

MEMORANDUM

Agenda Item No. 8(L)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving an easement for canal maintenance between JAKDAK Holding Enterprises, Inc., and Miami-Dade County in exchange for the release of a canal maintenance easement and a portion of canal right-of-way located adjacent/west of 8935 NW 35 Lane in Miami-Dade County; approving disclaimers for the release of a canal maintenance easement and a portion of canal right-of-way; and authorizing the County Mayor to execute the disclaimers and to take all actions necessary to effectuate this transaction; and authorizing the County Mayor to execute an easement for and on the behalf of Miami-Dade County

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.



Geri Bonzon-Keenan
County Attorney

GBK/gh


MDC001

Memorandum



Date: November 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Resolution Approving an Easement for Canal Maintenance in Exchange for Release of Canal Maintenance Easement and the Release of a Portion of Canal Right-of-Way Located Adjacent to and West of 8935 NW 35 Lane, in Miami-Dade County, Florida (WC-934)

Executive Summary

The purpose of this item is to gain authorization by the Board of County Commissioners (Board) for the release of a canal maintenance easement and a portion of County-owned canal right-of-way and approval of an Easement for Canal Maintenance between JAKDAK Holding Enterprises, Inc. and Miami-Dade County. In exchange for the above releases, the property owner, JAKDAK Holding Enterprises, Inc. has offered to dedicate a 20-foot-wide canal maintenance easement that will provide access to an existing canal maintenance pad, which was constructed by the City of Doral pursuant to Class III Permit 2016-0004 as part of Canal Embankment Restoration Program Fiscal Year 5B. The County's Department of Transportation and Public Works (DTPW) Road, Bridge and Canal Maintenance Division, Department of Regulatory and Economic Resources (RER) Water Management Division and the RER Water Control Section are all in agreement with the proposed exchange. The existing canal maintenance pad is located within the County's Canal Right of Way, outside of the portion of the Right of Way proposed to be released, and adjacent to the proposed easement. The maintenance pad will provide better service to the Dressel's Dairy Canal and facilitate canal maintenance. The release of the Canal Maintenance Easement and portion of Canal Right-of-Way will benefit JAKDAK Holding Enterprises, Inc. by opening additional area for parking.

Recommendation

It is recommended that the Board approve an Easement for Canal Maintenance between JAKDAK Holding Enterprises, Inc. and Miami-Dade County in exchange for (a) the release of an unused Canal Maintenance Easement within the property and (b) the release of a portion of Canal Right-of-Way located adjacent to and west of 8935 NW 35 Lane in Section 28, Township 53 South, Range 40 East, Miami-Dade County. The Easement for Canal Maintenance and the disclaimers are attached to the resolution as Attachments A, B, and C.

Scope

The property is located west of 8935 NW 35 Lane in the City of Doral, in Commission District 12, which is represented by Commissioner Juan Carlos Bermudez.

Delegation of Authority

Upon approval, the attached resolution will authorize the County Mayor or County Mayor's designee to execute the Easement for Canal Maintenance between JAKDAK Holding Enterprises, Inc. and Miami-Dade County and authorize the County Mayor or the County Mayor's designee to

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Page No. 2

execute the Disclaimers for and on the behalf of Miami-Dade County and to take all actions necessary to effectuate these transactions.

Fiscal Impact/Funding Source

This item does not require the expenditure of Miami-Dade County funds and thus has no fiscal impact.

Track Record/Monitor

The Senior Professional Engineer within the Department of Regulatory and Economic Resources, Water Control Section, Marsel Fakhruddinov, P.E., will be responsible for tasks related to this transaction.

Background

In December 1990, Miami-Dade County acquired an Easement for Canal Maintenance and acquired land for Canal right-of-way purposes from Cook Region Inlet, Inc., for canal maintenance and water management purposes in the vicinity of 8935 NW 35 Lane in Miami-Dade County.

The property encumbered by the Canal Maintenance Easement is owned by JAKDAK Holding Enterprises, Inc., which has requested the release of the County-owned Canal Maintenance Easement and a portion of County-owned Canal Right-of-Way for the purposes of additional parking. In exchange for these releases, the owner has offered to dedicate a 20-foot-wide Easement for Canal Maintenance that will provide access to an existing 40-foot-wide by 60-foot-long canal maintenance pad outside of the proposed easement area. The maintenance pad was constructed by the City of Doral pursuant to Class III Permit 2016-0004 as part of Canal Embankment Restoration Program Fiscal Year 5B. The County's DTPW Road, Bridge and Canal Maintenance Division, RER Water Management Division and the RER Water Control Section are all in agreement with the proposed property exchange. The easement proposed for County acquisition will provide direct access to the existing canal maintenance pad and provide better service to the Dressel's Dairy Canal and facilitate canal maintenance. A general site sketch is attached as Exhibit 1 to this memorandum.

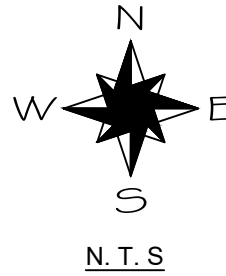
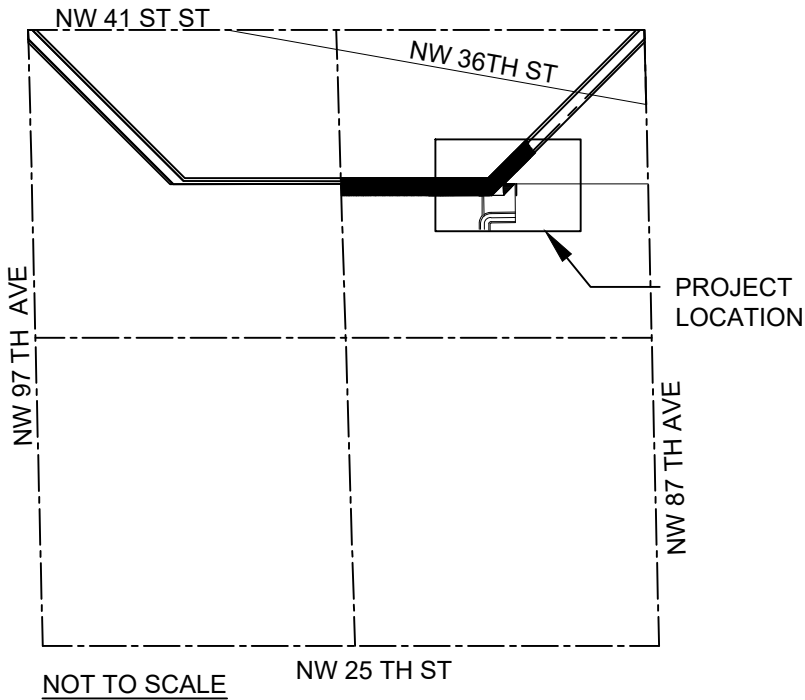


Jimmy Morales
Chief Operations Officer






EXHIBIT 1

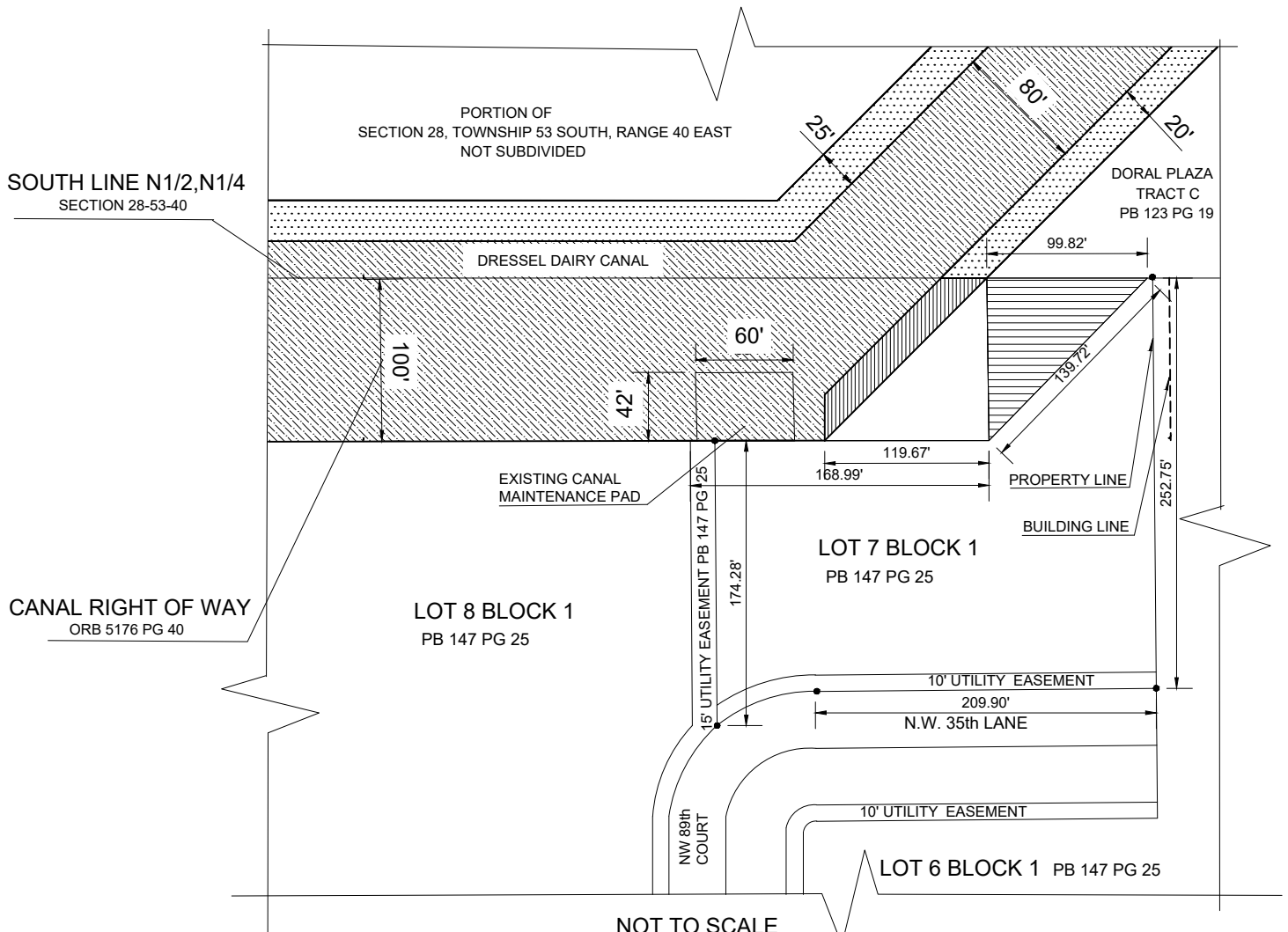
W.C.934
SEC. 28
TWS. 53
RGE. 40

GENERAL SITE SKETCH



LEGEND:

-  PROPOSED 20' CANAL MAINTENANCE EASEMENT
-  CANAL RIGHT OF WAY TO BE RELEASED
-  CANAL MAINTENANCE EASEMENT TO BE RELEASED
-  EXISTING CANAL RIGHT OF WAY
-  EXISTING CANAL MAINTENANCE EASEMENT



NOT TO SCALE

MDC004



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

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

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(L)(1)
11-7-23

RESOLUTION NO. _____

RESOLUTION APPROVING AN EASEMENT FOR CANAL MAINTENANCE BETWEEN JAKDAK HOLDING ENTERPRISES, INC., AND MIAMI-DADE COUNTY IN EXCHANGE FOR THE RELEASE OF A CANAL MAINTENANCE EASEMENT AND A PORTION OF CANAL RIGHT-OF-WAY LOCATED ADJACENT/WEST OF 8935 NW 35 LANE IN MIAMI-DADE COUNTY; APPROVING DISCLAIMERS FOR THE RELEASE OF A CANAL MAINTENANCE EASEMENT AND A PORTION OF CANAL RIGHT-OF-WAY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE DISCLAIMERS AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN EASEMENT FOR AND ON THE BEHALF OF MIAMI-DADE COUNTY

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 incorporates the foregoing recitals as if fully set forth herein.

Section 2. This Board hereby approves the Easement for Canal Maintenance, between JAKDAK Holding Enterprises, Inc., and Miami-Dade County in substantially the form attached hereto as Attachment A and made a part hereof.

Section 3. This Board hereby approves and accepts the Disclaimers for release of a Canal Maintenance Easement and release of a portion of Canal Right of Way located adjacent and west of 8935 NW 35 Lane, in substantially the form attached hereto as Attachments B and C and made a part hereof.

Section 4. This Board directs the County Mayor or County Mayor's designee to; (i) execute the disclaimers; (ii) record the disclaimers in the official records of Miami-Dade County; and (iii) take all actions necessary to effectuate these transactions.

Section 5. This Board authorizes the County Mayor or County Mayor's designee to execute the Easement for Canal Maintenance between JAKDAK Holding Enterprises, Inc., and Miami-Dade County for and on the behalf of Miami-Dade County.

Section 6. Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or County Mayor's designee to record the Easement for Canal Maintenance accepted herein in the Public Records of Miami-Dade County, Florida and to provide a recorded copy of the 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 each instrument 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:

Oliver G. Gilbert, III, Chairman
Anthony Rodríguez, Vice Chairman

Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of November, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Cristina M. Rabionet

ATTACHMENT A

Instrument prepared by and return to:
Carlos A. Calvache
Miami-Dade County Department of
Regulatory and Economic Resources
Division of Environmental Resources Management
701 NW 1st Court, 6th Floor
Miami, FL 33136-3912
Folio No. N/A
WC - 934

EASEMENT FOR CANAL MAINTENANCE

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

THIS INDENTURE, Made this ____ day of ____, A.D. 202__, by and between **JAKDAK HOLDING ENTERPRISES, INC**, a Florida corporation, whose post office address is 10305 N.W. 41 Street, Miami, FL 33178, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 NW 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

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 to provide access to a canal maintenance pad within an adjacent County-owned canal right-of-way and for the construction, cleaning and maintenance of said canal.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, an easement over, along and across the following described real property lying and being in Miami-Dade County, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF

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 to 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.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described to provide access to a canal maintenance pad within an adjacent County-owned canal right-of-way and for the purpose of canal maintenance and all public uses and for all public purposes incidental thereto.

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.

THE REMAINDER OF THIS PAGE
WAS
INTENTIONALLY LEFT BLANK

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

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

WITNESSES:

[Signature]
Witness

Edmarlo A. Vega
Witness Printed Name

9310 SW 35 Street, Miami
Witness Address

[Signature]
Witness

JOAN MONIZ
Witness Printed Name

7744 SW 84 CT. MIAMI, FL
Witness Address

[Signature]
Witness

GONHERNO CASTELLANOS
Witness Printed Name

6031 SW 97AV. MIAMI 33173
Witness Address

[Signature]
Witness

Anselmo Lopez
Witness Printed Name

5401 Collins Ave Apt 142 Miami Beach
Witness Address FL 33140

PARTY OF THE FIRST PART:

JAKDAK HOLDING ENTERPRISES, Inc.

[Signature]
By: President

Carlos M. Gil-Mera, P.E.
Printed Name

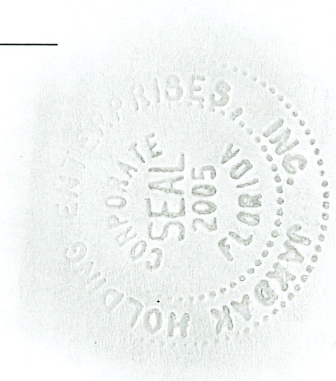
Address if different

[Signature]
Attest: _____ Secretary

Antonio G. Acosta, P.E.
Printed Name

Address if different

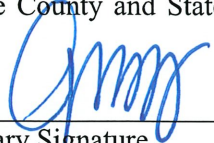
Corp Seal



STATE OF FL)
)SS
COUNTY OF Miami Dade)

I HEREBY CERTIFY, the foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 21 day of Aug, 2023 by Carlos M. Gil-Mera, P.E., personally known to me, or proven by producing the following identification: _____, **President** and Member duly authorized on behalf of **JAKDAK HOLDING ENTERPRISES, Inc.**, a Florida corporation. Said Member executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

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



Notary Signature

Gisela Fernandez-Abela
Printed Notary Signature

Notary Public, State of FL

My commission expires: 7/23/2025

Commission/Serial No. HH 108750



ATTEST:
JUAN FERNANDEZ-BARQUIN
CLERK and COMPTROLLER

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR OR MAYOR'S DESIGNEE

By: _____
Mayor or Mayor's Designee

By: _____
Deputy Clerk

Approved as to for
and legal sufficiency

Print: _____

Assistant County Attorney

The foregoing was accepted and approved on the ____ day of _____, A.D. 202_, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

NOTARY PUBLIC:

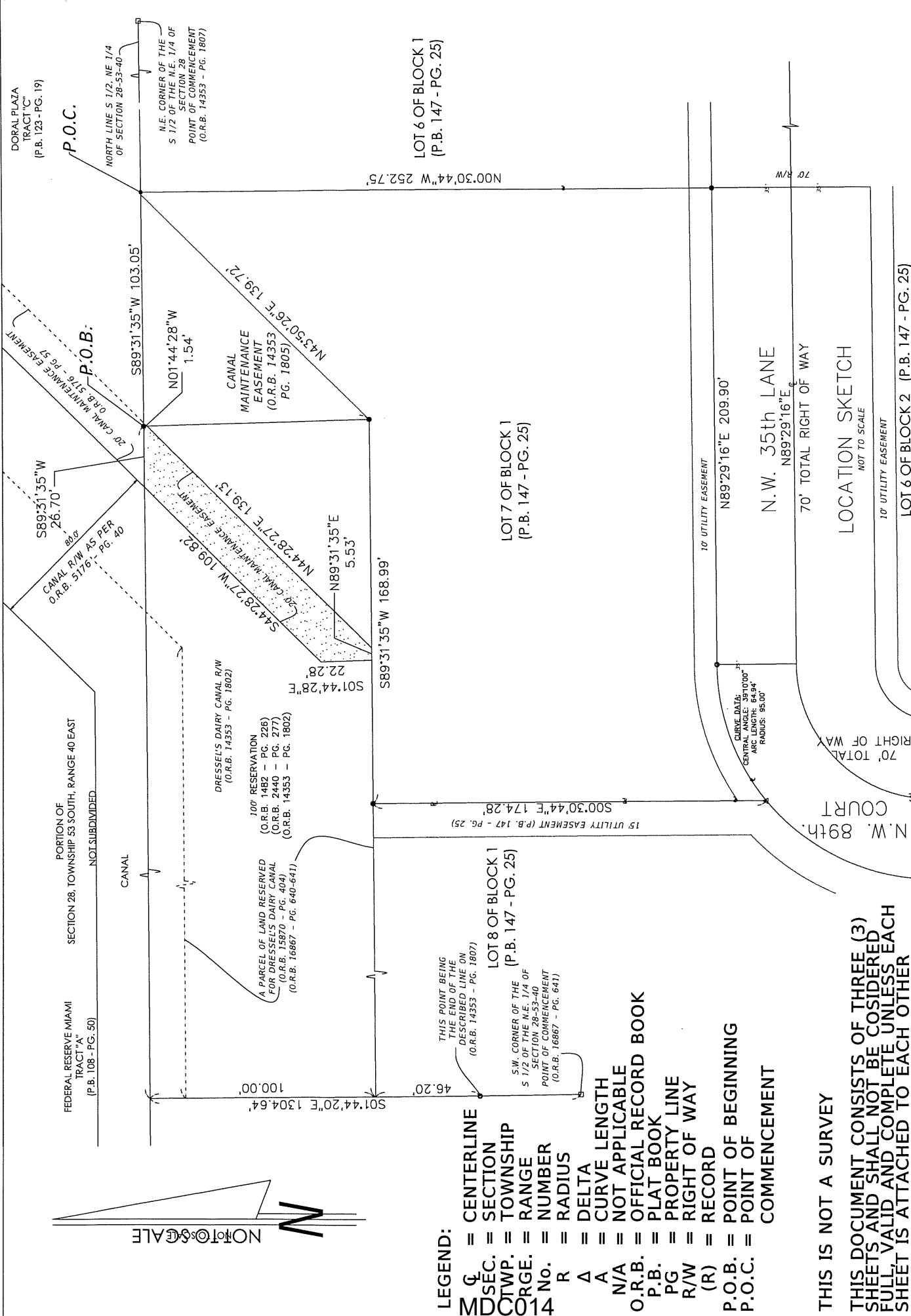
Sign _____

Print _____

STATE OF FLORIDA at large

(Seal)

My commission expires: _____



LEGEND:

- ☐ = CENTERLINE
- MD = SECTION
- CTWP. = TOWNSHIP
- ORGE. = RANGE
- 14 No. = NUMBER
- R = RADIUS
- Δ = DELTA
- N/A = NOT APPLICABLE
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- PG = PROPERTY LINE
- R/W = RIGHT OF WAY
- (R) = RECORD
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

THIS IS NOT A SURVEY

THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO EACH OTHER

REVISION	BY	DATE	CHECKED	DATE
	F. NUÑEZ	02-05-2020		
	D. HAUSER	02-07-2020		

BY	DATE

LOT 6 OF BLOCK 1
(P.B. 147 - PG. 25)

LOT 7 OF BLOCK 1
(P.B. 147 - PG. 25)

LOT 8 OF BLOCK 1
(P.B. 147 - PG. 25)

LOT 6 OF BLOCK 2 (P.B. 147 - PG. 25)

MIAMI - DADE COUNTY

PREPARED BY:
LONGITUDE SURVEYORS, LLC
1805 N.W. 57th Avenue, Suite 315 Doral, FL 33166
TEL: 305-463-3912 LB.
TEL: 305-592-7183

PROJECT NUMBER 13063

SHEET 1 OF 3

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

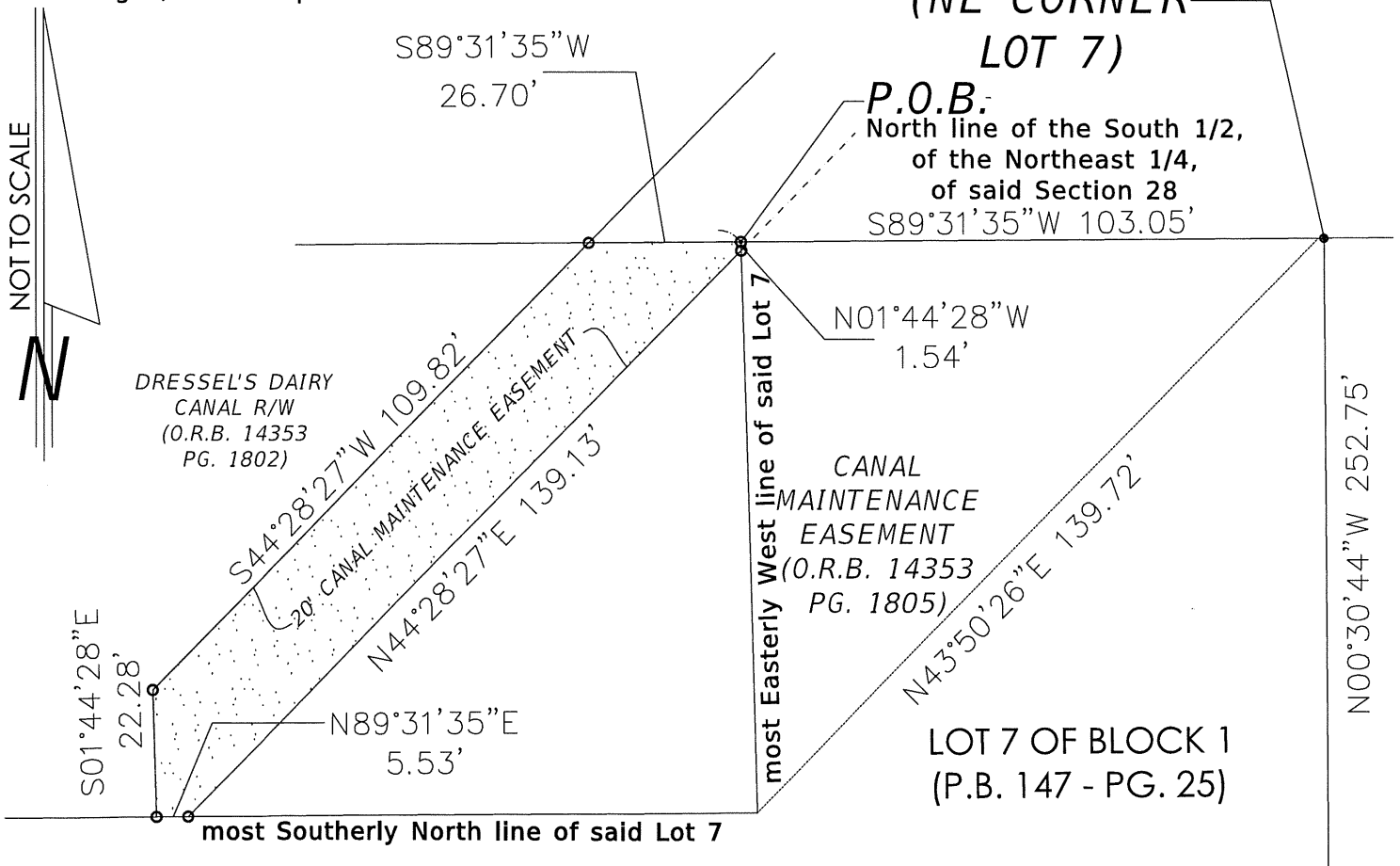
EXHIBIT "A"

NEW 20 FOOT MAINTENANCE CANAL EASEMENT LEGAL DESCRIPTION

A portion of land 20.00 feet wide for a new Canal Maintenance Easement lying in the South 1/2 of the Northeast 1/4 of Section 28, Township 53 South, Range 40 East, said land being part of the Dressel's Dairy Canal Right of Way as recorded in O.R.B. 14353 at Page 1802, of the public records of Miami-Dade County, Florida; and as shown in the Plat of WESTPOINTE BUSINESS PARK as recorded in Plat Book 147, at Page 25 and in the Plat of DORAL PLAZA as recorded in Plat Book 123, at Page 19 of the public records of Miami-Dade County, Florida; being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 7, Block 1, of said WESTPOINTE BUSINESS PARK, thence run S 89°31'35"W along the North line of Lot 7, (said line being the North line of the South 1/2, of the Northeast 1/4, of said Section 28) a distance of 103.05 feet to the point of intersection with the most Easterly West line of said Lot 7, said point also being the **POINT OF BEGINNING**; thence continue S 89°31'35"W along the North line of the South 1/2, of the Northeast 1/4, for a distance of 26.70 feet; thence run S 44°28'27"W for a distance of 109.82 feet; thence run S 01°44'28"E to the point of intersection with the most Southerly North line of said Lot 7, for a distance of 22.28 feet, thence run N 89°31'35"E along the most Southerly North line of said Lot 7, for a distance of 5.53 feet; thence run N 44°28'27"E to a point on the most Easterly West line of said Lot 7, for a distance of 139.13 feet; thence run N 01°44'28"W along the most Easterly West line of said Lot 7, for a distance of 1.54 feet to the **POINT OF BEGINNING**.

Containing 2,571.57 square feet more or less



THIS IS NOT A SURVEY
THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE COSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO EACH OTHER

		SKETCH TO ACCOMPANY LEGAL DESCRIPTION			MIAMI - DADE COUNTY	
		BY	DATE	PREPARED BY: LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB. NO.7335	PREPARED FOR: A & P CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th. LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7283	
		DRAWN	F. NUÑEZ	02-05-2020		
REVISION	BY	DATE	CHECKED	D.HAUSER	02-07-2020	PROJECT NUMBER 13063
					SHEET 2 OF 3	

EXHIBIT "A"

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

The Legal Description of the Subject Parcel was generated from the following documents: O.R.B.14353, PG 1805; O.R.B.15870, PG 404; O.R.B. 16867, PG 640-641; O.R.B.1482, PG 226; O.R.B. 2440, PG 277; O.R.B.14353, PG 1802; O.R.B. 5176, PG 57; O.R.B. 5176, PG. 40; P.B. 123, PG 19 and P.B. 147, PG 25, of the Public Records of Miami-Dade County, Florida.

Bearings shown hereon are as the based on the centerline of NW 35th Lane, with a bearing of N89°29'16"E as shown in P.B. 147, PG 25, of the Public Records of Miami-Dade County, Florida.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other that what appears on the underlying record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

RESTRICTIONS:

Since no other information were furnished other than what is cited in the above pertinent information used for the preparation of this document, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE:

I hereby certify: That this "Sketch to Accompany Legal Description" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida ", pursuant to Rule 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company
Florida Certificate of Authorization Number LB7335

By: Eduardo M. Suarez, PSM LS6313 8-22-23
State of Florida

NOTICE:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC COPIES. THE ABOVE NAMED PROFESSIONAL SURVEYOR & MAPPER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 5J 17, F.A.C

**THIS IS NOT A SURVEY
THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE COSIDERED
FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO EACH OTHER**

			SKETCH TO ACCOMPANY LEGAL DESCRIPTION			MIAMI - DADE COUNTY		
			BY	DATE	PREPARED BY: LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB. NO.7335	PREPARED FOR: A & P CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th. LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7283		
			DRAWN	F. NUÑEZ				
REVISION	BY	DATE	CHECKED	D.HAUSER	02-07-2020	PROJECT NUMBER 13063		SHEET 3 OF 3

ATTACHMENT B

Return to: *
 Natural Resources Division *
 Miami-Dade County Department of *
 Regulatory and Economic Resources *
 Environmental Resources Management *
 701 NW 1st Court *
 Miami, FL 33136-3912 *
 *
Instrument prepared by: *
 Carlos A. Calvache, *
 Miami-Dade County Department of *
 Regulatory and Economic Resources *
 Environmental Resources Management *
 701 NW 1st Court *
 Miami, FL 33136-3912 *
 Folio No. N/A *
 WC - 934 *

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF.

WHEREAS, Cook Inlet Region, Inc. by Right-of-Way Deed to Miami-Dade County dated September 20, 1989 recorded in Official Records Book 14353 at Page 1802 of the Public Records of MIAMI-DADE COUNTY, FLORIDA, conveyed to said County and its successors in Interest for use as a public canal and for all purposes incidental thereto, the lands depicted in Exhibit "A"; and

WHEREAS, the portion of canal right-of-way depicted as the "parcel to be conveyed" in Exhibit "A" is not now needed by MIAMI-DADE COUNTY for canal purposes:

NOW, THEREFORE, MIAMI-DADE COUNTY DOES disclaim any interest it has in the portion of canal right-of-way depicted as the "parcel to be conveyed" in Exhibit "A" by virtue of the said Right-of-Way Deed to Miami-Dade County dated September 20, 1989 recorded in Official Records Book 14353 at Page 1802 of the Public Records of

Miami-Dade County, Florida.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of _____ 2023.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR OR MAYOR'S DESIGNEE

JUAN FERNANDEZ-BARQUIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

By: _____
Daniella Levine Cava, Mayor

Print: _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

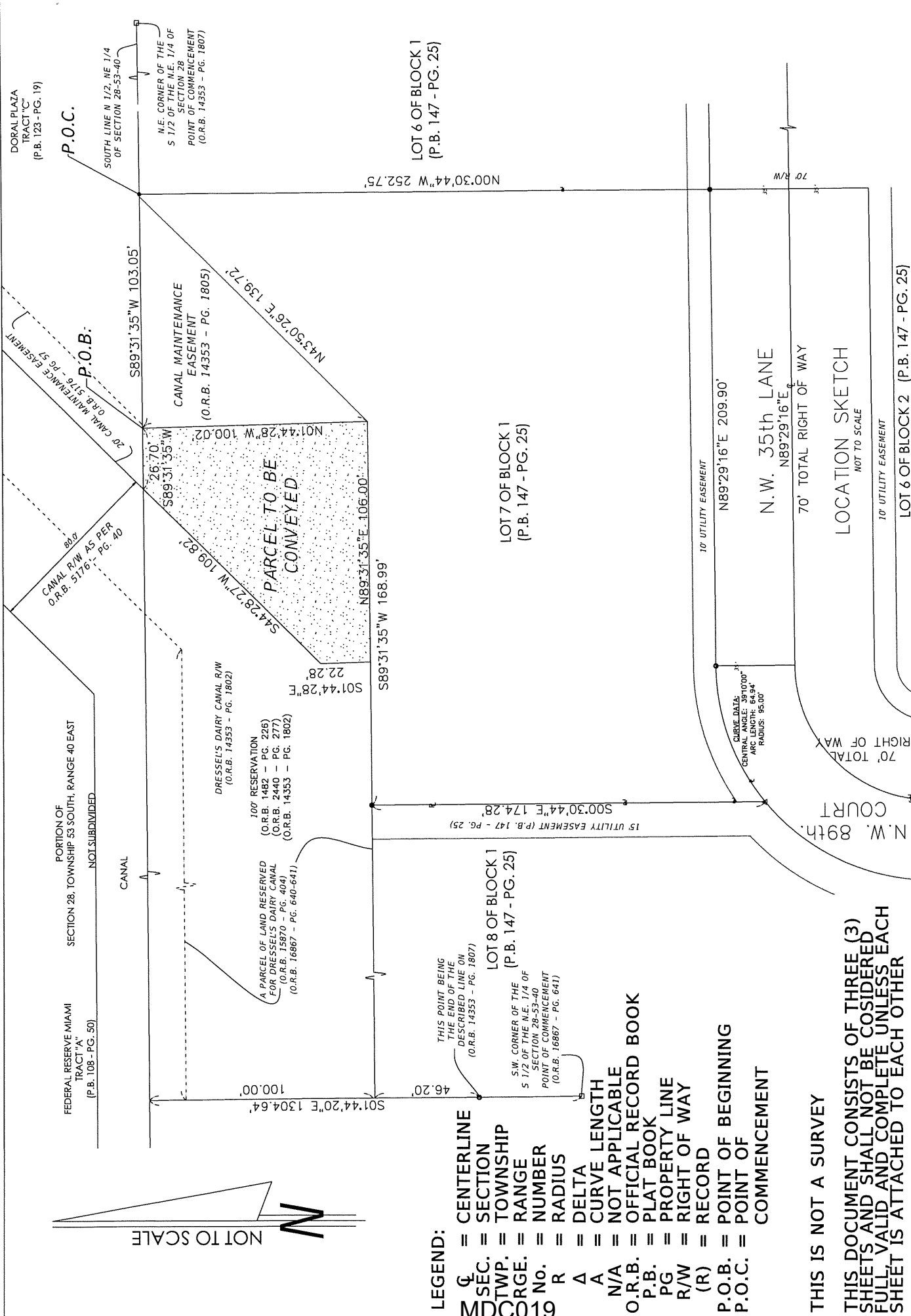
Sign _____

Print _____

STATE OF FLORIDA at large

(Seal)

My commission expires: _____



<p>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</p>		<p>MIAMI - DADE COUNTY</p>	
BY	DATE	BY	DATE
F. NUÑEZ	02-05-2020	D. HAUSER	02-07-2020
<p>PREPARED BY: LONGITUDE SURVEYORS, LLC 100 S. W. 37th Avenue, Suite 375 Doral, FL 33166 TEL: 305-463-0912 LB.</p>		<p>PREPARED FOR: A.S. & P.C. CONSULTING TRANSPORTATION ENGINEERS 100 S. W. 37th Avenue, Suite 375 Doral, FL 33166 TEL: 305-592-7283</p>	
<p>PROJECT NUMBER 13063</p>		<p>SHEET 1 OF 3</p>	

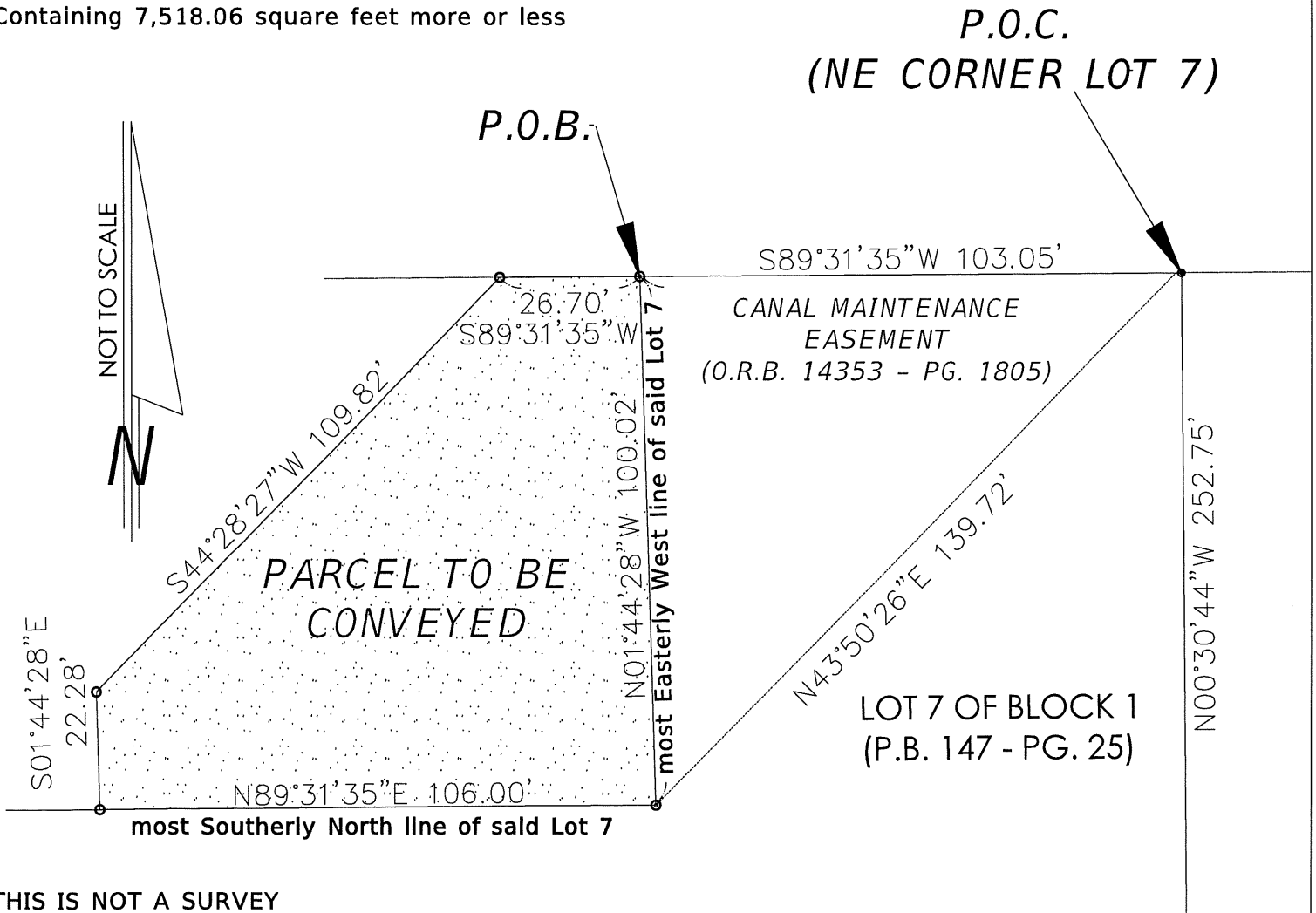
EXHIBIT "A"

CONVEYED PARCEL LEGAL DESCRIPTION

A portion of land to be conveyed lying in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 28, Township 53 South, Range 40 East, said land being part of the Dressel's Dairy Canal Right of Way as recorded in O.R.B. 14353 at Page 1802, of the public records of Miami Dade County, Florida; and as shown in the Plat of WESTPOINTE BUSINESS PARK as recorded in Plat Book 147, at Page 25 and in the Plat of DORAL PLAZA as recorded in Plat Book 123, at Page 19 of the public records of Miami Dade County, Florida; being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 7, Block 1, of said WESTPOINTE BUSINESS PARK, thence run S 89°31'35"W along the North line of Lot 7, (said line being the North line of the South 1/2, of the Northeast 1/4, of said Section 28) a distance of 103.05 feet to the point of intersection with the most Easterly West line of said Lot 7, said point also being the POINT OF BEGINNING; thence continue S 89°31'35" W along the North line of the South 1/2, of the Northeast 1/4, for a distance of 26.70 feet; thence run S 44°28'27"W for a distance of 109.82; thence run S 01°44'28"E to the point of intersection with the most Southerly North line of said Lot 7, for a distance of 22.28 feet, thence run N 89°31'35"E along the most Southerly North line of said Lot 7 to a point of intersection with the most Easterly West line of said Lot 7, for a distance of 106.00 feet; thence run N 01°44'28"W along the most Easterly West line of said Lot 7, for a distance of 100.02 feet to the POINT OF BEGINNING.

Containing 7,518.06 square feet more or less



**THIS IS NOT A SURVEY
THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE COSIDERED
FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO EACH OTHER**

SKETCH TO ACCOMPANY LEGAL DESCRIPTION				MIAMI - DADE COUNTY	
	BY	DATE	PREPARED BY: LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB. NO.7335		PREPARED FOR: A & P CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th. LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7283
	DRAWN	F. NUÑEZ	02-05-2020		
REVISION	BY	DATE	CHECKED	D.HAUSER	02-07-2020
PROJECT NUMBER 13063					SHEET 2 OF 3

EXHIBIT "A"

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

The Legal Description of the Subject Parcel was generated from the following documents: O.R.B.14353, PG 1805; O.R.B.15870, PG 404; O.R.B. 16867, PG 640-641; O.R.B.1482, PG 226; O.R.B. 2440, PG 277; O.R.B.14353, PG 1802; O.R.B. 5176, PG 57; O.R.B. 5176, PG. 40; P.B. 123, PG 19 and P.B. 147, PG 25, of the Public Records of Miami-Dade County, Florida.

Bearings shown hereon are as the based on the centerline of NW 35th Lane, with a bearing of N89°29'16"E as shown in P.B. 147, PG 25, of the Public Records of Miami-Dade County, Florida.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other that what appears on the underlying record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

RESTRICTIONS:

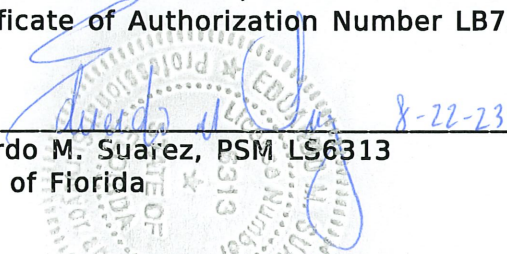
Since no other information were furnished other than what is cited in the above pertinent information used for the preparation of this document, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE:

I hereby certify: That this "Sketch to Accompany Legal Description" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida ", pursuant to Rule 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company
Florida Certificate of Authorization Number LB7335

By:  8-22-23
Eduardo M. Suarez, PSM LS6313
State of Florida

NOTICE:
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC COPIES. THE ABOVE NAMED PROFESSIONAL SURVEYOR & MAPPER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 5J 17, F.A.C

THIS IS NOT A SURVEY
THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE COSIDERED
FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO EACH OTHER

			SKETCH TO ACCOMPANY LEGAL DESCRIPTION			MIAMI - DADE COUNTY					
			BY	DATE	PREPARED BY: LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB. NO.7335			PREPARED FOR: A & P CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7283			
			DRAWN	F. NUÑEZ	02-05-2020						
REVISION	BY	DATE	CHECKED	D.HAUER	02-07-2020	PROJECT NUMBER 13063			SHEET 3 OF 3		

ATTACHMENT C

Return to:

Natural Resources Division
Miami-Dade County Department of
Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court
Miami, FL 33136-3912

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Instrument prepared by:

Carlos A. Calvache,
Miami-Dade County Department of
Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court
Miami, FL 33136-3912
Folio No. N/A
WC - 934

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MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF.

WHEREAS, Cook Inlet Region, Inc. by Canal Maintenance Easement to Miami-Dade County dated September 20, 1989 recorded in Official Records Book 14353 at Page 1805 of the Public Records of MIAMI-DADE COUNTY, FLORIDA, conveyed to said County and its successors in Interest for use as a public canal and for all purposes incidental thereto, the lands depicted in Exhibit "A"; and

WHEREAS, the aforesaid canal maintenance easement depicted in Exhibit "A" is not now needed by MIAMI-DADE COUNTY for canal purposes:

NOW, THEREFORE, MIAMI-DADE COUNTY DOES disclaim any interest it has in the aforementioned lands as depicted in Exhibit "A" by virtue of the said Canal Maintenance Easement to Miami-Dade County

dated September 20, 1989 recorded in Official Records Book 14353 at Page 1805 of the Public Records of Miami-Dade County, Florida.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of _____ 2023.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR OR MAYOR'S DESIGNEE

JUAN FERNANDEZ-BARQUIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

By: _____
Daniella Levine Cava, Mayor

Print: _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

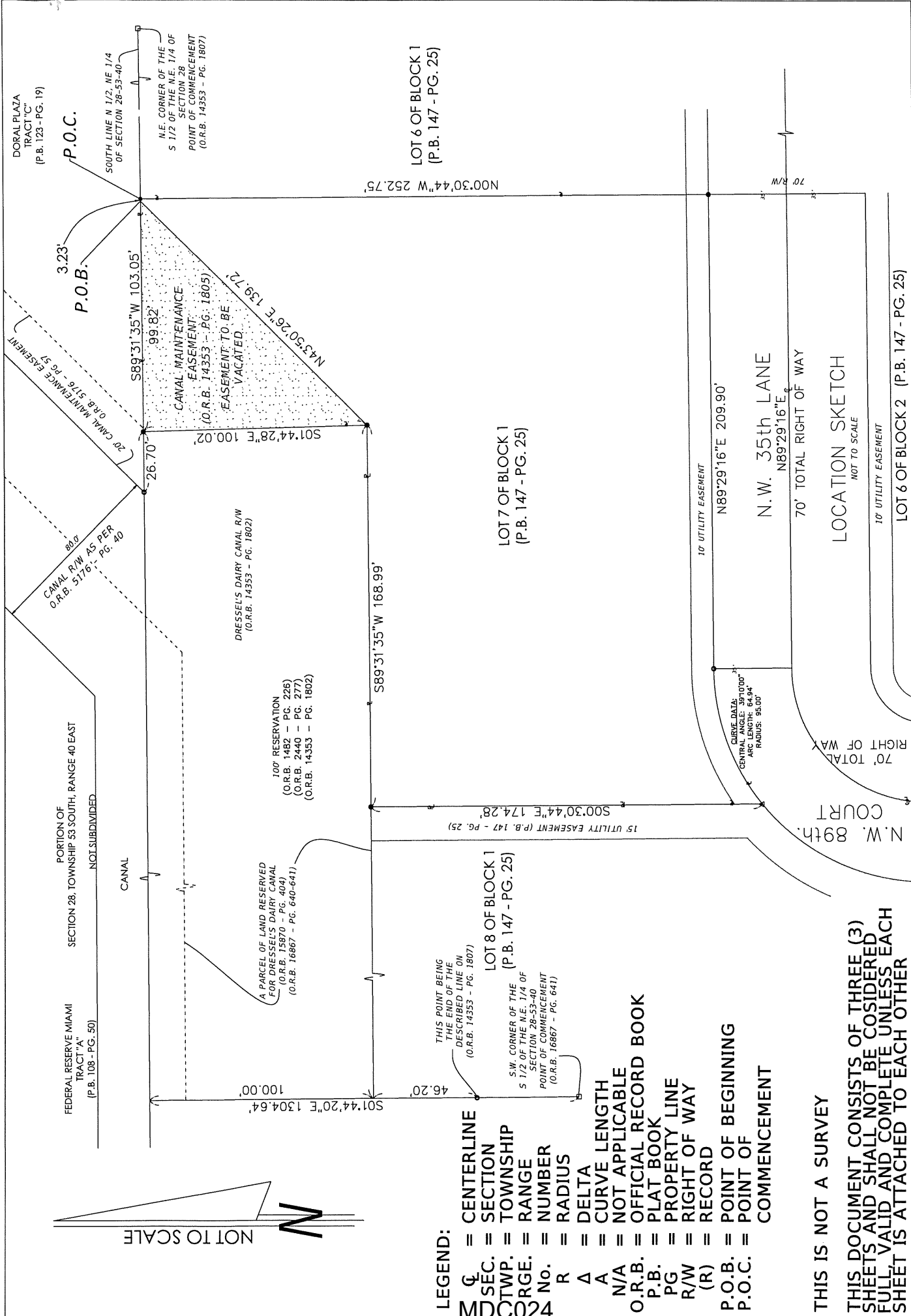
Sign _____

Print _____

STATE OF FLORIDA at large

(Seal)

My commission expires: _____



LEGEND:

- CL = CENTERLINE
- SEC. = SECTION
- TWP. = TOWNSHIP
- RANGE = RANGE
- No. = NUMBER
- R = RADIUS
- Δ = DELTA
- N/A = NOT APPLICABLE
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- PG = PROPERTY LINE
- R/W = RIGHT OF WAY
- (R) = RECORD
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

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**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

BY	DATE	REVISION
F. NUÑEZ	02-05-2020	DRAWN
D. HAUSER	02-07-2020	CHECKED

MIAMI - DADE COUNTY	
PREPARED BY:	LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB.
PREPARED FOR:	A. S. P. CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7893

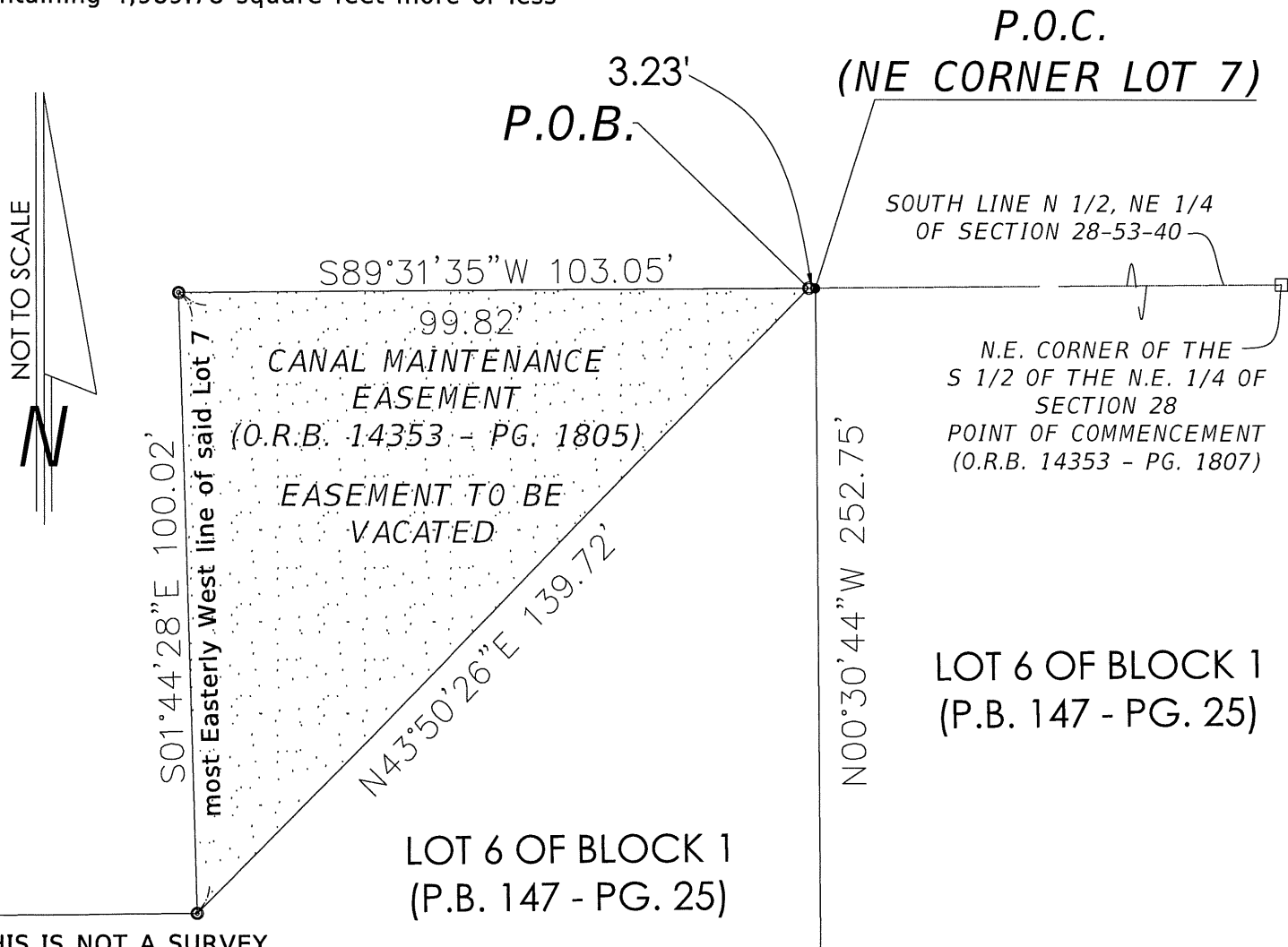
EXHIBIT "A"

EASEMENT TO BE VACATED LEGAL DESCRIPTION

A portion of land to be vacated lying in the South 1/2 of the Northeast 1/4 of Section 28, Township 53 South, Range 40 East, said land being part of the canal maintenance easement as recorded in O.R.B. 14353 at Page 1805 of the public records of Miami Dade County, Florida; and as shown in Plat of WESTPOINTE BUSINESS PARK as recorded in Plat Book 147, at Page 25 of the public records of Miami Dade County, Florida; being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 7, Block 1, of said WESTPOINTE BUSINESS PARK, thence run S 89°31'35"W along the North line of Lot 7, said line being the North line of the South 1/2, of the Northeast 1/4, of said Section 28 a distance of 3.23 feet to the point of intersection with the Southeasterly line of said canal maintenance easement said point also being the POINT OF BEGINNING; thence continue S 89°31'35"W along the North line of Lot 7, to the point of intersection with the most Easterly West line of said Lot 7, for a distance of 99.82 feet; thence run S 01°44'28"E along the most Easterly West line of said Lot 7, to the point of intersection with the most Southerly North line of said Lot 7, for a distance of 100.02 feet; thence run N 43°50'26"E along the Southeasterly line of said canal maintenance easement, for a distance of 139.72 feet to the POINT OF BEGINNING.

Containing 4,989.78 square feet more or less



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			SKETCH TO ACCOMPANY LEGAL DESCRIPTION			MIAMI - DADE COUNTY		
			BY	DATE	PREPARED BY: LONGITUDE SURVEYORS, LLC 7769 NW 48 STREET, SUITE 375 Doral, FL 33166 TEL: 305-463-0912 LB. NO.7335	PREPARED FOR: A & P CONSULTING TRANSPORTATION ENGINEERS 8935 NW 35th. LANE, SUITE 200 Doral, FL 33172 TEL: 305-592-7283		
			DRAWN	F. NUÑEZ	02-05-2020			
REVISION	BY	DATE	CHECKED	D.HAUSER	02-07-2020	PROJECT NUMBER 13063		SHEET 2 OF 3

EXHIBIT "A"

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

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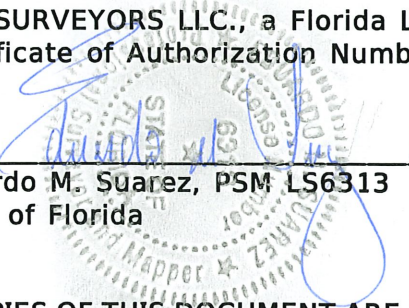
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LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company
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By: Eduardo M. Suarez, PSM LS6313
State of Florida



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			DRAWN	F. NUÑEZ	02-05-2020			
REVISION	BY	DATE	CHECKED	D.HAUER	02-07-2020	PROJECT NUMBER 13063		SHEET 3 OF 3