

MEMORANDUM

Agenda Item No. 8(H)(1)

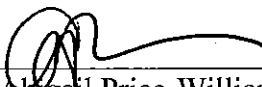
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 5, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing the execution of a conservation easement to South Florida Water Management District for the preservation and conservation of lands within Tree Island Park and Preserve located 14800 SW 10 Street; authorizing County Mayor to execute conservation easement and exercise all provisions contained therein; and directing the County Mayor to record the conservation easement and provide a copy to the Clerk of Board for permanent storage

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



Abigail Price-Williams
County Attorney


APW/smm

Memorandum



Date: June 5, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing the Conveyance of a Conservation Easement to the South Florida Water Management District for the Development of Tree Island Park and Preserve

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing conveyance of a conservation easement with the South Florida Water Management District for the development of Tree Island Park and Preserve.

Scope

Tree Island Park and Preserve is located at 14800 SW 10 Street in County Commission District 11, which is represented by Commissioner Joe A. Martinez.

Fiscal Impact/Funding Source

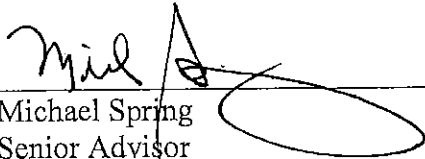
This item has no fiscal impact, as the only item being approved is the recording of the conservation easement.

Track Record/Monitor

The Miami-Dade Parks, Recreation and Open Spaces Department's (PROS) Planning and Research Division's Alex Zizold will ensure completion of the conservation easement document, its recording and delivery to the Clerk of Board.

Background

Development of Tree Island Park and Preserve required an Environmental Resource Permit (ERP) permit from the South Florida Water Management District. Permit 13-06029-P was issued on February 1, 2016. One of the conditions of this permit is to record the conservation easement. The purpose of this conservation easement is to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the conservation easement, which are to be preserved, enhanced or created pursuant to the permit shall be retained and maintained in the enhanced or created conditions required by the permit. To carry out this purpose, certain rights are conveyed to grantee by this easement and certain activities are prohibited as noted on the conservation easement document.

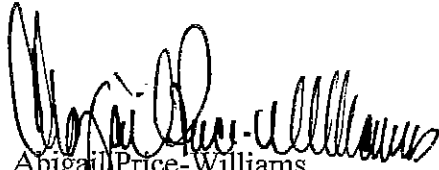

Michael Spring
Senior Advisor
Attachments



MEMORANDUM
(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 5, 2018

FROM: 
Abigail Price-Williams
County Attorney

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

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 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(H)(1)
6-5-18

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF A CONSERVATION EASEMENT TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE PRESERVATION AND CONSERVATION OF LANDS WITHIN TREE ISLAND PARK AND PRESERVE LOCATED 14800 SW 10 STREET; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONSERVATION EASEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD THE CONSERVATION EASEMENT AND PROVIDE A COPY TO THE CLERK OF BOARD FOR PERMANENT STORAGE

WHEREAS, the County, through its Parks, Recreation and Open Spaces Department, desires to construct recreational improvements in Tree Island Park and Preserve located at 14800 SW 10 Street that impact wetland resources; and

WHEREAS, the new park and preserve require an environmental resource permit from South Florida Water Management District; and

WHEREAS, the South Florida Water Management District is willing to permit these improvements, with a condition that a conservation easement be established for a portion of the park, and said easement will not adversely impact natural resources or the park facilities and uses; and

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

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

Section 1. This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board hereby authorizes the conveyance of a conservation easement at Tree Island Park and Preserve to the South Florida Water Management District, in substantially the form attached hereto as Attachment A and made part hereof, and authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all provisions contained herein.

Section 3. This Board, pursuant to Resolution R-974-09, (a) directs the County Mayor or County Mayor's designee to record the easement in the public records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within 30 days of recordation of the easement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said easement together with this resolution.

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

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
District 5 - Vacant	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MAG

Miguel A. Gonzalez

CONSERVATION EASEMENT

Document prepared by:
South Florida Water Management District
3301 Gun Club Road, MSC 4210
West Palm Beach, FL 33406

THIS DEED OF CONSERVATION EASEMENT is given this _____ day of _____, 2018, by Miami-Dade County, a political subdivision of the State of Florida, 111 NW First Street, Miami, Florida 33128 ("Grantor"), to the South Florida Water Management District ("Grantee"). As used herein, the term "Grantor" shall include any and all successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Miami-Dade County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct Tree Island Park and Preserve ("Project") at a site in Miami-Dade County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 13-02453-P ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, the Grantor has developed and proposed as part of the Permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the Property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement defined in Section 704.06, Florida Statutes, over the area described on Exhibit "A" ("Conservation Easement").

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a

perpetual Conservation Easement for and in favor of the Grantee upon the property described on Exhibit "A" which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the Conservation Easement which are to be preserved, enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Easement that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, or other activities described herein that are permitted or required by the Permit, the following activities are prohibited in or on the Conservation Easement:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural or enhanced condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

4. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District. Without limiting the generality of the foregoing, the following rights are expressly reserved:

a. The Grantor may conduct limited land clearing for the purpose of constructing such pervious facilities as docks, boardwalks or mulched walking trails: and

b. The Grantor may construct and maintain passive public use facilities for the purpose of educating the public or allowing public access and recreation which have minimal or no impact on natural resources; and

c. Grantor may place signs and markers as necessary to identify trails, restoration areas, or other site features related to public use and land management activities; and

d. Grantor may construct and maintain to the extent allowed by current and future permits, at-grade, management roads, fire breaks, trails, walkways, piers, observation platforms or boardwalks necessary to provide public access and management activities as provided for in the site's management plan; and

e. Grantor may remove or kill by any lawful means, exotic or nuisance vegetation or animal species, conduct prescribed burns and conduct other management activities necessary to carry out management for conservation purposes; and

f. Grantor may conduct restoration and enhancement projects which do not conflict with the purpose of this easement: and

g. The construction and use of the approved passive recreational facilities

shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained in such a manner as to reduce adverse impacts on surface water quality;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

5. No Dedication. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement.

6. Grantee's Liability. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Property Assessments. Grantor shall keep the assessments on the Easement Parcel current.

8. Enforcement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms, Conditions, Restrictions, Purpose. The terms, conditions,

restrictions and purpose of this Conservation Easement shall be inserted by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. Modifications. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in Miami-Dade County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

The Grantor agrees to defend the title to the Conservation Easement property hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF,

(Grantor) has hereunto set its authorized hand this _____ day of _____, 2018.

MIAMI-DADE COUNTY
a political subdivision of the State of Florida

By: _____
Carlos A. Gimenez, Mayor

ATTEST:

Clerk of the Board

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL
AND SUFFICIENCY

By: _____
Assistant County Attorney

APPROVED AS TO TERMS
CONDITIONS

mif
By: _____
Maria I. Nardi, Director
Parks, Recreation and
Open Spaces Department.

Return recorded document to:
South Florida Water Management District
3301 Gun Club Road, MSC 4210
West Palm Beach, FL 33406

EXHIBIT A

[DESCRIPTION OF PROPERTY]

ATTACHMENT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

A PARCEL OF LAND LYING AND BEING IN SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE S02°14'40"E ALONG THE CENTERLINE OF SW. 147TH AVENUE, BEING ALSO THE EAST LINE OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST FOR A DISTANCE OF 377.46 FEET; THENCE S87°45'10"W FOR A DISTANCE OF 40.00 FEET TO A POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF SW 147TH AVENUE AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE S02°14'40"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SW. 147TH AVENUE FOR A DISTANCE OF 3,444.08 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS N 0°08'05"W FOR A DISTANCE OF 284.50 THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 173.43 FEET, THROUGH A CENTRAL ANGLE OF 34°55'40", SUBTENDE BY A CHORD OF 170.76 AT A BEARING OF S 72°24'05"W TO THE END OF SAID CURVE; THENCE CONTINUE ALONG A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 35°03'45"W FOR A DISTANCE OF 293.26 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 185.92 FEET, THROUGH A CENTRAL ANGLE OF 36°19'24" SUBTENDE BY A CHORD OF 182.82 FEET AT A BEARING OF S 73°05'58"W TO THE END OF SAID CURVE; THENCE N 02°45'03"W FOR A DISTANCE OF 132.29 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 87°14'57"E FOR A DISTANCE OF 36.00 THEREFROM; THENCE RUN NORTH, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 56.08 FEET, THROUGH A CENTRAL ANGLE OF 89°14'57", SUBTENDE BY A CHORD OF 50.58 FEET AT A BEARING OF N 47°22'31"W TO THE END OF SAID CURVE; THENCE S 88°00'00"W FOR A DISTANCE OF 89.25 TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S 2°00'00"E FOR A DISTANCE OF 30.00 FEET THEREFROM; THENCE RUN WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 47.12 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" SUBTENDE BY A CHORD OF 42.43 FEET AT A BEARING OF N 47°00'00"W TO THE END OF SAID CURVE; THENCE N 02°00'00"W FOR A DISTANCE OF 38.65 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 88°00'00"E, A DISTANCE OF 95.00 FEET THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 104.99 FEET, THROUGH A CENTRAL ANGLE OF 63°19'25" SUBTENDE BY A CHORD OF 99.73 FEET AT A BEARING OF N 33°39'43"W TO THE END OF SAID CURVE; THENCE N 65°19'25" W FOR A DISTANCE OF 157.81 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS N 11°32'33" E FOR A DISTANCE OF 233.17 THEREFROM; THENCE RUN NORTHWESTERLY AND SOUTHWESTLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 233.17 FEET, THROUGH A CENTRAL ANGLE OF 80°57'58", SUBTENDE BY A CHORD OF 214.24 FEET AT A BEARING OF S 74°11'36"W TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 56°17'23" E FOR A DISTANCE OF 149.00 FEET THEREFROM; THENCE RUN SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 183.82 FEET, THROUGH A CENTRAL ANGLE OF 70°41'05", SUBTENDE BY A CHORD OF 172.38 FEET AT A BEARING OF S 69°03'09" W TO THE END OF SAID CURVE; THENCE N 75°36'18" W FOR A DISTANCE OF 29.32 FEET; THENCE N 69°02'50"W FOR A DISTANCE OF 22.34 FEET; THENCE N67°36'22"W FOR A DISTANCE OF 22.29 FEET; THENCE N 63°55'48"E FOR A DISTANCE OF 20.15 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 18°13'18"W FOR A DISTANCE OF 105.31 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 80.61 FEET, THROUGH A CENTRAL ANGLE OF 32°58'34" SUBTENDE BY A CHORD OF 59.78 FEET AT A BEARING OF N 55°17'25"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 51°11'52"E FOR A DISTANCE OF 146.22 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 52.22 FEET, THROUGH A CENTRAL ANGLE OF 20°27'51", SUBTENDE BY A CHORD OF 51.95 FEET AT A BEARING OF N 49°02'03"W TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S 32°05'13"W FOR A DISTANCE OF 79.47 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 29.53 FEET, THROUGH A CENTRAL ANGLE OF 21°17'37" SUBTENDE BY A CHORD OF 29.36 FEET AT A BEARING OF N 47°16'00" W TO THE END OF SAID CURVE; THENCE N 02°15'02" W FOR A DISTANCE 486.89 FEET; THENCE N 89°04'41"E FOR A DISTANCE OF 140.45 TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 15°39'16" E FOR A DISTANCE OF 95.14 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 40.65 FEET, THROUGH A CENTRAL ANGLE OF 24°28'54" SUBTENDE BY A CHORD OF 40.35 FEET AT A BEARING OF N 62°06'15"E TO THE END OF SAID CURVE THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 44°19'04"E FOR A DISTANCE OF 202.91 THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, FOR A DISTANCE OF 108.11 FEET, THROUGH A CENTRAL ANGLE OF 30°31'42" SUBTENDE BY A CHORD OF 106.84 FEET AT A BEARING OF N 30°25'05"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE WEST, WHOSE RADIUS POINT BEARS S77°57'08" E FOR A DISTANCE OF 276.52 THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A

DATE	BY	CHECKED	APPROVED	PROJECT TITLE	DRAWING TITLE
				TREE ISLAND PARK MIAMI DADE COUNTY, FLORIDA S.W. 147TH AVE., S.W. 10th ST., and S.W. 149 AVE.	GENERAL PLAN

Miami-Dade County

Park and Recreation Department

275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

Revisions		Design	EDM-DG/03	Approved	Date
IP	Date	Description	Drawn		
			EDM-JL		
			EDM-DG		

14

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE

SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

DISTANCE OF 80.44 FEET, THROUGH A CENTRAL ANGLE OF 16°40'06", SUBTENDED BY A CHORD OF 80.16 FEET AT A BEARING OF N 03°42'49"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 85°22'47"E FOR A DISTANCE OF 145.12 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 126.85 FEET, THROUGH A CENTRAL ANGLE OF 50°04'55" SUBTENDED BY A CHORD OF 122.85 FEET AT A BEARING OF N 29°39'41"W TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S 35°17'51"W A DISTANCE OF 135.00 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 112.34 FEET, THROUGH A CENTRAL ANGLE OF 47°40'47", SUBTENDED BY A CHORD OF 109.13 FEET AT A BEARING OF N 30°51'45"W TO THE END OF SAID CURVE; THENCE N 07°01'22"W FOR A DISTANCE OF 138.95 FEET; THENCE N 00°29'17" E FOR A DISTANCE OF 16.24 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS S 88°10'12"W FOR A DISTANCE OF 57.79 THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 26.83 FEET, THROUGH A CENTRAL ANGLE OF 26°36'10", SUBTENDED BY A CHORD OF 26.59 FEET AT A BEARING OF N 11°28'16"E TO THE END OF SAID CURVE; THENCE N 08°53'12"E FOR A DISTANCE OF 11.42 FEET; THENCE N 12°15'47"E FOR A DISTANCE OF 12.66 FEET; THENCE N08°37'32"W FOR A DISTANCE OF 8.52 FEET; THENCE N 00°21'02"E FOR A DISTANCE OF 22.46 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE EAST WHOSE RADIUS POINT BEARS S 73°52'52"W A DISTANCE OF 149.21 THEREFROM; THENCE RUN NORTHWESTLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 116.98 FEET, THROUGH A CENTRAL ANGLE OF 44°55'04", SUBTENDED BY A CHORD OF 114.00 FEET AT A BEARING OF N 06°20'14"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS S 58°48'36"E FOR A DISTANCE OF 9.42 THEREFROM; THENCE RUN NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 14.59 FEET, THROUGH A CENTRAL ANGLE OF 88°44'18", SUBTENDED BY A CHORD OF 13.17 FEET AT A BEARING OF N 13°10'45"W TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S 32°30'48"W FOR A DISTANCE OF 46.00 FEET THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 34.23 FEET, THROUGH A CENTRAL ANGLE OF 42°37'57", SUBTENDED BY A CHORD OF 33.44 FEET AT A BEARING OF N 38°10'13"W TO THE END OF SAID CURVE; THENCE N 14°10'13"W FOR A DISTANCE OF 13.75; THENCE N 12°08'57"W FOR A DISTANCE OF 13.02 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 77°46'35"E A DISTANCE OF 55.39 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 54.21 FEET, THROUGH A CENTRAL ANGLE OF 56°04'08" SUBTENDED BY A CHORD OF 52.07 FEET AT A BEARING OF N 40°15'38"W TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S21°53'00"W FOR A DISTANCE OF 55.48 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 48.23 FEET, THROUGH A CENTRAL ANGLE OF 50°50'21", SUBTENDED BY A CHORD OF 47.63 FEET AT A BEARING OF N 42°41'44"W TO THE END OF SAID CURVE; THENCE N 31°07'20"W FOR A DISTANCE OF 3.08 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 53°59'17"E A DISTANCE OF 22.54 THEREFROM; THENCE RUN NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 22.64 FEET, THROUGH A CENTRAL ANGLE OF 57°32'46", SUBTENDED BY A CHORD OF 21.70 FEET AT A BEARING OF N 64°47'06"W TO THE END OF SAID CURVE; THENCE S 87°30'02"W FOR A DISTANCE OF 42.02 FEET; THENCE N 02°15'02"W FOR A DISTANCE OF 413.61 FEET; THENCE N 88°17'50"E FOR A DISTANCE OF 35.45 FEET; THENCE N 45°17'02"E FOR A DISTANCE OF 46.43 FEET; THENCE N 37°50'53"E FOR A DISTANCE OF 85.35; THENCE N 02°32'25"W FOR A DISTANCE OF 23.08 TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 87°27'35"E FOR A DISTANCE OF 50.00 FEET THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 24.12 FEET, THROUGH A CENTRAL ANGLE OF 27°38'23", SUBTENDED BY A CHORD OF 23.89 FEET AT A BEARING OF N 16°21'37"W TO THE END OF SAID CURVE; THENCE N 30°10'49"W FOR A DISTANCE OF 24.33 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS S 71°47'16"W FOR A DISTANCE OF 195.90 THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 53.57 FEET, THROUGH A CENTRAL ANGLE OF 15°40'09", SUBTENDED BY A CHORD OF 53.41 FEET AT A BEARING OF N 10°22'39"W TO THE END OF SAID CURVE; THENCE N 00°07'52"W FOR A DISTANCE OF 116.68 FEET; THENCE N 02°06'37"E FOR 21.22 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS S 89°40'28"W FOR A DISTANCE OF 69.27 THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 107.09 FEET, THROUGH A CENTRAL ANGLE OF 88°34'53", SUBTENDED BY A CHORD OF 96.74 FEET AT A BEARING OF N 43°57'48"E TO THE END OF SAID CURVE; THENCE N 89°22'13"E FOR A DISTANCE OF 13.44 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 02°46'57"E, FOR A DISTANCE OF 35.00 FEET THEREFROM; THENCE RUN WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 54.93 FEET, THROUGH A CENTRAL ANGLE OF 89°55'33" SUBTENDED BY A CHORD OF 49.47 FEET AT A BEARING OF N 42°15'16"E TO THE END OF SAID CURVE; THENCE N 06°23'30"E FOR A DISTANCE OF 126.50 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 77°16'01"W FOR A DISTANCE OF 150.00 THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, FOR A DISTANCE OF 200.04 FEET, THROUGH A CENTRAL ANGLE OF 76°24'38", SUBTENDED BY A CHORD OF 185.54 FEET AT A BEARING OF N50°56'18"W TO THE END OF SAID CURVE; THENCE N 85°10'23"E FOR 163.53 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE

DATE		PROJECT TITLE	TREE ISLAND PARK MIAMI DADE COUNTY, FLORIDA S.W. 147TH AVE., S.W. 10th ST., and S.W. 149 AVE.
DRAWN BY	CHECKED BY	DESIGNED BY	APPROVED BY
DATE	DATE	DATE	DATE
DRAWING TITLE:			GENERAL PLAN

Miami-Dade County

Park and Recreation Department

275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

Revisions		Design	Drawn	Checked	Approved	Date
#	Date	Description	BY	BY	BY	DATE

15

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE

SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

NORTHWEST WHOSE RADIUS POINT BEARS S 04°49'37"E FOR A DISTANCE OF 150.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 38.39 FEET, THROUGH A CENTRAL ANGLE OF 14°39'46", SUBTENDED BY A CHORD OF 38.28 FEET AT A BEARING OF N 77°50'30"E TO THE END OF SAID CURVE; THENCE N 70°30'38"E FOR DISTANCE OF 60.12 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTH WHOSE RADIUS POINT BEARS N 19°29'22"W FOR A DISTANCE OF 75.00 THEREFROM; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 40.21 FEET, THROUGH A CENTRAL ANGLE OF 30°42'55", SUBTENDED BY A CHORD OF 39.73 FEET AT A BEARING OF N 85°52'05"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 11°13'33"W FOR A DISTANCE OF 65.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT FOR A DISTANCE OF 69.05 FEET, THROUGH A CENTRAL ANGLE OF 60°51'47", SUBTENDED BY A CHORD OF 65.85 FEET AT A BEARING OF N 70°47'39"E TO THE END OF SAID CURVE; THENCE N 45°06'18"E FOR A DISTANCE OF 33.54 TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 27°27'16"E FOR A DISTANCE OF 127.52 FEET THEREFROM; THENCE RUN NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 144.06 FEET, THROUGH A CENTRAL ANGLE OF 64°43'25", SUBTENDED BY A CHORD OF 136.52 FEET AT A BEARING OF N 30°10'57"E TO THE END OF SAID CURVE; THENCE N 02°00'00"W FOR A DISTANCE OF 108.94 TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS S 88°00'00"W FOR A DISTANCE OF 66.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A DISTANCE OF 43.58 FEET, THROUGH A CENTRAL ANGLE OF 37°50'12", SUBTENDED BY A CHORD OF 42.80 FEET AT A BEARING OF N 16°55'06"E TO THE END OF SAID CURVE; THENCE N 35°50'12" E, FOR A DISTANCE OF 92.27 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS S 49°10'19"W FOR A DISTANCE OF 128.17 THEREFROM; THENCE RUN NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, FOR A DISTANCE OF 88.40 FEET, THROUGH A CENTRAL ANGLE OF 39°31'07" SUBTENDED BY A CHORD OF 86.66 FEET AT A BEARING OF N 21°04'06"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS N 88°40'57"W FOR A DISTANCE OF 125.00 THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 65.65 FEET, THROUGH A CENTRAL ANGLE OF 30°05'37", SUBTENDED BY A CHORD OF 64.90 FEET AT A BEARING OF N 16°21'52"E TO THE END OF SAID CURVE; THENCE CONTINUE ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS N 58°35'19"W FOR A DISTANCE OF 183.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, FOR A DISTANCE OF 183.39 FEET, THROUGH A CENTRAL ANGLE OF 57°25'00" SUBTENDED BY A CHORD OF 175.81 FEET AT A BEARING OF N 60°07'14"E TO THE END OF SAID CURVE; THENCE N 88°53'44"E, FOR A DISTANCE OF 122.47 TO THE POINT OF BEGINNING


CONTAINING 73.46 ACRES.

I HEREBY CERTIFY:

THAT THIS ATTACHED SKETCH TO ACCOMPANY LEGAL DESCRIPTION MEETS THE REQUIRED MINIMUM TECHNICAL STANDARDS SET BY THE FLORIDA STATE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

SURVEYOR'S NOTES:

- 1) THIS IS NOT A BOUNDARY SURVEY
- 2) THE PURPOSE OF THIS SKETCH IS TO CREATE A CONSERVATION EASEMENT
- 3) THE BASIS OF BEARINGS IS THE CENTER LINE OF SW 147th AVENUE AS SHOWN ON SHEET 1 OF 7 WITH A BEARING OF S 02°14'40" E, SAID LINE FOUND AND MONUMENTED.





FRANK PARUAS, P.S.M
CERTIFICATE No. 6625
STATE OF FLORIDA

FR-ALEMAN AND ASSOCIATES, INC. (LB#6785)
CONSULTING ENGINEERS AND SURVEYORS
10305 NW. 41st STREET, SUITE 200,
MIAMI, FL 33178

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION IS NOT FULL AND COMPLETE WITHOUT ALL SEVEN PAGES. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SKETCH TO ACCOMPANY LEGAL DESCRIPTION BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

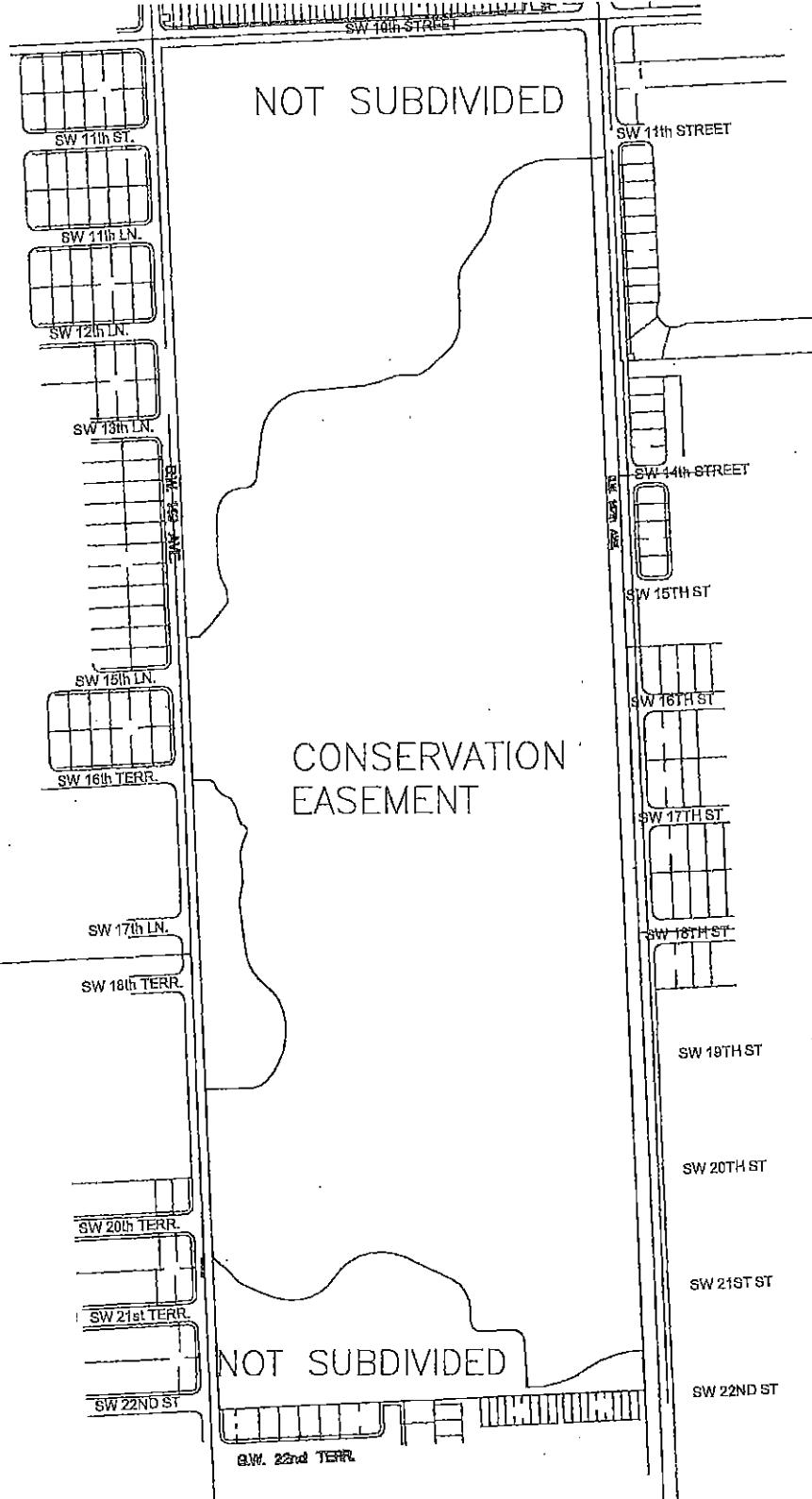
Project Title: TREE ISLAND PARK MIAMI DADE COUNTY, FLORIDA S.W. 147TH AVE., S.W. 10th ST., and S.W. 149 AVE.	Drawing Title: GENERAL PLAN
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 Miami-Dade County Park and Recreation Department 275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128	
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Revisions		Design: EDW-OS/AM	Approval	Date
№	Date	Description	Drawn: EDW-ML	
			Checked: EDW-SB	


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SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE
 SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST,
 MIAMI-DADE COUNTY, FLORIDA.



NORTH

Contract No.	Project Title
10-1-13	CONSERVATION EASEMENT
10-1-13	TREE ISLAND PARK
10-1-13	MIAMI DADE COUNTY, FLORIDA
Drawing Title	SKETCH TO ACCOMPANY LEGAL DESCRIPTION


Miami-Dade County
 Park and Recreation Department
 276 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

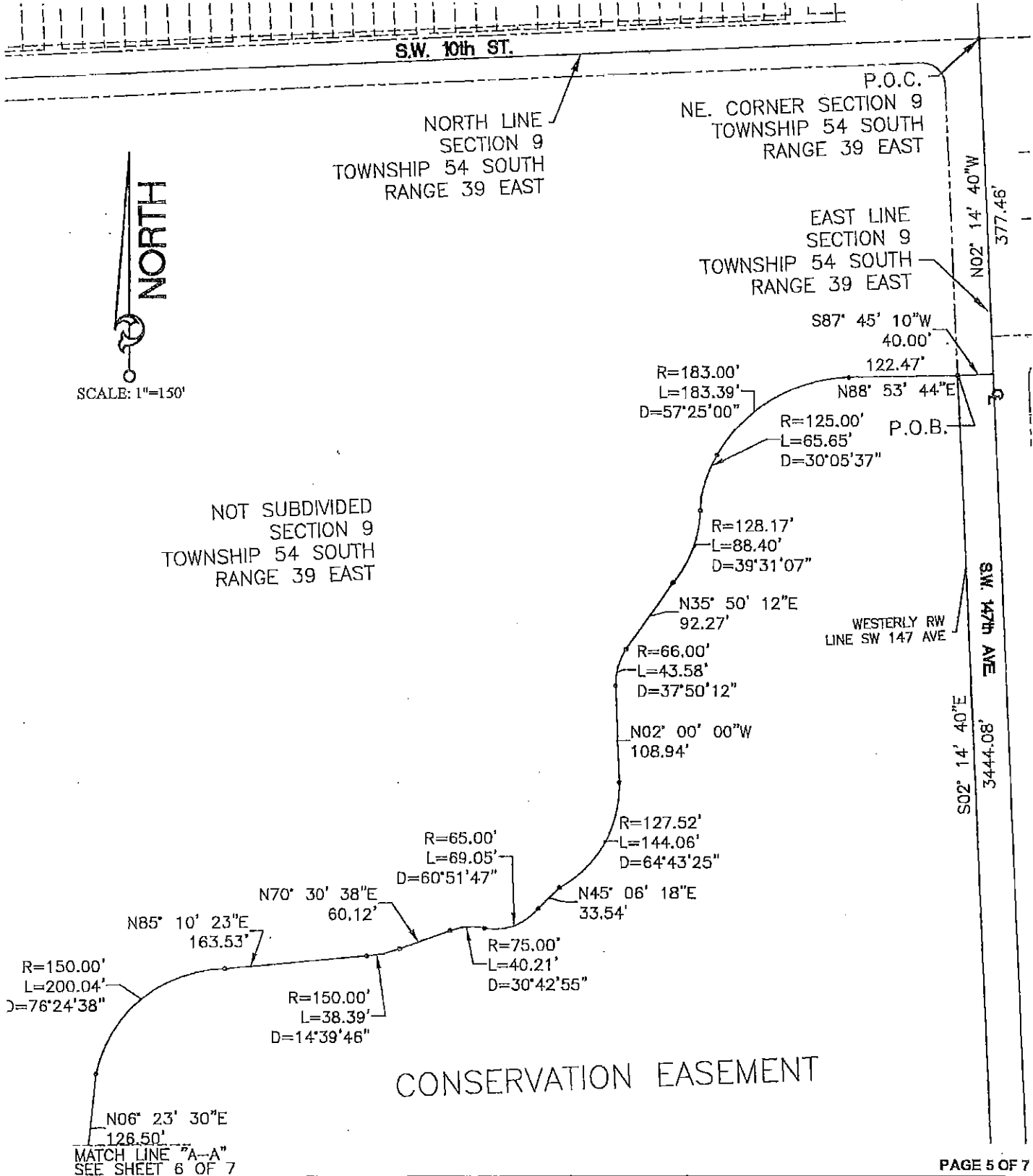
Revisions		Project Manager	Approved	Date
N°	Date	Description		

17

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE

SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.



NORTH

SCALE: 1"=150'

DATE	BY	APP'D

Project Title:
TREE ISLAND PARK
 MIAMI DADE COUNTY, FLORIDA
 S.W. 147th AVE., S.W. 10th ST., and S.W. 148 AVE.

Drawing Title:
 GENERAL PLAN

Miami-Dade County
 Park and Recreation Department
 275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

Revisions		Design	Checked	Drawn	Project Manager
#	Date	Description	EDM-DG/MS	EDM-ML	EDM-DG

Approve	Date

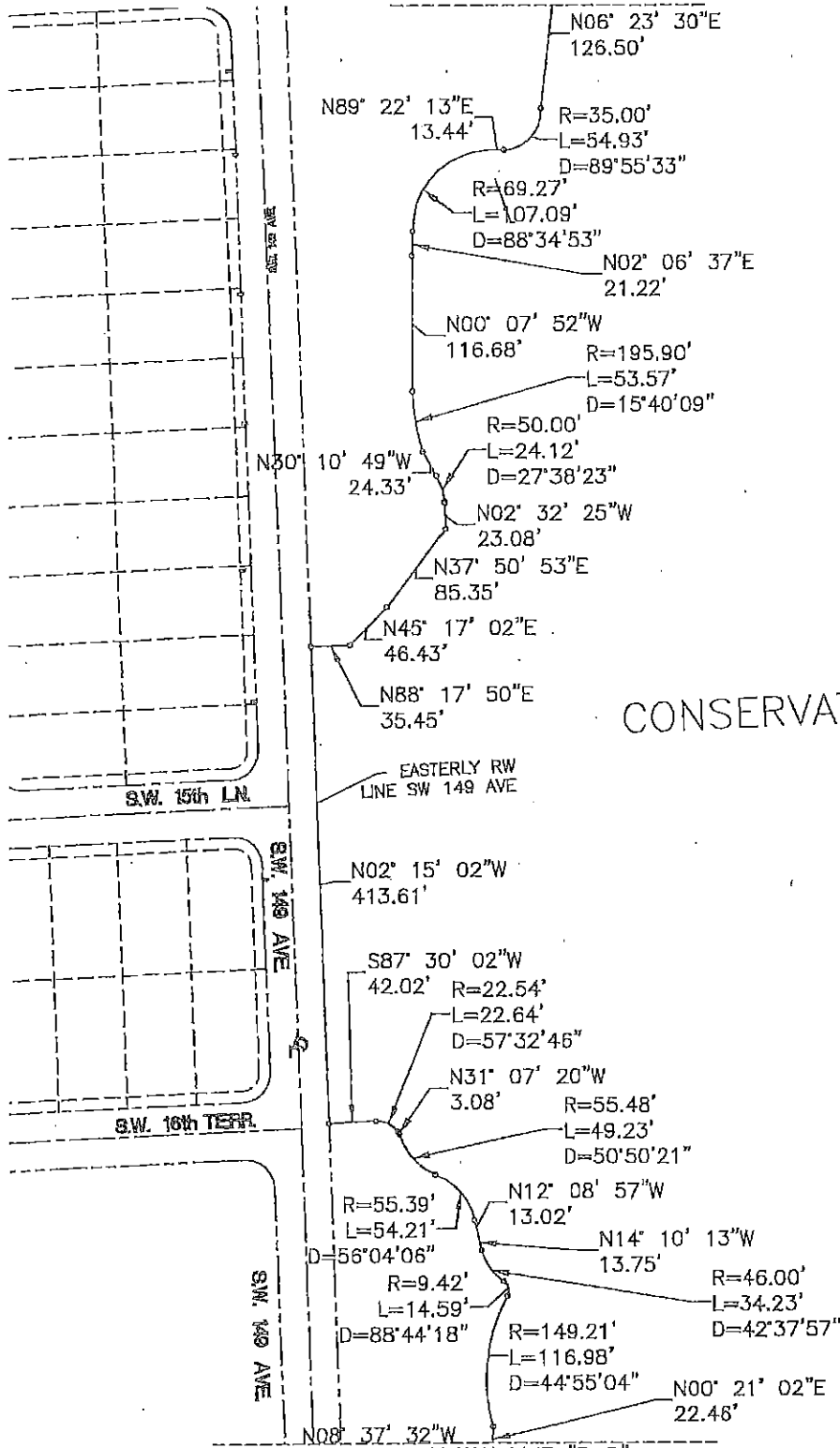
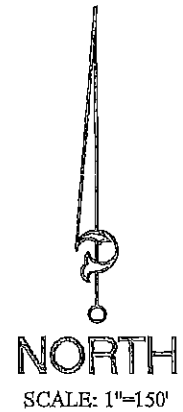
18

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE

SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

MATCH LINE "A-A"
SEE SHEET 5 OF 7



CONSERVATION EASEMENT

MATCH LINE "B-B"
SEE SHEET 7 OF 7

<p>Contract No. 10-20-11-11 Date of Issue 11/11/11</p>	<p>Project Title: TREE ISLAND PARK MIAMI DADE COUNTY, FLORIDA S.W. 147TH AVE., S.W. 10th ST., and S.W. 149 AVE.</p> <p>Drawing Title: GENERAL PLAN</p>
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Miami-Dade County
Park and Recreation Department

275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

Revisions		Project	Drawn	Approved	Date
1	Date	Description	Project: TREE-ISL		
			Drawn: JMM-01		
			Checked: JMM-05		
			Survey		
			Legals/Title		
			Project Manager: JMM-05		

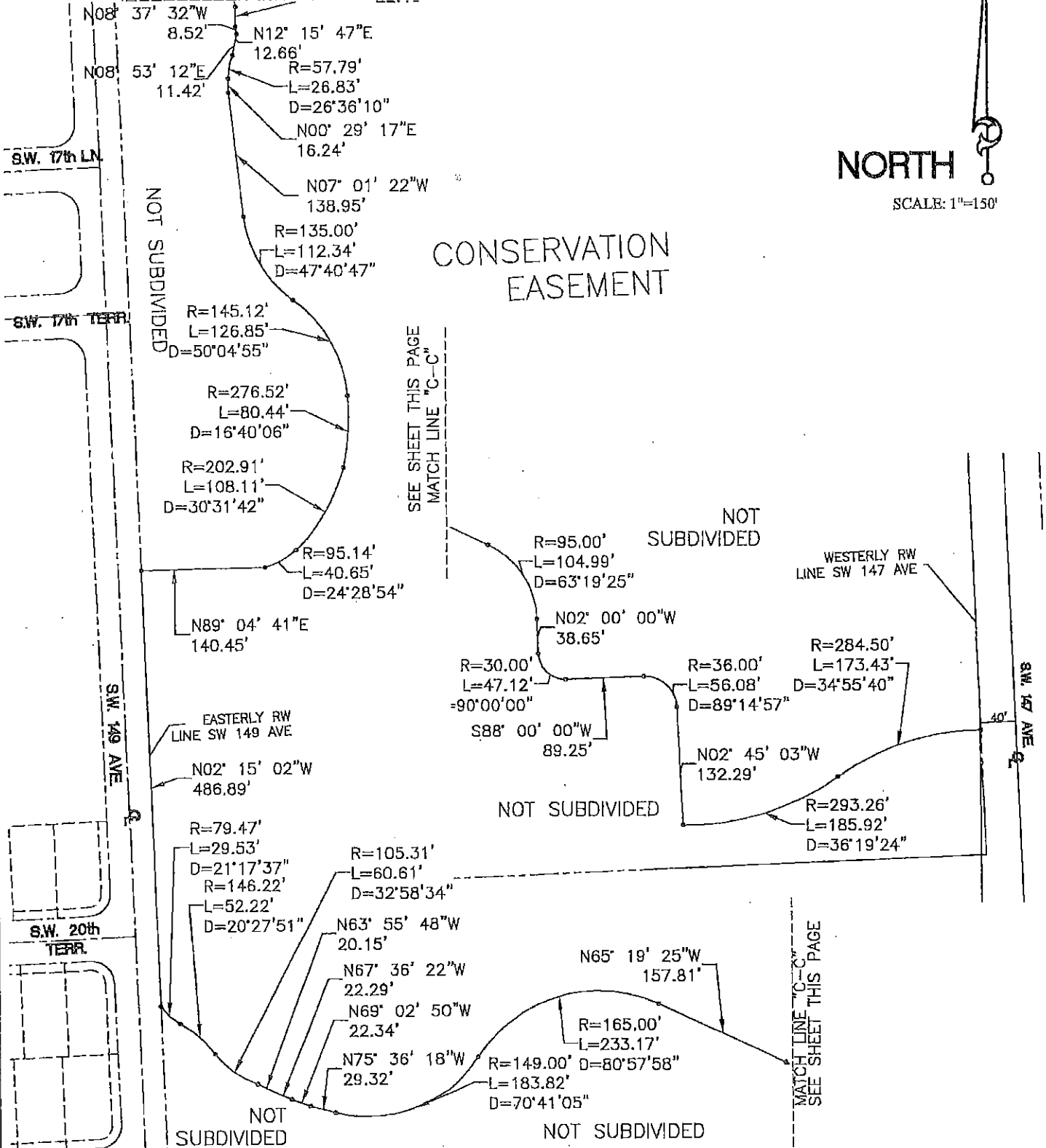
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CONSERVATION EASEMENT TREE ISLAND PARK AND PRESERVE

SECTION 9, TOWNSHIP 54, SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

MATCH LINE "B-B" SEE SHEET 6 OF 7



NORTH

SCALE: 1"=150'

Project Title:	TREE ISLAND PARK
	MIAMI DADE COUNTY, FLORIDA
	S.W. 147TH AVE., S.W. 10th ST., and S.W. 149 AVE.
Drawing Title:	GENERAL PLAN

Miami-Dade County
Park and Recreation Department
275 N.W. 2nd STREET, 4th FLOOR, MIAMI, FL 33128

Revisions			Design		Appends		Date	
N	Date	Description	Design	EDM/CR/SS				

20