

# MEMORANDUM

Agenda Item No. 8(H)(1)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

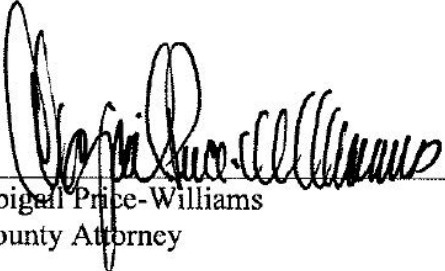
**DATE:** May 5, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution authorizing retroactive extension of an agreement between Miami-Dade County and the South Florida Water Management District for operation and maintenance of existing SFWMD facilities at Coral Gables Wayside Park, located at 5710 SW 35 Street, Coral Gables, related to the adjacent G93 Canal; authorizing County Mayor to execute agreement and exercise all provisions contained therein

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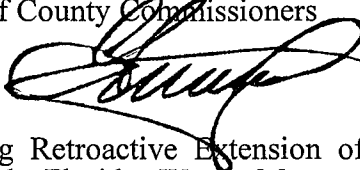
The accompanying resolution was prepared by the Parks, Recreation and Open Spaces and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.

  
Abigail Price-Williams  
County Attorney

APW/uw

**Date:** May 5, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing Retroactive Extension of an Agreement Between Miami-Dade County and the South Florida Water Management District for the Operation and Maintenance of Facilities at Coral Gables Wayside Park, Related to the Adjacent G93 Canal

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### **Recommendation**

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the retroactive extension of an agreement between Miami-Dade County and the South Florida Water Management District (SFWMD) for the operation and maintenance of facilities at Coral Gables Wayside Park, related to the adjacent G93 Canal Structure and SFWMD equipment located at the park.

### **Scope**

Coral Gables Wayside Park is located at 5710 SW 35 Street, Coral Gables, FL 33134, in County Commission District 6, represented by Commissioner Rebeca Sosa.

### **Fiscal Impact/Funding Source**

There is no fiscal impact or County funding source required. SFWMD will fund and manage all the maintenance and operational needs of the G93 Canal Structure and SFWMD equipment located at the park.


### **Track Record/Monitor**

The Miami-Dade Parks, Recreation and Open Spaces Department's (MDPROS) Planning Landscape Architect II, Jessica Blackwell, will monitor the First Amendment to the Agreement, Attachment A.

### **Background**

The County, through PROS, had an agreement with SFWMD for operation and maintenance of existing equipment at Coral Gables Wayside Park, adjacent to the G93 canal. Pursuant to the agreement, PROS needs to provide continuous and unobstructed access to the SFWMD for their facilities. Resolution No. R-249-89, Attachment B, authorized the agreement and provided a term of thirty years commencing March 7, 1989. The agreement therefore expired on March 7, 2019. The SFWMD G-93 Canal Structure remains intact and is located in the canal adjacent to the park, and the continued maintenance and operation of the canal structure remains necessary for the park lands to be protected from saltwater intrusion and flooding. The First Amendment to the Agreement authorizes the retroactive extension of the Agreement for two years. The SFWMD and the County are in the process of developing a plan for the continued operation of a flood control facility at the park and the two-year extension allows the parties to complete these plans. Once the plans are complete, a new Agreement for the Operation and Maintenance of these facilities will be submitted to the Board for review. The SFWMD equipment located at the park is housed within existing structures in the park, therefore SFWMD's equipment will not adversely impact the park's aesthetics, in accordance with Resolution No. R-504-15.

Attachments

  
Michael Spring  
Senior Advisor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 5, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(H)(1)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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(H)(1)  
5-5-20

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

RESOLUTION AUTHORIZING RETROACTIVE EXTENSION OF AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR OPERATION AND MAINTENANCE OF EXISTING SFWMD FACILITIES AT CORAL GABLES WAYSIDE PARK, LOCATED AT 5710 SW 35 STREET, CORAL GABLES, RELATED TO THE ADJACENT G93 CANAL; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AGREEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

**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:

**Section 1.** This Board hereby authorizes the Amendment to the Agreement, for retroactive extension of an agreement previously granted to the South Florida Water Management District under R-249-89, for continued operation and maintenance of the G93 Canal Structure facilities and equipment located at Coral Gables Wayside Park, in substantially the form attached hereto as Attachment A and made a part hereof, and authorizes the County Mayor or County Mayor's designee to execute the agreement and to exercise all provisions contained therein.

**Section 2.** This Board, pursuant to Resolution No. R-974-09, (a) directs the County Mayor or County Mayor's designee to record the agreement in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within 30 days of recordation of the agreement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said agreement 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:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

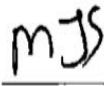
The Chairperson thereupon declared this resolution duly passed and adopted this 5<sup>th</sup> day of May, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.



Melanie J. Spencer

Attachment A

FIRST AMENDMENT TO AGREEMENT

This First Amendment to the Agreement, made this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between MIAMI-DADE COUNTY, a political subdivision of the State of Florida (the "County") and its PARKS, RECREATION AND OPEN SPACES DEPARTMENT, acting as agents for the County, whose mailing address is 275 NW 2nd Street, Miami FL 33128, and the SOUTH FLORIDA WATER MANAGEMENT DISTRICT, a government entity existing under Chapter 373 Florida Statutes, with its principal office and mailing address at 3301 Gun Club Road, West Palm Beach, Florida 33406, and its successors and assigns, hereinafter referred to as the "District."

WITNESSETH

WHEREAS, the County owns and/or has under its jurisdiction and control certain lands and or facilities in Miami-Dade County, located in Section 13, Township 54 South, Range 40 East, Dade County Florida, known as Coral Gables Wayside Park and described in Exhibit "A"; and

WHEREAS, the current Agreement, entered into on March 7, 1989, has a term of 30 years ending March 7, 2019 and the County and the District desire to extend the agreement's term by two years to March 7, 2021 under the terms and conditions of the existing agreement, in order to negotiate a new agreement.

WHEREAS, the County and District are mutually interested in and concerned with the installation, operation and maintenance of new water control facilities and the use of park appurtenances; and

WHEREAS, the District and the County are in the process of developing a plan for the continued operation of a flood control facility at Gables Wayside Park,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, it is mutually agreed as follows:

No other terms or conditions are hereby modified, except to the extent the agreement's term. All unmodified terms and conditions remain in full force and effect. Hereafter, the Agreement together with this First Amendment shall be the "Modified Agreement."

IN WITNESS WHEREOF, the parties hereto caused duly authorized representation to execute the First Amendment to the Agreement as of the date of approval by the County and the District.

ATTEST:

By: \_\_\_\_\_  
Name  
Title  
South Florida Water Management District

By: \_\_\_\_\_  
Carlos A. Gimenez  
Mayor  
Miami-Dade County

Approved as to form and legal sufficiency by County Attorney \_\_\_\_\_

EXHIBIT "A"

Legal Description for a portion of Coral Gables Wayside Park located West of Red Road (S.W. 57 Avenue), between S.W. 34 Street and 35 Street, and legally described as follows:

Lot 46, Block 2 and Lot 36 Block 5, Amended Plat of Central Miami, Part One, Recorded in Plat Book 10 at Page 75 of the Public Records of Dade County, Florida and those portions of S.W. 34 Street and S.W. 35 Street lying contiguous with the aforesaid lots.

Attachment B

Agenda Item No. 5 (e) (28)  
3-7-89

RESOLUTION NO.                      R-249-89

RESOLUTION AUTHORIZING EXECUTION OF  
AGREEMENT WITH SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT PROVIDING FOR USE OF  
CORAL GABLES WAYSIDE PARK

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 DADE COUNTY, FLORIDA, that this Board approves Agreement between Dade County and the South Florida Water Management District, by which the District will replace a salinity control structure in the Coral Gables Canal (C-3) in substantially the form attached hereto; and authorizes the County Manager to execute same for and on behalf of Dade County, Florida.

The foregoing resolution was offered by Commissioner Sherman S. Winn, who moved its adoption. The motion was seconded by Commissioner Charles M. Dusseau and upon being put to a vote, the vote was as follows:

- |                    |        |
|--------------------|--------|
| Barbara M. Carey   | absent |
| Charles Dusseau    | aye    |
| Joseph M. Gersten  | absent |
| Larry Hawkins      | aye    |
| Harvey Ruvin       | absent |
| Barry D. Schreiber | aye    |
| Jorge E. Valdes    | absent |
| Sherman S. Winn    | aye    |
| Stephen P. Clark   | aye    |

The Mayor thereupon declared the resolution duly passed and adopted this 7th day of March, 1989.


DADE COUNTY, FLORIDA  
BY IT BOARD OF  
COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

RAYMOND BELL

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

By: \_\_\_\_\_  
Deputy Clerk





MEMORANDUM

07.07-17A

Agenda Item No. 5(e) (28)

TO: Honorable Mayor and Members  
Board of County Commissioners

DATE: March 7, 1989

FROM: *Joaquín A. Arriaga*  
Joaquín A. Arriaga, P.E.  
County Manager

SUBJECT: Approval of Agreement with  
South Florida Water Management  
District for Use of  
Coral Gables Wayside Park

RECOMMENDATION

It is recommended that the Board approve the attached Agreement with the South Florida Water Management District which will provide the necessary easements for the District to replace and operate a flood control structure in the Coral Gables Canal and within our Coral Gables Wayside Park.

The Culture and Recreation Committee approved this matter at their meeting of February 28, 1989.

BACKGROUND

For many years, Dade County has maintained our Coral Gables Wayside Park, a one-acre passive/beautification area located on the west side of S.W. 57th Avenue (Red Road), between 34th and 35th Streets. In addition, our Historical Preservation Board designated the park as a historical site in 1987.

The Coral Gables Canal, traversing the park, presently contains a salinity control structure at that location. However, the structure is old and the South Florida Water Management District wishes to replace it with another (automatic) structure.

To this end, representatives of the South Florida Water Management District have requested an appropriate Agreement. Our approval would grant those easements necessary to replace and operate the structure.

The attached Agreement reflects the results of meetings between the District and our staff, as well as legal review. Your concurrence is now respectfully requested.

Attachment

512)122  
3-7-89  
R-249-89

AGREEMENT

THIS AGREEMENT, made this the 9<sup>th</sup> day of March, A.D., 1989 by and between DADE COUNTY, a political subdivision of the State of Florida, and its PARK AND RECREATION DEPARTMENT, acting as agents for the County, whose mailing address is 50 S.W. 32nd Road, Miami, Florida 33129, hereinafter referred to as the County, and SOUTH FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, with its principal office at 3301 Gun Club Road, and whose mailing address is P. O. Box 24680, West Palm Beach, County of Palm Beach, State of Florida 33416-4680, hereinafter referred to as the District.

W I T N E S S E T H:

WHEREAS, Dade County and the South Florida Water Management District are mutually interested in and concerned with the installation and maintenance of new water control facilities and the use of park appurtenances - specifically the towers as described herein; and

WHEREAS, the County owns and/or has under its jurisdiction and control certain lands and or facilities in Dade County, Florida, located in Section 13, Township 54 South, Range 40 East, Dade County Florida, known as Coral Gables Wayside Park and described in Exhibit "A", that may be utilized; and

WHEREAS, on October 21, 1987, the Dade County Historical Preservation Board approved Resolution No. 8760, designating the Coral Gables Wayside Park as an individual historical site, thereby recognizing the property as a significant part of the County's heritage and further, on April 20, 1988, nominated this site to the National Register of Historic Places; and

WHEREAS, the South Florida Water Management District desires to install various mechanical equipment, hydraulic equipment, emergency generator and propane tank necessary for the operation of the water control facility referred to as G-97; and

WHEREAS, the South Florida Water Management District can utilize the existing historical towers to house said equipment without having to construct new structures that would detract from the historical ambiance of the park, and

WHEREAS, the South Florida Water Management District is willing to upgrade, repair and maintain the towers; and

WHEREAS, the common objective of providing a means of improving the park aesthetics and maintaining the historical integrity while upgrading the water control structure may be best achieved in the most economical manner through joint and concerted action of the respective parties in making available for such purposes suitable facilities and/or lands belonging to or under the control of the County, on which either party may fund their respective interests.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00), the receipt of which is hereby acknowledged, and for the further consideration of the covenants hereinafter set forth, the parties hereto mutually agree as follows:

1. The County hereby grants the following specified easements unto the District, as defined herein for a period of thirty (30) years from the date of this Agreement, for the installation, operation, and maintenance of water control facilities, water flowage and storage, and the use of certain park appurtenances - specifically the towers, located in the Coral Gables Wayside Park and identified as EXHIBIT F, and subject to all of the terms and conditions herein contained.

A. WATER FLOWAGE AND STORAGE EASEMENT

This Water Flowage and Storage Easement shall be for the purpose of the flowage and storage of water on said lands, the construction and maintenance of a salinity dam, improvements to the North Tower, and all purposes necessary or incidental thereto, in the accomplishment of the water control program of the District upon the lands described in EXHIBIT "B."

B. NONEXCLUSIVE MAINTENANCE/ACCESS EASEMENT (North Side of Canal)

This easement shall be for the purpose of maintenance and access during and after the construction of a salinity dam, and all purposes necessary or incidental thereto, in the accomplishment of the water control program of the District upon the lands described in EXHIBIT "C."

C. NONEXCLUSIVE MAINTENANCE/ACCESS EASEMENT (South Side of Canal)

This easement shall be for the purpose of maintenance and access during and after the construction of a salinity dam, and all purposes necessary or incidental thereto, in the accomplishment of the water control program of the District upon the lands described in EXHIBIT "D." That portion of the easement abutting S.W. 57th Avenue shall not be used for ingress/egress.

D. OPERATION EASEMENT (Use of Historical Towers)

1. This Easement shall be for the purpose of operation during and after the construction of a salinity dam, and all purposes necessary or incidental thereto, in the accomplishment of the water control program of the District upon the lands described in EXHIBIT "E."
2. For purposes of identification, the historical towers are identified as follows:

Tower No. 1 - located on the north side of S.W. 35 Street and 15' inside the public right-of-way.

Tower No. 2 - located on the south bank of the Coral Gables Canal C-3.

North Tower - located on the north bank of the Coral Gables Canal C-3.

3. Tower No. 1 will house a propane tank to provide fuel to the emergency generator. A buried gas line will run from Tower No. 1 to Tower No. 2, parallel to the concrete wall.

Tower No. 2 will house the air compressor, hydraulic PAC, main circuit box, emergency generator, and other accessory equipment.

2. The use of Towers Nos. 1 and 2 shall be exclusive for the District who shall upgrade, repair and maintain same during the period this agreement is in effect.
  - A. The North Tower will not be used by the District but will receive improvements to the retaining wall, concrete pumped under the edge of the tower where eroded and gabion baskets and stone protection installed around the base as part of the water flowage and storage easement bank stabilization. After initial improvements are completed, the District has no maintenance responsibility for the North tower other than bank stabilization.
  - B. Prior to the commencement of any construction and any maintenance thereafter which would alter, modify, or impact the towers or wall, the District shall obtain a Certificate of Appropriateness from the Dade County Historic preservation Board.

### 3. OTHER CONDITIONS

- A. That upon completion of the initial reconstruction of the salinity dam and any maintenance thereafter, the easement areas will be restored within a reasonable time by the District to a condition equal to or better than that which existed at the time of the installation or date (or dates) of maintenance, whichever date is applicable at the time of restoration, including desirable trees, shrubbery, sod, paving, gabion walls or restoration of the historical structures used or impacted by the District. No open trench is to remain open or unfenced overnight within the park boundary.
- B. The County reserves the right and privilege to use the above-described lands for any purpose not inconsistent with easement rights hereby granted. Other than during the initial construction period, at no time shall public access to park functions be interfered with or prevented.

It is expressly provided that if any of the above described property shall cease to be used by the District for the purposes herein stated, the unused Easement area shall immediately and without notice be cancelled for that purpose and that subject property will revert to the County's exclusive control.

It is further provided and understood that the District shall indemnify and hold the County harmless from any and all claims, liability, losses, and causes of action which may arise as a result of the District use of these easements to the extent permitted by law, unless such claim, liability, loss or cause of action is the result of the County's sole negligence.

- C. All the covenants herein contained shall extend to and be binding upon the parties hereto. The District shall not sublet, or assign any rights under this Agreement or permit other uses of these easement areas except as specified in this Agreement.
- D. All easement areas specified above are subject to prior easements, restrictions, and reservations of record.

- E. The right of access to the above easements shall be for use by the District, its agents, employees and contractors.
- F. The initial construction period shall not exceed 24 months from the date of this Agreement.

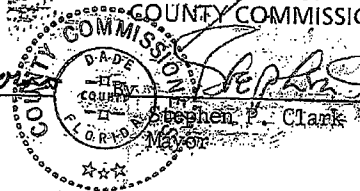
IN WITNESS WHEREOF, the parties caused this Agreement to be executed by their respective and duly authorized officers, the day and year first above written.

ATTEST: SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: Thomas E. Huser By: Nancy Roen  
 Thomas E. Huser Nancy Roen, Chairman, Governing Board  
 Assistant Secretary

ATTEST: DADE COUNTY FLORIDA  
 BY ITS BOARD OF  
 COUNTY COMMISSIONERS

By: Elizabeth A. Adams By: Stephen P. Clark  
 Deputy Clerk Stephen P. Clark



Approved by County Attorney as to form and legal sufficiency \_\_\_\_\_

1989 Form Approved  
 Date 2/18/89

This instrument prepared by \_\_\_\_\_  
 Martin A. Washington  
 Dade County Park and Recreation Department  
 50 S.W. 32nd Road  
 Miami, Florida 33129

STATE OF FLORIDA  
 COUNTY OF DADE

I HEREBY CERTIFY that on the 7th day of MARCH, 1989, before me, the undersigned authority, personally appeared Stephen P. Clark and Elizabeth Adams, Mayor and Deputy Clerk, respectively, of Dade County, Florida, a political subdivision of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers and acknowledged the execution thereof to be their free act and deed as such officers, for the purposes and uses therein mentioned, and that they affixed thereon the official seal of COUNTY COMMISSIONERS and that the said instrument is the act and deed of the said DADE COUNTY.

WITNESS my signature and official seal at DADE County, Florida, the day and year last aforesaid.

(Seal)

[Signature]  
 Notary Public  
 My Commission expires: \_\_\_\_\_  
 ROTARY PUBLIC STATE OF FLORIDA  
 MY COMMISSION EXP. OCT. 26, 1991  
 CODED FROM GENERAL INS. UND.



STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY that on the \_\_\_\_ day of \_\_\_\_\_, 1989, before me, the undersigned authority, personally appeared \_\_\_\_\_ and \_\_\_\_\_, Chairman and Secretary, respectively, of the **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**, a public corporation of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers and acknowledged the execution thereof to be their free act and deed as such officers, for the purposes and uses therein mentioned, and that they affixed thereon the official seal of the Governing Board of the **SOUTH FLORIDA WATER MANAGEMENT DISTRICT** and that the said instrument is the act and deed of the said **SOUTH FLORIDA WATER MANAGEMENT DISTRICT** and the Governing Board thereof.

WITNESS my signature and official seal at \_\_\_\_\_ County, Florida, the day and year last aforesaid.

(Seal)

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

EXHIBIT "A"

Legal Description for a portion of Coral Gables Wayside Park located West of Red Road (S.W. 57 Avenue), between S.W. 34 Street and 35 Street, and legally described as follows:

Lot 46, Block 2 and Lot 36 Block 5, Amended Plat of Central Miami, Part One, Recorded in Plat Book 10 at Page 75 of the Public Records of Dade County, Florida and those portions of S.W. 34 Street and S.W. 35 Street lying contiguous with the aforesaid lots.

EXHIBIT "B"

An easement over a portion of Lot 46, Block 2, Amended Plat of Central Miami, Part One (situated in Section 13, Twp 54S, Rge 40E, Dade County Florida), Plat Book 10, Page 75, Public Records, Dade County, Florida (and over a portion of the contiguous waterway flowing through the "Coral Gables Dam"), more particularly described as follows:

(For convenience, the Centerline of S.W. 35 Street, in the vicinity of S.W. 57th Avenue (Red Road), is assumed to bear N 87°32'46" E and all other bearings recited herein are relative thereto),

From the northeasterly corner of Lot 45, Block 2, Amended Plat of Central Miami, Part One, (Plat Book 10, Page 75, Public Records, Dade County, Florida) run: S 3°10'49" E along the easterly line of Lot 45 a distance of 88.19 feet to the northwesterly corner and the Point of Beginning of the herein described parcel of land;

Thence parallel to and 67 feet northerly from the Centerline of 50 foot wide waterway, N 87°31'45" E a distance of 143.20 feet to a point on a curve concave to the southwest having a radius of 131.59 feet and whose local tangent at said point bears S 21°44'09" E;

Thence southerly along the arc of said curve a distance of 42.57 feet to the end of said curve;

Thence tangent to said curve and parallel to the Centerline of S.W. 57th Avenue (Red Road), S 03°12'07" E a distance of 25.27 feet to the Centerline of the aforesaid waterway (Coral Gables Canal C-3);

Thence with said Centerline S 87°31'45" W a distance of 150.07 feet;

Thence departing said Centerline run N 3°10'49" W a distance of 67.01 feet to the Point of Beginning, containing 0.2275 Acres of land more or less, and being subject to all prior easements and rights-of-way of record; and

An easement over a portion of Lot 36, block 5 of the Amended Plat of Central Miami, Part One (situated in Section 13, Twp 54S, Rge 40 East, Dade County, Florida), Plat Book 10, Page 75, Public Records, Dade County, Florida, more particularly described as follows:

(For convenience the Centerline of S.W. 35th Street in the vicinity of S.W. 57th Avenue (Red Road) is assumed to bear N 87°32'46" E and all other bearings recited herein are relative thereto),

From the southeasterly corner of Lot 35, Block 5, Amended Plat of Central Miami, Part One (Plat Book 10, Page 75, Public Records, Dade County, Florida) run: N 3°10'49" W along the east line of said Lot 35, a distance of 110.22 feet to the southwest corner and Point of Beginning of the herein described parcel of land;

Thence N 87°31'45" E along the southerly line of herein described parcel which runs parallel to and 45 feet southerly from the Centerline of the 50-foot wide Dade County Canal right-of-way, Coral Gables Canal C-3, a distance of 148.53 feet to a point on a curve concave to northwest having a radius of 128.43 feet and whose local tangent at said point bears N 5°41'00" E, said curve being the westerly right-of-way line of S.W. 57th Avenue (Red Road) and the southeasterly boundary of aforesaid Lot 36;



EXHIBIT "B" (continued)

Thence northerly along the arc of said curve a distance of 19.92 feet (which subtends a central angle of  $8^{\circ}53'08''$ ) to the end of said curve;

Thence N  $3^{\circ}12'07''$  W a distance of 25.15 feet to the northeasterly corner to a point on the aforementioned Centerline of Coral Gables Canal C-3;

Thence with said Centerline S  $87^{\circ}31'45''$  W a distance of 150.07 feet;

Thence S  $3^{\circ}10'49''$  E a distance of 45.00 feet to the Point of Beginning, containing 0.1548 Acres of land more or less, and being subject to all prior easements and rights-of-way of record.

EXHIBIT "C"

An easement over a portion of Lot 46, block 2, Amended Plat of Central Miami, Part One (situated in Section 13, Twp 54S, Rge 40E, Dade County, Florida), Plat Book 10, Page 75, Public Records Dade County, Florida, more particularly described as follows:

(For convenience, the Centerline of S.W. 35th Street, in the vicinity of 57th Avenue, (Red Road), is assumed to bear N 87°32'46" E, and all other bearings recited herein are relative thereto),

From the northeasterly corner of Lot 45, Block 2, Amended Plat of Central Miami, Part One, (Plat Book 10, Page 75, Public Records, Dade County, Florida), run S 3°10'49" E along the easterly line of Lot 45 a distance of 88.19 feet to a point;

Thence N 87°31'45" E along a line parallel to and 67 feet northerly from the Centerline of Coral Gables Canal C-3 (50' Dade County Canal Right-of-Way) a distance of 101.60 feet to the southwesterly corner and Point of Beginning of the herein described parcel of land;

Thence N 2°28'15" W a distance of 59.00 feet to a point on a curve concave to the southwest having a radius of 131.59 feet and whose local tangent of said point bears S 53°34'45" E;

Thence southeasterly along the arc of said curve a distance of 28.37 feet (said curve being the northerly line of Lot 46 aforesaid) to a point (at which the local tangent bears S 41°13'35" E);

Thence along the easterly line of the herein described parcel of land S 2°28'15" E a distance of 38.96 feet;

Thence S 87°31'45" W a distance of 20.00 feet to the Point of Beginning, containing 0.0228 Acres of land more or less, and being subject to all prior easements and rights-of-way of record.

EXHIBIT "D"

An easement over a portion of Lot 35, Block 5, of the Amended Plat of Central Miami, Part One, a Subdivision of the South 3/4 of the Southeast 1/4, excepting the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 13, Township 54 South, Range 40 East, Dade County, Florida, as same appears in Plat Book 10 at Page 75, Public Records, Dade County, Florida, more particularly described as follows:

From the Southeasterly corner of Lot 35, Block 5, said corner being also the Southwesterly corner of Lot 36, Block 5, of the Amended Plat of Central Miami, Part One, abovementioned, run  $N87^{\circ}32'46''E$  (the centerline of S.W. 35th Street, formerly known as South Waterway Drive, is assumed to run  $N87^{\circ}32'46''E$  and all other bearings recited herein are relative thereto) a distance of 20 feet along the Northerly line of S.W. 35th Street to the beginning of a curve concave to the North-northwest having a radius of 128.43 feet;

Thence Easterly and East-northeasterly along the arc of said curve a distance of 25.16 feet (which subtends a central angle of  $11^{\circ}13'29''$ ) to the POINT OF BEGINNING of the herein described Portion of Lot 36, Block 5, Amended Plat of Central Miami, Part One;

Thence  $N2^{\circ}27'14''W$  a distance of 57.75 feet to the beginning of a curve concave to the Southwest having a radius of 30.00 feet, and a central angle of  $90^{\circ}01'01''$ , thence Northerly, Northwesterly, and Westerly along the arc of said curve a distance of 47.13 feet to the end of said curve; thence  $S87^{\circ}31'45''W$  a distance of 15.78 feet, more or less to the Easterly Line of the aforementioned Lot 35, Block 5; thence with said Easterly Line  $N3^{\circ}12'07''W$  a distance of 20.22 feet to the intersection of said Easterly Line with a line parallel to and 45 feet Southerly from the Centerline of Coral Gables Canal C-3; thence  $N87^{\circ}31'45''E$  along said Line (parallel to the centerline of C-3) a distance of 117.49 feet to the beginning of a "broken back" curve concave to the East-Northeast whose local tangent bears  $S2^{\circ}28'15''E$  and whose Radius is 30 feet and Central angle is  $44^{\circ}58'59''$ ; thence Southerly and Southeasterly along the arc of said curve a distance of 23.55 feet to the end of said curve; thence  $S47^{\circ}27'14''E$  a distance of 17.83 feet to a point on a curve in the Right-of-Way Line at the intersection of S.W. 57th Avenue (Red Road) and S.W. 35th Street (also known as South Waterway Drive), (the local tangent of said curve at said point bears  $S21^{\circ}26'00''W$ ); thence Southwesterly along the arc of a curve in the Right-of-Way, said curve having a radius of 128.43 feet, a distance of 15.74 feet which subtends a central angle of  $7^{\circ}01'18''$ , to a point; thence departing from the Right-of-Way,  $N47^{\circ}27'14''W$  a distance of 35.37 feet to the beginning of a curve concave to the South having a radius of 26.46 feet, and a central angle of  $135^{\circ}00'00''$ , thence Northwesterly, Westerly and Southerly along the arc of said curve a distance of 62.34 feet to the end of said curve; thence  $S2^{\circ}27'14''E$  a distance of 62.37 feet to a point on the aforesaid Right-of-Way (S.W. 35th Street) whereat the local tangent bears  $S69^{\circ}23'51''W$ ; thence along the curve in the Right-of-Way, which lies concave to the North-Northwest having a radius of 128.43 feet, run West-Southwest along said arc a distance of 15.52 feet, (subtending a central angle of  $6^{\circ}55'28''$ ) to the POINT OF BEGINNING.

Subject to easements, restrictions, and reservations of records.

EXHIBIT "E"

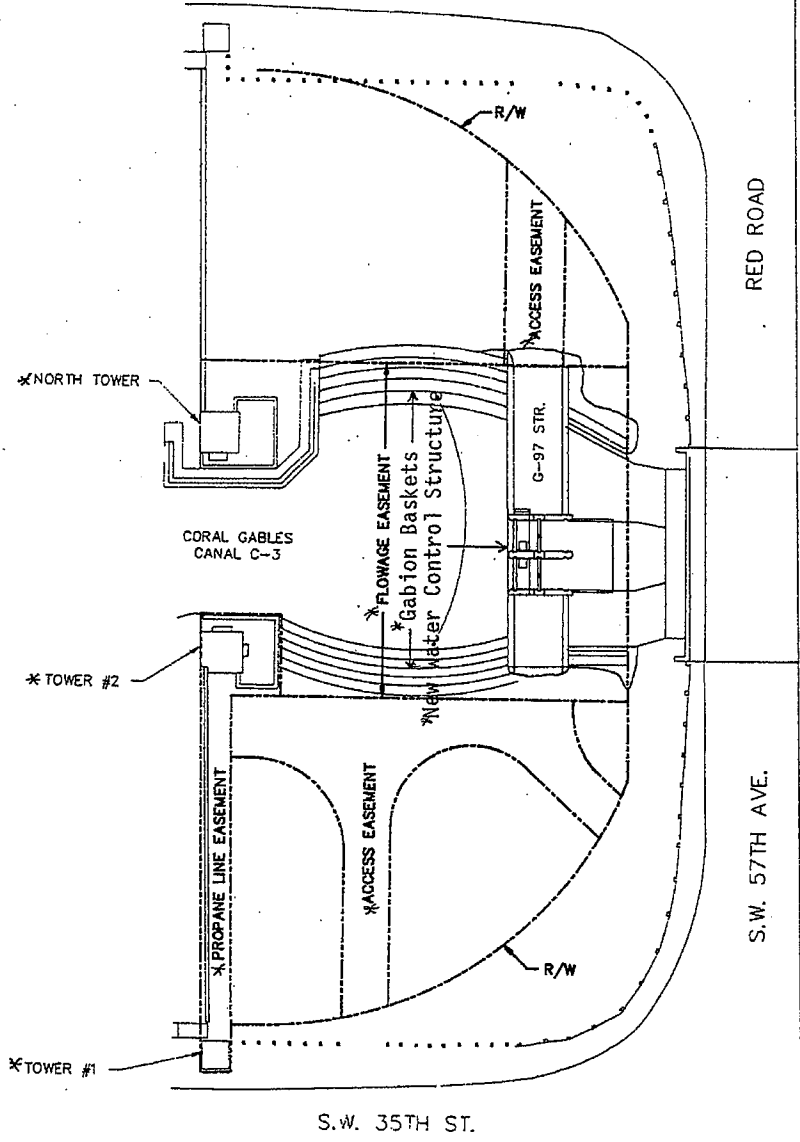
An easement over existing towers and a connecting strip of land running between said towers in proximity with the Westerly Line of Lot 36, Block 5, of the Amended Plat of Central Miami, Part One, a subdivision of the South 3/4 of the Southeast 1/4, excepting the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 13, Township 54 South, Range 40 East, Dade County, Florida, as same appears in Plat Book 10 at Page 75, Public Records, Dade County, Florida, more particularly described as follows:

Beginning at the Southeasterly Corner of Lot 35, Block 5, said corner being also the Southwesterly corner of Lot 36, Block 5, of the Amended Plat of Central Miami, Part One, abovementioned, run S3° 12'07"E a distance of 15.00 feet to a point near the Southwest corner of Tower No. 1; thence N86° 47'53"E a distance of 10.00 feet to a point near the Southeast corner of said Tower; thence N3° 12'07"W along a line parallel to and 10 feet Easterly from the West Line of Lot 36 abovementioned, a distance of 125.10 feet more or less to the intersection with a line parallel to and 45.00 feet Southerly from the centerline of Coral Gables Canal (C-3); thence along said parallel line N87°31'45"E a distance of 17.00 feet; thence N3°12'07"W a distance of 27.00 feet; thence S87° 31'45"W a distance of 27.00 feet to a point on the northerly prolongation of the Westerly Line of aforesaid Lot 36; thence S3°12'07"E along said westerly line and prolongation thereof a distance of 137.22 feet more or less to the Southeast corner of Lot 35, Block 5, and the POINT OF BEGINNING.

Subject to easements, restrictions, and reservations of record.

EXHIBIT F

S.W. 34TH ST.



S.W. 35TH ST.

SOUTH FLORIDA  
 WATER MANAGEMENT DISTRICT  
 3301 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33402

G-97 CORAL GABLES STRUCTURE  
 ACCESS EASMENTS

DRAWN	CHKD	DATE	SCALE	DRAWING NO.	SHEET
M.H.		1/24/89	1" = 50'		1 OF 1

\* Proposed Improvements