OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 8(F)(1)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution declaring surplus County-owned property located at NW 58 Street and NW 72 Avenue, Miami, Florida (Folio No. 30-3014-001-0151); authorizing the private sale of said property to LIT Industrial, LP, in accordance with Florida Statutes section 125.35(2) for its appraised value of $335,000.00; authorizing the Chairperson or Vice-Chairperson of the Board to execute a county deed for such purposes; authorizing the County Mayor to accept conveyance of an easement for canal maintenance, to exercise all rights conferred therein, to execute said easement, and to take all actions necessary to accomplish the sale of said property and acceptance of the easement

Resolution No. R-965-16

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

Cynthia Johnson-Stacks for
Abigail Price-Williams
County Attorney

APW/smm

Memorandum

MIAMI-DADE COUNTY

Date: November 1, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Sale of County-Owned Property Located at NW 58 Street and NW 72 Avenue, Miami, Florida – A portion of Folio No. 30-3014-001-0151

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which authorizes the following actions:

- Declares as surplus a 47,578 square foot strip of vacated road right-of-way located at NW 58 Street and NW 72 Avenue;
- Authorizes the private sale to LIT Industrial, L.P., the sole adjacent property owner, for $335,000; and
- Authorizes the County Mayor or the County Mayor's designee to accept the conveyance of an easement for canal maintenance.

Scope

The property is located in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

The sale of this property will place the property on the tax roll, generating an estimated $8,524 per year in additional ad valorem taxes.

Track Record/Monitor

Shannon Clark of the Internal Services Department, Real Estate Development Division, is managing the sale of this property.

Delegation of Authority

Authorizes the County Mayor or the County Mayor's designee to sell the property to the adjacent property owner, take all actions necessary to accomplish the sale of the property, authorizes the Chairperson or Vice Chairperson of the Board to execute a County Deed (Exhibit 1 to the resolution) for such purpose, and authorizes the County Mayor or the County Mayor's designee to execute an easement for canal maintenance to Miami-Dade (County) (Exhibit 2 to the resolution).

Background

The property was acquired in 1951 and dedicated as road right-of-way for NW 58 Street. In 2014, LIT Industrial, L.P., the adjacent property owner, petitioned to close this portion of NW 58 Street that runs from NW 72 Avenue east for a distance of approximately 1,269 feet to where it dead ends at a canal (Road Closing Petition No. P-904). Resolution No. R-961-14 approved by the Board of County Commissioners on November 5, 2014 authorized the road closure. The south half of the road became the property of the LIT Industrial, L.P., and the north half of the property became the property of the County since the County owns the canal that runs along the north side of the closed road. LIT Industrial, L.P. wishes to purchase the County-owned vacated right-of-way in order to incorporate the

area into its property and develop it as additional parking and truck and trailer staging for its industrial and transshipment operations (Attachment 1 to the transmittal memorandum). LIT Industrial, L.P. will grant an easement for canal maintenance to the County for purposes of canal maintenance (Attachment 1 to the transmittal memorandum). The proposed easement measures approximately 1,269 feet by 15 feet, and 40.13 feet by 45.01 feet for a total of 20,838 square feet (0.478 acres). Canal maintenance includes, but is not limited to, control of aquatic weeds and woody vegetation, inspection, maintenance and cleaning of culverts, and removal of floating debris and other obstructions.

The Internal Services Department circulated the property to all County departments to determine whether the County has a present or future need for the property and, with the exception of the canal maintenance easement that was requested by the Environmental Resources Management Division of the Regulatory and Economic Resources Department, no other use was determined.

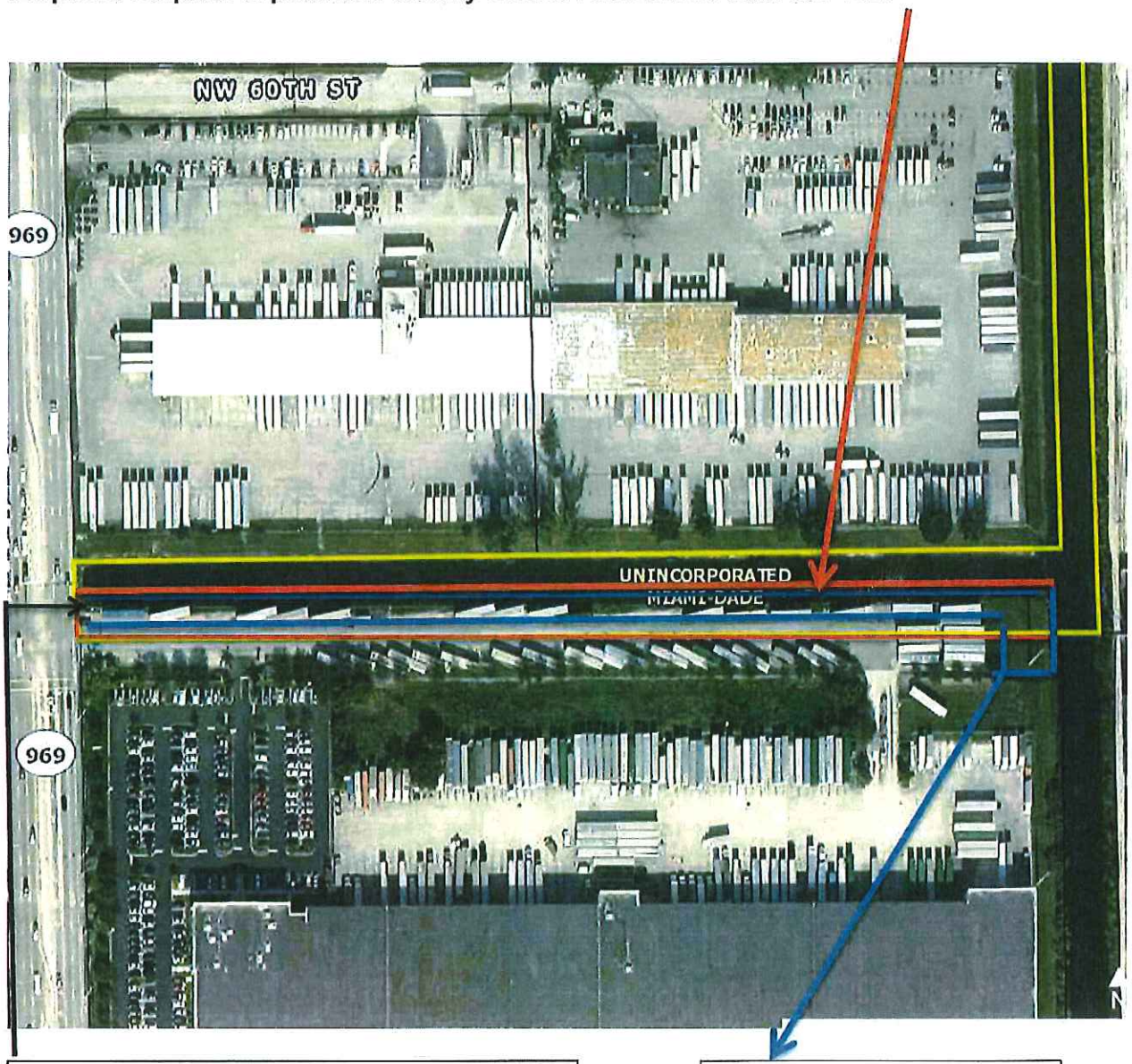
The property measures approximately 35 feet by 1,269 feet and abuts a canal on both the north and east sides of the property. Florida Statutes 125.35(2) provides for the sale of County-owned property that is not buildable to an adjacent property owner. Staff has determined that the property is of insufficient size and shape to be issued a building permit, and therefore, recommends that the property be sold to LIT Industrial, L.P, the sole adjacent property owner, for $335,000, which represents 100 percent of its 2015 appraised value (Attachment 2 to the transmittal memorandum - Appraisal Certification).

Attachments

Edward Marquez
Deputy Mayor

ATTACHMENT 1

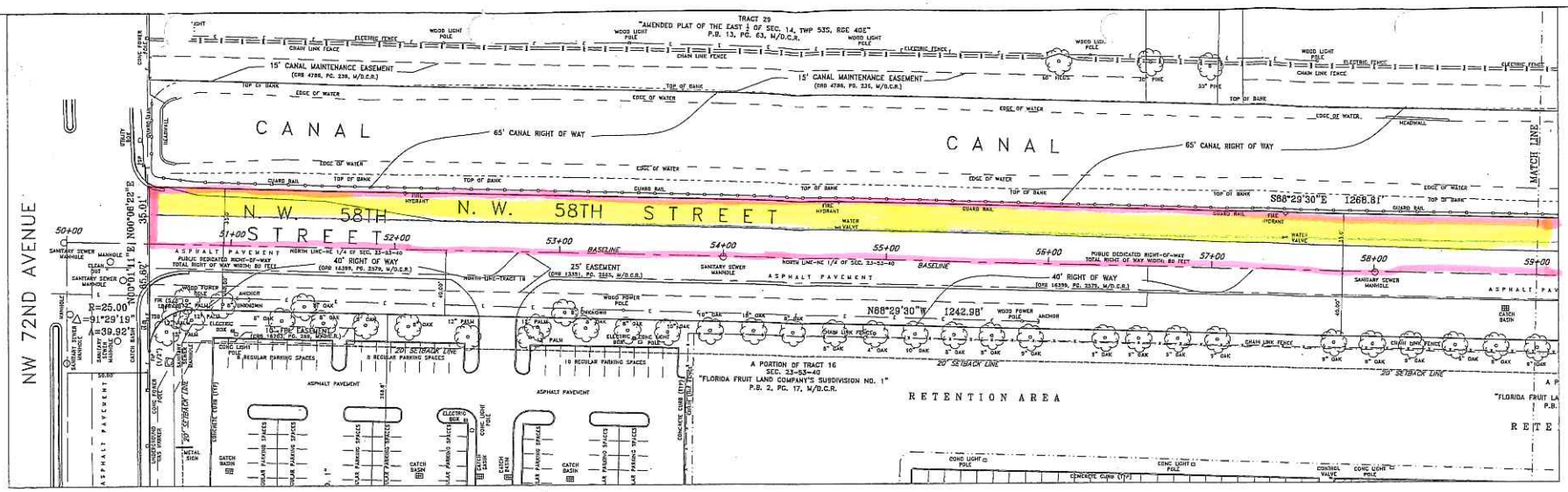
Proposed Surplus: A portion of County-Owned Folio No. 01-0111-030-1020

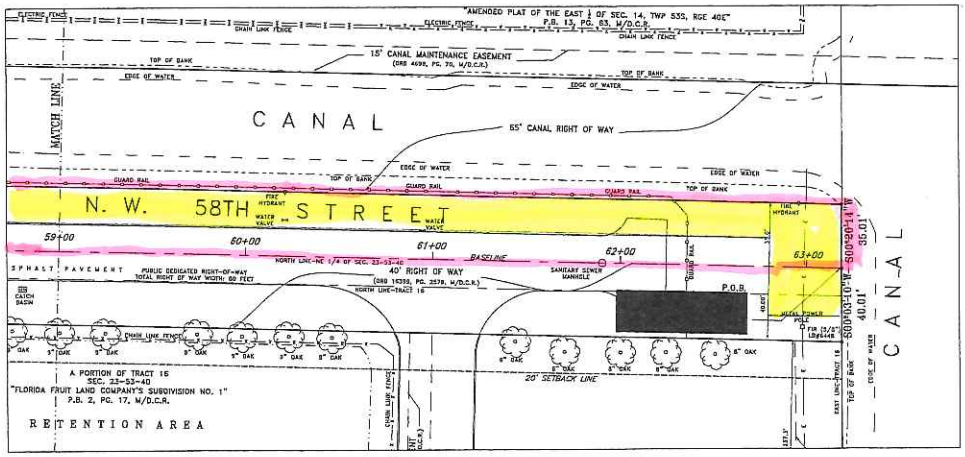


Proposed 15' canal maintenance easement on the south side of the canal for purposes of canal maintenance.

Canal Maintenance Easement

ATTACHMENT 1





LAND DESCRIPTION:

A PORTION OF A 75 FOOT RIGHT OF WAY (NW 58TH STREET) RUNNING PARALLEL WITH THE NORTH LINE OF TRACT 16 IN SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 16;

THENCE SOUTH 00°03'10" WEST ALONG THE EAST LINE OF SAID TRACT 16 EXTENDED TO THE NORTH, A DISTANCE OF 40.01 FEET;

THENCE NORTH 88°29'30" WEST ALONG A LINE 40.00 FOOT SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF NW 58TH STREET, A DISTANCE OF 1242.98 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 91°29'19" AND AN ARC DISTANCE OF 39.92 FEET;

THENCE NORTH 00°01'11" EAST ALONG THE EAST RIGHT OF WAY LINE OF NW 72ND AVENUE EXTENDED TO THE NORTH, A DISTANCE OF 65.67 FEET;

THENCE NORTH 00°36'22" EAST ALONG THE NORTHERLY EXTENSION OF SAID RIGHT OF WAY LINE, A DISTANCE OF 35.01 FEET;

THENCE SOUTH 88°29'30" EAST ALONG A LINE 35.00 FOOT NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTH RIGHT OF WAY LINE OF NW 58TH STREET, A DISTANCE OF 1268.81 FEET;

THENCE SOUTH 00°30'14" WEST, A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI/DADE COUNTY, FLORIDA; CONTAINING 95,295 SQUARE FEET MORE OR LESS.

LEGEND:

CKD	CHECKED BY
CONC	CONCRETE
DWN	DRAWN BY
FB/PG	FIELD BOOK AND PAGE
SIR	SET 5/8" IRON ROD & CAP #5448
SNC	SET NAIL AND CAP #6448
FIR	FOUND IRON ROD
FIP	FOUND IRON PIPE
CR	CABLE RISER
GEN.	GENERATOR
FNC	FOUND NAIL AND CAP
FND	FOUND NAIL & DISC
P.B.	PLAT BOOK
-X-	CHAIN LINK/ WOOD FENCE
CBS	CONCRETE BLOCK STRUCTURE
A/C	AIR CONDITIONER
PRM	PERMANENT REFERENCE MONUMENT
M/D.C.R.	MIAMI/DADE COUNTY RECORDS
ORB	OFFICIAL RECORDS BOOK
BFP	BACK FLOW PREVENTER
R	RADIUS
Δ	DELTA ANGLE
A	ARC DISTANCE
TSB	TRAFFIC SIGNAL BOX
TYP	TYPICAL
♿	HANDICAP SPACE
P.O.B.	POINT OF BEGINNING

NOTES :

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. THIS SURVEY WAS DONE SOLELY FOR BOUNDARY PURPOSES AND DOES NOT DEPICT THE JURISDICTION OF ANY MUNICIPAL, STATE, FEDERAL OR OTHER ENTITIES.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT.
5. UNDERGROUND IMPROVEMENTS NOT SHOWN.
6. ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
7. BEARINGS SHOWN HEREON ARE ASSUMED. THE EAST LINE OF TRACT 16 SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST BEARS N00°03'10"E.
8. BENCHMARK REFERENCE : MIAMI/DADE COUNTY BENCHMARK # B-9-R ELEVATION=8.22'

SURPLUS AREA (N ½ OF NW 58 ST)

CANAL MAINTENANCE EASEMENT

I HEREBY CERTIFY THAT THE "SPECIFIC PURPOSE SURVEY" OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION IN NOVEMBER, 2013. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: _____

RICHARD E. CUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4186

SURVEY DATE : 11/21/13

COUSINS SURVEYORS & ASSOCIATES, INC.
3921 S.W. 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

CLIENT :

LIT INDUSTRIAL LIMITED PARTNERSHIP

5601 NW 72ND AVENUE
MIAMI, FLORIDA 33166

SPECIFIC PURPOSE SURVEY

REVISIONS	DATE	FB/PG	DWN	CKD
RIGHT OF WAY SURVEY	05/13/13	SKETCH	AV	REC
MISCELLANEOUS CHANGES TO SURVEY PER COMMENTS	06/27/13	-----	YEO	REC
REVISED LAND DESCRIPTION	07/03/13	-----	AM	REC
REVISED LAND DESCRIPTION AREA	09/09/13	-----	AM	REC
REVISED LAND DESCRIPTION AREA	09/17/13	-----	AM	REC
MISCELLANEOUS CHANGES TO SURVEY PER COMMENTS	11/21/13	-----	REC	REC

PROJECT NUMBER : 5783-06

SCALE : 1" = 30'

SHEET 1 OF 1 SHEET

5

VIII. CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, unbiased professional analyses, opinions, and conclusions.

3. We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.

4. Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

5. The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

6. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice, the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute, and the requirements of the State of Florida for state-certified appraisers.

7. No one other than the undersigned provided significant assistance in the preparation of this appraisal report.

8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

9. As of the date of this report, the undersigned have completed the requirements of the continuing education program of the Appraisal Institute.

10. The use of this report is subject to the requirements of the State of Florida relating to review by the Real Estate Appraisal Subcommittee of the Florida Real Estate Commission.

11. Geoffrey Heath, MAI has made a personal inspection of the property that is the subject of this report.

12. We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

It is the opinion of the undersigned that the property described herein has the following market value, as of December 16, 2015:

$335,000

Edward N. Parker Digitally signed by Edward N. Parker DN: cn=Edward N. Parker, o, ou, email=ira5730@aol.com, c=US Date: 2016.04.04 13:48:24 -04'00'

Edward N. Parker, MAI
State Certified General Appraiser #144

Geoffrey D. Heath Digitally signed by Geoffrey D. Heath DN: cn=Geoffrey D. Heath, o, ou, email=ira5730@aol.com, c=US Date: 2016.04.04 13:48:11 -04'00'

Geoffrey D. Heath, MAI
State Certified General Appraiser #1456

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(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 ____, 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(F)(1)
11-1-16

RESOLUTION NO. R-965-16

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT NW 58 STREET AND NW 72 AVENUE, MIAMI, FLORIDA (FOLIO NO. 30-3014-001-0151); AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO LIT INDUSTRIAL, LP, IN ACCORDANCE WITH FLORIDA STATUTES SECTION 125.35(2) FOR ITS APPRAISED VALUE OF $335,000.00; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ACCEPT CONVEYANCE OF AN EASEMENT FOR CANAL MAINTENANCE, TO EXERCISE ALL RIGHTS CONFERRED THEREIN, TO EXECUTE SAID EASEMENT, AND TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY AND ACCEPTANCE OF THE EASEMENT

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

WHEREAS, the County-owned real property, legally described in the County Deed attached hereto as Exhibit "1" (the "Property") has been circulated to all County departments for possible use by the County, and it has been determined that the County has no need for the property, which is therefore declared surplus property save and except for the easement for Canal Maintenance attached as Exhibit "2" (the "Easement"); and

WHEREAS, this Board finds that the Property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the Property; and

WHEREAS, pursuant to Section 125.35(2) of the Florida Statutes, that due to the size, shape, location and value of the property, it has been determined by this Board that the Property is of use only to LIT Industrial, LP, the sole adjacent property owner; and

WHEREAS, after following the procedure set forth in Florida Statutes Section 125.35(2), this Board wishes to effect the private sale of the Property for the fair market value of $335,000.00 as determined by the County-approved appraiser; and

WHEREAS, as a specific condition of such sale, and a condition subsequent, the adjacent property owner would be required to contemporaneously convey an Easement for Canal Maintenance to the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board authorizes the Chairperson or Vice-Chairperson of the Board to execute a County Deed for the purpose described herein, in substantially the form attached hereto as Exhibit "1", and authorizes the County Mayor or the County Mayor's designee to execute the acceptance of an Easement for Canal Maintenance, in substantially the form attached hereto as Exhibit "2", the conveyance of which is a specific condition subsequent to such sale.

Section 3. This Board authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the conveyance of the Property and the accompanying acceptance of the conveyance of the Easement, and to exercise all rights conferred in the Easement.

Section 4. Pursuant to Resolution No. R-974-09, the Board, (a) directs the County Mayor or County Mayor's designee to contemporaneously record said instruments of conveyance executed herein in the public records of Miami-Dade County, including the County Deed immediately followed by the Easement, and to provide a recorded copy of said instruments

to the Clerk of the Board within 30 days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments together with this resolution.

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

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of November, 2016. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Debra Herman

//

EXHIBIT 1

Instrument prepared by and returned to:
Miami-Dade County Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

COUNTY DEED

THIS DEED, made this day of , 2016 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and LIT Industrial, Limited Partnership, party of the second part, whose address is 30 Ivan Allen Jr. Boulevard, Suite 950, Atlanta, GA 30308.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Three Hundred Thirty Five Thousand and 00/100 Dollars ($335,000.00) and other good and valuable consideration, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

LEGAL DESCRIPTION

A PORTION OF A 75 FOOT RIGHT OF WAY (NW 58 STREET) RUNNING PARALLEL WITH THE NORTH LINE OF TRACT 16 IN SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF THE NE ¼ OF SAID SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 16;

THENCE SOUTH 00°03'10" WEST ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 16, A DISTANCE OF 2.50 FEET;

THENCE NORTH 88°29'30" WEST ALONG A LINE 2.50 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE ¼ OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, A DISTANCE OF 1268.67 FEET;

THENCE NORTH 00°01'11" EAST ALONG THE EAST RIGHT OF WAY LINE OF NW 72ND AVENUE EXTENDED TO THE NORTH, A DISTANCE OF 2.50 FEET;

THENCE NORTH 00°06'22" EAST ALONG THE NORTHERLY EXTENSION OF SAID RIGHT OF WAY LINE, A DISTANCE OF 35.01 FEET;

THENCE SOUTH 88°29'30" EAST ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE ¼ OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTH RIGHT OF WAY LINE OF NW 58TH STREET, A DISTANCE OF 1268.81 FEET;

THENCE SOUTH 00°20'14" WEST, A DISTANCE OF 35.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA; CONTAINING 47,578 SQUARE FEET MORE OR LESS.

This grant conveys only the interest of the County and its Board of County Commissioners in the land herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Jean Monestime, Chairman

Approved for legal sufficiency. _____

The foregoing was authorized by Resolution No. _____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of _____.

EXHIBIT 2

This instrument was prepared by:
Carlos A. Calvache
Permitting, Environment and Regulatory Affairs
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

EASEMENT FOR CANAL MAINTENANCE
(LIMITED PARTNERSHIP)

STATE OF Florida
COUNTY OF Miami-Dade

THIS INDENTURE, made this 9th day of August, 2016, by and between LIT Industrial, Limited Partnership, a limited partnership under the laws of the State of Delaware, and having in its office and principal place of business in the City of Dallas, in the State of Texas, party of the first part and the County of Miami-Dade, a Political Subdivision of the State of Florida, and its successors in interest, party of the second part.

KNOW ALL MEN BY THESE PRESENTS that whereas the said party of the first part is the owner of the hereinafter described real property in Miami-Dade County, Florida and

WHEREAS, the parties hereto desire that the drainage canal which lies adjacent to said real property be maintained and kept free and clear of all obstruction, debris, silt, hyacinths, and other vegetable matter, and the party of the first part, to accomplish said purpose, is willing to convey to the party of the second part an easement hereinafter described to be used by the party of the second part for the construction, cleaning and maintenance of said canal.

NOW, THEREFORE, in consideration of the premises, and of the sum of Ten Dollars ($10.00) in hand paid by the party of the second part, the receipt of which is hereby acknowledged, the party of the first part has granted, bargained and sold, and by these presents does hereby grant, bargain, sell and convey to the party of the second part and its successors in interest an easement over, along and across the following described real property lying and being in Miami-Dade County, Florida:

SEE EXHIBIT "A"

together with the right to remove all trees, growth and shrubbery therefrom and to temporarily deposit such spoil, silt, hyacinths, and other vegetable matter which the party of the second part shall remove from the canal from time to time in the construction, cleaning and maintenance of said canal, and together also with the right of the party of the second part to use said strip of land in such manner as may be necessary in the operation of the equipment used by the party of the second part in the construction and cleaning of said canal.

All of the provisions hereof shall inure to the benefit of the heirs, executors administrators, grantees, assigns and the successors in interest of the respective parties.

IN WITNESS WHEREOF, the said party of the first part, has executed this instrument, and has caused the same to be executed by the General Partner for the Limited Partnership on this the day and year first above written.

Signed, Sealed, and delivered
in our presence:

Thomas J. Flanigan

THOMAS J. FLANIGAN
Senior V.P., as Authorized Signator
for LIT Holdings Group, LLC, as
General Partner of LIT Industrial, L.P.

Witnesses:

Sign Lisa Turentine

Print Lisa Turentine

Sign Cecelia Phillips

Print Cecelia Phillips

STATE OF GEORGIA

COUNTY OF FULTON

The foregoing instrument was acknowledged before me this 9th day of AUGUST, 2016, by Thomas J. Flanigan, who is personally known to me or who has produced personally known as identification and did take an oath.

NOTARY PUBLIC: Sign June L. Swem

Print JUNE L. SWEM

State of GEORGIA

My Commission Expires:

JUNE L. SWEM
NOTARY PUBLIC
MY COMMISSION EXPIRES JANUARY 21, 2019
PAULDING COUNTY, GEORGIA

EASEMENT TO MIAMI-DADE COUNTY

FOR CANAL MAINTENANCE

(LIMITED PARTNERSHIP)

FROM

LIT Industrial Limited Partnership

TO

MIAMI-DADE COUNTY, FLORIDA

The foregoing dedication was accepted and approved on the _____ day of _____, 20___, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Sign: _____

Print: Carlos A. Gimenez

Title: Mayor

ATTEST: HARVEY RUVIN
Clerk of said Board

By: _____
Deputy Clerk

COUSINS SURVEYORS & ASSOCIATES, INC.
3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 5783-06

CLIENT : LIT INDUSTRIAL LIMITED PARTNERSHIP

LAND DESCRIPTION AND SKETCH

EXHIBIT "A"

LAND DESCRIPTION:

A PORTION OF A 75 FOOT RIGHT OF WAY (NW 58TH STREET) RUNNING PARALLEL WITH THE NORTH LINE OF TRACT 16 IN SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 16;

THENCE SOUTH 00°03'10" WEST ALONG SAID NORTHERLY EXTENSION AND THE EAST LINE OF SAID TRACT 16, A DISTANCE OF 25.01 FEET;

THENCE NORTH 88°29'30" WEST, A DISTANCE OF 40.13 FEET;

THENCE NORTH 00°20'14" EAST, A DISTANCE OF 45.01 FEET;

THENCE NORTH 88°29'30" WEST ALONG A LINE 20.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, A DISTANCE OF 1228.74 FEET;

THENCE NORTH 00°06'22" EAST ALONG THE EAST RIGHT OF WAY LINE OF NW 72ND AVENUE EXTENDED TO THE NORTH, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 88°29'30" EAST ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTH RIGHT OF WAY LINE OF NW 58TH STREET, A DISTANCE OF 1268.81 FEET;

THENCE SOUTH 00°20'14" WEST, A DISTANCE OF 35.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI/DADE COUNTY, FLORIDA.

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	06/01/14	----	AV	REC

LAND DESCRIPTION AND SKETCH OF CANAL ACCESS & MAINTENACE EASEMENT

PROPERTY : 5601 NW 72ND AVENUE

SCALE: N/A

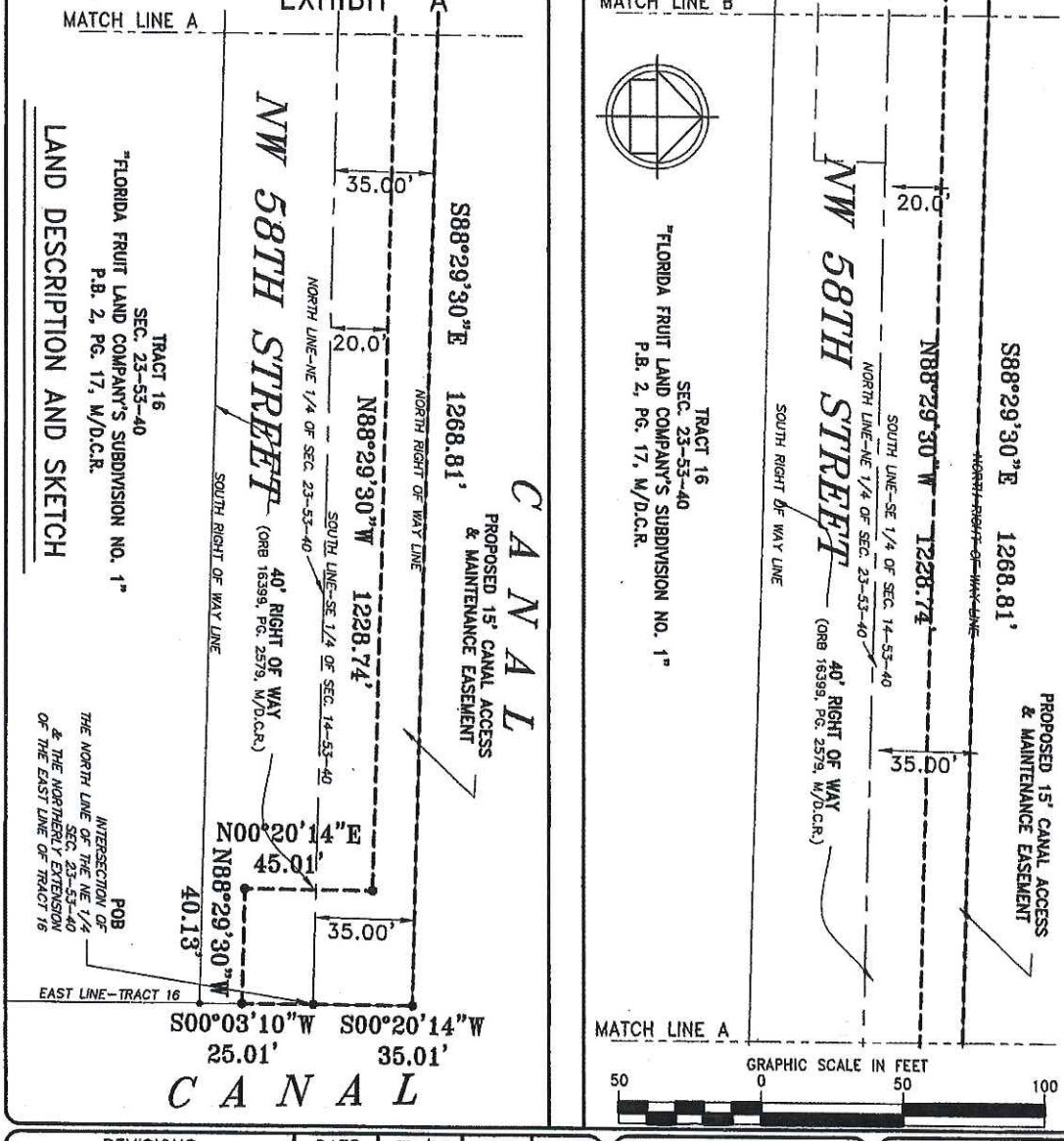
SHEET 1 OF 4

COUSINS SURVEYORS & ASSOCIATES, INC.
3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 5783-06

CLIENT :
LIT INDUSTRIAL LIMITED PARTNERSHIP

EXHIBIT "A"



REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	06/01/14	----	AV	REC

LAND DESCRIPTION AND SKETCH OF CANAL ACCESS & MAINTENACE EASEMENT

PROPERTY :
5601 NW 72ND AVENUE

SCALE: 1"= 50'

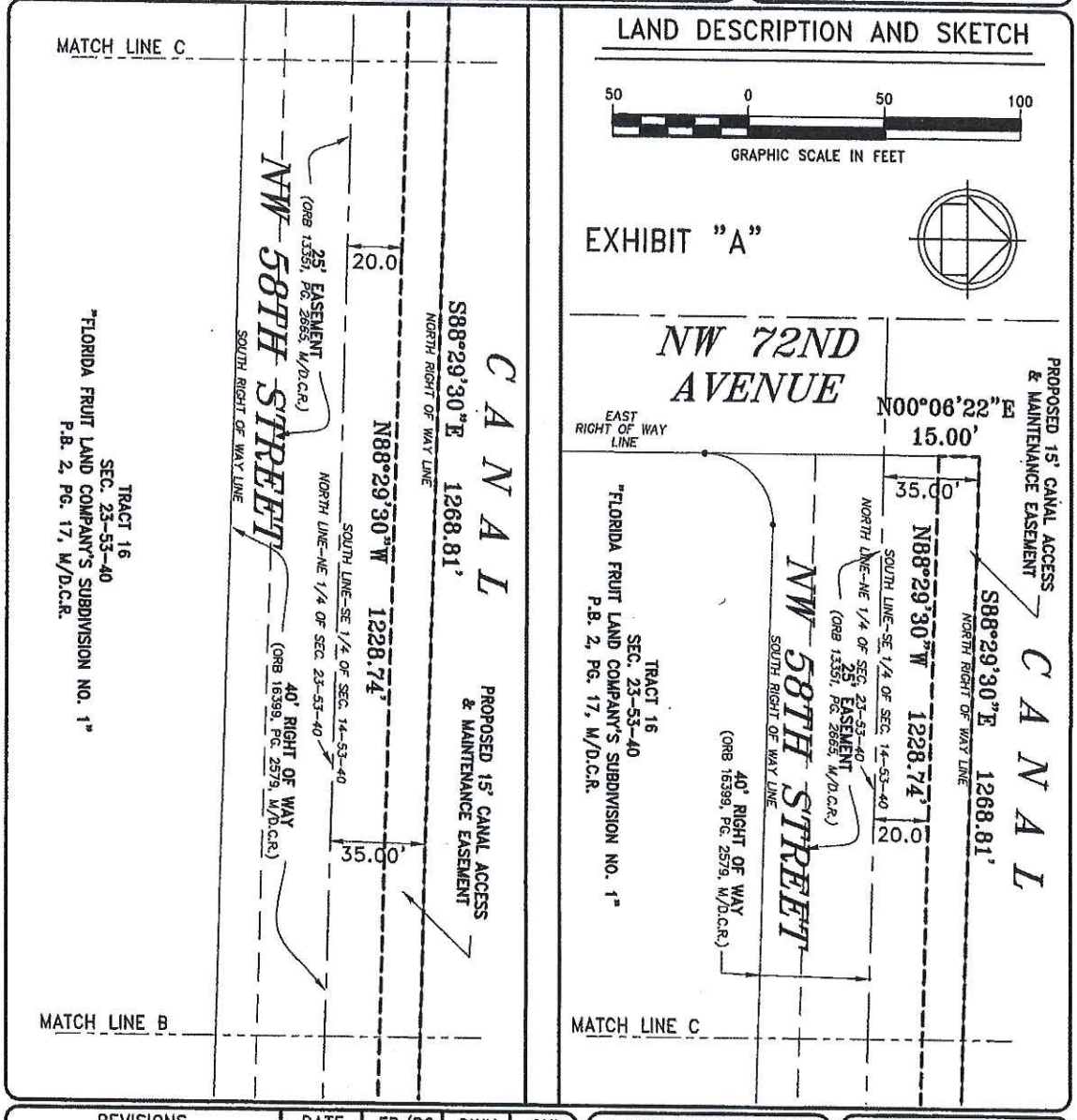
SHEET 2 OF 4

COUSINS SURVEYORS & ASSOCIATES, INC.
3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 5783-06

CLIENT : LIT INDUSTRIAL LIMITED PARTNERSHIP

LAND DESCRIPTION AND SKETCH



REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	06/01/14	----	AV	REC

LAND DESCRIPTION AND SKETCH OF CANAL ACCESS & MAINTENACE EASEMENT

PROPERTY : 5601 NW 72ND AVENUE

SCALE: 1"= 50'

SHEET 3 OF 4

COUSINS SURVEYORS & ASSOCIATES, INC.
3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 5783-06

CLIENT :
LIT INDUSTRIAL LIMITED PARTNERSHIP

LAND DESCRIPTION AND SKETCH

EXHIBIT "A"

LEGEND:

CKD	CHECKED BY
DWN	DRAWN BY
FB/PG	FIELD BOOK AND PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
P.B.	PLAT BOOK
B.C.R.	BROWARD COUNTY RECORDS
M/D.C.R.	MIAMI/DADE COUNTY RECORDS

NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. DATA SHOWN HEREON DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. BEARINGS SHOWN HEREON ARE ASSUMED. THE EAST LINE OF TRACT 16 SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST BEARS N00°03'10"E.

I HEREBY CERTIFY THAT THE ATTACHED "LAND DESCRIPTION AND SKETCH" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION IN JUNE, 2014. I FURTHER CERTIFY THAT THIS "LAND DESCRIPTION AND SKETCH" MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: Richard E. Cousins

RICHARD E. COUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4188

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	06/01/14	----	AV	REC

LAND DESCRIPTION AND SKETCH OF CANAL ACCESS & MAINTENACE EASEMENT

PROPERTY :
5601 NW 72ND AVENUE

SCALE: N/A

SHEET 4 OF 4