



MEMORANDUM

Agenda Item No. 8(M) (2)

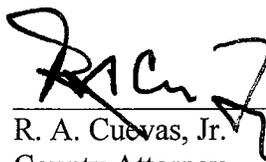
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 15, 2011

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

SUBJECT: Resolution accepting conveyances of
various property interests for road
purposes to Miami-Dade County,
Florida
Resolution No. R-981-11

The accompanying resolution was prepared by the Public Works and Waste Management Department placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.

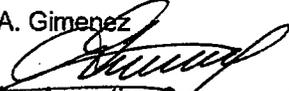


R. A. Cuevas, Jr.
County Attorney

RAC/cp

Date: November 15, 2011

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Accepting Conveyances of Various Properties Interests for Road Purposes to Miami-Dade County, Florida

Recommendation

The attached instruments are being forwarded in one (1) Resolution for Commission acceptance.

Scope

The properties being conveyed are located within various Commission Districts and are thereby listed individually below.

Fiscal Impact/Funding Source

The fiscal impact as a result of these conveyances for various properties being accepted would be approximately \$785 annually for maintenance costs associated with the subject rights-of-way being included to the Public Works Department inventory. These costs will be funded through the Department's General Fund allocation. The requirement on the conveyance from CEMEX, (Grantor No. 4) to build the railroad crossing at NW 12 Street and 137 Avenue and to improve NW 137 Avenue within three years of acceptance by the Miami-Dade County has been fulfilled by the property owner abutting the east side of NW 137 Avenue, therefore with the exception of the aforementioned maintenance costs, no additional obligations by Miami-Dade County are required.

Track Record/Monitor

Not Applicable.

Background

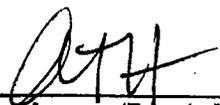
These right-of-way dedications are being obtained to fulfill various zoning and land development requirements. Each individual site is listed below outlining the specific requirement for each site.

<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
1. Humane Society of Greater Miami, Inc.	RWD*	A portion of NW 21 Avenue, from NW 96 Street South for 210 feet; and NW 96 Street, from NW 21 Avenue West for 340 feet and the radius return thereof. (District 2)	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way.

RWD* Right-of-Way Deed QC* Quit Claim Deed
TSE* Traffic Signal Easement WD* Warranty Deed

1A

<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
2. AIR FORCE TREE FARM, L.L.C.	RWD*	A portion of SW 296 Street from SW 107 Avenue to SW 112 Avenue. (District 9)	Obtained in order to satisfy a zoning requirement that before a building permit is issued, a section line road right-of-way must be dedicated.
3. Euroholdings, Inc. a Florida Corporation	WD*	A portion of SW 264 Street from SW 137 Avenue west for approximately 465 feet and the radius return thereof. (District 9)	Obtained in order to acquire the right-of-way needed for a road project.
4. CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC	RWD*	A portion of NW 137 Avenue from NW 12 Street north for approximately 959 feet, and a portion of NW 12 Street from NW 137 Avenue west for approximately 174 feet, and a portion of NW 137 Avenue from approximately 357 feet south of NW 17 Street, north for approximately 457 feet (District 12)	Obtained in order to satisfy a Chapter 28 requirement.
5. HOCHSTEIN HOLDINGS, LLC	RWD*	A portion of NW 6 Avenue from approximately 151 feet north of NW 161 Street north for approximately 140 feet (District 2)	Obtained in order to satisfy a Land Development requirement.



 County Manager/Deputy Mayor

RWD* Right-of-Way Deed QC* Quit Claim Deed
 TSE* Traffic Signal Easement WD* Warranty Deed



MEMORANDUM
(Revised)

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

DATE: November 15, 2011

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

SUBJECT: Agenda Item No. 8(M)(2)

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(M) (2)
11-15-11

RESOLUTION NO. R-981-11

RESOLUTION ACCEPTING CONVEYANCES OF
VARIOUS PROPERTY INTERESTS FOR ROAD
PURPOSES TO MIAMI-DADE COUNTY, FLORIDA

WHEREAS, the following property owners/grantors have tendered instruments conveying to Miami-Dade County the property interests in parcels of land located within Miami-Dade County, Florida, for public purposes identified in the Mayor's memorandum and the instruments of conveyance all of which are attached hereto and made a part hereof:

Property Owners/Grantors

1. **Humane Society of Greater Miami, Inc.**
2. **AIR FORCE TREE FARM, L.L.C.**
3. **Euroholdings, Inc. a Florida Corporation**
4. **CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**
5. **HOCHSTEIN HOLDINGS, LLC**

WHEREAS, upon consideration of the recommendation of the Public Works Department, the County Commission finds and determines that the acceptance of such conveyances would be in the public's best interest,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the conveyances by the above described property owners/grantors be and the same are hereby approved and accepted; provided, however, that it is specifically understood that neither this Board nor Miami-Dade County is obligated to construct any improvements within the above described properties tendered for road right-of-way; and pursuant to Resolution No. R-974-09, (a) directs the County Mayor or County Mayor's designee to record the instruments of conveyances accepted herein in

the Public Records of Miami-Dade County and to provide a recorded copy of each instrument to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of each of said instruments together with this resolution.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2011. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

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Return to:

Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970

Instrument prepared by:

Steven W. Zelkowitz, Esq.
Gray Robinson, P.A.
1221 Brickell Avenue, Suite 1600
Miami, FL 33131

Folio No. 30-3103-000-0030
User Department: Public Works

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
BY CORPORATION**

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 6th day of July, A.D. 2011, by and between **HUMANE SOCIETY OF GREATER MIAMI, DADE COUNTY SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS AND ADOPT A PET, INC.**, a not for profit corporation under the laws of the State of Florida, and having its office and principal place of business at 16101 W. Dixie Highway, North Miami Beach, Florida 33160, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

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The north 25 feet and the east 25 feet of the north 210 feet of the east 340 feet of the South 1/2 of the SW 1/4 of the SW 1/4 of the NE 1/4 of Section 3, Township 53 South, Range 41 East, Miami-Dade County, Florida; and the area bounded by the south line of the north 25 feet and by the west line of the east 25 of said South 1/2 of the SW 1/4 of the SW 1/4 of the NE 1/4 of Section 3, and bounded by a 25 foot radius arc concave to the southwest, said arc being tangent to both of the last described lines.

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

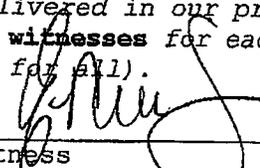
It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

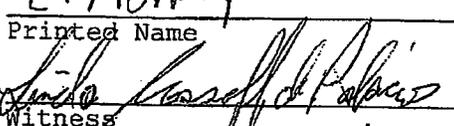
IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed, Attested and delivered in our presence:
(2 witnesses for each signature or for all).

Witness


E. Murphy

Printed Name


Witness

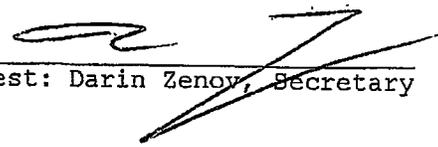
LINDA Cossoff de PALACIOS
Printed Name

HUMANE SOCIETY OF GREATER MIAMI, DADE COUNTY SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS AND ADOPT A PET, INC., a Florida not for profit corporation

By:


Emily Marquez, President

By:


Attest: Darin Zenov, Secretary

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STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 6th day of July,
A.D. 2011, before me, an officer duly authorized to administer
oaths and take acknowledgments personally appeared **EMILY MARQUEZ**
personally known to me, or proven, by producing the following
identification: _____ to be the **President** of
HUMANE SOCIETY OF GREATER MIAMI, DADE COUNTY SOCIETY FOR PREVENTION
OF CRUELTY TO ANIMALS AND ADOPT A PET, INC. a not for profit
corporation under the laws of the State of Florida and in whose
name the foregoing instrument is executed and that said officer(s)
severally acknowledged before me that she executed said instrument
acting under the authority duly vested by said corporation and its
Corporate Seal is affixed thereto.

WITNESS my hand and official seal in the County and State
aforesaid, the day and year last aforesaid.

Nuris H. Jimenez
Notary Signature

NURIS H. JIMENEZ
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida

My commission expires: 04/06/2013

Commission/Serial No. DD878081



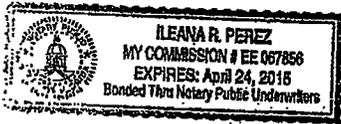
Nuris H. Jimenez
COMMISSION # DD878081
EXPIRES: APR 06, 2013
WWW.AARONNOTARY.com

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STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 6th day of July, A.D. 2011, before me, an officer duly authorized to administer oaths and take acknowledgments personally appeared DARIN ZENOV personally known to me, or proven, by producing the following identification: _____ to be the Secretary of HUMANE SOCIETY OF GREATER MIAMI, DADE COUNTY SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS AND ADOPT A PET, INC., a not for profit corporation under the laws of the State of Florida and in whose name the foregoing instrument is executed and that said officer(s) severally acknowledged before me that he executed said instrument acting under the authority duly vested by said corporation and its Corporate Seal is affixed thereto.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



Ileana R. Perez
Notary Signature
Ileana R. Perez
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida

My commission expires: April 24, 2015

Commission/Serial No. EE 067856

The foregoing was accepted and approved on the _____ day of _____, A.D. 2011, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Assistant County Manager

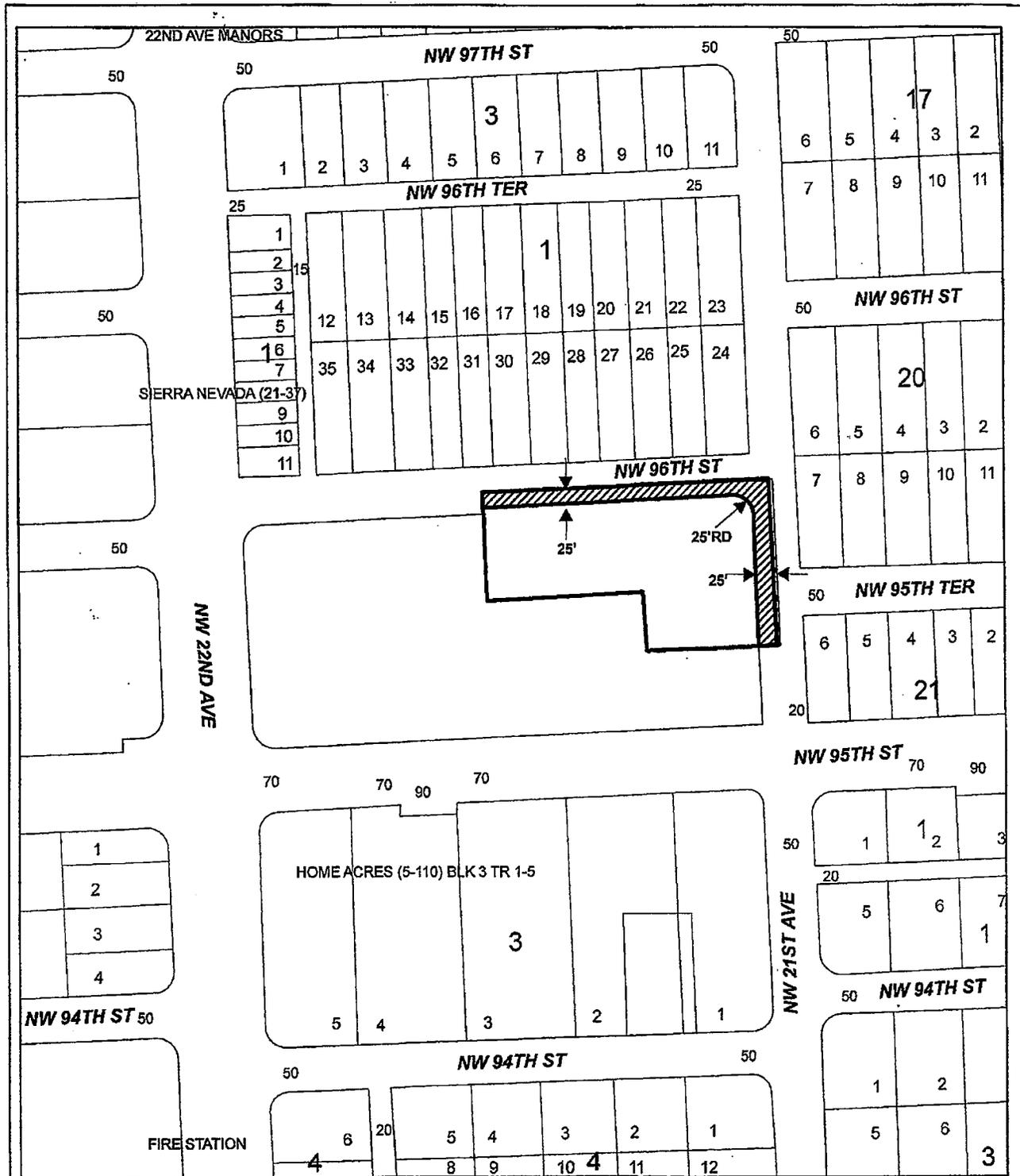
ATTEST: HARVEY RUVIN,
Clerk of said Board

Approved as to form
and legal sufficiency

By: _____
Deputy Clerk

Assistant County Attorney

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THIS IS NOT A SURVEY

Folio No. 30-3103-000-0030

NAME: Humane Society of Greater Miami

SEC: 03-53-41

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Jean Monestime, 2

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY



MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
RIGHT-OF-WAY
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: July 13, 2011
Prepared by: Yazrin Moreno

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Return to:

Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970

Instrument prepared by:

Pablo Rodriguez, PLS
Folio No. 30-7007-000-0050
User Department: Public Works

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
Limited Liability Company**

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 7th day of June, A.D. 2011, by and between AIR FORCE TREE FARM, L.L.C., a Florida limited liability company, whose address is 9700 NW 79 Ave., Hialeah Gardens, FL 33016, party of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

The North 40 feet of the NE ¼ of Section 7, Township 57 South, Range 40 East, Miami-Dade County, Florida.

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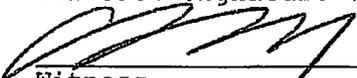
It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its heirs and assigns, and it shall have the right to immediately repossess the same.

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

IN WITNESS WHEREOF, the said party of the first part, by its Managing Member, has caused these presents to be signed for and on its behalf, the day and year first above written.

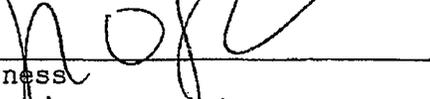
Signed, Sealed and Delivered
in our presence: (2 witnesses
for each signature or for all)



Witness

CARLOS A. TREACY

Witness Printed Name

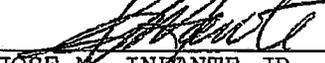


Witness

Jonathan D. Forte

Witness Printed Name

AIR FORCE TREE FARM, L.L.C.

 (Sign)

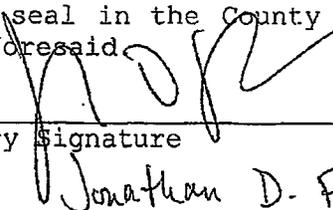
JOSE M. INFANTE JR., Managing
Member

Address (if different)

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 7 day of JUNE, A.D. 2011, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared JOSE M. INFANTE JR., personally known to me, or proven, by producing the following forms of identification: FLA. Drivers License to be the Managing Member duly authorized on behalf of Air Force Tree Farm, LLC, a Florida limited liability company. Said Managing Member executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



Notary Signature

Jonathan D. Fonte

Printed Notary Signature

NOTARY SEAL/STAMP



Notary Public, State of _____

My commission expires: _____

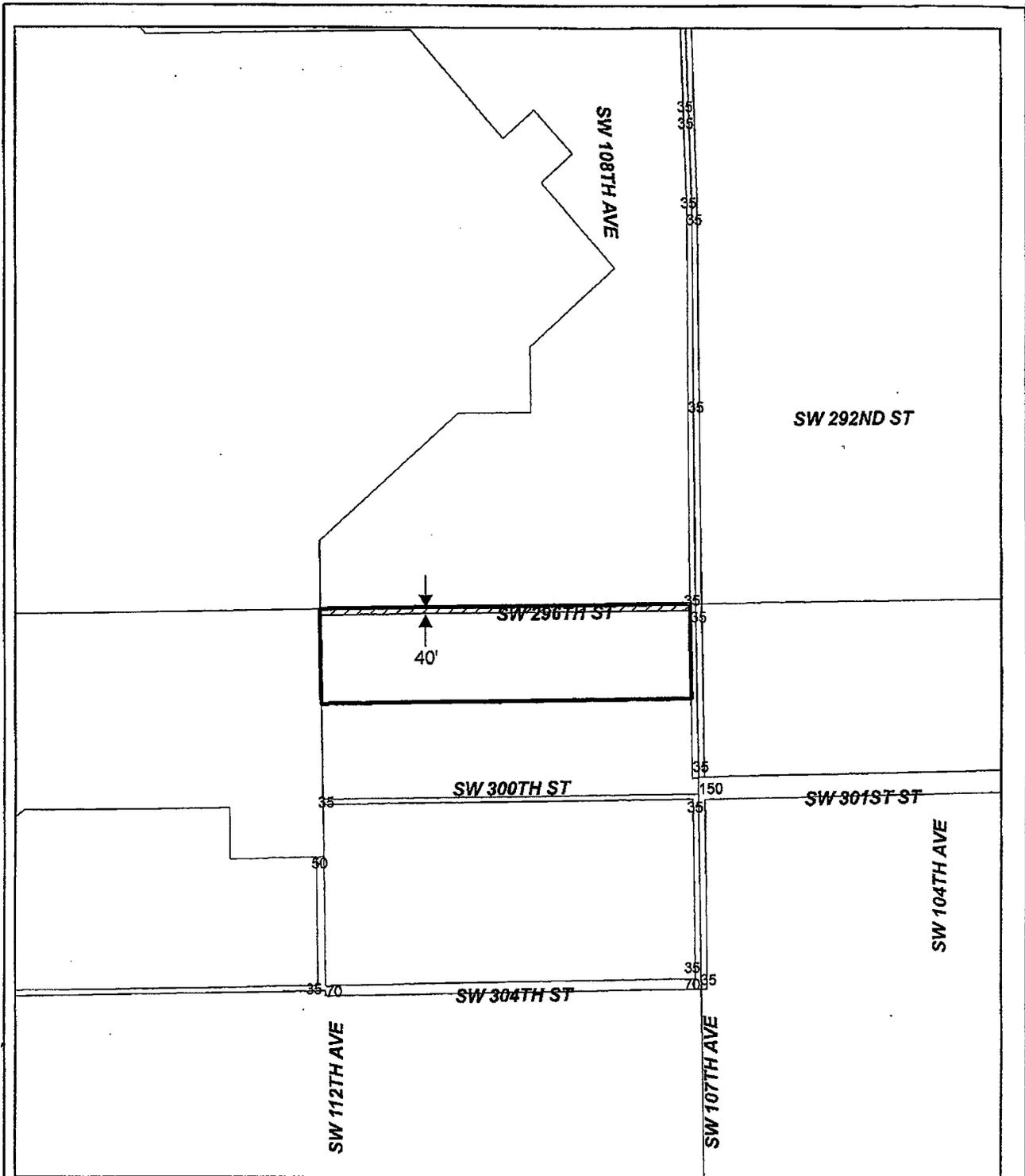
Commission/Serial No. _____

The foregoing was accepted and approved on the _____ day of _____, A.D. 2011, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Deputy County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk



THIS IS NOT A SURVEY

Folio No. 30-7007-000-0050
 NAME: AIR FORCE TREE,FARM,L.L.C.
 SEC: 07-57-40

Municipality: UNINCORPORATED MIAMI-DADE
 Commission District: Dennis C. Moas, 9

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY



MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
 RIGHT-OF-WAY
 111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
 PH (305) 375-2714 FAX (305) 375-2825

Date: July 18, 2011
 Prepared by: Yazir/n Moreno

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Return to:
Right-of-Way Division
Miami-Dade County Public Works Dept.
111 NW 1 Street, Ste 1610
Miami, FL 33128-1970

Instrument Prepared by:
Armando J. Cervera
Miami-Dade County, Public Works Dept.

Parcel 16

Folio No. 30-6927-000-0540
User Dept.: Public Works Department

Project No. 20040350
SW 264 Street
Miami-Dade County

WARRANTY DEED

THIS INDENTURE, made this 27th day of MAY, 2011, by and between Euroholdings, Inc., a Florida corporation, (Grantor) whose post office address is 1901 Ponce De Leon Boulevard, Coral Gables, Fl 33134, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, received from **MIAMI-DADE COUNTY, a political subdivision of the State of Florida**, and its successors in interest, (Grantee) whose post office address is 111 N.W. 1st Street, Suite 1610, Miami, Florida 33128-1970, the receipt whereof is hereby acknowledged, have granted, bargained, and sold to the said Grantee, and Grantee's successors, and assigns forever, lying and being in Miami-Dade County, Florida, to-wit:

See attached Exhibit "A"

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

THIS CONVEYANCE includes, without limitation, all timber rights and water rights; all mineral rights and gas rights except those previously reserved, transferred or severed by third parties; all Grantor's right, title and interest in roads, streams, canals, banks, ditches and other water bodies located on the Premises or which may provide access to the Premises; all riparian rights; and all Grantor's right, title and interest in alleys, roads, streets and easements included within the Premises, or which may provide access to the Premises.

SUBJECT TO: Easements, dedications and restrictions of record, if any, but any such interests that may have been terminated are not hereby re-imposed and subject to applicable zoning ordinances, taxes and assessments for the year 2011 and subsequent years.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and

Handwritten initials

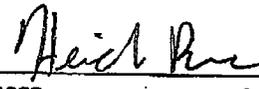
will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hands and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

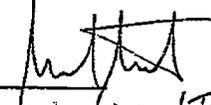


Witness
Print Name: GYUAI GAADIA



Witness
Print Name: Heidi Bravo

Euroholdings, Inc.
A Florida corporation

By:  

Joseph T. Theriaga,
President of Euroholdings, Inc. Miguel Trujillo,
Senior Vice President

(Corporate Seal)

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

I HEREBY CERTIFY, that on this 27 day of May, 2011, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **JOSEPH T. THERIAGA**, personally known to me, or proven by producing the following identification: Florida D.L. T 620-498-46-253-0 to be the President of Euroholdings, a Florida corporation, and in whose name the foregoing instrument is executed and that said officer severally acknowledged before me that he executed said instrument acting under the authority duly vested by said corporation and its Corporate Seal is affixed thereto.

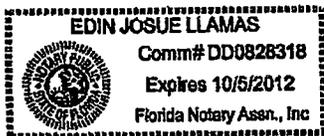
WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

Notary Signature *Edin Josue Llamas*

NOTARY SEAL/STAMP

Print Name: Edin Josue Llamas

Notary Public, State of Florida



My commission expires: 10/5/12

Commission/Serial No. DD0828318

THE FOREGOING was approved, pursuant to Resolution No. _____, by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2011 to accept dedication of this property to the County for right-of-way needed for the Roadway Improvements to SW 264 Street Project, from U.S. 1 to SW 137 Avenue.

LEGAL DESCRIPTION
(FEE SIMPLE)

The South 40.00 feet and the East 40.00 feet of the South 67.18 feet of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 56 South, Range 39 East, Miami-Dade County, Florida. LESS the West 208.71 feet thereof.

AND

The external area formed by a 25.00 foot radius arc, concave to the Northwest, tangent to the North line of the South 40.00 feet of said of the Southeast 1/4 of Section 27 and tangent to the West line of the East 40.00 feet of said of the Southeast 1/4 of Section 27.

EXHIBIT A

PROJECT NO. 20040350
PARCEL 16
Page 1 of 1

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the date of this Deed or if such use as a railroad crossing shall be lawfully and permanently discontinued, the title to that portion of the land described on Attachment "B" lying west of the west right of way line of NW 137th Avenue shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

It is expressly provided that should (a) the road right-of-way commonly known as N.W. 137th Avenue from NW 12th Street to just North of proposed NW 17th Street, as a four-lane divided county road, including the expansion of the existing railroad crossing at approximately NW 12th Street and NW 137th Avenue not be constructed and available for use within three (3) years from the date of this deed or (b) use as a road be lawfully and permanently discontinued, the title to the said above described Land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

The reverter of title shall be self operative immediately upon the occurrence of any of the conditions in (a) or (b) of the paragraphs above, provided, however, upon the occurrence of such reverter, the party of the second part agrees, upon the request of the party of the first part, to execute and deliver to the party of the first part a quit claim deed to that portion of the Land which has reverted to the party of the first part.

And the said party of the first part will defend the title to said Land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed and Delivered in our presence:

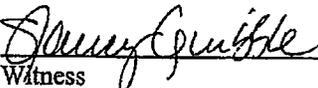
CEMEX CONSTRUCTION MATERIALS
FLORIDA, LLC, f/k/a
RINKER MATERIALS OF FLORIDA, INC., f/k/a
RINKER MATERIALS CORPORATION, a Florida
corporation



Witness

Teana White

Witness Printed Name

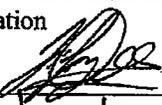


Witness

Nancy Gribble

Witness Printed Name

(2 witnesses for each signature or for all)

By: 

Name: Jorge Lozano
Title: Vice President

[NOTARIAL ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGE.]

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

I HEREBY CERTIFY, that on this 21st day of March, 2011, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared and, personally known to me, or proven, by producing the following identification: _____, _____, as the Vice President of Cemex Construction Materials Florida, LLP, f/k/a Rinker Materials of Florida, Inc., f/k/a Rinker Materials Corporation, a Delaware limited liability company, on behalf of such company, and in whose name the foregoing instrument is executed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

NOTARY SEAL/STAMP

My commission expires: 9/4/11
Commission/Serial No.



Sheryl M. Tyson
Notary Public, State of Florida
Printed Notary Name: Sheryl M. Tyson

The foregoing was accepted and approved on the _____ day of _____, 2011 A.D., by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Special Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

LEGAL AND SKETCH

EXHIBIT "A"

SURVEYOR'S NOTES:

1. Bearings are based on an assumed value of N01°45'25"W along the East line of the Southeast ¼ of Section 34, Township 53 South, Range 39 East in Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey.

LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	O.R.B.	Official Record Book
P.B.	Plat Book	L	Length		
PG.	Page	SF	Square Feet		
		R/W	Right of Way		

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 5J-17.051, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____



Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2008 12 | DATE: 10-04-10 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012

CEMEX

SHEET 1 OF 5 SHEETS

LEGAL AND SKETCH

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 34, THENCE N01°45'25"W, AS BASIS OF BEARING, ALONG THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 35.04 FEET; THENCE N89°09'07"W ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 35.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE N89°09'07"W ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 173.83 FEET; THENCE N01°45'25"W ALONG A LINE 208.65 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 65.07 FEET; THENCE S89°09'07"E ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 73.04 FEET; THENCE N01°45'25"W ALONG A LINE 135.68 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 97.55 FEET TO A POINT OF CURVATURE; THENCE 400.20 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1579.50 FEET AND A CENTRAL ANGLE OF 14°31'02" TO A POINT OF INTERSECTION WITH A REVERSE CURVE, A RADIAL LINE TO SAID POINT BEARS N77°14'23"W; THENCE 398.81 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1574.00 FEET AND A CENTRAL ANGLE OF 14°31'02" TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE, A RADIAL LINE TO SAID POINT BEARS S88°14'35"W; THENCE S01°45'25"E ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 957.69 FEET TO THE POINT OF BEGINNING. CONTAINING 61,171 SQUARE FEET, 1.40 ACRES, MORE OR LESS.

TOGETHER WITH:

A PORTION OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ¼ CORNER OF SECTION 34; THENCE S01°45'25"E, AS BASIS OF BEARING ALONG THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 357.85 FEET; THENCE S88°14'35"W FOR A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE N04°33'14"W FOR A DISTANCE OF 146.89 FEET; THENCE N01°45'25"W ALONG A LINE 42.17 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 274.68 FEET; THENCE N02°08'41"E FOR A DISTANCE OF 106.24 FEET; THENCE S01°45'25"E ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 34 FOR A DISTANCE OF 527.40 FEET TO THE POINT OF BEGINNING. CONTAINING 2,875 SQUARE FEET, 0.07 ACRES, MORE OR LESS.

PROJ. NO: 2008 12 | DATE: 10-04-10 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

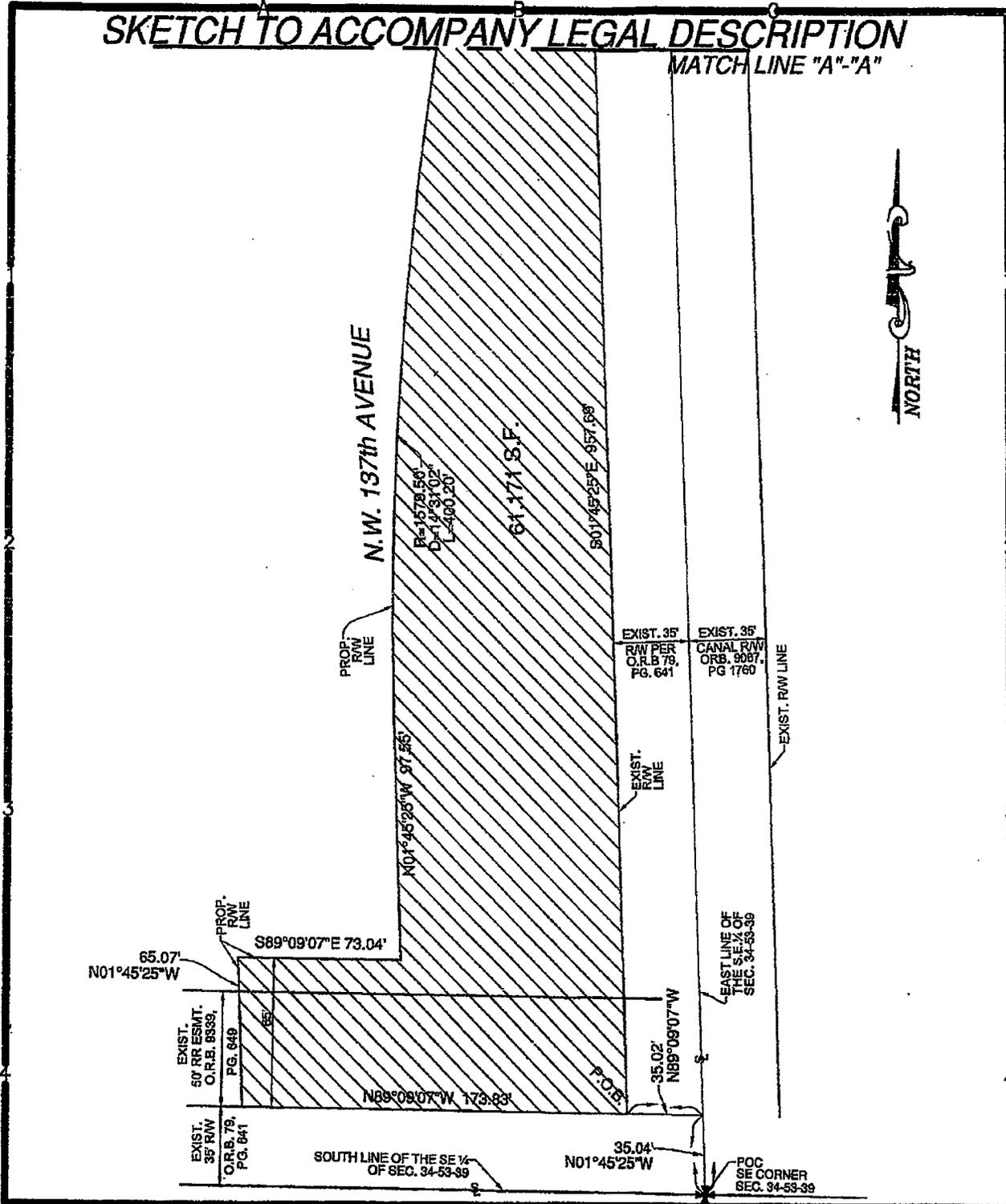
CEMEX

SHEET 2 OF 5 SHEETS

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MATCH LINE "A"-"A"



PROJ. NO: 2008 12	DATE: 10-04-10	DRAWN: BBL	CHECKED: AS	SCALE: NTS
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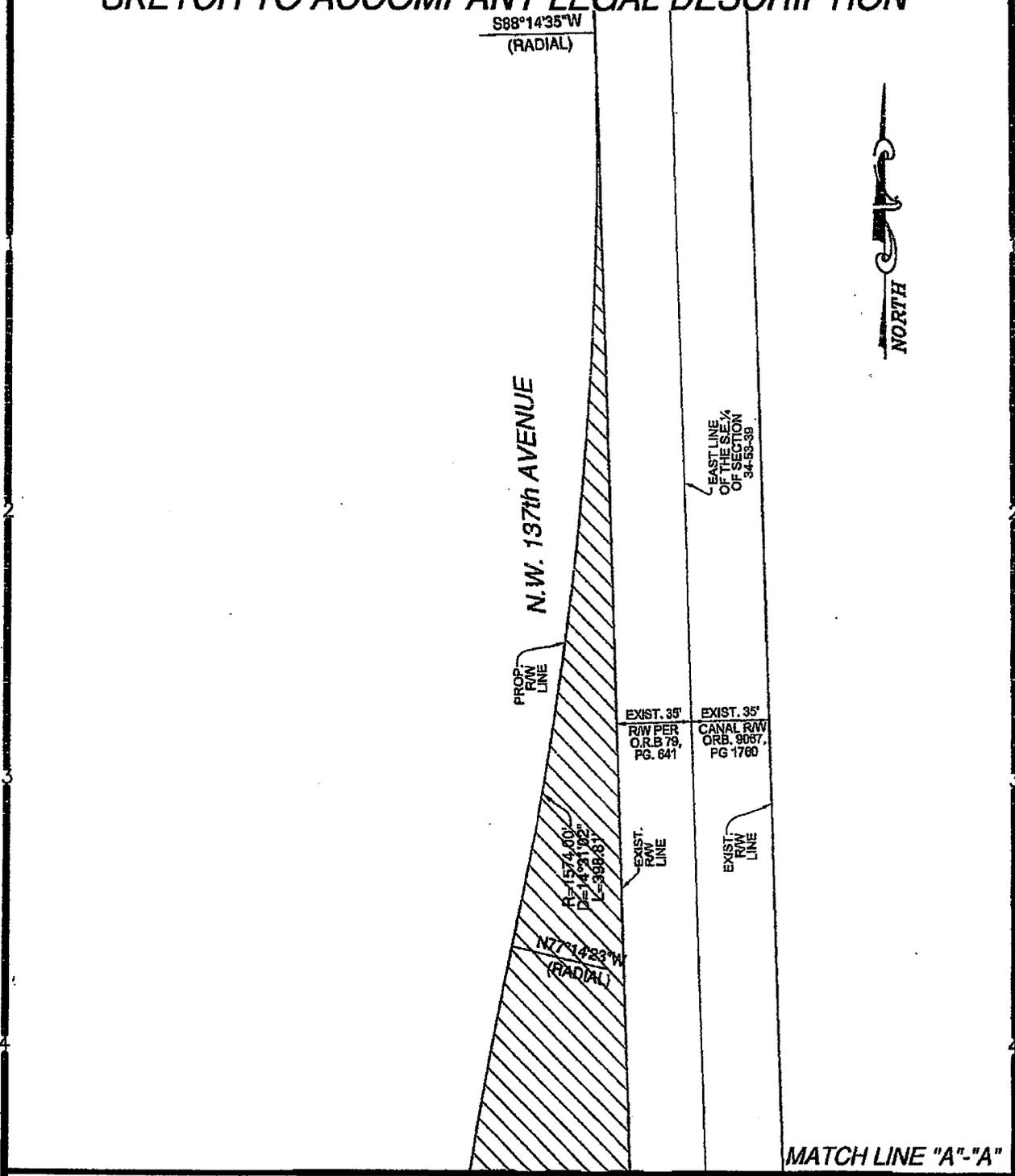
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
 328 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

CEMEX
 SHEET 3 OF 5 SHEETS

25

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



PROJ. NO: 2008.12 | DATE: 10-04-10 | DRAWN: BBL | CHECKED: AS | SCALE: NTS



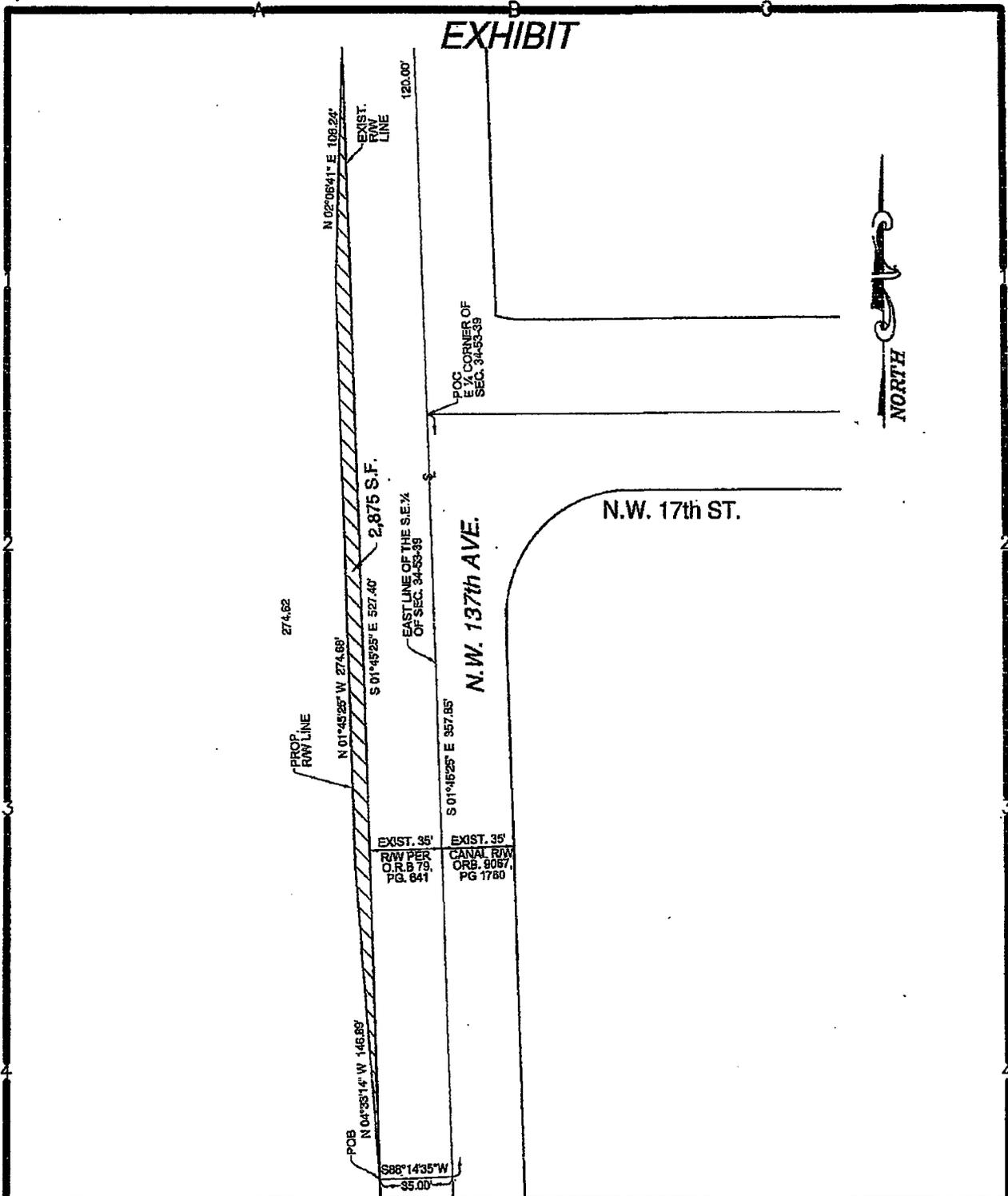
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 - LB 1012

CEMEX

SHEET 4 OF 5 SHEETS

26



PROJ. NO: 2008 12 | DATE: 10-04-10 | DRAWN: BBL | CHECKED: AS | SCALE: NTS

LUDOVICI & ORANGE
 CONSULTING ENGINEERS, INC.
 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 - LB 1012

CEMEX
 SHEET 5 OF 5 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed value of $N01^{\circ}45'25''W$ along the East line of the Southeast $\frac{1}{4}$ of Section 34, Township 53 South, Range 39 East in Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

POC	Point of Commencement	R	Radius	SEC.	Section
POB	Point of Beginning	D	Central Angle Of Curve	R/W	Right of Way
POT	Point of Termination	L	Length		

LEGAL DESCRIPTION:

A PORTION OF SECTION 34, TOWNSHIP 53 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 34; THENCE $N01^{\circ}45'25''W$, AS BASIS OF BEARING ALONG THE EAST LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 34 FOR A DISTANCE OF 35.04 FEET; THENCE $N89^{\circ}09'07''W$ ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 34 FOR A DISTANCE OF 35.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE $N89^{\circ}09'07''W$ ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 34 FOR A DISTANCE OF 173.84 FEET; THENCE $N01^{\circ}45'25''W$ FOR A DISTANCE OF 65.07 FEET; THENCE $S89^{\circ}09'07''E$ FOR A DISTANCE OF 173.84 FEET; THENCE $S01^{\circ}45'25''E$ ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 34 FOR A DISTANCE OF 65.07 FEET TO THE POINT OF BEGINNING. CONTAINING 0.26 ACRES, MORE OR LESS

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey. Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2008 12 | DATE: 6-03-2008 | DRAWN: BBL | CHECKED: AS | SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**LEGAL &
SKETCH**

SHEET 1 OF 2 SHEETS

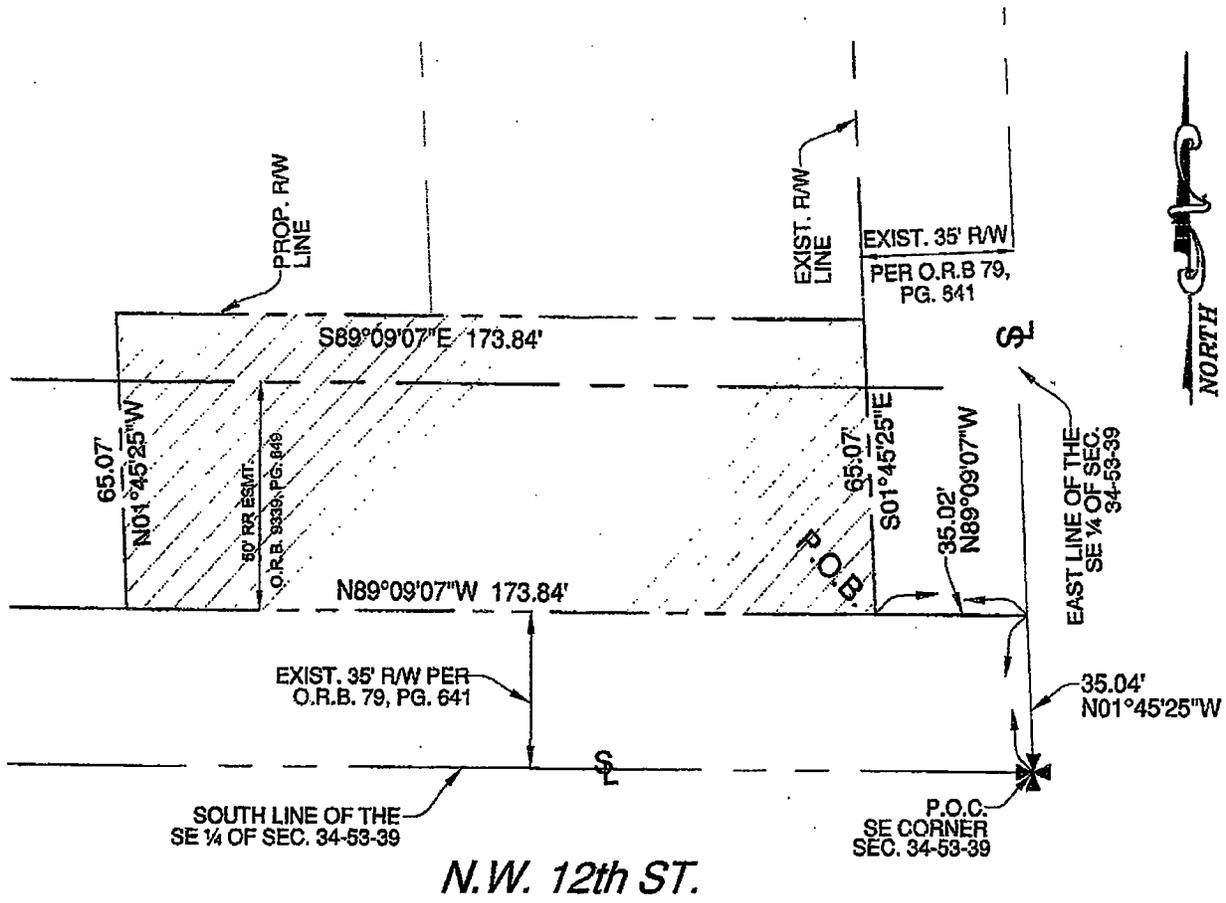
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9 OF 10

EXHIBIT B

28

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

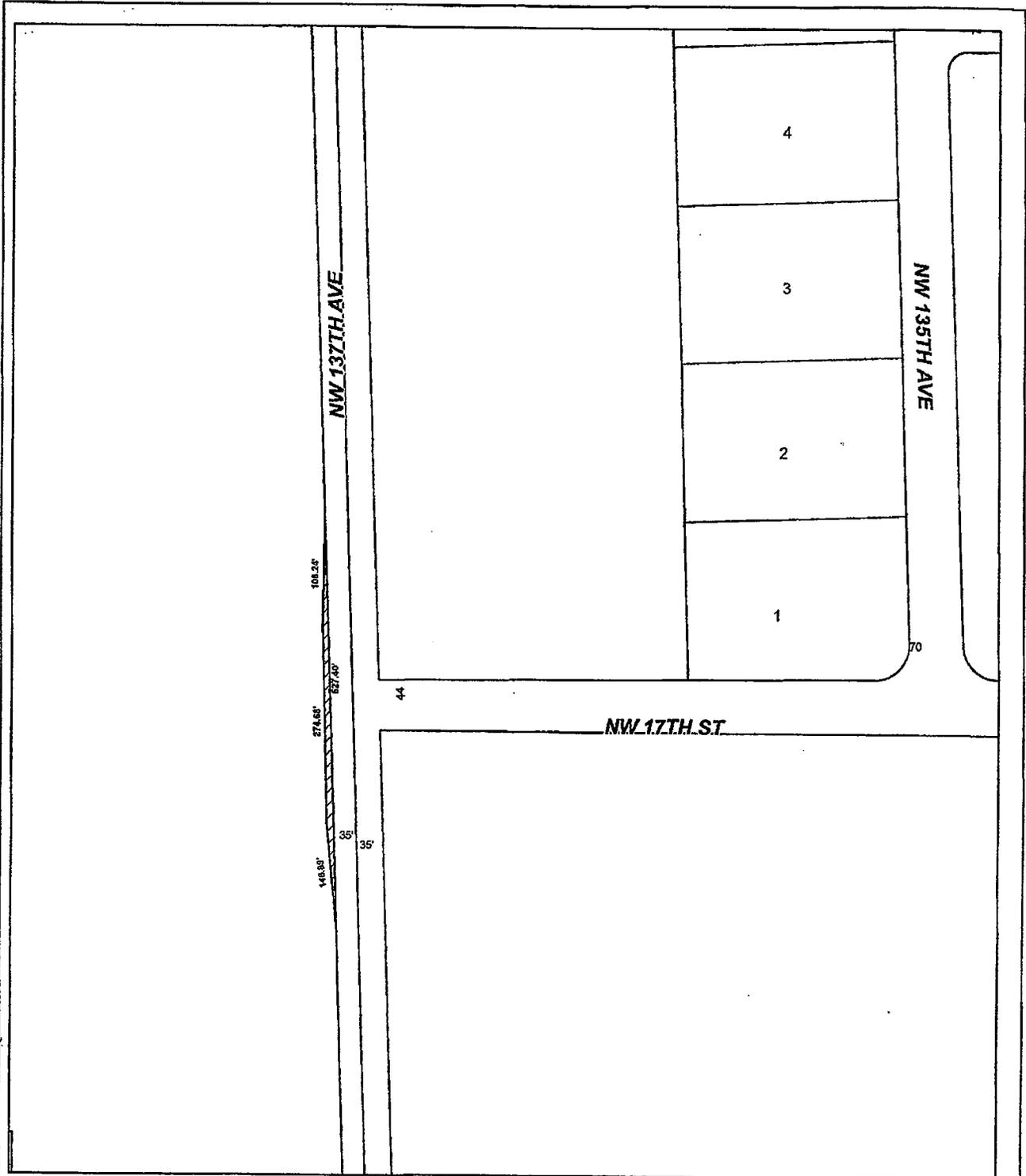


PROJ. NO: 2008 12 | DATE: 6-03-2008 | DRAWN: BBL | CHECKED: AS | SCALE: NTS

LUDOVICI & ORANGE
 CONSULTING ENGINEERS, INC.
 329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

LEGAL & SKETCH
 SHEET 2 OF 2 SHEETS

29



THIS IS NOT A SURVEY

Folio No. 30-3934-001-0010, 30-3934-000-0020,
30-3920-000-0020
Cemex Construction Materials Florida, LLC
SEC: 34-53-39

EXHIBIT "A"

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Jose "Pepe" Diaz, 12

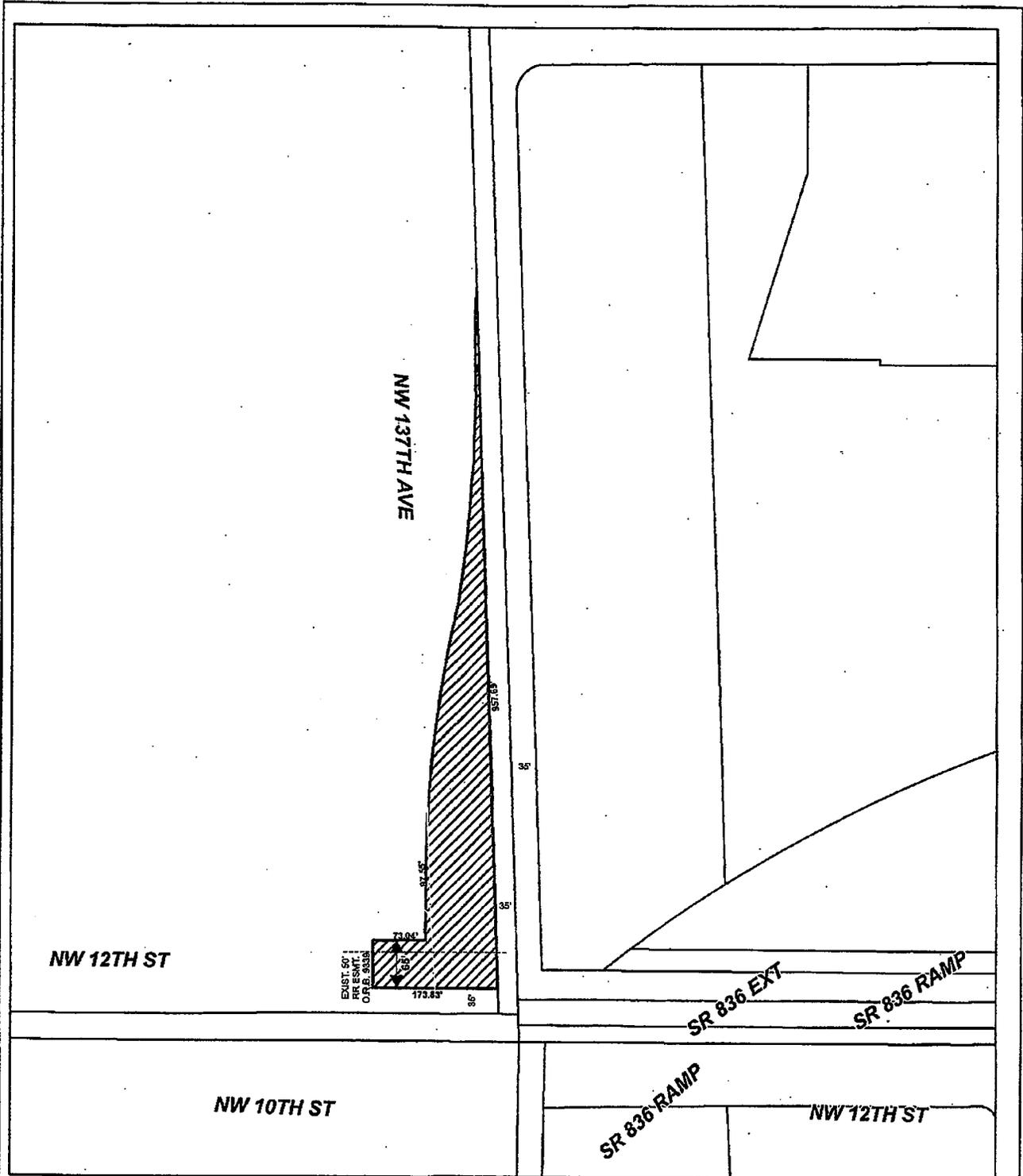


TO BE DEDICATED FOR ROAD RIGHT-OF-WAY



MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
RIGHT-OF-WAY
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: May 8, 2011
Prepared by: Yazmin Moreno



THIS IS NOT A SURVEY

Folio No. 30-3934-001-0010, 30-3934-000-0020,
 30-3920-000-0020
 Cemex Construction Materials Florida, LLC
 SEC: 34-53-39

EXHIBIT "A"

Municipality: UNINCORPORATED MIAMI-DADE
 Commission District: Jose "Pepe" Diaz, 12

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY



MIAMI-DADE COUNTY, PUBLIC WORKS DEPARTMENT
 RIGHT-OF-WAY
 111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
 PH (305) 375-2714 FAX (305) 375-2825



Date: May 6, 2011
 Prepared by: Yazmin Moreno

Return to:
Right of Way Division
Miami-Dade County Public Works Dept.
111 N.W. 1st Street
Miami, FL 33128-1970

Instrument prepared by:
Steven W. Zelkowitz, Esq.
Gray Robinson, P.A.
1221 Brickell Avenue, Suite 1600
Miami, FL 33131

Folio No. 30-2113-017-0020
User Department: Public Works

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 9th day of May, A.D. 2011, by and between HOCHSTEIN HOLDINGS, LLC, a limited liability company under the laws of the State of Florida, and having its office and principal place of business at 1647 N. View Drive, Miami Beach, FL 33140, party of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
MADE A PART HEREOF.

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

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

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed, Attested and delivered in our presence:
(2 witnesses for each signature or for all).

HOCHSTEIN HOLDINGS, LLC, a Florida limited liability company

Alice Johnson
Witness

Holly Harrison
Printed Name

J. O'Neil
Witness

JENNIFER HYDER
Printed Name

By: [Signature]
Leonard M. Hochstein,
Manager

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 9 day of May, A.D. 2011, before me, an officer duly authorized to administer oaths and take acknowledgments personally appeared LEONARD M. HOCHSTEIN personally known to me, or proven, by producing the following identification: _____ to be the Manager of HOCHSTEIN HOLDINGS, LLC. a limited liability company under the laws of the State of Florida and in whose name the foregoing instrument is executed and that said officer(s) severally acknowledged before me that she executed said instrument acting under the authority duly vested by said corporation and its Corporate Seal is affixed thereto.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

Shirley Borg
Notary Signature
Shirley Borg
Printed Notary Name

NOTARY SEAL/STAMP



Notary Public, State of Fl.
My commission expires: 4/11/2014
Commission/Serial No. DD980400

The foregoing was accepted and approved on the _____ day of _____, A.D. 2011, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Assistant County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

Approved as to form
and legal sufficiency

By: _____
Deputy Clerk

Assistant County Attorney

EXHIBIT "A"

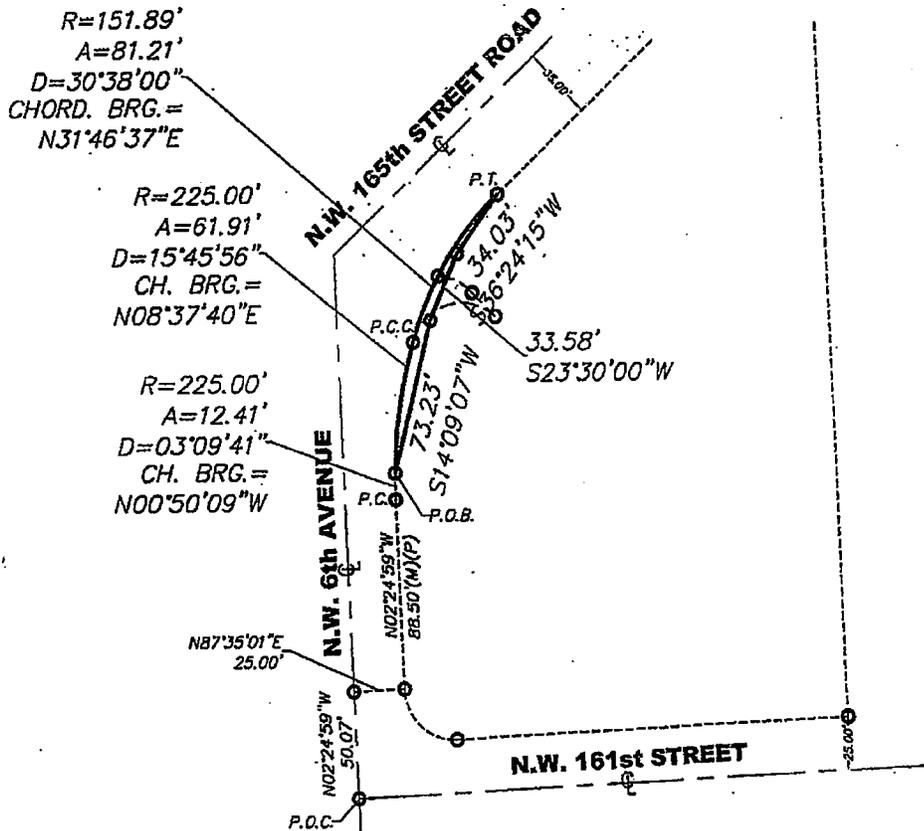
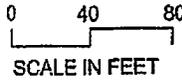
SKETCH OF LEGAL DESCRIPTION FOR RIGHT-OF-WAY DEDICATION

For: Hochstein Holdings, LLC, a Florida limited liability company
Address: 585 N.W. 161st Street, Miami, FL 33169

This property described as:

A portion of Tract "A" of the REPLAT OF A PORTION OF CLOVERLEAF BUSINESS DISTRICT; Plat Book 78, Page 25, of the Public Records of Miami-Dade County, Florida, AND a portion of Lots 8 and 9, Block 2, CLOVERLEAF BUSINESS DISTRICT as recorded in Plat Book 60, Page 11 of the Public Records of Miami-Dade County, Florida in Section 13, Township 52 South, Range 41 East, more particularly described as follows:

Commence at the intersection of the centerlines of N.W. 6th Avenue and N.W. 161st Street as they now exist; thence N02°24'59"W along the centerline of said N.W. 6th Avenue for 50.07 feet; thence N87°35'01"E for 25.00 feet to a point on the EAST R/W of N.W. 6th Avenue; thence N02°24'59"W along the West line of said Tract "A" for 88.50 feet to a point of curvature; thence Northeasterly along a curve concave to the Southeasterly, having a radius of 225.00 feet and central angle of 03°09'41" an arc distance of 12.41 to the Point of Beginning; thence continue Northeasterly along the arc of the afore said curve a distance of 61.91 feet with a central angle of 15°45'56" to a point of Compound Crurvature; thence Northeasterly along a curve with a radius of 151.89 feet and a central angle of 30°38'00" for an arc distance of 81.21 feet to a point of tangency, the last 4 courses along the Westerly Right of Way of the N.W. 6th Avenue as it now exist; thence S36°24'15"W a distance of 34.03 feet; thence S23°30'00"W a distance of 33.58 feet; thence S14°09'07"W a distance of 73.25 feet to the Point of Beginning, containing approximately ±552 square feet.

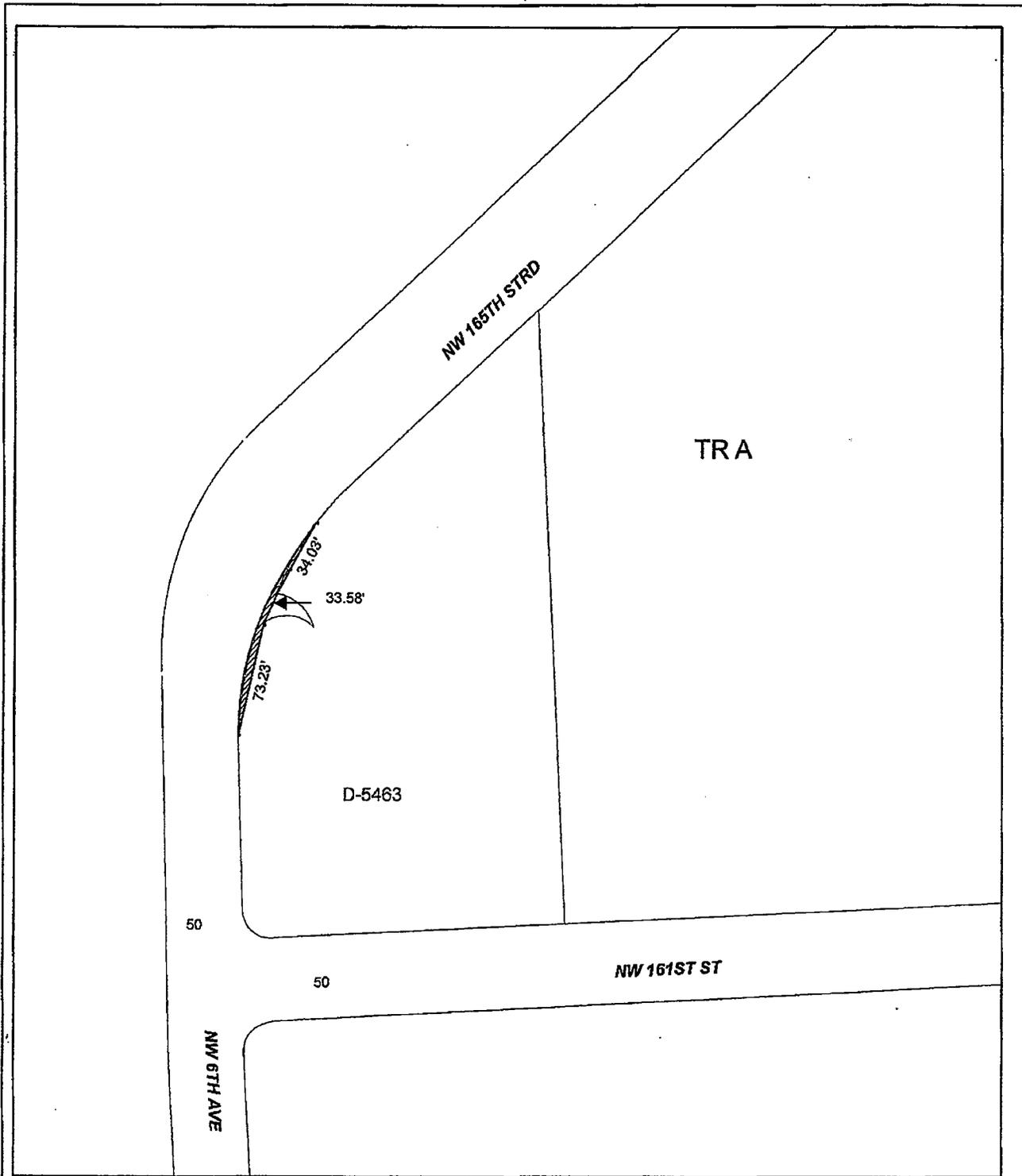


ADDRESS: 585 N.W. 161st Street, Miami, FL 33169

RENE AIGUESVIVES 02/08/08
PROFESSIONAL SURVEYOR AND
MAPPER No. 4327, State of Florida.

Not valid unless
it bears the
signature and the
original raised
seal of Florida
licensed Surveyor
and Mapper.

Alvarez, Aiguesvives and Associates, Inc.
L.B. No. 6867
Surveyors, Mappers and Land Planners
5701 S.W. 107th Avenue # 206, Miami, FL 33173
Phone 305-220-2424 Fax 305-552-8181



THIS IS NOT A SURVEY

Folio No. 30-2113-017-0020
 NAME: HOCHSTEIN HOLDINGS, LLC
 SEC: 13-52-41

Municipality: UNINCORPORATED MIAMI-DADE
 Commission District: Jean Monastime, 2

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY



MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
 RIGHT-OF-WAY
 111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
 PH (305) 375-2714 FAX (305) 375-2825

Date: May 25, 2011
 Prepared by: Yazmin Moreno