEE**

District <b>SFL</b>	FRC	Wire Center/NXX	Authority
Drawing	Area Number	Plat Number	RWD
Parcel ID	Approval	Title	

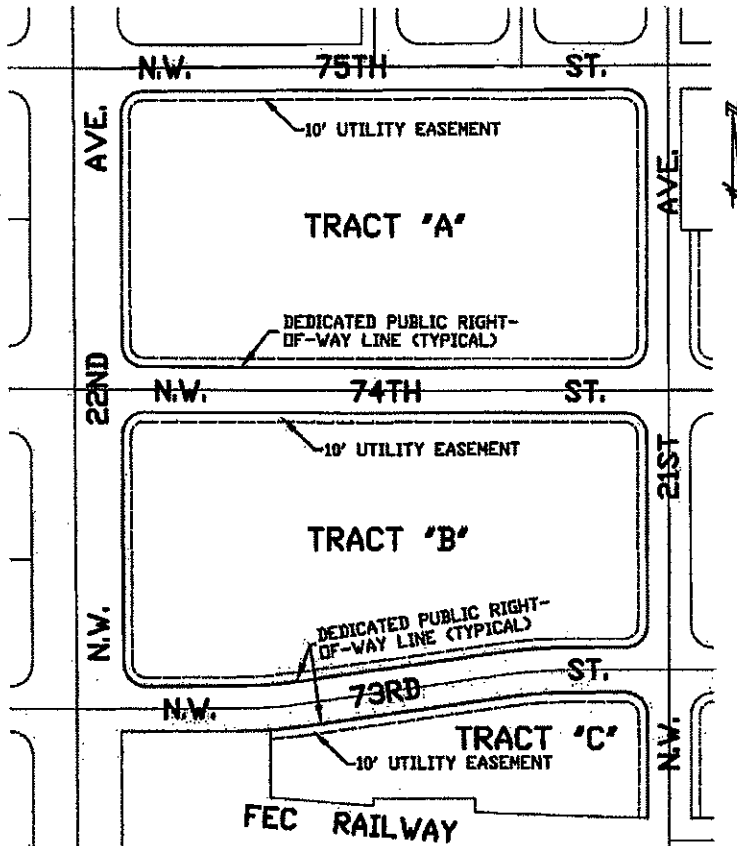
**SCOTT CARVER SECTOR IV  
UTILITY EASEMENTS  
LEGAL DESCRIPTION**

A ten (10) foot wide strip of land along and parallel with all Public Right-of-Way lines lying in Tracts "A", "B" and "C" of MDPHA SCOTT, according to the plat thereof recorded in Plat Book 168, at Page 90, of the Public Records of Miami-Dade County, Florida. The Southerly and Westerly lines of Tract "C" are not considered Public Right-of-Way. Less therefrom any portion of the above strips of land which may lie under any building.

Note: The above legal description was prepared by Biscayne Engineering Company, Inc.

Prepared for:  
Beauchamp Company  
Job No. 03-79868-2  
October 28, 2011

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 and LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671



**UTILITY  
EASEMENTS**

**SCOTT CARVER  
SECTOR IV**

**"MDPHA SCOTT"**  
PLAT BOOK 168, PAGE 90

**NOTES:**

1. The attached legal description was prepared by Biscayne Engineering Company, Inc.
2. The attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION is not valid without the signature and original raised seal of a Florida Licensed Surveyor & Mapper.

**SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION**

SCALE: 1" = 200'

**LEGAL DESCRIPTION:**


A ten (10) foot wide strip of land along, and parallel with, all Public Right-of-Way lines in Tracts A, B and C, of MDPHA SCOTT, according to the plat thereof recorded in Plat Book 168, at Page 90, of the Public Records of Miami-Dade County, Florida. The Southerly and Westerly lines of Tract "C" are not considered Public Right-of-Way. Less therefrom any portion of the above strips of land which may lie under any building.

WE HEREBY CERTIFY: that the attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION was prepared under our direction and complies with the Minimum Technical Standards adopted by the Florida Board of Professional Surveyors and Mappers in Chapter 5J17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

**BISCAYNE ENGINEERING COMPANY, INC.**

October 28, 2011  
Job No. 03-79868

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 and LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671

By:   
Robin D. Teagarden, Jr., for the firm  
Professional Surveyor &  
Mapper No. LS2354  
State of Florida

2116-SS-11

STATE OF FLORIDA  
COUNTY OF Miami-Dade

8416-C-FL  
(06-2007)

Preparer's name and address:

Steven B. Massie  
BellSouth Telecommunications, Inc.  
9101 SW 24 St  
Miami, FL 33165

Grantee's Address:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
9101 SW 24 St  
Miami, FL 33165

Non-Exclusive **EASEMENT**

non-exclusive

For and in consideration of One and 00/100 dollars (\$ 1.00 ) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, (hereinafter referred to as "Grantor"), do(es) hereby grant to BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in Deed Book Plat Book 168, page 92, Miami-Dade County, Florida Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section 10, Township 53S, Range 41E, Tallahassee Meridian, Miami-Dade County, State of Florida, consisting of a (  strip ) (  parcel ) of land as more particularly described on attached Exhibit "A" ; Sketch to Accompany Legal Description prepared by Biscayne Engineering Company, Inc. dated October 13, 2011. Folio numbers: 30-3110-080-0010, 30-3110-080-0020, and 30-3110-080-0030.

The following rights are also granted: the <sup>non</sup>exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements, the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:  
All facilities within the easement area to be installed underground. Generators and associated fuel supply systems within the easement area are permitted only for emergency power provisioning and will be removed by Grantee when no longer required. Upon completion of any work by Grantee or its contractor within the easement area, all disturbed areas shall be restored to original or better condition.

In witness whereof, the undersigned has/have caused this instrument to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

_____ Witness (Print Name) _____	_____ Name of Corporation (Address) _____ _____ _____
_____ Witness (Print Name) _____	By: _____ Title: _____ Attest: _____ _____

State of Florida, County of \_\_\_\_\_

I HEREBY CERTIFY that \_\_\_\_\_, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name and title of officer) of \_\_\_\_\_ (name or corporation), a \_\_\_\_\_ corporation, on behalf of the corporation. He/she is personally known to me or has produced \_\_\_\_\_ identification and who did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
 (Print Name) \_\_\_\_\_ Commission Number \_\_\_\_\_

**TO BE COMPLETED BY GRANTEE**

District <b>SFL</b>	FRC	Wire Center/NXX	Authority
Drawing	Area Number	Plot Number	RWD
Parcel ID	Approval	Title	

**SCOTT CARVER, SECTOR CARVER**  
**UTILITY EASEMENTS**  
**LEGAL DESCRIPTION**

A ten (10) foot wide strip of land along, and parallel with, all Public Right-of-Way lines lying within Tracts "A", "B" & "C", MDPHA CARVER, according to the plat thereof recorded in Plat Book 168, at Page 91, of the Public Records of Miami-Dade County, Florida. The Southerly line of Tract "B" and the North line of Tract "A" are not considered Public Right-of-Way. Less therefrom any portion of the above strips of land which may lie under any building.

**NOTES:**

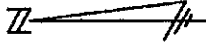
1. The above legal description was prepared by Biscayne Engineering Company, Inc.
2. The bearings are based on an assumed direction of  $S01^{\circ}44'09''E$  along the centerline of N.W. 19<sup>th</sup> Avenue between N.W. 73<sup>rd</sup> Street and N.W. 74<sup>th</sup> Terrace as shown on MDPHA CARVER, Plat Book 168, Page 91, Public Records of Miami-Dade County, Florida.

October 13, 2011  
Job No. 03-79868.1

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 and LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671



# SECTOR CARVER MDPHA CARVER



## LEGAL DESCRIPTION:

A ten (10) foot wide strip of land along, and parallel with, all Public Right-of-Way lines lying within Tracts "A", "B" & "C", MDPHA CARVER, according to the plat thereof recorded in Plat Book 168, at Page 91, of the Public Records of Miami-Dade County, Florida. The Southerly line of Tract "B" and the North line of Tract "A" are not considered Public Right-of-Way. Less therefrom any portion of the above strips of land which may lie under any building.

## NOTES:

1. The legal description was prepared by Biscayne Engineering Company, Inc.
2. Tracts "A", "B" and "C" are as shown on the plat MDPHA CARTER, recorded in Plat Book 168, at Page 91, of the Public Records of Miami-Dade County, Florida.
3. The buildings shown are being constructed as part of the Scott/Carver, Sector Carter project.
4. The bearings are based on an assumed direction of S01°44'09"E along the centerline of N.W. 19th Avenue between N.W. 73rd Street and N.W. 74th Terrace as shown on MDPHA CARVER, Plat Book 168, Page 91, Public Records of Miami-Dade County, Florida.
5. The attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION is not valid without the signature and original raised seal of a Florida Professional Surveyor & Mapper.

## CERTIFICATION:

WE HEREBY CERTIFY: that the attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION was prepared under our direction and complies with the Minimum Technical Standards adopted by the Florida Board of Professional Surveyors and Mappers in Chapter 5J17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

**BISCAYNE ENGINEERING COMPANY, INC.**

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

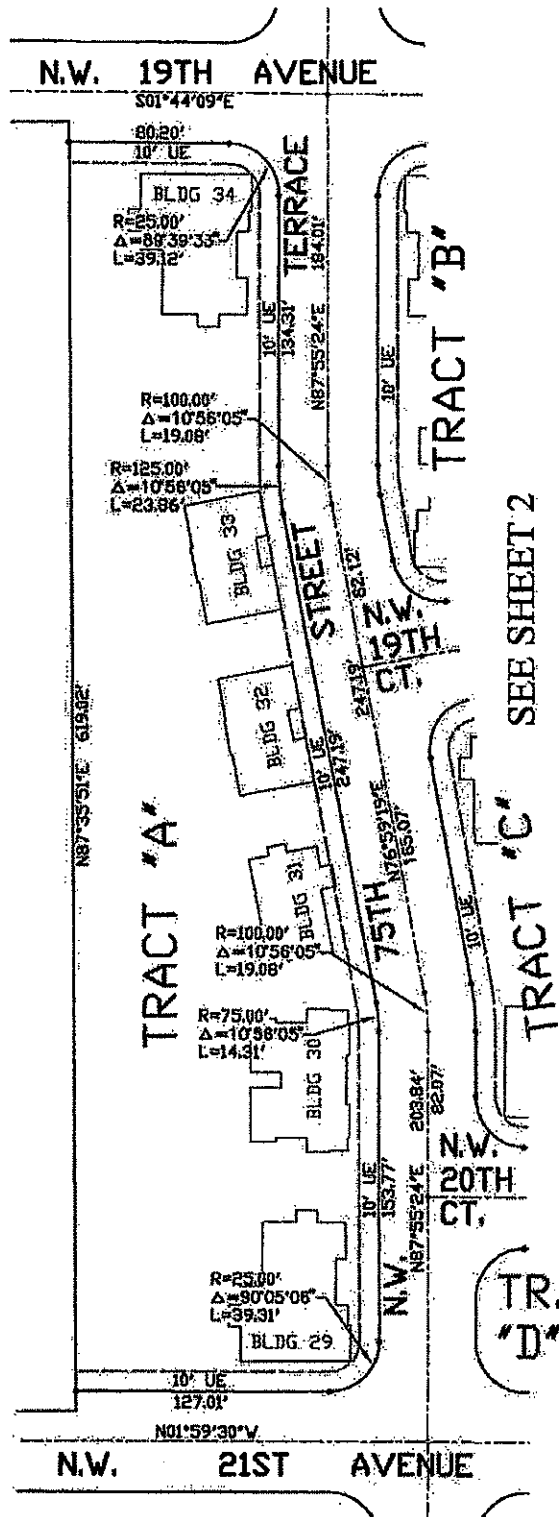
Robin D. Teagarden, Jr, for the firm  
Professional Survey &  
Mapper No. LS2354  
State of Florida

Prepared for:  
Beauchamp Construction Co.  
Job No. 03-79868.1  
October 13, 2011

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 & LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671

## ABBREVIATIONS:

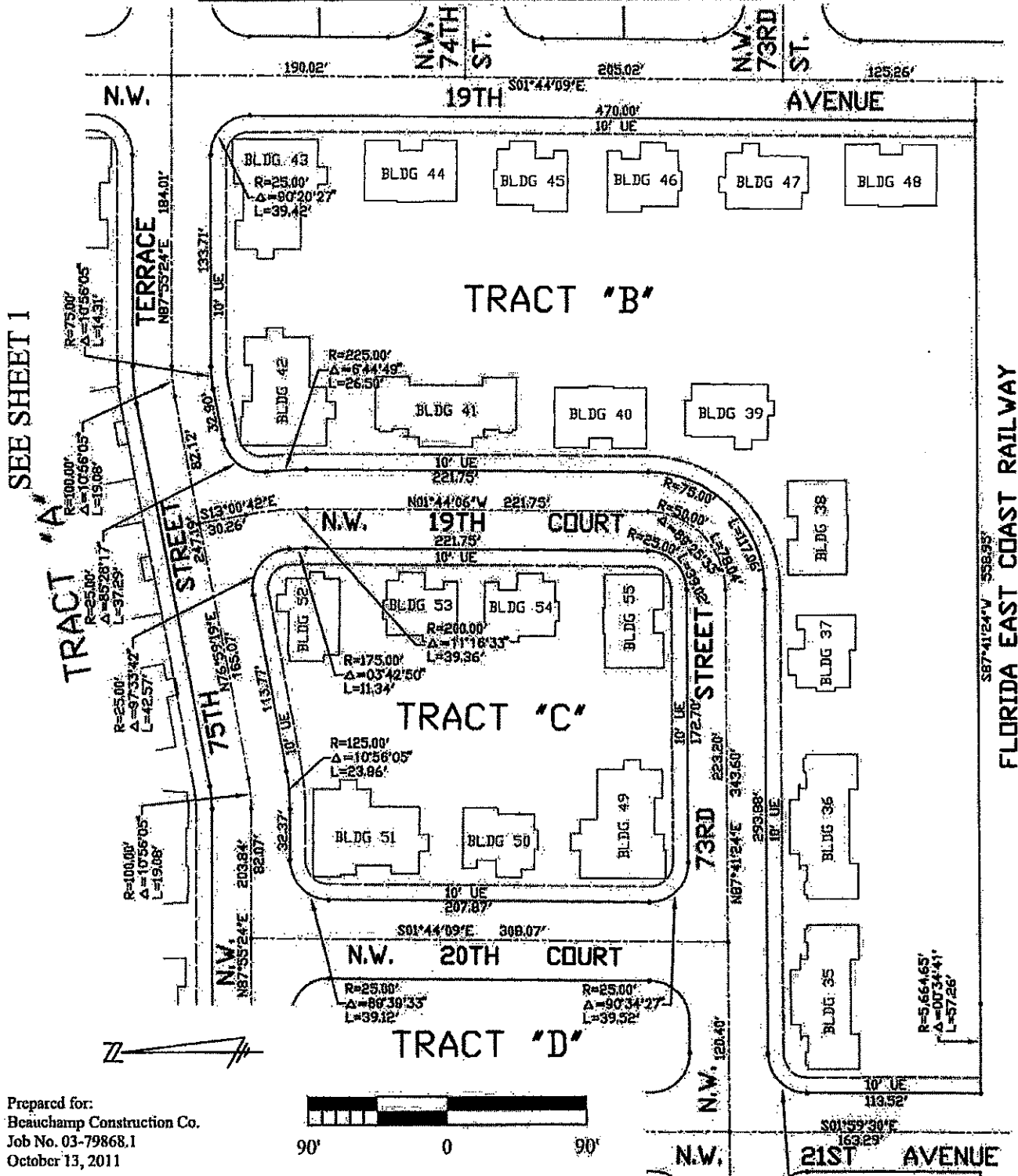
- BLDG = Building
- TR. = Tract
- UE = Utility Easement
- ⊕ = Contourline



## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE: 1"=90'

# SECTOR CARVER ~ MDPHA CARVER



SEE SHEET 1

Prepared for:  
Beauchamp Construction Co.  
Job No. 03-79868.1  
October 13, 2011

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 & LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE: 1"=90'

Sheet 2 of 2

FLORIDA EAST COAST RAILWAY

2116-SS-07

STATE OF FLORIDA  
COUNTY OF Miami-Dade

8416-C-FL  
(06-2007)

Preparer's name and address:

Steven B. Massie  
BellSouth Telecommunications, Inc.  
9101 SW 24 St  
Miami, FL 33165

Grantee's Address:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
9101 SW 24 St  
Miami, FL 33165

### EASEMENT

For and in consideration of One and 00/100 dollars (\$ 1.00 ) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, (hereinafter referred to as "Grantor"), do(es) hereby grant to **BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Florida**, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in

Deed Book Plat Book 168, page 92, Miami-Dade County, Florida Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section 10, Township 53S, Range 41E, Tallahassee Meridian, Miami-Dade County, State of Florida, consisting of a (  strip ) (  parcel ) of land as more particularly described on attached Exhibit "A" ; Sketch to Accompany Legal Description prepared by Biscayne Engineering Company, Inc. dated October 13, 2011. Folio number is 30-3110-081-0040.

The following rights are also granted: the exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements, the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. d/b/a AT&T Florida, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:  
Generators and associated fuel supply systems within the easement area are permitted only for emergency power provisioning and will be removed by Grantee when no longer required. Upon completion of any work by Grantee or it's contractor within the easement area, all disturbed areas shall be restored to original or better condition.

In witness whereof, the undersigned has/have caused this instrument to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
 Name of Corporation  
 (Address)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Witness  
 (Print Name)

\_\_\_\_\_  
 Witness  
 (Print Name)

By: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 \_\_\_\_\_

State of Florida, County of \_\_\_\_\_

I HEREBY CERTIFY that \_\_\_\_\_, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name and title of officer) of \_\_\_\_\_ (name or corporation), a \_\_\_\_\_ corporation, on behalf of the corporation. He/she is personally known to me or has produced \_\_\_\_\_ identification and who did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public  
 (Print Name)  
 My Commission Expires: \_\_\_\_\_  
 Commission Number \_\_\_\_\_

**TO BE COMPLETED BY GRANTEE**

District <b>SFL</b>	FRC	Wire Center/NXX	Authority
Drawing	Area Number	Plat Number	RWID
Parcel ID	Approval	Title	

**SCOTT CARVER SECTORS III & IIIA**  
**AT&T EASEMENT**  
**LEGAL DESCRIPTION**

A portion of Tract "A" of MDPHA LIBERTY, according to the plat thereof recorded in Plat Book 168, at Page 92, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the centerlines of N.W. 75<sup>th</sup> Street and N.W. 24<sup>th</sup> Avenue, as said Street and Avenue are shown on said plat of MDPHA LIBERTY; thence S02°10'31"E along the centerline of said N.W. 24<sup>th</sup> Avenue for 159.12 feet; thence N87°49'29"E for 25.00 feet to a point on the East Right-of-Way line of said N.W. 24<sup>th</sup> Avenue; thence continue N87°49'29"E for 10.00 feet to the POINT OF BEGINNING of the parcel herein described; thence from the above established Point of Beginning run N02°10'31"W along a line that is 10.00 feet East of, and parallel with the said East Right-of-Way line of N.W. 24<sup>th</sup> Avenue for 20.00 feet; thence N87°49'29"E for 20.00 feet; thence S02°10'31"E for 20.00 feet; thence S87°49'29"W for 20.00 feet to the Point of Beginning.

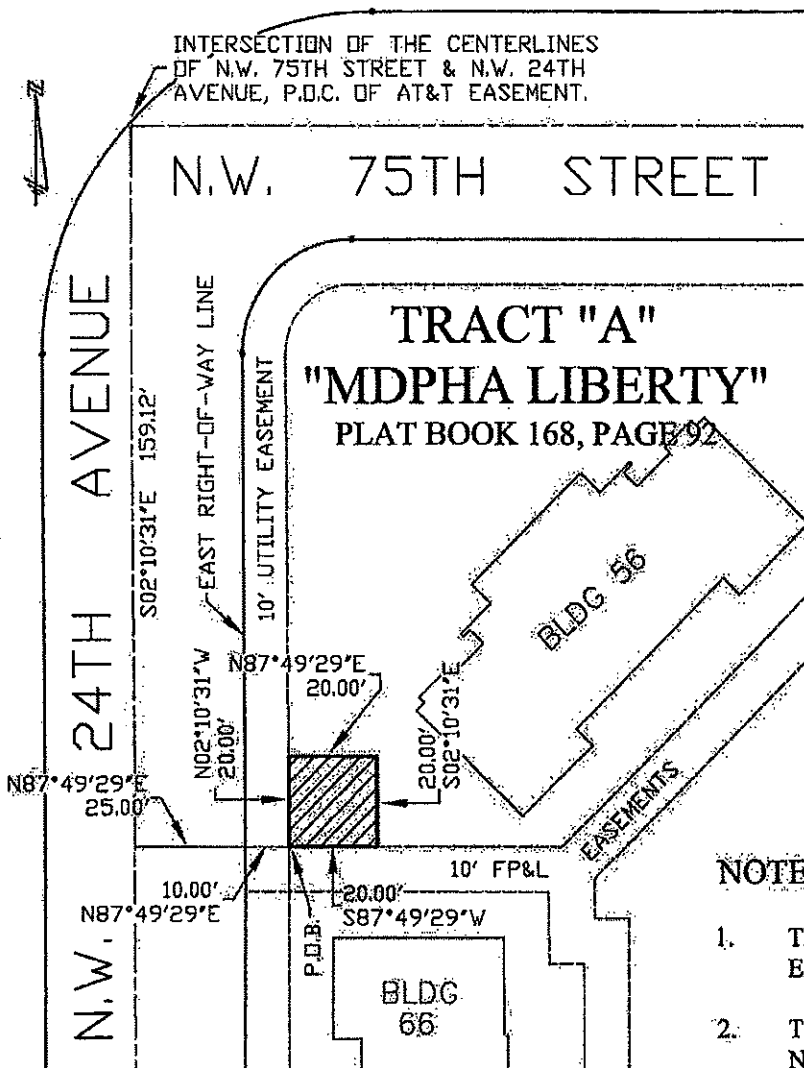
**NOTES:**

1. The legal descriptions were prepared by Biscayne Engineering Company, Inc.
2. The bearings are based on an assumed direction of N87°53'18"E along the centerline of N.W. 75<sup>th</sup> Street between N.W. 23<sup>rd</sup> Avenue and N.W. 24<sup>th</sup> Avenue, Miami-Dade County, Florida.
3. The above described parcel contains 400 square feet.

October 13, 2011  
Job No. 03-79868

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 and LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671

2115-SS-03



**SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION**  
SCALE: 1"=40'

**LEGAL DESCRIPTION:**

A portion of Tract "A" of MDPHA LIBERTY, according to the plat thereof recorded in Plat Book 168, at Page 92, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the centerlines of N.W. 75th Street and N.W. 24th Avenue, as said Street and Avenue are shown on said plat of MDPHA LIBERTY; thence S02°10'31"E along the centerline of said N.W. 24th Avenue for 159.12 feet; thence N87°49'29"E for 25.00 feet to a point on the East Right-of-Way line of said N.W. 24th Avenue; thence continue N87°49'29"E for 10.00 feet to the POINT OF BEGINNING of the parcel herein described; thence from the above established Point of Beginning run N02°10'31"W along a line that is 10.00 feet East of, and parallel with the said East Right-of-Way line of N.W. 24th Avenue for 20.00 feet; thence N87°49'29"E for 20.00 feet; thence S02°10'31"E for 20.00 feet; thence S87°49'29"W for 20.00 feet to the Point of Beginning.

**NOTES:**


1. The legal descriptions were prepared by Biscayne Engineering Company, Inc.
2. The bearings are based on an assumed direction of N87°53'18"E along the centerline of N.W. 75th Street between N.W. 23rd Avenue and N.W. 24th Avenue, Miami-Dade County, Florida.
3. The attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION is not valid without the signature and original raised seal of a Florida Professional Surveyor & Mapper.

WE HEREBY CERTIFY: that the attached SKETCH TO ACCOMPANY LEGAL DESCRIPTION was prepared under our direction and complies with the Minimum Technical Standards adopted by the Florida Board of Professional Surveyors and Mappers in Chapter 5J17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

**BISCAYNE ENGINEERING COMPANY, INC.**

October 13 2011  
Job No. 03-79868

Prepared by:  
Biscayne Engineering Company, Inc.  
Certificates of Authorization  
Numbers EB129 and LB129  
529 West Flagler Street  
Miami, Florida 33130  
(305) 324-7671

By:   
Robin D. Teagarden, Jr., for the firm  
Professional Surveyor &  
Mapper No. LS2354  
State of Florida

2115-SS-03