

MEMORANDUM

Agenda Item No. 8(F)(2)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the conveyance of a 197 square foot perpetual easement to the Miami-Dade Expressway Authority, its successors or assigns (MDX), for a nominal sum of \$1.00 in accordance with section 125.38 of the Florida Statutes, on a portion of County-owned property located at 1401 NW 7 Avenue Miami, Florida, known as the Women's Detention Center, for the expansion, construction, renovation, and maintenance of State Road 836/Dolphin Expressway; and authorizing the County Mayor to execute the perpetual easement, and to exercise all rights conferred therein

Resolution No. R-135-21

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: March 2, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Resolution Authorizing the Conveyance of a Perpetual Easement to the Miami-Dade Expressway Authority (MDX) on a Portion of County-owned Real Property Located at 1401 NW 7 Avenue, Miami, Florida, for Improvements to State Road 836/Dolphin Expressway
Folio No.: A Portion of 01-3136-035-0040

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the conveyance of a perpetual easement on a portion of County-owned property located at 1401 NW 7 Avenue, Miami, Florida known as the Women's Detention Center for improvements to State Road (SR) 836/Dolphin Expressway (Project). More specifically, the resolution does the following:

- Authorizes the conveyance of a 197 square foot perpetual easement to Miami-Dade Expressway Authority (MDX), its successors or assigns, for a nominal sum of \$1.00 for the expansion, construction, renovation and maintenance of the SR 836/Dolphin Expressway (Folio No.: A Portion of 01-3136-035-0040); and
- Authorizes the County Mayor or County Mayor's designee to execute the perpetual easement (Attachment 1), to record the instrument of conveyance in the public records of Miami-Dade County, and to exercise all provisions contained therein.

Scope

The property is located in Commission District 3, which is represented by Commissioner Keon Hardemon. Written notice of the easement was provided to the District Commissioner.

Fiscal Impact/Funding Source

MDX will pay a nominal sum of \$1.00 for the easement and is responsible for maintaining the proposed improvements in the easement area. The perpetual easement does not require the expenditure of any County funds.

Track Record/County Monitor

Idania Barroso of the Internal Services Department is responsible for tasks related to this transaction. Eugenio Raposo of the Miami-Dade Corrections and Rehabilitation Department, Construction Management Division, is managing the tasks related to this transaction.

Delegated Authority

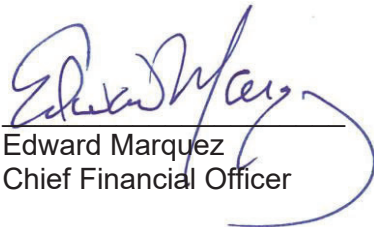
This item authorizes the County Mayor or County Mayor's designee to execute the perpetual easement and to exercise all rights conferred therein; and to record the easement in the Public Records to Miami-Dade County.

Background

On October 3, 2019, the Board approved Resolution No. R-1042-19, which directed the County Mayor to convey five perpetual easements and five temporary easements to MDX for the expansion, construction, renovation, and maintenance of SR 836/Dolphin Expressway. After receipt of the recorded easements, the design build team for MDX identified that one of the perpetual easements, referred to as Parcel 840B, consisting of 628 square feet, should have been larger than originally requested (Attachment 2). After further review, it was determined that the Project could not continue without adding additional square footage to Parcel 840B. MDX concluded that an additional 197 square feet would be required to build a pier column and footer structure. MDX is requesting the conveyance of an additional perpetual easement, referred to as Parcel 867 (Attachment 3).

Section 125.38 of the Florida Statutes allows agencies, such as MDX, to request the use of County-owned property when such use is for public benefit and MDX has made such request to the County in writing. This request is for public benefit, as the easement is required for the planned improvements, including new lanes and elevated ramps, to SR 836.

Attachments



Edward Marquez
Chief Financial Officer

Instrument prepared by:
 Miami-Dade County
 Internal Services Department
 111 N.W. 1st Street Suite 2460
 Miami, FL 33128

Folio No. a portion of
 #01 -3136-035-0040/MDX 83611, Parcel 867
 User Department: Miami-Dade County
 Corrections

**PERPETUAL EASEMENT
 (Public Purpose)**

THIS EASEMENT, made this ____ day of _____, 2020, by MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida, and its successors in interest, party of the first part or Grantor, whose Post Office address is 111 N.W. 1st Street, Suite 17-202 Miami, Florida 33128, c/o Miami-Dade County Corrections Department, and the MIAMI-DADE EXPRESSWAY AUTHORITY, its successors and assigns (collectively referred to as "Grantee"), party of the second part, whose Post Office address is 3790 N.W. 21 Street Miami, Florida 33142.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a non-exclusive perpetual easement for the purpose of the expansion, construction, renovation, and maintenance of SR 836 Expressway, in, over, under, upon and including a right to ingress and egress through the following described land (the "Easement Area" or the "Property") in Miami-Dade County, Florida:

AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND TO BE MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises unto the Grantee, subject, however, to the following conditions:

THAT Grantee shall indemnify and hold Grantor harmless from any and all damages and/or liability, claims, demand, actions and/or suits of any nature arising out of, relating to, or resulting from negligent or wrongful act(s) of Grantee's employees, agents, or instrumentalities, acting within the scope of their office or employment, in connection with the rights granted to or exercised by Grantee hereunder, to the extent and within the limitations of Section 768.28, Florida Statutes.

However, nothing herein shall be deemed to indemnify Grantor from any liability or claim arising out of the negligent performance or failure of performance of Grantor.

THAT this easement is solely for the purpose of the expansion, construction, renovation, and maintenance of SR 836 Expressway and no other uses of the Easement Area are permitted.

THAT in the event said transportation use is permanently discontinued or abandoned as determined in Grantor's sole discretion, then upon written notice by Grantor to Grantee, or its successors or assigns, this easement shall terminate, and title to the Property shall revert to the Grantor, its successors and assigns, and the Grantor shall have the right to immediately possess same.

During any construction, Grantee shall cause its construction contractor(s) to maintain comprehensive general liability insurance providing for a limit amount of not less than \$1,000,000 for all damages arising out of bodily injuries to, or death of, one person and, subject to that limit for each person, a total limit of \$5,000,000 for all damages arising out of bodily injuries to, or death of, two or more persons in any one occurrence; and regular Contractor's Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to, or destruction of, property in any one occurrence and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to, or destruction of, property during the period the policy is carried. Grantor shall be named as Additional Insured in such policies and Grantee will provide a current copy of such insurance certificate to Grantor.

THAT this Easement is subject to all applicable permit requirements and any other required agreements or approvals, and concurrences.

THAT the provisions of this Easement may be enforced by all appropriate actions at law and in equity by the respective parties.

THAT Grantor makes no representations as to the title or condition of the property within the Easement Area or the suitability of the Easement Area property for the use intended hereunder.

The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

Nothing in this Easement shall restrict the Grantor's right to utilize said property for any use which is not inconsistent with the rights conveyed hereunder.

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

THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.
SIGNATURE PAGES TO FOLLOW.

IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed, the Miami-Dade Expressway Authority signing by and through its Executive Director, and Miami-Dade County signing by and through the Mayor or by the County Mayor's designee, each duly authorized to execute same. Miami-Dade Expressway Authority further attests that it has full and binding authority to sign this Easement by and through its Executive Director.

MIAMI-DADE EXPRESSWAY AUTHORITY

Approved

Javier Rodriguez, P.E., Executive Director

Approved as to form and legal sufficiency

Carlos Zaldivar, General Counsel

(Official Seal)

ATTEST:

**HARVEY RUVIN,
CLERK OF SAID BOARD**

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

By: _____
Deputy Clerk

By: _____
County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency

County Attorney

The foregoing was authorized and approved by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2020.

EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 867

A portion of lots 7, 14 and 15 feet wide alley of block 1 of ROBERTS & GRENTNER ADDITION, according to the plat thereof, as recorded in Plat Book 10, at Page 56, of the Public Records of Miami Dade County, Florida, more particularly described as follows:

Commence at the intersection of the City of Miami Monument line of State Road 7 (US 441) NW 7th Avenue and NW 14th Street; thence N 00°57'54" W along said City of Miami monument line of State Road 7 (US 441) NW 7th Avenue for a distance of 211.30 feet; thence N 89°02'06" E at right angles from the previously described City of Miami monument line for a distance of 43.17 feet to the point of intersection with the Existing Limited Access Right of Way line of said State Road 836 (Dolphin Expressway) as shown on Florida Department of Transportation Right of Way Map for said State Road 836, Section 87200-2505; thence S 85°14'06" E along the previously described Limited Access Right of Way Line for a distance of 98.26 feet; thence S 00°58'34" E for a distance of 3.73 feet to the POINT OF BEGINNING of the hereinafter described parcel and a point on a non-tangent circular curve concave to the South, whose radius bears N 03°57'38" E from the center of said curve; thence southeasterly along the arc of said curve to the right, having a radius of 1,037.25 feet and a central angle of 00°58'16" for an arc distance of 17.58 feet; thence S 00°58'34" E for a distance of 10.41 feet; thence S 89°01'26" W for a distance of 17.50 feet; thence N 00°58'34" W for a distance of 12.07 feet to the POINT OF BEGINNING.

Containing 197 Square Feet more or less.

SURVEYOR'S NOTES:

- Bearings and coordinates are relative to the State Plane Coordinate System, Florida East Zone (901), Transverse Mercator Projection, North American Datum 1983 (NAD83), 2011 adjustment, where the M of STATE ROAD 7 (US 441) NW 7th AVENUE bears N 00°57'54" W
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.
- Baseline of Survey shown on this Sketch and Legal is based on Right of Way Map for State Road 836 (Dolphin Exressway) FDOT Section 87200 provided by MDX (Miami Dade Expressway Authority), dated November 11th, 2016.
- This map is intended to be displayed at the stated graphic scale in English units of measurements as depicted on the survey map. Attention is directed to the fact that said map may be altered in scale by reproduction and must be considered when obtaining scaled data.
- All stations and offsets refer to the Baseline of Survey of State Road 836 (Dolphin Expressway), Section 87200, dated November 11th, 2016.
- I hereby certify that the Sketch and Legal Description was prepared under my direction and that said Sketch and Legal Description is in compliance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- Manuel G. Vera & Associates, Inc. does carry Professional Liability Insurance for Surveying and Mapping Services.

LEGEND:

PC	- Point of Curvature	P.O.B.	- Point of Beginning
PT	- Point of Tangency	PL	- Property Line
FDOT	- Florida Department of Transportation	LB.	- Licensed Business
F.P. NO.	- Financial Project Number	LT	- Left
STA.	- Station	No.	- Number
SEC.	- Section	SR	- State Road
TWP.	- Township	SQ. FT.	- Square Feet
RGE.	- Range	R/W	- Right of Way
EXIST.	- Existing	RES	- Resolution
RT	- Right	(P)	- Plat
PB	- Plat Book	OFF.	- Offset
PG.	- Page		
PI	- Point of intersection		
Δ	- Central angle		
ESMT.	- Easement		
L.A.	- Limited Access		
COR.	- Corner		
T	- Tangent		
L	- Arc Length of curve		
R	- Radius		
P.O.C.	- Point of Commencement		
P.O.B.	- Point of Beginning		

SYMBOLS:

	- Baseline of Survey
	- Center Line
	- Monument Line
	- Spring Line
	- Parcel Number
	- Subdivision Block Number

Carlos E. Alonso
Professional Surveyor & Mapper
Florida Certificate No. 6669
Licensed Business: LB-2439
13960 SW 47th Street
Miami, Florida 33175

Date

NOT A SURVEY

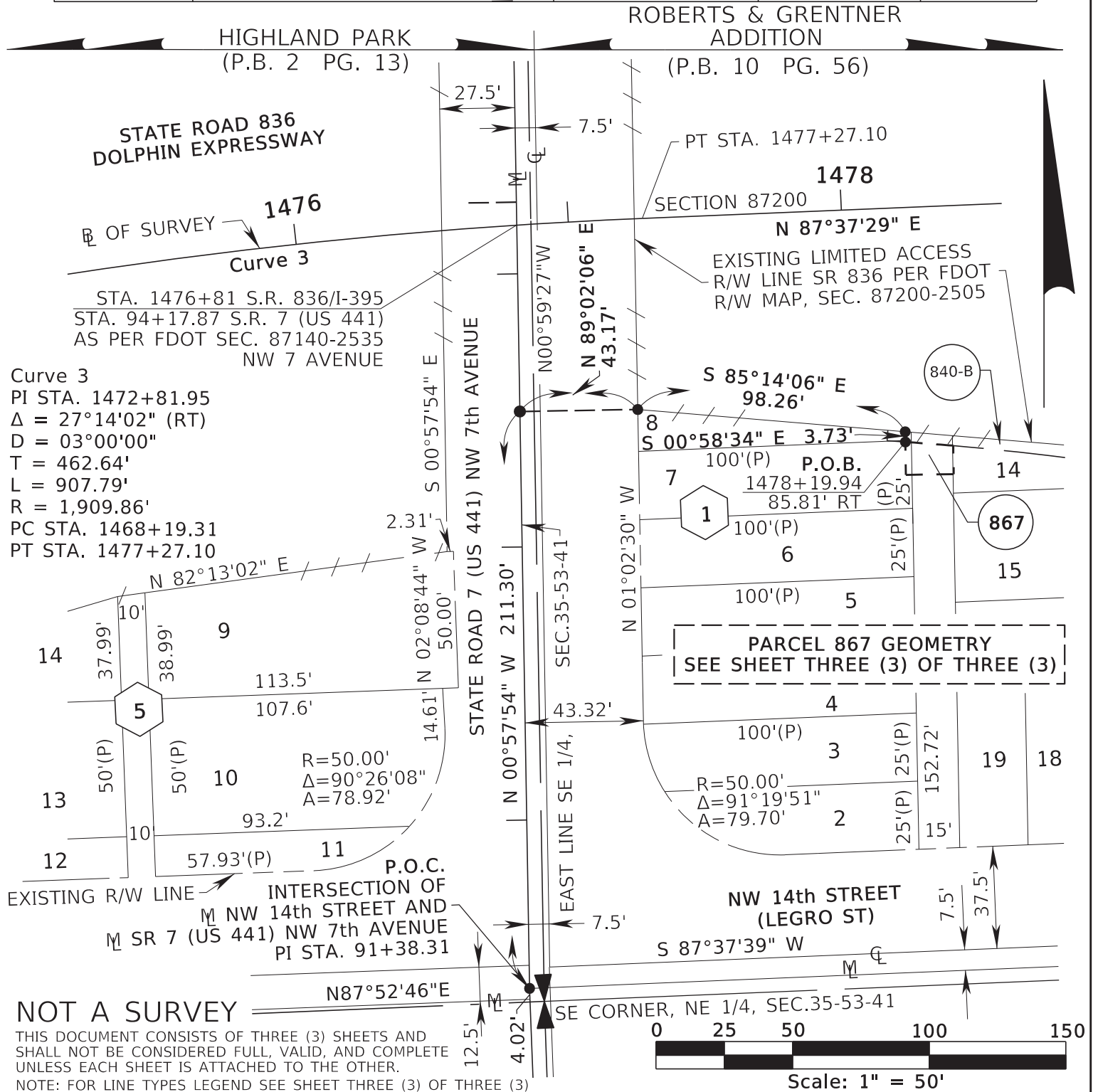
THIS DOCUMENT CONSISTS OF THREE (3) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID, AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

MIAMI-DADE EXPRESSWAY AUTHORITY					
LEGAL DESCRIPTION - PARCEL 867					
STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)				MIAMI-DADE COUNTY	
BY		DATE		PREPARED BY:	
DRAWN		DH		MANUEL G. VERA AND ASSOCIATES INC., LB#2439	
11-19		11-19		13960 SW 47th STREET, MIAMI FLORIDA 33175	
DATE		DATE		DATA SOURCE:	
11-19		11-19		SEE SURVEYOR'S NOTES	
MDX Project No. 83611		SECTION 87200		8	
SHEET 01 OF 03					

EXHIBIT "A"

SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
867	MIAMI-DADE COUNTY CORRECTIONS DEPARTMENT	± 197 SQ. FT.	N/A	N/A



MIAMI-DADE EXPRESSWAY AUTHORITY SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)

MIAMI-DADE COUNTY

UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19	PREPARED BY: MANUEL G. VERA AND ASSOCIATES INC., LB#2439 13960 SW 47th STREET, MIAMI FLORIDA 33175	DATA SOURCE: SEE SURVEYOR'S NOTES	9
REVISION	BY	DATE	CHECKED	CA	11-19	MDX Project No. 83611	SECTION 87200	SHEET 02 OF 03

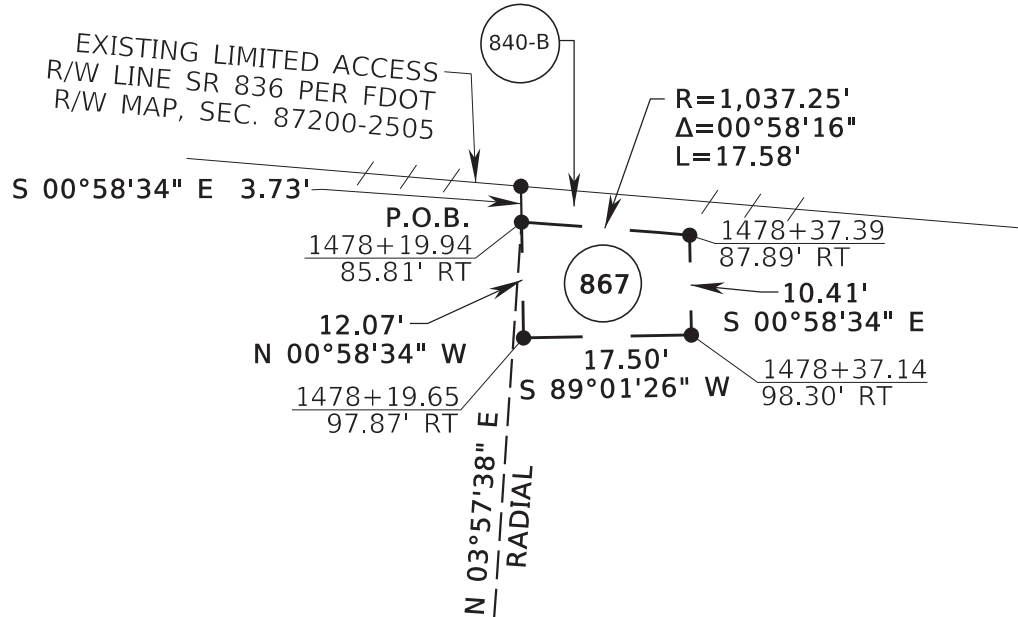
EXHIBIT "A"

SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

ROBERTS & GRENTNER ADDITION

(P.B. 10 PG. 56)

STATE ROAD 836 DOLPHIN EXPRESSWAY

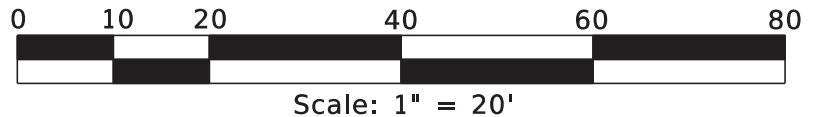


LINE TYPES:

SECTION LINE	_____
CITY LIMIT LINE	_____
EXISTING RIGHT OF WAY LINE	_____
BASE OR SURVEY LINE	_____
EXISTING LIMITED ACCESS R/W LINE	_____
RIGHT OF WAY LINE	_____
EXISTING EASEMENT	_____
VACATED/ORIGINAL LOT LINE	_____
EXISTING NON-VEHICLE ACCESS LINE	_____
SUBDIVISION LIMITS	_____
PERMANENT EASEMENT LINE	_____

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 THE OTHER.



MIAMI-DADE EXPRESSWAY AUTHORITY SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)

MIAMI-DADE COUNTY

UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19	PREPARED BY: MANUEL G. VERA AND ASSOCIATES INC., LB#2439 13960 SW 47th STREET, MIAMI FLORIDA 33175	DATA SOURCE: SEE SURVEYOR'S NOTES ON SHEET ONE	10
REVISION	BY	DATE	CHECKED	CA	11-19	MDX Project No. 83611	SECTION 87200	SHEET 03 OF 03



CFN 2020R0053303
 OR BK 31787 Pgs 2522-2529 (8Pgs)
 RECORDED 01/22/2020 10:37:48
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

Instrument prepared by: *Idanica Barroso*
 Miami-Dade County
 Internal Services Department
 111 N.W. 1st Street Suite 2460
 Miami, FL 33128

Folio No. a portion of
 #01-3136-035-0040/Parcel 840B

**PERPETUAL EASEMENT
 (Public Purpose)**

THIS EASEMENT, made this 22 day of January, 2020 by MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida, and its successors in interest, party of the first part or Grantor, whose Post Office address is 111 N.W. 1st Street, Suite 17-202 Miami, Florida 33128, c/o Miami-Dade County Corrections Department, and the MIAMI-DADE EXPRESSWAY AUTHORITY, its successors and assigns (collectively referred to as "Grantee"), party of the second part, whose address is 3790 N.W. 21 Street Miami, Florida 33142.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a non-exclusive perpetual easement for the purpose of the expansion, construction, renovation, and maintenance of 836 Expressway, in, over, under, upon and including a right to ingress and egress through the following described land (the "Easement Area" or the "Property") in Miami-Dade County, Florida:

AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND TO BE MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises unto the Grantee, subject, however, to the following conditions:

THAT Grantee shall indemnify and hold Grantor harmless from any and all damages and/or liability, claims, demand, actions and/or suits of any nature arising out of, relating to, or resulting from negligent or wrongful act(s) of Grantee's employees, agents, or instrumentalities, acting within the scope of their office or employment, in connection with the rights granted to or exercised by Grantee hereunder, to the extent and within the limitations of Section 768.28, Florida Statutes.

However, nothing herein shall be deemed to indemnify Grantor from any liability or claim arising out of the negligent performance or failure of performance of Grantor.

THAT this easement is solely for the purpose of the expansion, construction, renovation, and maintenance of 836 Expressway and no other uses of the Easement Area are permitted.

THAT in the event said transportation use is permanently discontinued or abandoned as determined in Grantor's sole discretion, then upon written notice by Grantor to Grantee, or its successors or assigns, this easement shall terminate, and title to the Property shall revert to the Grantor, its successors and assigns, and the Grantor shall have the right to immediately possess same.



In the event that Grantee fails to comply with its obligations under the Lease Agreement recorded in the public records in Official Records Book 3176 Page 225, or with the obligations set forth in the Interlocal Agreement recorded in Official Records Book 3178, Page 227, all as determined in Grantor's sole discretion, then Grantor shall provide written notice of such failure to comply to Grantee. In the event that Grantee does not comply or cure the defect within fifteen business days of such written notice, or such other timeframe as is reasonably required to effect such cure as agreed to by the parties, then Grantor may terminate this easement, and title to the Property shall revert to Grantor, and Grantor shall have the right to immediately possess same. In such event, at Grantor's election, Grantee shall forthwith 1) restore the Property to its condition prior to conveyance to Grantor, or 2) reimburse Grantor for the cost of such restoration within 30 days of invoicing or pursuant to a timeframe mutually agreed upon by the parties.

During any construction, Grantee shall cause its construction contractor(s) to maintain comprehensive general liability insurance providing for a limit amount of not less than \$1,000,000 for all damages arising out of bodily injuries to, or death of, one person and, subject to that limit for each person, a total limit of \$5,000,000 for all damages arising out of bodily injuries to, or death of, two or more persons in any one occurrence; and regular Contractor's Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to, or destruction of, property in any one occurrence and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to, or destruction of, property during the period the policy is carried. Grantor shall be named as Additional Insured in such policies and Grantee will provide a current copy of such insurance certificate to Grantor.

THAT this Easement is subject to all applicable permit requirements and any other required agreements or approvals, and concurrences.

THAT the provisions of this Easement may be enforced by all appropriate actions at law and in equity by the respective parties.

THAT Grantor makes no representations as to the title or condition of the property within the Easement Area or the suitability of the Easement Area property for the use intended hereunder.

The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

Nothing in this Easement shall restrict the Grantor's right to utilize said property for any use which is not inconsistent with the rights conveyed hereunder.

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

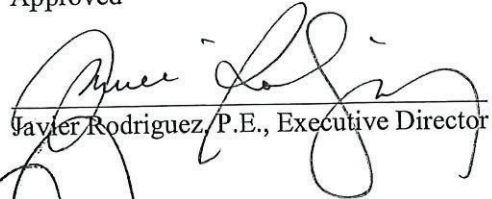
THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.
SIGNATURE PAGES TO FOLLOW.



IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed, the Miami-Dade Expressway Authority signing by and through its Executive Director, and Miami-Dade County signing by and through the Mayor or by the County Mayor's designee, each duly authorized to execute same.

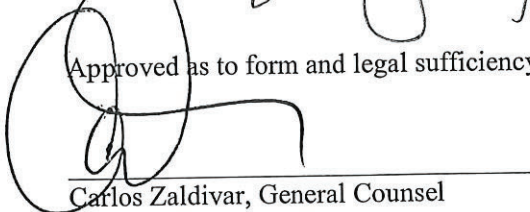
MIAMI-DADE EXPRESSWAY AUTHORITY

Approved



Javier Rodriguez, P.E., Executive Director

Approved as to form and legal sufficiency



Carlos Zaldivar, General Counsel

Approved by MDX Operations Committee
Approved by MDX Board



(Official Seal)

ATTEST:

HARVEY RUVIN,
CLERK OF SAID BOARD

By: _____

Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency

Debra Heyman,

Assistant County Attorney

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

By: _____

County Mayor or County Mayor's Designee



The foregoing was authorized and approved by Resolution No. 1042-19 of the Board of County Commissioners of Miami-Dade County, Florida, on the 3rd day of October, 2019.



LEGAL DESCRIPTION - PARCEL 840-B:

That easement lying Southwesterly and adjoining to the Existing Limited Access Right-of-Way Line lying Northeasterly of S.R. 836 as per F.D.O.T. Right of Way Map for Section 87200-2505; and extending across Lots 7, 8, 14 and 15, and the 15.00 foot Alley, in Block 1 of "ROBERTS & GRENTNER ADDITION", according to the Plat thereof, as recorded in Plat Book 10, at Page 56, of the Public Records of Miami-Dade County, Florida; and lying in the NW ¼ of Section 36, Township 53 South, Range 41 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the intersection of said Limited Access Right of Way Line of S. R. 836, with the West line of said Lot 8, in Block 1 of "ROBERTS & GRENTNER ADDITION", coincident with the Easterly Right of Way Line of NW 7th avenue (S. R.7/US 441); thence run S85°14'06"E, along said Limited Access Right of Way Line of S.R. 836 for a distance 91.88 feet to the point of intersection with the West line of the herein described easement and the POINT OF BEGINNING, thence run S85°14'06"E, continuing along said Limited Access Right of Way Line of S.R. 836, for a distance of 124.15 feet to the point of intersection with the East line of the herein described easement, also being the East line of said Lot 14 in Block 1 of "ROBERTS & GRENTNER ADDITION", coincident with the westerly Right of Way Line of NW 6th court, thence run S01°03'00"E, along last described line, a little portion of East line of said Lot 15 for a distance of 8.85 feet to the intersection of the southwesterly line of this easement also being a circular curve concave to the southwest, thence run northwesterly along said circular curve, and across said Lots 15 and 14, 15 foot alley and 7 and 8 of "ROBERTS & GRENTNER ADDITION", having a radius of 1037.25 feet, through a central angle of 06°54'50", subtending a 125.09 foot chord which bears N82°57'08"W, for an arc distance of 125.17 feet to the point of intersection with above mentioned west line of the herein described easement, thence run S03°57'02"E, along said West line of this easement, for a distance of 3.83 feet to the POINT OF BEGINNING.

Containing an area of 628 square feet, more or less.

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.



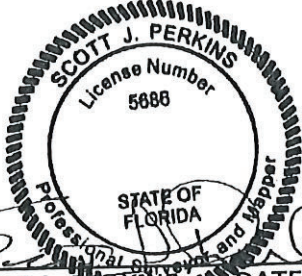
THIS IS NOT A SURVEY

			MIAMI-DADE EXPRESSWAY AUTHORITY		
			LEGAL DESCRIPTION-PARCEL 840-B		
			STATE ROAD NO. 836		
			MIAMI-DADE COUNTY		
CORRECT PLAT NAME TYPO	J. ZAMORA	02-07-2017	BY	DATE	PREPARED BY: CH. PENEZ & ASSOCIATES CONSULTING ENGINEERS, INC. 9594 NW 41st STREET, SUITE 201, DORAL FL 33178 TEL: 305-592-1070 / FAX: 305-592-1078 LB 7360
REV. LEGAL	N. ZAMORA	08-17-2015	DRAWN	T. MOREJON	05-15-2015
REVISION	BY	DATE	CHECKED	A. TOIRAC	05-15-2015
			Proj. NO. 83611		SECTION 87200
					SHEET 1 OF 4

GENERAL NOTES:

1. This Sketch is Not a Survey.
2. Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
3. Bearings and coordinates are relative to the State Plane Coordinates System, Florida East Zone, Traverse Mercator Projection, North American Datum (NAD83) 1983 adjustment 2007 and are based on a PNC Project Baseline bearing of N 03°42'37" W being established between FDOT monuments:
PNC02 stamped 87 11 PNC02 (N 526779.1510, E 919562.7520) and
PNC04 stamped 87 11 PNC04 (N 528164.0790, E 919472.9400)
and therefrom a bearing of S 87°52'14" E along the Monument Line of NW 14th STREET between NW 9th AVENUE and NW 10th AVENUE.
4. Addition and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
5. Prepared for MIAMI-DADE EXPRESSWAY AUTHORITY.
6. Date Prepared: May 15th, 2015.

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

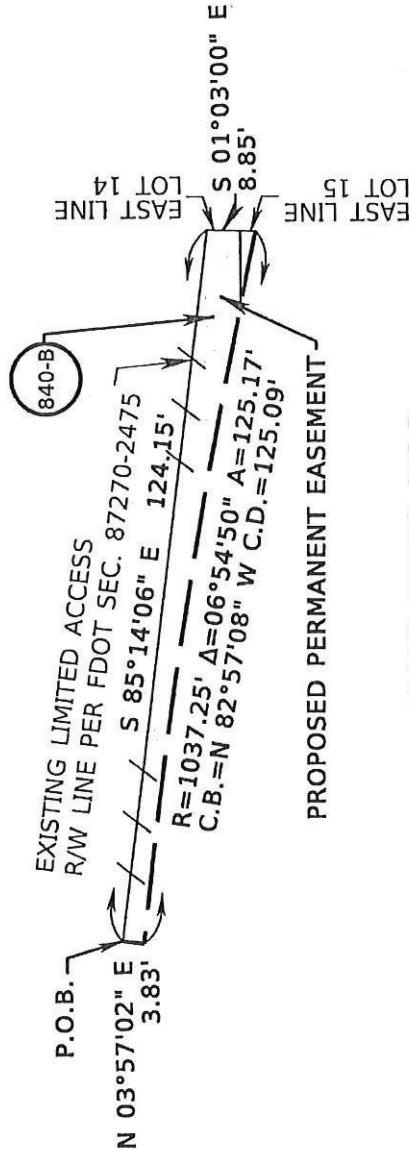



SCOTT J. PERKINS DATE: 02-07-2017
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5686

THIS IS NOT A SURVEY

MIAMI-DADE EXPRESSWAY AUTHORITY LEGAL DESCRIPTION-PARCEL 840-B		
STATE ROAD NO. 836		MIAMI-DADE COUNTY
	BY	DATE
DRAWN	T.MOREJON	05-15-2015
CHECKED	A.TOIRAC	05-15-2015
Proj. NO. 83611		SECTION 87200
SHEET 2 OF 4		16

SEC.36, TWP.53S, RGE.41E



DETAIL PARCEL 840-B
N.T.S.

- 840-B = PARCEL IDENTIFICATION NUMBER
- = EXISTING L/A R/W LINE
- - - - - = PROPOSED L/A R/W LINE
- = PROPOSED PERMANENT EASEMENT

THIS IS NOT A SURVEY

THIS DOCUMENT CONSISTS OF FOUR (4) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
I HEREBY CERTIFY that this is a true copy of the original filed in this office on Jan 9 2020 day of AD 20
WITNESS my hand and Official Seal.
By Harvey Ruvin, Clerk of Circuit and County Courts
E212817



MIAMI-DADE EXPRESSWAY AUTHORITY		STATE ROAD NO. 836		MIAMI-DADE COUNTY	
ADDED HATCH	N. ZAMORA	BY	T. MORE/ION	DATE	05-15-2015
ADDED CHORD BEARING	N. ZAMORA	CHECKED	A. TORAC	DATE	05-15-2015
REVISION		DRAWN		SECTION 87200	
LEGAL DESCRIPTION		Proj. NO. 83611		SHEET 4 OF 4	

PREPARED BY:
CH. PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC.
1718 NW 11th Ave., Suite 100
TEL: 305-532-1070 FAX: 305-532-1078 ID: 7380

Z:\MDC\83611\131-RIGHT-WAY MAP - (CHANGE CONSTRUCTION EASEMENT)\NWMAP\PARCELS\VS 840-B\VP5840-8.dgn

2/7/2017

jnzamora

2:05:52 PM



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 N.W. 21 St. Miami, FL 33142 T 305.637.3277 F 305.637.3283

www.mdxway.com

ATTACHMENT 3

May 26, 2020

Miami-Dade County
111 NW 1 Street, Suite 2460
Miami, FL 33128-1929

RE: Request for Property Donation

Project Name: SR 836 / Dolphin Expressway Improvements

Project No.: 83611

Parcel No.: 867

Dear Property Owner:

The Miami-Dade Expressway Authority (MDX) in coordination with the Florida Department of Transportation (FDOT) is proposing improvements to State Road 836/Dolphin Expressway. The construction of such improvements include additional lanes from NW 17th Avenue to SR 836/I-95/I-395 Interchange, a new elevated eastbound ramp from NW 12 Avenue for traffic destined to northbound and southbound I-95 which will eliminate traffic operational conflicts between mainland traffic and ramp traffic movements and a new ramp from southbound I-95 to westbound SR 836 with an additional exit to NW North River Drive which will eliminate traffic operational conflicts between westbound SR 836 exit to NW 12 Avenue and the I-95 southbound entrance to westbound SR 836. Please see attached Fact Sheet for details.

Pursuant to *Section 337.29, of the Florida Statutes* and the Florida Department of Transportation Right of Way Procedures, which MDX has adopted as guidelines for acquiring rights of way from local governmental agencies, enclosed you will find the following documents for your review and use as you carry this item forward:

1. Project Resolution
2. Fact Sheet
3. Legal Description and Parcel Sketch
4. Donation of Property Letter

We look forward to working together for the fulfillment of our Public Service mission. If you have a question, or need additional information please contact me at (305) 270-8980 or via e-mail at richard.glass@glasslandacq.com or by mail at:

Richard R. Glass, SR/WA
Glass Land Acquisition Service Specialists, Inc.
6401 SW 87 Avenue, Suite 112
Miami, FL 33173

Sincerely,

Richard R. Glass, SR/WA
Right of Way Project Manager
MDX GEC A

Enclosures:

Project Resolution
Fact Sheet
Legal Description and Parcel Sketch
Donation of Property Letter

cc: Parcel File(s)



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 N.W. 21 St. Miami, FL 33142 T 305.637.3277 F 305.637.3283

www.mdxway.com

Donation of Property to Miami-Dade Expressway Authority

Miami-Dade County
111 NW 1 Street, Suite 2460
Miami, FL 33128-1929

RE: Project Name: SR 836 from NW 17th Avenue to I-95
Project No.: 83611
Parcel No.: 867

This is to advise that the undersigned, as owner of the property or property interest referenced above and as shown on the Legal Description and Parcel Sketch for the referenced project, desires to make a voluntary donation of said property or property interest to the Miami-Dade Expressway Authority (MDX) for the use and benefit of MDX.

The undersigned hereby acknowledges that he/she has been fully advised by a MDX representative of his/her right to have the referenced property or property interest appraised, to accompany the appraiser during the appraisal inspection of the property, to receive full compensation for the above referenced property, and to receive reimbursement for reasonable fees and costs incurred, if any. Having been fully informed of the above rights, I hereby waive those rights unless otherwise noted below.

Owner's Signature

Type or Print Property Owner's Name

Street Address

City, State, Zip Code

Date



CFN 2015R0029068
OR BK 29465 Pgs 4115 - 41181 (4pgs)
RECORDED 01/13/2015 10:36:20
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

**MIAMI-DADE EXPRESSWAY AUTHORITY
RESOLUTION NO. 14-04**

A RESOLUTION OF THE BOARD OF THE MIAMI-DADE EXPRESSWAY AUTHORITY DECLARING THAT IN ORDER TO CONSTRUCT PROJECT 83611 (SR 836 / I-95 INTERCHANGE IMPROVEMENTS) ALONG A PREFERRED ROUTE AND THROUGH A RECOMMENDED CONFIGURATION, IT IS NECESSARY TO ACQUIRE INTERESTS IN REAL PROPERTY PURSUANT TO THE MIAMI-DADE EXPRESSWAY AUTHORITY PROPERTY ACQUISITION POLICY AND IN ACCORDANCE WITH CHAPTER 348, PART I, FLORIDA STATUTES; DECLARING THAT CONSTRUCTION OF PROJECT 83611 WILL SERVE A PUBLIC PURPOSE BY IMPROVING OPERATIONAL CONDITIONS, CORRECTING SAFETY DEFICIENCIES, INCREASING CAPACITY, AND ENHANCING ACCESS TO THE ADJACENT LOCAL STREET NETWORK; AUTHORIZING THE EXECUTIVE DIRECTOR AND ALL OTHERS DESIGNATED TO ACT ON HIS BEHALF TO ACQUIRE INTERESTS IN REAL PROPERTY THROUGH NEGOTIATED CONVEYANCE OR EMINENT DOMAIN; AUTHORIZING THE EXECUTIVE DIRECTOR AND ALL OTHERS DESIGNATED TO ACT ON HIS BEHALF TO CONTRACT WITH EXPERT WITNESSES AND CONSULTANTS AND TO TAKE SUCH FURTHER ACTIONS AS ARE REASONABLY NECESSARY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Miami-Dade Expressway Authority ("MDX") is a body politic and corporate, a public instrumentality, and an agency of the State of Florida established under the Florida Expressway Authority Act, as amended ("Act"), and Ordinance No. 94-215, adopted on December 13, 1994 by the Board of County Commissioners of Miami-Dade County; and

WHEREAS, through its adoption of the Act, the Florida Legislature enacted Part I of Chapter 348, Florida Statutes ("Part I"), declaring that there is a public need for the rapid construction of safe and efficient transportation facilities and providing a mechanism to effectuate construction of such transportation facilities; and

WHEREAS, as an expressway authority created and established under the Act, MDX may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the purposes described in Part I; and

WHEREAS, Part I authorizes MDX to acquire, hold, construct, improve, maintain, operate, and own an expressway system, and to construct additional expressways for the purpose of expanding and improving the expressway system which it currently operates; and

WHEREAS, MDX maintains a five-year work program to identify and prioritize expansion and capacity improvement projects that it anticipates funding over the next five years, and it periodically evaluates and modifies specific projects that are included in a Five-Year Transportation Improvement Program ("TIP"); and

WHEREAS, MDX approved in February 2014 a Fiscal Year 2015-2019 Work Program, which incorporates the current TIP and designates Project 83611 (SR 836 / I-95 Interchange Improvements; "Project 83611") as an existing system improvement project to widen roadways and reconstruct bridges, modify interchanges, and upgrade other corridor components to current design standards; and

WHEREAS, in conjunction with transportation consultants and through public / agency coordination, FDOT, in partnership with MDX, prepared a Project Development and Environment study ("PD&E") for Project 83611, and after public inspection and public hearing, approved it for the purpose of improving operational conditions, correcting safety deficiencies, increasing capacity, and enhancing access along the eastern 1.8 mile portion of the SR 836 corridor; and

WHEREAS, the PD&E contains a comprehensive analysis of the real property impacts associated with alternate routes and configurations, and designates a preferred route and recommended configuration for construction of Project 83611; and

WHEREAS, in March 2014, MDX adopted a Property Acquisition Policy, which authorizes it to acquire any interest in real property that it deems necessary for the fulfillment of project goals, and delegates authority to the Executive Director, or his designee, to acquire real property under Section 348.0008 ("Acquisition of Lands and Property"), Florida Statutes, through negotiated conveyance or the power of eminent domain; and

WHEREAS, it is necessary for MDX to exercise its authority under Part I to acquire interests in real property at specific locations for the purpose of constructing Project 83611 along a preferred route and through a recommended configuration to improve operational conditions, correct safety deficiencies, increase capacity, and enhance access along the eastern 1.8 mile portion of the SR 836 corridor.

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE EXPRESSWAY AUTHORITY:

Section 1: The recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: It is declared that it is necessary to acquire, through negotiated conveyance or the power of eminent domain, interests in real property for construction of Project 83611 along a preferred route and through a recommended configuration to widen roadways and reconstruct bridges, modify interchanges, and upgrade other corridor components to current design standards. It is further declared that such acquisitions serve

a public purpose, to wit: to improve operational conditions, correct safety deficiencies, increase capacity, and enhance access along the eastern 1.8 mile portion of the SR 836 corridor.

Section 3: The Executive Director and all others designated to act on his behalf are authorized to acquire interests in real property in accordance with MDX's Property Acquisition Policy, and to initiate eminent domain proceedings pursuant to Florida Statute Chapters 73 and 74, and Part I, and to file petitions, pleadings, affidavits, declarations of taking, and any other documents authorized by Florida Statute or rule of court to acquire interests in real property for construction of Project 83611.

Section 4: The Executive Director and all others designated to act on his behalf are authorized to contract with engineers, real estate appraisers, title examiners, counsel, and other expert witnesses and consultants in connection with efforts to acquire interests in real property.

Section 5: The Executive Director and all others designated to act on his behalf are authorized to take such further actions as are reasonably necessary to fully accomplish the purposes hereinabove directed.

Section 6: If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause, or provision.

Section 7: This Resolution shall take effect immediately upon its adoption, and any provisions of any previous resolutions in conflict with the provisions herein are superseded.

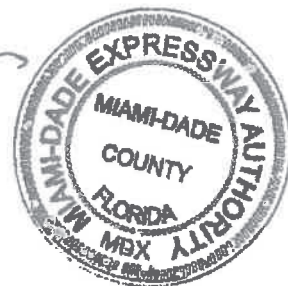
The foregoing Resolution was offered by Board Member Louis V. Martinez, Esq., who moved its adoption. The motion was seconded by Board Member Gus Pego, P.E., and upon being put to vote, the votes were as follows:

Member Carlos R. Fernandez-Guzman	-absent
Member Alfredo J. Gonzalez, Esq.	-aye
Member Robert W. Holland, Esq.	-absent
Member Louis V. Martinez, Esq.	- aye
Member Gus Pego, P.E.	- aye
Member Rick Rodriguez-Piña	- aye
Member Shelly Smith Fano	- aye
Member Javier L. Vázquez, Esq.	- aye
Member Luz Weinberg	-absent
Vice Chair Maurice A. Ferré	- aye
Chair Maritza Gutiérrez	- aye

The Chairperson thereupon declared the Resolution duly passed and adopted this 9th day of December, 2014.

**Miami-Dade Expressway Authority
(MDX)**

By: 
Maria Luisa Navia Lobo
MDX Secretary



SR 836/Dolphin Expressway Improvements from 17th Avenue Interchange to Just West of the Midtown Interchange

MDX Project No. 83611

Project Overview

Miami-Dade Expressway Authority (MDX) in coordination with the Florida Department of Transportation (FDOT) is reevaluating the Project Development and Environment Study (PD&E) proposing improvements for the SR 836/Dolphin Expressway from the 17th Avenue Interchange, to the SR 836/I-95/I-395 Interchange (Midtown Interchange), just north of Downtown Miami, for a distance of 1.5 miles.

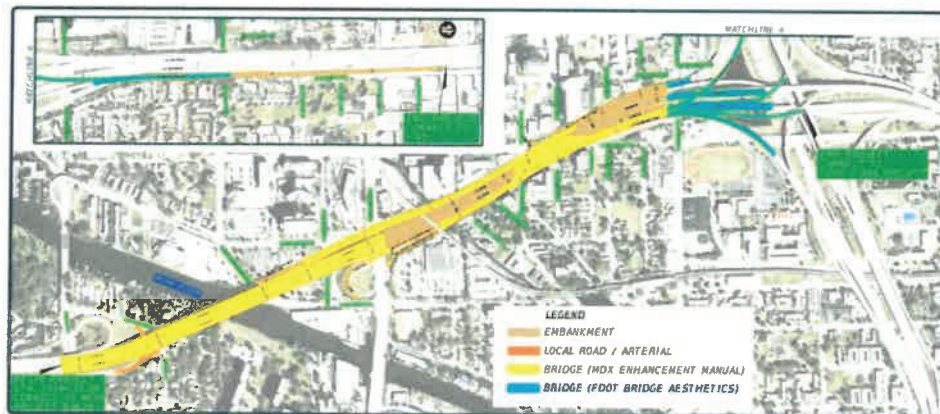
Scope of Work

- Adds capacity to SR 836 mainline by adding a lane in each direction improving mobility and safety
- Includes a new elevated eastbound ramp from NW 12th Avenue for traffic destined to northbound and southbound I-95 and eastbound I-395 separating these movements from the SR 836 mainline to the same destinations, thereby eliminating the traffic operational conflicts that exist today between mainline traffic and ramp traffic movements.
- Includes a new elevated ramp from southbound I-95 to westbound SR-836 with an additional exit at NW North River Drive which eliminates the traffic operational conflicts between the westbound SR 836 exit to NW 12th Avenue and the I-95 southbound entrance to westbound SR 836.
- Pavement restoration within project limits
- Upgrades to existing bridges and replacement of fender system for bridge over the Miami River

Project Benefits

The SR 836/Dolphin Expressway Improvements from 17th Avenue Interchange to the I-95 Interchange will improve capacity, alleviate traffic congestion and improve safety along the SR 836 corridor and interchanges. The project will also provide additional accessibility to SR 836 and I-95 within the area of the project.

Project Area



For More Information:

Contact: Tere Garcia, Public Information Officer
 Phone: (786) 277-9292
 E-mail: tgarcia@mdxway.com

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. The Miami-Dade Expressway Authority (MDX) operates and maintains five expressways: SR 112/Airport Expressway, SR 836/Dolphin Expressway, SR 874/Don Shula Expressway, SR 878/Snapper Creek Expressway, and SR 924/Gratigny Parkway. MDX is funded almost entirely by toll revenue and is dedicated to moving Miami-Dade County forward by making your commute safer and more efficient.

EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 867

A portion of lots 7, 14 and 15 feet wide alley of block 1 of ROBERTS & GRENTNER ADDITION, according to the plat thereof, as recorded in Plat Book 10, at Page 56, of the Public Records of Miami Dade County, Florida, more particularly described as follows:

Commence at the intersection of the City of Miami Monument line of State Road 7 (US 441) NW 7th Avenue and NW 14th Street; thence N 00°57'54" W along said City of Miami monument line of State Road 7 (US 441) NW 7th Avenue for a distance of 211.30 feet; thence N 89°02'06" E at right angles from the previously described City of Miami monument line for a distance of 43.17 feet to the point of intersection with the Existing Limited Access Right of Way line of said State Road 836 (Dolphin Expressway) as shown on Florida Department of Transportation Right of Way Map for said State Road 836, Section 87200-2505; thence S 85°14'06" E along the previously described Limited Access Right of Way Line for a distance of 98.26 feet; thence S 00°58'34" E for a distance of 3.73 feet to the POINT OF BEGINNING of the hereinafter described parcel and a point on a non-tangent circular curve concave to the South, whose radius bears N 03°57'38" E from the center of said curve; thence southeasterly along the arc of said curve to the right, having a radius of 1,037.25 feet and a central angle of 00°58'16" for an arc distance of 17.58 feet; thence S 00°58'34" E for a distance of 10.41 feet; thence S 89°01'26" W for a distance of 17.50 feet; thence N 00°58'34" W for a distance of 12.07 feet to the POINT OF BEGINNING.

Containing 197 Square Feet more or less.

SURVEYOR'S NOTES:

- Bearings and coordinates are relative to the State Plane Coordinate System, Florida East Zone (901), Transverse Mercator Projection, North American Datum 1983 (NAD83), 2011 adjustment, where the M of STATE ROAD 7 (US 441) NW 7th AVENUE bears N 00°57'54" W
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.
- Baseline of Survey shown on this Sketch and Legal is based on Right of Way Map for State Road 836 (Dolphin Exressway) FDOT Section 87200 provided by MDX (Miami Dade Expressway Authority), dated November 11th, 2016.
- This map is intended to be displayed at the stated graphic scale in English units of measurements as depicted on the survey map. Attention is directed to the fact that said map may be altered in scale by reproduction and must be considered when obtaining scaled data.
- All stations and offsets refer to the Baseline of Survey of State Road 836 (Dolphin Expressway), Section 87200, dated November 11th, 2016.
- I hereby certify that the Sketch and Legal Description was prepared under my direction and that said Sketch and Legal Description is in compliance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- Manuel G. Vera & Associates, Inc. does carry Professional Liability Insurance for Surveying and Mapping Services.

LEGEND:

PC - Point of Curvature
 PT - Point of Tangency
 FDOT - Florida Department of Transportation
 F.P. NO. - Financial Project Number
 STA. - Station
 SEC. - Section
 TWP. - Township
 RGE. - Range
 EXIST. - Existing
 RT - Right
 PB - Plat Book
 PG. - Page
 PI - Point of intersection
 Δ - Central angle
 ESMT. - Easement
 L.A. - Limited Access
 COR. - Corner
 T - Tangent
 L - Arc Length of curve
 R - Radius
 P.O.C. - Point of Commencement
 P.O.B. - Point of Beginning

P.O.B. - Point of Beginning
 PL - Property Line
 LB. - Licensed Business
 LT - Left
 No. - Number
 SR - State Road
 SQ. FT. - Square Feet
 R/W - Right of Way
 RES - Resolution
 (P) - Plat
 OFF. - Offset

SYMBOLS:

 - Baseline of Survey
 - Center Line
 - Monument Line
 - Spring Line
 - Parcel Number
 - Subdivision Block Number

Carlos E. Alonso
 Professional Surveyor & Mapper
 Florida Certificate No. 6669
 Licensed Business: LB-2439
 13960 SW 47th Street
 Miami, Florida 33175

Date

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 THE OTHER.

			MIAMI-DADE EXPRESSWAY AUTHORITY			
			LEGAL DESCRIPTION - PARCEL 867			
			STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)		MIAMI-DADE COUNTY	
			BY	DATE	PREPARED BY: MANUEL G. VERA AND ASSOCIATES INC., LB#2439 13960 SW 47th STREET, MIAMI FLORIDA 33175	DATA SOURCE: SEE SURVEYOR'S NOTES
UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19	
REVISION	BY	DATE	CHECKED	CA	11-19	
					MDX Project No. 83611	SECTION 87200
						SHEET 01 OF 03

EXHIBIT "A"

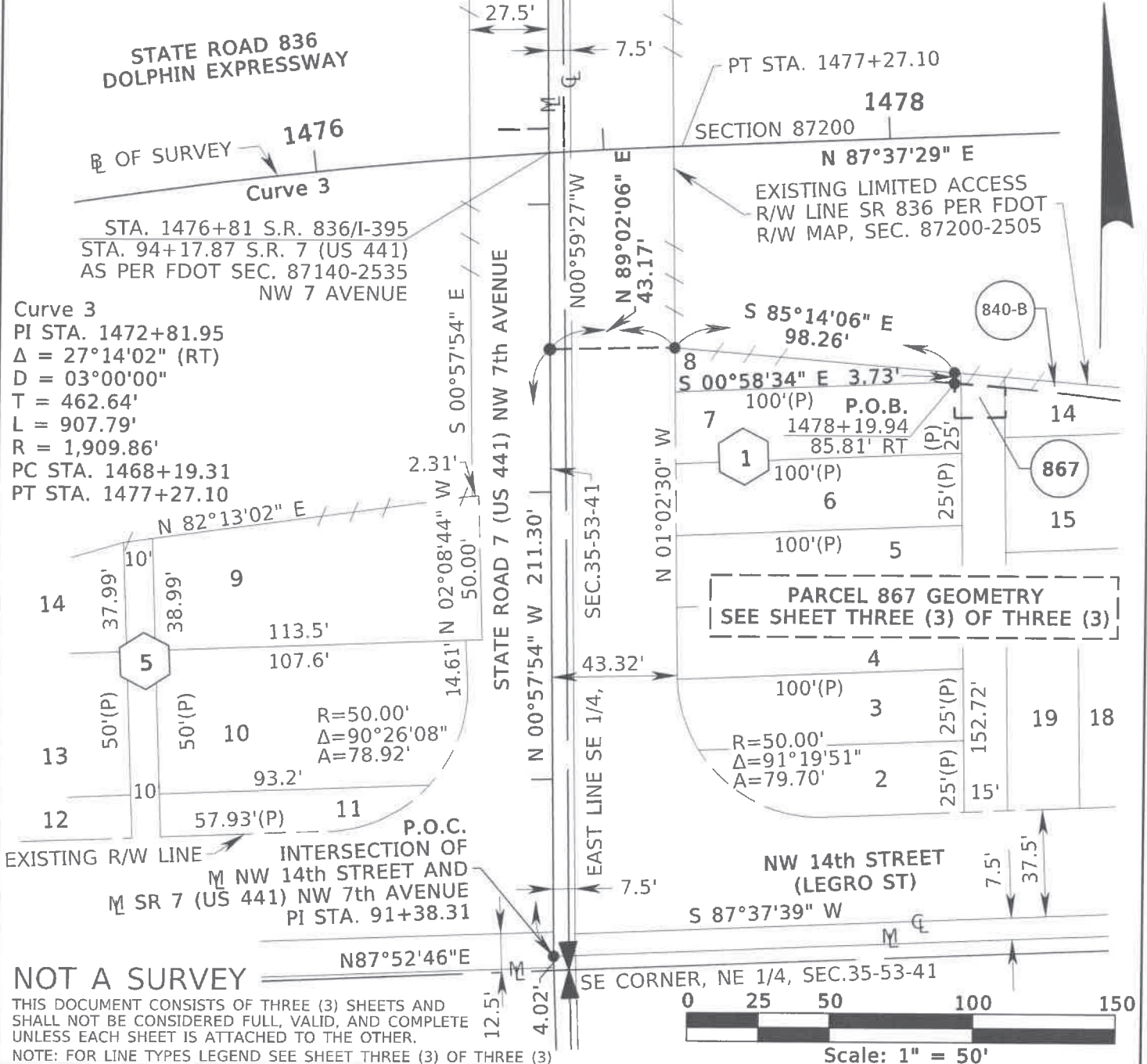
SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
867	MIAMI-DADE COUNTY CORRECTIONS DEPARTMENT	± 197 SQ. FT.	N/A	N/A

ROBERTS & GRENTNER
ADDITION

HIGHLAND PARK
(P.B. 2 PG. 13)

(P.B. 10 PG. 56)



MIAMI-DADE EXPRESSWAY AUTHORITY SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)

MIAMI-DADE COUNTY

UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19	PREPARED BY: MANUEL G. VERA AND ASSOCIATES INC., LB#2439 13960 SW 47th STREET, MIAMI FLORIDA 33175	DATA SOURCE: SEE SURVEYOR'S NOTES
REVISION	BY	DATE	CHECKED	CA	11-19	MDX Project No. 83611	SECTION 87200

SHEET 02 OF 03

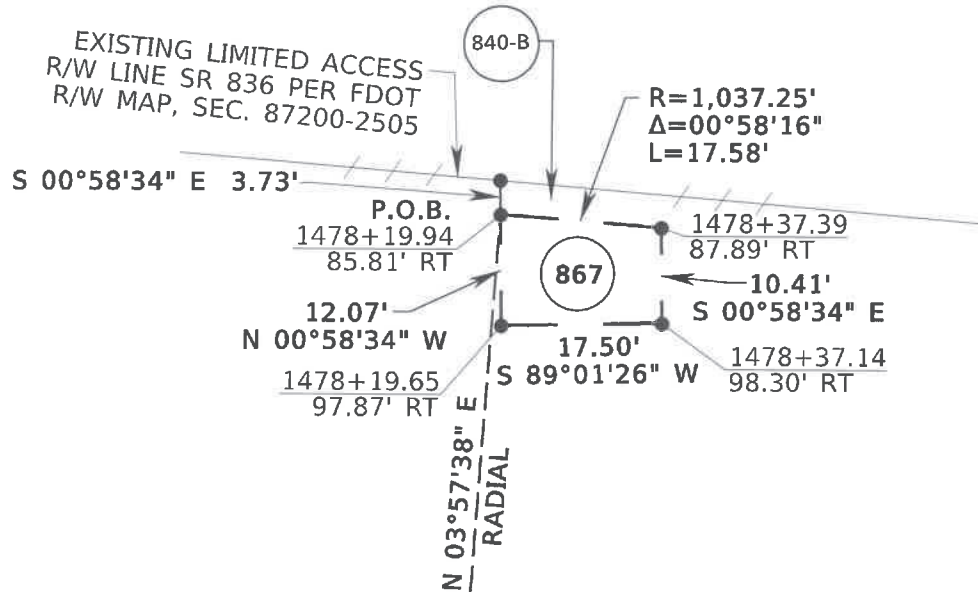
EXHIBIT "A"

SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

ROBERTS & GRENTNER ADDITION

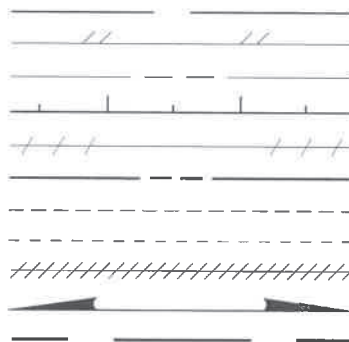
(P.B. 10 PG. 56)

STATE ROAD 836 DOLPHIN EXPRESSWAY



LINE TYPES:

SECTION LINE
CITY LIMIT LINE
EXISTING RIGHT OF WAY LINE
BASE OR SURVEY LINE
EXISTING LIMITED ACCESS R/W LINE
RIGHT OF WAY LINE
EXISTING EASEMENT
VACATED/ORIGINAL LOT LINE
EXISTING NON-VEHICLE ACCESS LINE
SUBDIVISION LIMITS
PERMANENT EASEMENT LINE



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 THE OTHER.



Scale: 1" = 20'

MIAMI-DADE EXPRESSWAY AUTHORITY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)

MIAMI-DADE COUNTY

				BY	DATE	PREPARED BY: MANUEL G. VERA AND ASSOCIATES INC., LB#2439 13960 SW 47th STREET, MIAMI FLORIDA 33175	DATA SOURCE:	
UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19		SEE SURVEYOR'S NOTES ON SHEET ONE	
REVISION	BY	DATE	CHECKED	CA	11-19	MDX Project No. 83611	SECTION 87200	SHEET 03 OF 03



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 N.W. 21 St. Miami, FL 33142 T 305.637.3277 F 305.637.3283

www.mdxway.com

Donation of Property to Miami-Dade Expressway Authority

Miami-Dade County
111 NW 1 Street, Suite 2460
Miami, FL 33128-1929

RE: Project Name: SR 836 from NW 17th Avenue to I-95
Project No.: 83611
Parcel No.: 867

This is to advise that the undersigned, as owner of the property or property interest referenced above and as shown on the Legal Description and Parcel Sketch for the referenced project, desires to make a voluntary donation of said property or property interest to the Miami-Dade Expressway Authority (MDX) for the use and benefit of MDX.

The undersigned hereby acknowledges that he/she has been fully advised by a MDX representative of his/her right to have the referenced property or property interest appraised, to accompany the appraiser during the appraisal inspection of the property, to receive full compensation for the above referenced property, and to receive reimbursement for reasonable fees and costs incurred, if any. Having been fully informed of the above rights, I hereby waive those rights unless otherwise noted below.

Owner's Signature

Type or Print Property Owner's Name

Street Address

City, State, Zip Code

Date



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 2, 2021

FROM: 
Geri Bonzon-Keenan
County Attorney

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

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ 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(F)(2)
3-2-21

RESOLUTION NO. R-135-21

RESOLUTION AUTHORIZING THE CONVEYANCE OF A 197 SQUARE FOOT PERPETUAL EASEMENT TO THE MIAMI-DADE EXPRESSWAY AUTHORITY, ITS SUCCESSORS OR ASSIGNS (MDX), FOR A NOMINAL SUM OF \$1.00 IN ACCORDANCE WITH SECTION 125.38 OF THE FLORIDA STATUTES, ON A PORTION OF COUNTY-OWNED PROPERTY LOCATED AT 1401 NW 7 AVENUE MIAMI, FLORIDA, KNOWN AS THE WOMEN’S DETENTION CENTER, FOR THE EXPANSION, CONSTRUCTION, RENOVATION, AND MAINTENANCE OF STATE ROAD 836/DOLPHIN EXPRESSWAY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO EXECUTE THE PERPETUAL EASEMENT, AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

WHEREAS, the County, adopted Resolution No. R-1042-19, which directed the County Mayor to convey five perpetual easements and five temporary easements to the Miami-Dade Expressway Authority (MDX) its successors or assigns, for the expansion, construction, renovation, and maintenance of State Road 836/Dolphin Expressway; and

WHEREAS, the Miami-Dade Expressway Authority (MDX) its successors or assigns, has proposed to improve State Road 836/Dolphin Expressway (Dolphin Expressway) in Miami-Dade County, adding a new lane in each direction, a new elevated eastbound ramp from NW 12 Avenue to northbound and southbound I-95 and eastbound I-395, and a new elevated ramp from southbound I-95 to westbound Dolphin Expressway with additional access at NW North River Drive, in order to eliminate traffic operational conflicts and to improve mobility and safety (the “Project”); and

WHEREAS, in order to complete the Project, MDX has requested that the County convey to MDX an additional perpetual easement for the purpose of the expansion, construction, renovation, and maintenance of the Dolphin Expressway; and

WHEREAS, the Board finds that pursuant to section 125.38 of the Florida Statutes, the Easement is required for such transportation use, is not needed for County purposes, and would promote public benefit and welfare; and

WHEREAS, the 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 and incorporates the foregoing recitals and exhibits to this resolution as if fully set forth herein.

Section 2. This Board authorizes the conveyance of a 197 square foot Perpetual Easement to MDX, pursuant to section 125.38, Florida Statutes, for a nominal sum of \$1.00, in substantially the form attached to the Mayor's Memorandum as Attachment 1, subject to the restriction that said properties be used by the MDX for transportation related improvements and maintenance to the Dolphin Expressway.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to execute the Perpetual Easement, and to exercise all rights conferred therein.

Section 4. Pursuant to Resolution No. R-974-09, this Board (1) directs the County Mayor or County Mayor's designee to record the Perpetual Easement in the Public Records of Miami-Dade County, Florida, and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and (2) directs the Clerk of the Board to attach and permanently store a recorded copy together with this Resolution.

The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

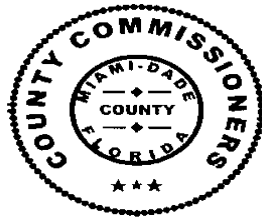
The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of March, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

Melissa Adames

By: _____
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse
Debra Herman



CFN 2021R0292713
OR BK 32473 Pgs 995-1001 (7Pgs)
RECORDED 04/27/2021 14:54:30
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Instrument prepared by:
Miami-Dade County
Internal Services Department
111 N.W. 1st Street Suite 2460
Miami, FL 33128

Folio No. a portion of
#01 -3136-035-0040/MDX 83611, Parcel 867
User Department: Miami-Dade County
Corrections

**PERPETUAL EASEMENT
(Public Purpose)**

THIS EASEMENT, made this 16 day of April, 2021, by MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida, and its successors in interest, party of the first part or Grantor, whose Post Office address is 111 N.W. 1st Street, Suite 17-202 Miami, Florida 33128, c/o Miami-Dade County Corrections Department, and the MIAMI-DADE EXPRESSWAY AUTHORITY, its successors and assigns (collectively referred to as "Grantee"), party of the second part, whose Post Office address is 3790 N.W. 21 Street Miami, Florida 33142.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a non-exclusive perpetual easement for the purpose of the expansion, construction, renovation, and maintenance of SR 836 Expressway, in, over, under, upon and including a right to ingress and egress through the following described land (the "Easement Area" or the "Property") in Miami-Dade County, Florida:

AS SHOWN ON EXHIBIT "A". ATTACHED HERETO AND TO BE MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises unto the Grantee, subject, however, to the following conditions:

THAT Grantee shall indemnify and hold Grantor harmless from any and all damages and/or liability, claims, demand, actions and/or suits of any nature arising out of, relating to, or resulting from negligent or wrongful act(s) of Grantee's employees, agents, or instrumentalities, acting within the scope of their office or employment, in connection with the rights granted to or exercised by Grantee hereunder, to the extent and within the limitations of Section 768.28, Florida Statutes.

However, nothing herein shall be deemed to indemnify Grantor from any liability or claim arising out of the negligent performance or failure of performance of Grantor.

THAT this easement is solely for the purpose of the expansion, construction, renovation, and maintenance of SR 836 Expressway and no other uses of the Easement Area are permitted.

THAT in the event said transportation use is permanently discontinued or abandoned as determined in Grantor's sole discretion, then upon written notice by Grantor to Grantee, or its successors or assigns, this easement shall terminate, and title to the Property shall revert to the Grantor, its successors and assigns, and the Grantor shall have the right to immediately possess same.



During any construction, Grantee shall cause its construction contractor(s) to maintain comprehensive general liability insurance providing for a limit amount of not less than \$1,000,000 for all damages arising out of bodily injuries to, or death of, one person and, subject to that limit for each person, a total limit of \$5,000,000 for all damages arising out of bodily injuries to, or death of, two or more persons in any one occurrence; and regular Contractor's Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to, or destruction of, property in any one occurrence and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to, or destruction of, property during the period the policy is carried. Grantor shall be named as Additional Insured in such policies and Grantee will provide a current copy of such insurance certificate to Grantor.

THAT this Easement is subject to all applicable permit requirements and any other required agreements or approvals, and concurrences.

THAT the provisions of this Easement may be enforced by all appropriate actions at law and in equity by the respective parties.

THAT Grantor makes no representations as to the title or condition of the property within the Easement Area or the suitability of the Easement Area property for the use intended hereunder.

The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

Nothing in this Easement shall restrict the Grantor's right to utilize said property for any use which is not inconsistent with the rights conveyed hereunder.

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

THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.

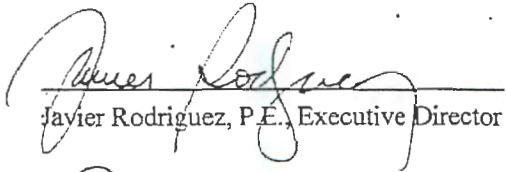
SIGNATURE PAGES TO FOLLOW.



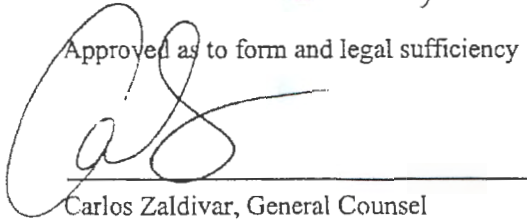
IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed, the Miami-Dade Expressway Authority signing by and through its Executive Director, and Miami-Dade County signing by and through the Mayor or by the County Mayor's designee, each duly authorized to execute same. Miami-Dade Expressway Authority further attests that it has full and binding authority to sign this Easement by and through its Executive Director.

MIAMI-DADE EXPRESSWAY AUTHORITY

Approved


Javier Rodriguez, P.E., Executive Director

Approved as to form and legal sufficiency


Carlos Zaldivar, General Counsel



(Official Seal)

ATTEST:

**HARVEY RUVIN,
CLERK OF SAID BOARD**

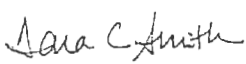
By: 
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency

Debra Herman
Debra Herman, Assistant County Attorney



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

Digitally signed by Tara
C. Smith
Date: 2021.04.16
14:23:06 -04'00'
By: 
Daniella Levine Cava, County Mayor

The foregoing was authorized and approved by Resolution No. R-135-21 of the Board of County Commissioners of Miami-Dade County, Florida, on the 2nd day of March 2021.



EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 867

A portion of lots 7, 14 and 15 feet wide alley of block 1 of ROBERTS & GRENTNER ADDITION, according to the plat thereof, as recorded in Plat Book 10, at Page 56, of the Public Records of Miami Dade County, Florida, more particularly described as follows:

Commence at the intersection of the City of Miami Monument line of State Road 7 (US 441) NW 7th Avenue and NW 14th Street; thence N 00°57'54" W along said City of Miami monument line of State Road 7 (US 441) NW 7th Avenue for a distance of 211.30 feet; thence N 89°02'06" E at right angles from the previously described City of Miami monument line for a distance of 43.17 feet to the point of intersection with the Existing Limited Access Right of Way line of said State Road 836 (Dolphin Expressway) as shown on Florida Department of Transportation Right of Way Map for said State Road 836, Section 87200-2505; thence S 85°14'06" E along the previously described Limited Access Right of Way Line for a distance of 98.26 feet; thence S 00°58'34" E for a distance of 3.73 feet to the POINT OF BEGINNING of the hereinafter described parcel and a point on a non-tangent circular curve concave to the South, whose radius bears N 03°57'38" E from the center of said curve; thence southeasterly along the arc of said curve to the right, having a radius of 1,037.25 feet and a central angle of 00°58'16" for an arc distance of 17.58 feet; thence S 00°58'34" E for a distance of 10.41 feet; thence S 89°01'26" W for a distance of 17.50 feet; thence N 00°58'34" W for a distance of 12.07 feet to the POINT OF BEGINNING.

Containing 197 Square Feet more or less.

SURVEYOR'S NOTES:

- Bearings and coordinates are relative to the State Plane Coordinate System, Florida East Zone (901), Transverse Mercator Projection, North American Datum 1983 (NAD83), 2011 adjustment, where the M of STATE ROAD 7 (US 441) NW 7th AVENUE bears N 00°57'54" W
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.
- Baseline of Survey shown on this Sketch and Legal is based on Right of Way Map for State Road 836 (Dolphin Expressway) FDOT Section 87200 provided by MDX (Miami Dade Expressway Authority), dated November 11th, 2016.
- This map is intended to be displayed at the stated graphic scale in English units of measurements as depicted on the survey map. Attention is directed to the fact that said map may be altered in scale by reproduction and must be considered when obtaining scaled data.
- All stations and offsets refer to the Baseline of Survey of State Road 836 (Dolphin Expressway), Section 87200, dated November 11th, 2016.
- I hereby certify that the Sketch and Legal Description was prepared under my direction and that said Sketch and Legal Description is in compliance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- Manuel G. Vera & Associates, Inc. does carry Professional Liability Insurance for Surveying and Mapping Services.

LEGEND:

PC - Point of Curvature
 PT - Point of Tangency
 FDOT - Florida Department of Transportation
 F.P. NO. - Financial Project Number
 STA. - Station
 SEC. - Section
 TWP. - Township
 RGE. - Range
 EXIST. - Existing
 RT - Right
 PB - Plat Book
 PG. - Page
 PI - Point of Intersection
 Δ - Central angle
 ESMT. - Easement
 L.A. - Limited Access
 COR. - Corner
 T - Tangent
 L - Arc Length of curve
 R - Radius
 P.O.C. - Point of Commencement
 P.O.B. - Point of Beginning

P.O.B. - Point of Beginning
 PL - Property Line
 LB. - Licensed Business
 LT - Left
 No. - Number
 SR - State Road
 SQ. FT. - Square Feet
 R/W - Right of Way
 RES - Resolution
 (P) - Plat
 OFF. - Offset

SYMBOLS:

BL - Baseline of Survey
 CL - Center Line
 ML - Monument Line
 SL - Spring Line
 867 - Parcel Number
 1 - Subdivision Block Number

Carlos E. Alonso
 Professional Surveyor and Mapper
 Florida Certificate No. 12345
 Licensed Business: 12345
 13960 SW 47th Street
 Miami, Florida 33175

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 THE OTHER.

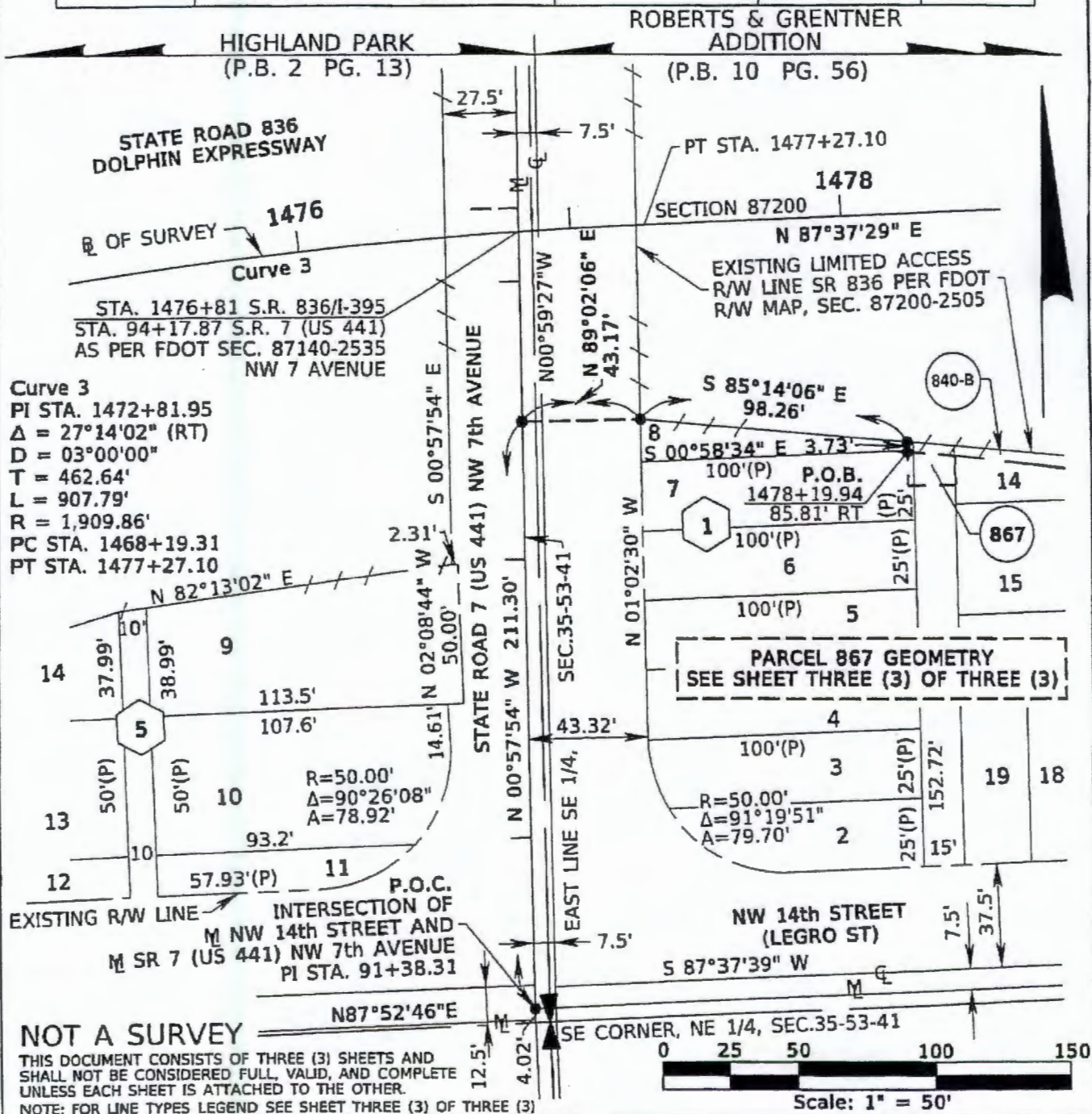
MIAMI-DADE EXPRESSWAY AUTHORITY				MIAMI-DADE COUNTY			
LEGAL DESCRIPTION - PARCEL 867							
STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)							
UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19	MDX Project No. 83611	SECTION 87200
REVISION	BY	DATE	CHECKED	CA	11-19	SECTION 87200	SHEET 01 OF 03



EXHIBIT "A"

SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
867	MIAMI-DADE COUNTY CORRECTIONS DEPARTMENT	± 197 SQ. FT.	N/A	N/A



MIAMI-DADE EXPRESSWAY AUTHORITY				
SKETCH TO ACCOMPANY LEGAL DESCRIPTION				
STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)			MIAMI-DADE COUNTY	
UPDATE PARCEL NUMBER	CEA	11/19	BY	DATE
REVISION	BY	DATE	CHECKED	CA
DRAWN			DH	11-19
CHECKED			CA	11-19
PREPARED BY:			DATA SOURCE:	
MANUEL G. VERA AND ASSOCIATES INC., LB#2439			SEE SURVEYOR'S NOTES	
13980 SW 47TH STREET, MIAMI FLORIDA 33175				
MDX Project No. 83611			SECTION 87200	
			SHEET 02 OF 03	

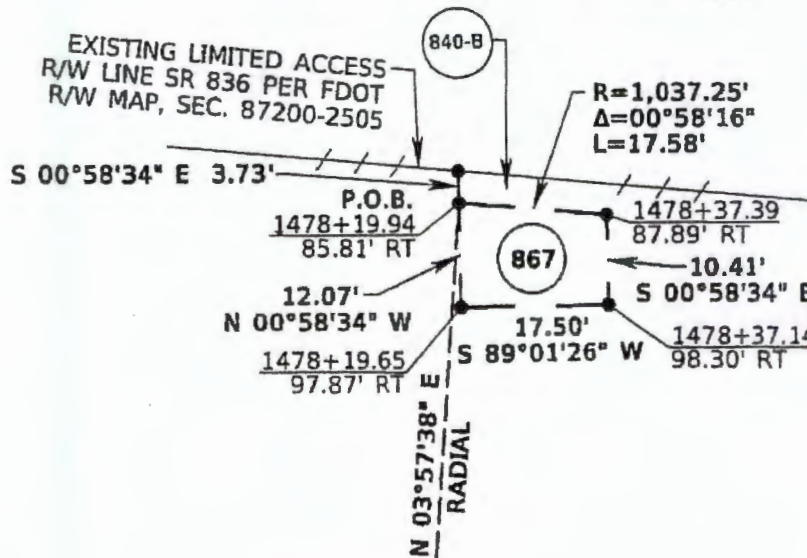
EXHIBIT "A"

SECTION 35, TOWNSHIP 53 S., RANGE 41 E. MIAMI-DADE COUNTY, FLORIDA

ROBERTS & GRENTNER ADDITION

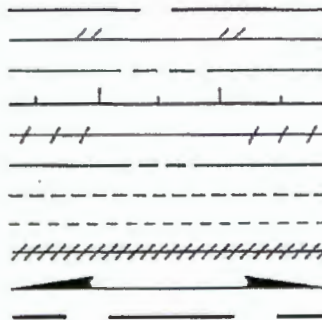
(P.B. 10 PG. 56)

STATE ROAD 836
DOLPHIN EXPRESSWAY



LINE TYPES:

- SECTION LINE
- CITY LIMIT LINE
- EXISTING RIGHT OF WAY LINE
- BASE OR SURVEY LINE
- EXISTING LIMITED ACCESS R/W LINE
- RIGHT OF WAY LINE
- EXISTING EASEMENT
- VACATED/ORIGINAL LOT LINE
- EXISTING NON-VEHICLE ACCESS LINE
- SUBDIVISION LIMITS
- PERMANENT EASEMENT LINE

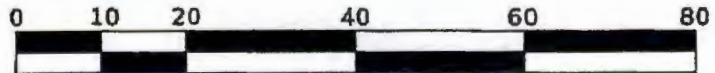


APR 27 2021
I, HARVEY KUVIN, Clerk of Circuit and County Courts, D.C.
do hereby certify that the foregoing is a true and correct copy of the original filed in this office on _____ day of _____, A.D. 20____.

NICOLE DAVIS #79943

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 THE OTHER.



MIAMI-DADE EXPRESSWAY AUTHORITY					
SKETCH TO ACCOMPANY LEGAL DESCRIPTION					
STATE ROAD NO. 836 (DOLPHIN EXPRESSWAY)			MIAMI-DADE COUNTY		
UPDATE PARCEL NUMBER	CEA	11/19	DRAWN	DH	11-19
REVISION	BY	DATE	CHECKED	CA	11-19
PREPARED BY: HARVEY K. VERA AND ASSOCIATES INC., LRP#3439 17950 SW 47th STREET, MIAMI FLORIDA 33175			DATA SOURCE: SEE SURVEYOR'S NOTES ON SHEET ONE		
MDX Project No. 83611			SECTION 87200		SHEET 03 OF 03