



MEMORANDUM

Agenda Item No. 8(M)(1)

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


DATE: December 6, 2011

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

SUBJECT: Resolution requesting the conveyance of parcels no. 117/RWMS 4710, 118/RWMS 4711, 124/RWMS 4716 And 800R WMS 4717 from the Florida Department of Transportation to Miami-Dade County at no cost for the Miami River Greenways Project; stating the public purpose and benefits of said project

Resolution R-1059-11

The accompanying resolution was prepared by the Public Works and Waste Management Department and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney


RAC/up

Memorandum



Date: December 6, 2011

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

From: Carlos A. Gimenez 
Mayor

Subject: Resolution Requesting the Conveyance of Certain Surplus Parcels from the Florida Department of Transportation to be Used as Part of the Miami River Greenways Project, Declaring the Intended Public Purpose and the Expected Public Benefit

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution requesting the conveyance of certain surplus parcels also known as Parcels No. 117/RWMS 4710, 118/RWMS 4711, 124/RWMS 4716 and 800RWMS 4717 (Perpetual Easement) from the Florida Department of Transportation (FDOT) to be part of the Miami River Greenways Project and declaring the public purpose and the expected public benefit.

Scope

This project is located within Commission District 5.

Fiscal Impact/Funding Source

There is no fiscal impact for the transfer of ownership of the Parcels from FDOT to Miami-Dade County since no consideration will be exchanged. The Miami River Greenways Project is funded through the Building Better Communities General Obligation Bond program. The total cost of the project including design and construction is \$4,584,596. The annual operations and maintenance costs are estimated at \$15,943 and \$13,497 respectively and will be funded through the Secondary Gas Tax and General Fund.

Track Record/Monitor

Public Works and Waste Management Department (PWWMD) is the entity overseeing this project and the person responsible is Mr. Raul A. Pino, PLS, PWWMD Land Development/Right-of-Way Chief.

Background

PWWMD requested the transfer of the Parcels from FDOT as part of the Miami River Greenways Project. As part of the transfer process the subject Parcels have been declared surplus by FDOT. In order to complete the transfer FDOT requested a resolution from the BCC declaring the Public Purpose of the intended use and the expected benefit to the public of using the Parcels for the proposed project.


County Manager/Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: December 6, 2011

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

SUBJECT: Agenda Item No. 8(M) (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
- 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)(1)
12-6-11

RESOLUTION NO. R-1059-11

RESOLUTION REQUESTING THE CONVEYANCE OF PARCELS NO. 117/RWMS 4710, 118/RWMS 4711, 124/RWMS 4716 AND 800RWMS 4717 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO MIAMI-DADE COUNTY AT NO COST FOR THE MIAMI RIVER GREENWAYS PROJECT; STATING THE PUBLIC PURPOSE AND BENEFITS OF SAID PROJECT; AUTHORIZING THE ACCEPTANCE OF DEEDS FOR SAID PROPERTIES; AND AUTHORIZING THE MAYOR TO EXERCISE PROVISIONS CONTAINED HEREIN

WHEREAS, Miami-Dade County desires to acquire certain state-owned lands under the jurisdiction of the Florida Department of Transportation, which are identified in the attached Exhibit "A" as Parcels No. 117/RWMS 4710, 118/RWMS 4711, 124/RWMS 4716 and 800RWMS 4717 (Perpetual Easement) which are located along the Miami River; and

WHEREAS, as a condition for the conveyance of said properties the Florida Department of Transportation has requested that this Board approve a resolution stating the public purpose and benefits of the intended use for said properties,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, 1) that the foregoing recitals are incorporated and adopted herein, 2) that this Board hereby declares that said Parcels No. 117/RWMS 4710, 118/RWMS 4711, 124/RWMS 4716 and 800RWMS 4717 (Perpetual Easement) are needed for the Miami River Greenways Project, a public facility that will provide access to residents and visitors to recreational amenities along the Miami River; 3) that this Board authorizes the County Mayor to accept the conveyance documents from the Florida Department of Transportation, that the procedure utilized in the adoption of this resolution is

expressly ratified and approved; 4) 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 **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

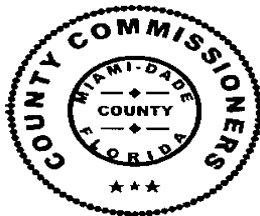
| | | | |
|-------------------------------------|---------------|----------------------|------------|
| Joe A. Martinez, Chairman | aye | | |
| Audrey M. Edmonson, Vice Chairwoman | aye | | |
| Bruno A. Barreiro | aye | Lynda Bell | aye |
| Esteban L. Bovo, Jr. | aye | Jose "Pepe" Diaz | aye |
| Sally 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 6th day of December, 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.

Debra Herman

26-SPD.02 06/99 (Public Purpose --
No consideration with mineral rights)

This instrument prepared by, Parcel No.: 117/RWMS 4710
or under the direction of, Item/Segment No.: 251168-1
Alicia Trujillo, Esq. Managing District: Six
Department of Transportation
Address: 1000 NW 111th Avenue,
Miami, Florida 33172

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this _____ (Date) by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 1000 NW 111th Avenue, Miami, Florida 33172, to MIAMI-DADE COUNTY, a political subdivision of the State of Florida, Party of the Second Part, whose address is 111 NW First Street, Miami, Florida 33128.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired by the Party of the First Part for reconstruction of an existing Miami- Dade County maintained and operated bridge under Item/Segment No. 251168-1; and

WHEREAS, said land is currently used for the right of way of the Southwest Second Avenue Bridge over the Miami River which is maintained and operated by Miami-Dade County, and the Party of the First Part, by action of the District Secretary, District Six Florida Department of Transportation on May 31, 2011, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25, Florida Statutes, all that certain land situate in Miami-Dade County, Florida, viz:

See Exhibit A attached hereto and made a part hereof

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein conveyed is to be used for and in conjunction with right of way for the Southwest Second Avenue Bridge and/or the Miami River Greenway Project, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Six and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Witness: _____

(type/print name) _____

By: _____

(type/print name) Gus Pego, P.E.
District Six Secretary

Witness: _____

(type/print name) _____

ATTEST: _____

(type/print name) _____
Executive Secretary

(Affix Department Seal)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ (Date), by _____, District Secretary for District Six, who is personally known to me or who has produced _____ as identification.

(type/print name) _____

Notary Public in and for the County and State last aforesaid.

(Affix Notary Seal) My Commission Expires: _____

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.

Mayor/ Mayor Designee

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

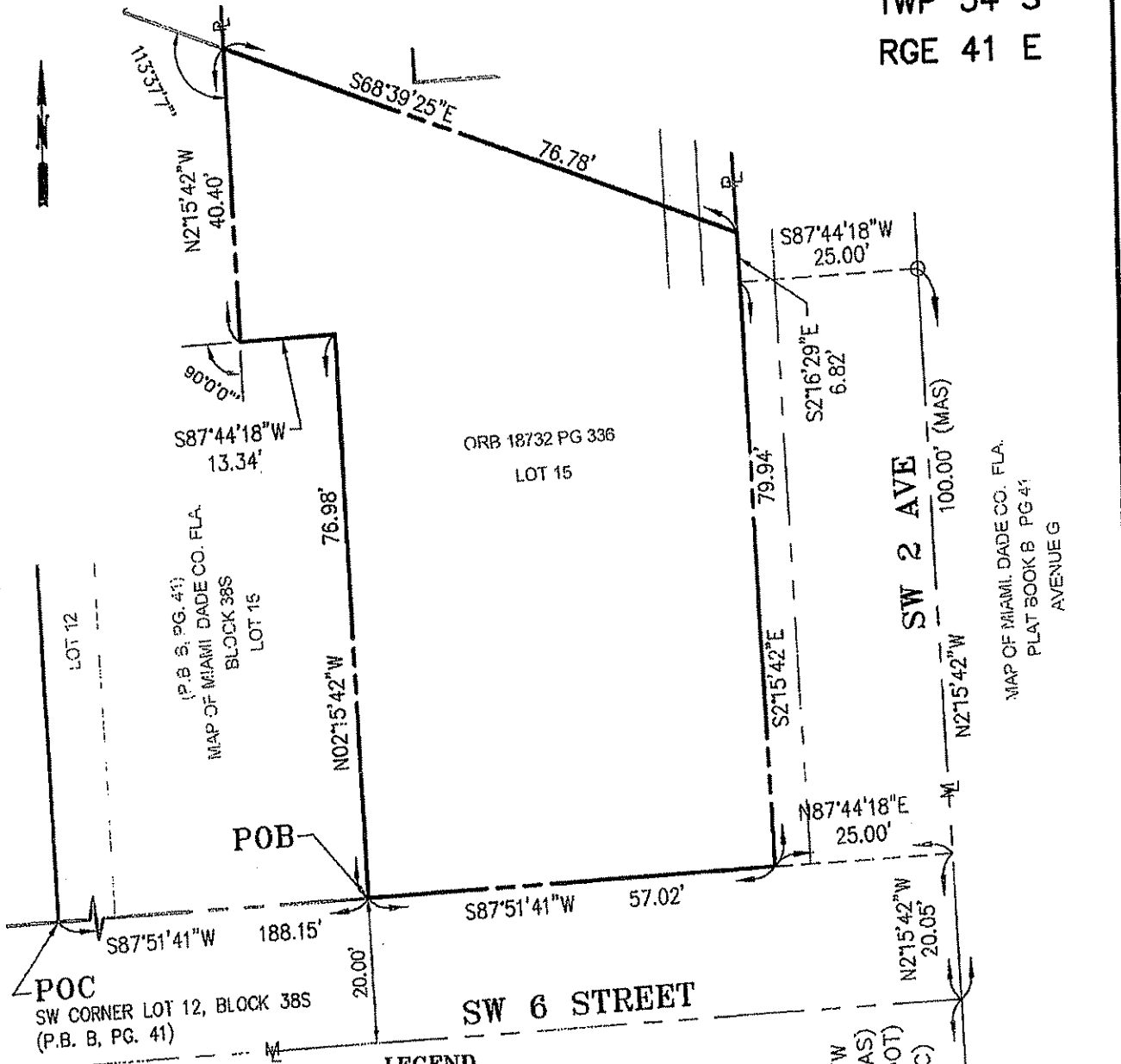
Approved as to form
and legal sufficiency

Assistant County Attorney

PARCEL 117

EXHIBIT "A"

SEC 38
TWP 54 S
RGE 41 E



- BOUNDARY LINE
- PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- CENTER LINE
- - - EASEMENT
- AREA TO BE GRANTED
- (POB) POINT OF BEGINNING
- (POC) POINT OF COMMENCEMENT
- M MONUMENT LINE
- ⊕ CENTER LINE

- ### LEGEND
- (PT) POINT OF TANGENCY
 - (PC) POINT OF CURVATURE
 - (PCU) POINT OF CUSP
 - (PI) POINT OF INTERSECTION
 - R/W RIGHT OF WAY
 - R PROPERTY LINE
 - (L) LENGTH
 - (Δ) DELTA
 - (R) RADIUS
 - (D) BY DEED
 - (P.B.) PLAT BOOK
 - (PG.) PAGE
 - (SEC.) SECTION
 - (O.R.B.) OFFICIAL RECORDS BOOK
 - (TWS) TOWNSHIP
 - (RGE) RANGE
 - (C) CALCULATED
 - (FDOT) FLORIDA DEPARTMENT OF TRANSPORTATION
 - (MAS) MUNICIPAL ATLAS SHEET

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



THIS IS NOT A SURVEY

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

MIAMI RIVER GREENWAYS
SITE 1
PARCEL No. 117

SCALE: 1" = 20' DATE: 07-14-11
DRAWN BY: L. Espinosa
CHECKED BY: C. Socarras
PROJECT: 20040676 SHEET: 1 of 2

Florida Department of Transportation, District VI
Item/Segment No.: 2511681
Sec./Job No.: 87100-2611
FAP No.: 8175-004-U
SR No.: N/A
County: Miami-Dade
Parcel No.: 117/RWS 4711 Sheet ___ of ___

EXHIBIT "A"

SEC 38
TWP 54 S
RGE 41 E

**PARCEL-117
LEGAL DESCRIPTION:**

That part of Lot 15, Block 38 South, MAP OF MIAMI, DADE CO. FLA. as recorded in Plat Book B at Page 41 of the Public Records of Dade County, Florida in Section 38, Township 54 South, Range 41 East, more particularly described as follows:

COMMENCE at the Southwest corner of Lot 12, Block 38 South, of said MAP OF MIAMI, DADE CO. FLA.; thence along the South Boundary of said Lot 12 and along the South boundary of Lots 13, 14 and 15 of said Block 38 South, also being the Northerly right-of-way line of SW 6 Street, N87°51'41"E for 188.15 feet to the POINT OF BEGINNING; thence N02°15'42"W for 76.98 feet; thence S87°44'18"W for 13.34 feet; thence N02°15'42"W for 40.40 feet to the Northerly boundary of said Lot 15; thence along said Northerly boundary S68°39'25"E for 76.78 feet to a point on a line lying 25.00 feet West of and parallel with the City of Miami Monument Line for SW 2 Avenue, also being the Westerly right-of-way line of SW 2 Avenue; thence along said line S02°16'29"E for 6.82 feet; thence continuing along said line, S02°15'42"E for 79.94 feet to a point on the aforesaid South boundary of said Lot 15; thence along said boundary, also being the Northerly right-of-way line of SW 6 Street, S87°51'41"W for 57.02 feet to the POINT OF BEGINNING.

Containing 6,153 square feet, more or less.

SURVEYOR'S NOTE:

Bearings as shown hereon refer to a bearing of N2°15'42"W along the monument line SW 2 Ave as shown on the sketch. This bearing was derived from FDOT Right-of-Way Map SW 2 Ave, Section 87100-2611 dated 8-8-97.

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

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

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

THIS LEGAL DESCRIPTION IS ILLUSTRATED IN A "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" ON A SEPARATE ATTACHED SHEET. THE ATTACHED SKETCH IS SUBORDINATED TO THIS LEGAL DESCRIPTION AND IS PROVIDED SOLELY AS AN AID TO VISUALIZING THE PROPERTY DESCRIBED HEREIN.



| | | | | |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION | MIAMI RIVER GREENWAYS SITE 1 PARCEL No. 117 | NOT TO SCALE | DATE: 07-14-11 | Florida Department of Transportation, District VI Item/Segment No.: 2511881 Sect/Job No.: 87100-2611 FAP No.: 6175-004-U SR No.: N/A County: Miami-Dade Parcel No.: 117/RWMS 4711 Sheet ___ of ___ |
| | | DRAWN BY: L. Espinosa | CHECKED BY: C. Socarras | |
| | | PROJECT: 20040676 | SHEET: 2 of 2 | |

26-SPD.02 06/99 (Public Purpose –
No consideration with mineral rights)

This instrument prepared by,
or under the direction of,
Alicia Trujillo, Esq.
Department of Transportation
Address: 1000 NW 111th Avenue,
Miami, Florida 33172

Parcel No.: 118/RWMS 4711
Item/Segment No.: 251168-1
Managing District: Six

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this _____ (Date) by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 1000 NW 111th Avenue, Miami, Florida 33172, to MIAMI-DADE COUNTY, a political subdivision of the State of Florida, Party of the Second Part, whose address is 111 NW First Street, Miami, Florida 33128.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired by the Party of the First Part for reconstruction of an existing Miami- Dade County maintained and operated bridge under Item/Segment No. 251168-1; and

WHEREAS, said land is currently used for the right of way of the Southwest Second Avenue Bridge over the Miami River which is maintained and operated by Miami-Dade County, and the Party of the First Part, by action of the District Secretary, District Six Florida Department of Transportation on May 31, 2011, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25, Florida Statutes, all that certain land situate in Miami-Dade County, Florida, viz:

See Exhibit A attached hereto and made a part hereof

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein conveyed is to be used for and in conjunction with right of way for the Southwest Second Avenue Bridge and/or the Miami River Greenway Project, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Six and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Witness: _____
(type/print name) _____

By: _____
(type/print name) Gus Pego, P.E.
District Six Secretary

Witness: _____
(type/print name) _____

ATTEST: _____
(type/print name) _____
Executive Secretary

(Affix Department Seal)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ (Date), by _____, District Secretary for District Six, who is personally known to me or who has produced _____ as identification.

(type/print name) _____
(Affix Notary Seal) Notary Public in and for the County and State last aforesaid.
My Commission Expires: _____

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.

Mayor/ Mayor Designee

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Approved as to form
and legal sufficiency

Assistant County Attorney

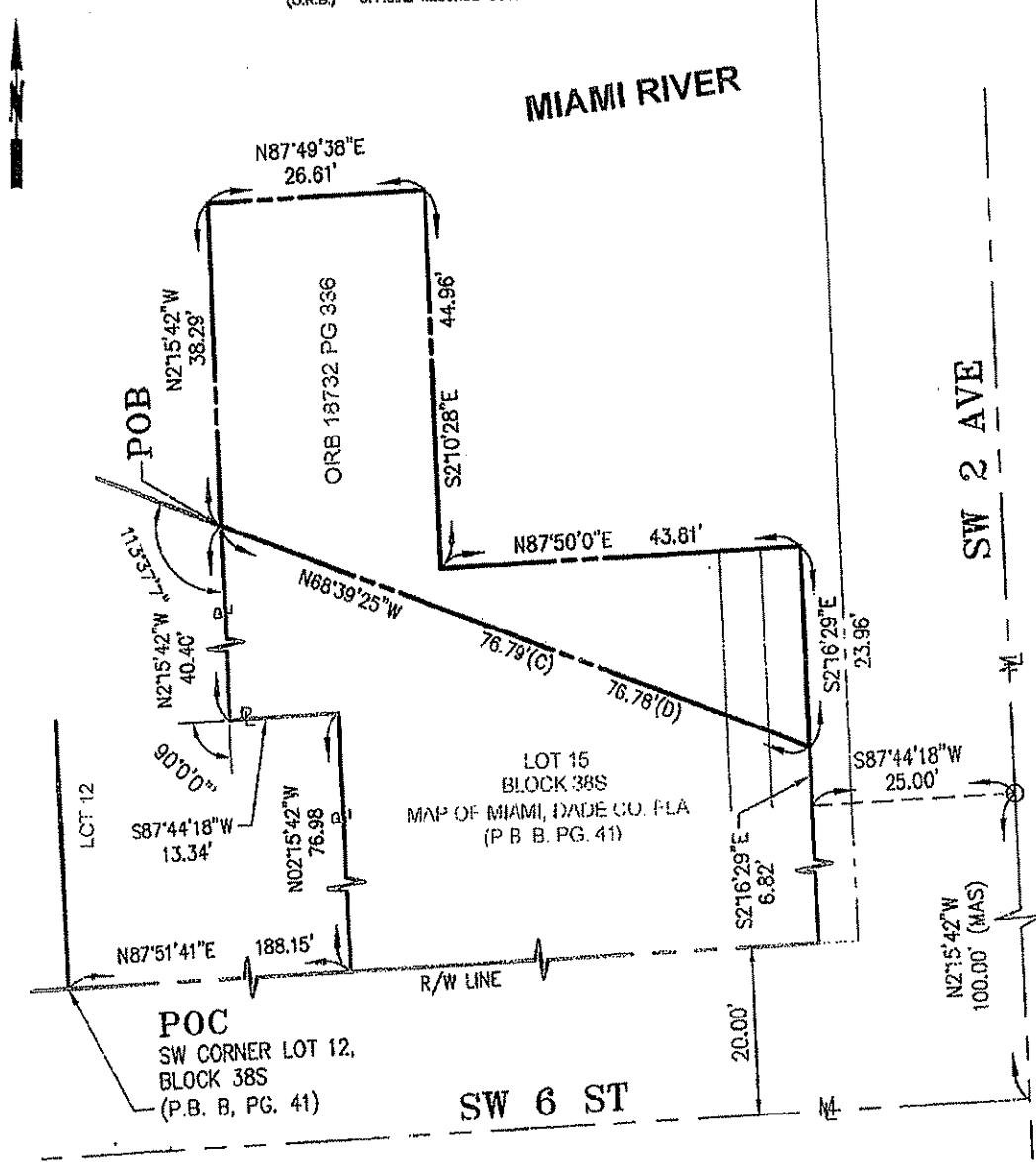
PARCEL 118

EXHIBIT "A"

SEC 38
TWP 54 S
RGE 41 E

LEGEND

| | | | | | | | |
|--|-------------------|----------|-----------------------|-------|-----------------------|--------|--------------------------------------|
| | BOUNDARY LINE | | AREA TO BE GRANTED | (PT) | POINT OF TANGENCY | R | PROPERTY LINE |
| | PROPERTY LINE | (POB) | POINT OF BEGINNING | (PC) | POINT OF CURVATURE | (L) | LENGTH |
| | RIGHT-OF-WAY LINE | (POC) | POINT OF COMMENCEMENT | (PCU) | POINT OF CUSP | (Δ) | DELTA |
| | CENTER LINE | (M) | MONUMENT LINE | (PI) | POINT OF INTERSECTION | (R) | RADIUS |
| | EASEMENT | (C) | CENTER LINE | (R/W) | RIGHT OF WAY | (FDOT) | FLORIDA DEPARTMENT OF TRANSPORTATION |
| | | (P.B.) | PLAT BOOK | (TWS) | TOWNSHIP | (MAS) | MUNICIPAL ATLAS SHEET |
| | | (Pg.) | PAGE | (RGE) | RANGE | (D) | BY DEED |
| | | (SEC) | SECTION | (C) | CALCULATED | | |
| | | (O.R.B.) | OFFICIAL RECORDS BOOK | | | | |



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THIS IS NOT A SURVEY

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

MIAMI RIVER GREENWAYS
SITE 1
PARCEL No. 118

SCALE: 1" = 20' DATE: 07-14-11
DRAWN BY: L. Espinosa
CHECKED BY: C. Socarras
PROJECT: 20040676 SHEET: 1 of 2

Florida Department of Transportation, District VI
Item/Segment No.: 2511881
Sect./Job No.: 07100-2611
FAP No.: 6175-004-U
SR No.: N/A
County: Miami-Dade
Parcel No.: 118/RWMS 4711 Sheet of

EXHIBIT "A"

SEC 38
TWP 54 S
RGE 41 E

PARCEL-118
LEGAL DESCRIPTION:

That part of a parcel of land being a portion of Section 38, Township 54 South, Range 41 East, Dade County, Florida, more particularly described as follows:

COMMENCE at the Southwest corner of Lot 12, Block 38 South, of MAP OF MIAMI, DADE CO. FLA., as recorded in Plat Book B, Page 41 of the Public Records of Dade County, Florida; thence along the South Boundary of said Lot 12 and along the South boundary of Lots 13, 14 and 15 of said Block 38 South, also being the Northerly right-of-way line of SW 6 Street, N87°51'41"E for 188.15 feet; thence N02°15'42"W for 76.98 feet; thence S87°44'18"W for 13.34 feet; thence continue N02 °15'42"W for 40.40 feet to the Northerly boundary of said Lot 15 and the POINT OF BEGINNING; thence N02°15'42"W for 38.29 feet; thence N87°49'38"E for 26.61 feet; thence S02°10'28"E for 44.96 feet; thence N87°50'00"E for 43.81 feet to a point on a line lying 25.00 feet West of and parallel with the City of Miami Monument Line for SW 2 Avenue; thence along said line, S02°16'29"E for 23.96 feet to a point on the aforesaid Northerly boundary of Lot 15; thence along said Northerly boundary N68°39'25"W 76.78 feet to the POINT OF BEGINNING.

Containing 1,805 square feet, more or less.

SURVEYOR'S NOTE:

Bearings as shown hereon refer to a bearing of N2°15'42"W along the monument line SW 2 Ave as shown on the sketch. This bearing was derived from FDOT Right-of-Way Map SW 2 Ave, Section 87100-2611 dated 8-8-97.

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

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

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| | | | | |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION | MIAMI RIVER GREENWAYS SITE 1 PARCEL No. 118 | NOT TO SCALE | DATE: 07-14-11 | Florida Department of Transportation, District VI Item/Segment No.: 2511681 Sect./Job No.: 87100-2611 FAP No.: 8175-004-U SR No.: N/A County: Miami-Dade Parcel No.: 118/RWMS 4711 Sheet ___ of ___ |
| | | DRAWN BY: L. Espinosa | CHECKED BY: C. Socarras | |

15

26-SPD.02 06/99 (Public Purpose –
No consideration with mineral rights)

This instrument prepared by, Parcel No.: 124/RWMS 4716
or under the direction of, Item/Segment No.: 250911-1
Alicia Trujillo, Esq. Managing District: Six
Department of Transportation
Address: 1000 NW 111th Avenue,
Miami, Florida 33172

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this _____ (Date) by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 1000 NW 111th Avenue, Miami, Florida 33172, to MIAMI-DADE COUNTY, a political subdivision of the State of Florida, Party of the Second Part, whose address is 111 NW First Street, Miami, Florida 33128.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired by the Party of the First Part for reconstruction of an existing Miami- Dade County maintained and operated bridge under Item/Segment No. 250911-1; and

WHEREAS, said land is currently used for the right of way of the Miami Avenue Bridge over the Miami River which is maintained and operated by Miami-Dade County, and the Party of the First Part, by action of the District Secretary, District Six Florida Department of Transportation on May 31, 2011, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25, Florida Statutes, all that certain land situate in Miami-Dade County, Florida, viz:

See Exhibit A attached hereto and made a part hereof

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein conveyed is to be used for and in conjunction with right of way for the Miami Avenue Bridge and/or the Miami River Greenway Project, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Six and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Witness: _____
(type/print name) _____

By: _____
(type/print name) Gus Pego, P.E.
District Six Secretary

Witness: _____
(type/print name) _____

ATTEST: _____
(type/print name) _____
Executive Secretary

(Affix Department Seal)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ (Date) , by _____
_____, District Secretary for District Six , who is personally known to me or who has produced
_____ as identification.

(type/print name) _____
Notary Public in and for the County and State last aforesaid.
(Affix Notary Seal) My Commission Expires: _____

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.

Mayor/ Mayor Designee

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Approved as to form
and legal sufficiency

Assistant County Attorney

EXHIBIT "A"

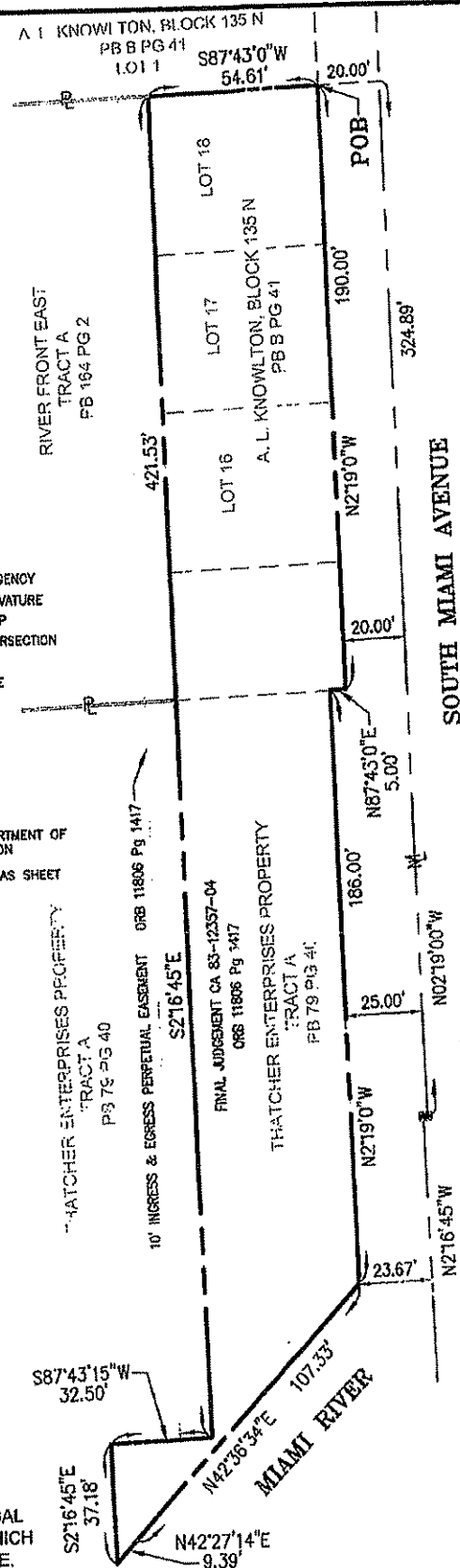
PARCEL 124



SEC 37
TWP 54 S
RGE 41 E

LEGEND

- | | | | |
|----------|-----------------------|--------|--------------------------------------|
| | BOUNDARY LINE | (PT) | POINT OF TANGENCY |
| | PROPERTY LINE | (PC) | POINT OF CURVATURE |
| | RIGHT-OF-WAY LINE | (PCU) | POINT OF CUSP |
| | CENTER LINE | (PI) | POINT OF INTERSECTION |
| | EASEMENT | R/W | RIGHT OF WAY |
| | LOT LINE | R | PROPERTY LINE |
| | AREA TO BE GRANTED | (L) | LENGTH |
| (POB) | POINT OF BEGINNING | (A) | DELTA |
| (POC) | POINT OF COMMENCEMENT | (R) | RADIUS |
| | MONUMENT LINE | (TWS) | TOWNSHIP |
| | CENTER LINE | (RGE) | RANGE |
| (P.B.) | PLAT BOOK | (C) | CALCULATED |
| (PG.) | PAGE | (FDOT) | FLORIDA DEPARTMENT OF TRANSPORTATION |
| (SEC.) | SECTION | (MAS) | MUNICIPAL ATLAS SHEET |
| (O.R.B.) | OFFICIAL RECORDS BOOK | | |
| (D) | BY DEED | | |



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

PWD
THIS IS NOT A SURVEY

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|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION | MIAMI RIVER GREENWAYS SITE 3 | SCALE: 1" = 50' DRAWN BY: L. Esplanosa | DATE: 07-18-11 | Florida Department of Transportation, District VI Item/Segment No.: 2309111 Sect./Job No.: 87613-2644 PAP No.: 6181-001-U SR No.: N/A County: Miami-Dade Parcel No.: 124/RWMS 4716 Sheet of |
| | PARCEL No. 124 | CHECKED BY: C. Socarras | PROJECT: 20040676 SHEET: 1 of 2 | |
| | | | | |

EXHIBIT "A"

SEC 37
TWP 54 S
RGE 41 E

PARCEL 124

SECTION 87513-2644

A portion of the following described three (3) parcels of land: Tract A of THATCHER ENTERPRISES PROPERTY, according to the plat thereof recorded in Plat Book 79 at Page 40 of the Public Records of Dade County, Florida;

AND

Lots 16, 17 and 18 in Block 135 North of A.L. Knowlton's MAP OF MIAMI, according to the plat thereof recorded in Plat Book 'B' at Page 41 of the Public Records of Dade County, Florida;

AND

That certain 40 foot wide strip of land lying between the South line of said Lot 16 and the North Line of said Tract A; being more particularly described as follows:

BEGIN at the Northeast corner of said Lot 18; thence run S 87°43'00" W, along the North line of said Lot 18, for a distance of 54.61 feet; thence run S 02°16' 45" E for a distance of 421.53 feet; thence run S 87°43'15" W at right angles to the last described course, for a distance of 32.50 feet; thence run S 02°16'45" E, at right angles to the last described course, for a distance of 37.18 feet more or less; to a point on the South line of said Tract A; thence run N 42°27'14" E, along the South line of said Tract A and along the Low Water Line of the Miami River, for a distance of 9.39 feet thence N 42°36'34" E, along the South line of said Tract A and along the Low Water Line of the Miami River for a distance of 107.33 feet to the Southeast corner of said Tract A; thence run N 2° 19'00" W, along the East line of said Tract A, for a distance of 186 feet, more or less, to the Northeast corner thereof; thence run N 87°43' 00" E, along the Easterly extension of the North line of said Tract A, for a distance of 5.00 feet to a point on the Southerly extension of the East line of said Lot 16; thence run N 02°19'00" W, along the East line of said Lots 16, 17 and 18, and the Southerly extension thereof, for a distance of 190.00 feet to the POINT OF BEGINNING. Together with all riparian rights appertaining thereto.

Containing 21,573 square-feet, more or less.

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

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

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

SURVEYOR'S NOTE: Bearings as shown hereon refer to a bearing of N2°16'45"W along the monument line of Miami Ave as shown on the sketch. This bearing was derived from Dade County PWD Right-of-Way Map of Miami Ave Bridge. Section 87513-2646, dated March 1981.

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

PWD

THIS IS NOT A SURVEY

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|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION | MIAMI RIVER GREENWAYS SITE 3 PARCEL No. 124 | NOT TO SCALE | DATE: 07-18-11 | Florida Department of Transportation, District VI Item/Segment No.: 2509111 Sect/Job No.: 87513-2644 FAP No.: 6181-001-U SR No.: N/A County: Miami-Dade Parcel No.: 124/RHMS 4716 Sheet of _____ |
| | | DRAWN BY: L. Eaphoso | CHECKED BY: C. Socarras | |

26-SPD.02 06/99 (Public Purpose –
No consideration with mineral rights)

This instrument prepared by,
or under the direction of,
Alicia Trujillo, Esq.
Department of Transportation
Address: 1000 NW 111th Avenue,
Miami, Florida 33172

Parcel No.: 800/RWMS 4717
Item/Segment No.: 250911-1
Managing District: Six

QUITCLAIM DEED
Public Purpose
(Easement)

THIS INDENTURE, Made this _____ (Date) by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 1000 NW 111th Avenue, Miami, Florida 33172, to MIAMI-DADE COUNTY, a political subdivision of the State of Florida, Party of the Second Part, whose address is 111 NW First Street, Miami, Florida 33128.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired by the Party of the First Part for purposes of right of way to provide access, ingress and egress to the bridge tender's control building, and for associated maintenance and drainage purposes in conjunction with the reconstruction of an existing Miami- Dade County maintained and operated bridge under Item/Segment No. 250911-1; and

WHEREAS, said land is currently used for the right of way of the Miami Avenue Bridge over the Miami River which is maintained and operated by Miami-Dade County, and the Party of the First Part, by action of the District Secretary, District Six Florida Department of Transportation on May 31, 2011, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release, quitclaim and transfer unto the Party of the Second Part, and assigns, forever, solely for public purposes use, pursuant to the provisions of Section 337.25, Florida Statutes, all the right, title and interest that the State of Florida Department of Transportation has in that certain perpetual and exclusive easement providing access, ingress and egress to the bridge tender's control building, and for associated maintenance and drainage purposes, over, upon, under and across the following described lands situated in Miami-Dade County, Florida:

See Exhibit A attached hereto and made a part hereof

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein conveyed is to be used for and in conjunction with right of way for the Miami Avenue Bridge and/or the Miami River Greenway Project, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Six and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Witness: _____
(type/print name) _____

By: _____
(type/print name) Gus Pego, P.E.
District Six Secretary

Witness: _____
(type/print name) _____

ATTEST: _____
(type/print name) _____
Executive Secretary

(Affix Department Seal)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ (Date), by _____, District Secretary for District Six, who is personally known to me or who has produced as identification.

(type/print name) _____
Notary Public in and for the County and State last aforesaid.
(Affix Notary Seal) My Commission Expires: _____

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.

Mayor/ Mayor Designee

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Approved as to form
and legal sufficiency

Assistant County Attorney

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.

Mayor/ Mayor Designee

ATTEST: HARVEY RUVIN,
Clerk of said Board

By: _____
Deputy Clerk

Approved as to form
and legal sufficiency

Assistant County Attorney

EXHIBIT "A"

SEC 37
TWP 54 S
RGE 41 E

PARCEL 800

SECTION 87513-2644

A portion of the following described three (3) parcels of land:

Tract A of THATCHER ENTERPRISES PROPERTY, according to the plat thereof recorded in Plat Book 79 at Page 40 of the Public Records of Dade County, Florida;

AND

Lots 16, 17 and 18 in Block 135 North of A.L. Knowlton's MAP OF MIAMI, according to the plat thereof recorded in Plat Book 'B' at Page 41 of the Public Records of Dade County, Florida;

AND

That certain 40 foot wide strip of land lying between the South line of said Lot 16 and the North Line of said Tract A; being more particularly described as follows:

COMMENCE at the Northeast corner of said Lot 18; thence run S 87°43'00" W, along the North line of said Lot 18, for a distance of 54.61 feet to the POINT OF BEGINNING of the herein described parcel; thence continue S 87°43'00" W, along the North line of said Lot 18, for a distance of 10.00 feet; thence run S 02°16'45" E for a distance of 421.53 feet; thence run N 87° 43'15" E, at right angles to the last described course, for a distance of 10.00 feet; thence run N 02° 16' 45" W, at right angles to the last described course, for a distance of 421.53 feet to the POINT OF BEGINNING.

Containing 4,215 square feet, more or less.

For the purpose of a perpetual and exclusive easement for right-of-way for public road purposes to provide access, ingress and egress to the bridge tender's control building, for associated maintenance and drainage purpose over, upon, under and across the above described lands situated in Dade County, Florida.

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

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

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SURVEYOR'S NOTE: Bearings as shown hereon refer to a bearing of N2°16'45"W along the monument line of Miami Ave as shown on the sketch. This bearing was derived from Dade County PWD Right-of-Way Map of Miami Ave Bridge, Section 87513-2646, dated March 1981.

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THIS IS NOT A SURVEY

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|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION | MIAMI RIVER GREENWAYS SITE 3 PARCEL No. 800 | NOT TO SCALE | DATE: 07-18-11 | Florida Department of Transportation, District VI Item/Segment No.: 2509111 Sect./Job No.: 87513-2644 FAP No.: 6181-001-U SR No.: N/A County: Miami-Dade Parcel No.: 800/RWMS 4717 Sheet... of ... |
| | | DRAWN BY: L. Espinosa | CHECKED BY: C. Socarras | |