

MEMORANDUM

Agenda Item No. 8(N)(2)

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

DATE: November 16, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the conveyance of a perpetual easement to the State of Florida Department of Transportation in accordance with section 125.38, Florida Statutes, for a nominal price of \$1.00, for the construction and maintenance of a Fiber Optic cable system and associated infrastructure to optimize the interrupted flow of traffic at the intersection of SR-5/US-1 and County Road Krome Avenue/SW 177 Avenue from SR-5 to SW 177 Court, also known as Parcel 800; authorizing the County Mayor to take all actions necessary to accomplish the conveyance of same; to execute the perpetual easement and to exercise all rights conferred therein

Resolution No. R-1105-21

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: November 16, 2021

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

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Subject: Resolution Authorizing the Conveyance of a Perpetual Easement to the Florida Department of Transportation (FDOT) for the Construction of an Intelligent Transportation System at the Intersection of SR-5/US-1/ and SW 177 Avenue (Krome Avenue), also known as Parcel 800

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the conveyance of a Perpetual Easement to the Florida Department of Transportation (FDOT) for the construction and maintenance of an Intelligent Transportation System on County Road SW 177 Avenue (Krome Avenue) between SR 5 (US-1) and SW 177 Court, also known as Parcel 800, under FDOT ID Project No. FM No. 441812-1-52-01 SR-5/US-1 (Card Sound Road to SW 336 Street), which is attached to this Memorandum as Attachment 1 .

Scope

The subject property is located within Commission District 9, which is represented by Commissioner Kionne L. McGhee.

Delegated Authority

This item delegates the authority to the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the conveyance of the perpetual easement, to execute the perpetual easement, and to exercise all rights conferred therein.

Fiscal Impact/Funding Source

There is no expenditure of any County funds associated with this Item. FDOT is responsible for maintaining the proposed improvements in the easement area.

Track Record/Monitor

The Department of Transportation and Public Works (DTPW) is the entity overseeing this item and the person responsible is Mr. Leandro Oña, P.E., Chief, Highway Division.

Background

FDOT is developing the design for Off-System Local Improvements under FDOT ID Project No. FM No. 441812-1-52-01 SR-5/US-1 (Card Sound Road to SW 336 Street) which includes an Intelligent Transportation System. The plan is depicted in Attachment 2 to this Memorandum. Because of that, FDOT requested a perpetual easement for Parcel 800 to optimize the interrupted flow at the intersection with SW 177 Ave (Krome Ave) between SR-5 (US-1) and SW 177 Court, a County road. Section 337.25 of the Florida Statutes allows FDOT to request donations of County-owned property for public benefit and to use the said donation for the planned improvements. FDOT is requesting this Perpetual Easement for a nominal price of \$1.00.

The improvements consist of the installation of a Fiber Optic (FO) cable backbone and associated infrastructure along and within the SW 177th Avenue facility beginning from the Department's Florida City Communications Hub, continuing southbound along SW 177th Avenue toward SR-5 and shall further include all activities associated with, or arising out of the construction work at no cost to the County. DTPW has no objection to the conveyance of the Perpetual Easement for Parcel 800 which is in the public's best interest. If FDOT discontinues use of the Perpetual Easement, it will revert back to the County.

A handwritten signature in black ink, appearing to read 'Jimmy Morales', is written over a horizontal line.

Jimmy Morales
Chief Operations Officer

ATTACHMENT 1

This instrument prepared by,
 or under the direction of,
 Alicia Trujillo, Esq.
 District General Counsel
 State of Florida
 Department of Transportation
 1000 N.W. 111th Avenue Parcel No. : 800.1
 Miami, Florida 33172 Item/Segment No.: 441812-1
 May 6, 2021 - MF Managing District: 6

PERPETUAL EASEMENT

THIS EASEMENT made this _____ day of _____, 20 _____, by **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, whose address is: Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida 33128-1963, Grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, its successors and assigns, whose address is: 1000 NW 111 Avenue, Miami, Florida 33172, Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual easement for the purpose of installing, inspecting, and performing maintenance and repairs of Fiber Optic cable backbone and associated infrastructure (the "Improvements") along and within the SW177th Avenue facility beginning from the Department's City Communications Hub (approximate latitude/longitude 25.439750, -80.477223), continuing southbound along SW 177th Avenue toward SR 5, in, over, under, upon and through the following described land in Miami-Dade County, Florida (Easement Area), viz:

PARCEL 800 F.P. No. 441812-1

A portion of Tract 6 and Tract 7, Block 3, MIAMI LAND AND DEVELOPMENT COMPANY, according to the Plat thereof, as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, being a portion of the Southwest one-quarter (S.W. 1/4) of Section 30, Township 57 South Range 39 East and a portion of the Southeast (S.E. 1/4) of Section 25, Township 57 South Range 38 East, being more particularly described as follows:

COMMENCE at the Northwest corner of Southwest one-quarter (S.W. 1/4) of Section 30, Township 57 South Range 39 East as shown on MIAMI-DADE COUNTY TOWNSHIP SURVEY OF 1968; THENCE South 00°16'03"11 East, along the West line of the Southwest one-quarter (S.W. 1/4) of said Section 30, a distance of 292.05 feet; THENCE South 89°43'57"11 West at right angles to the last described course, a distance of 16.26 feet to the POINT OF BEGINNING; THENCE North 44°58'33"11 West, a distance of 23.00 feet; THENCE South 41°48'28"11 West, a distance of 34.51 feet; THENCE South 47°25'01" East, a distance of 43.85 feet; THENCE South 47°57'12" East, a distance of 124.62 feet; THENCE North 88°58'09"11 East, a distance of 4.80 feet; THENCE North 79°30'08" East, a distance of 97.55 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 2,832.93 feet, tangent bearing of South 16°47'47"11 East, central angle of 14°02'07"11 and a chord bearing South 23°48'50"11 East; THENCE

Southeasterly along the arc of said circular curve for an arc distance of 693.96 feet; THENCE South 30°49'54" East, a distance of 197.35 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 173.00 feet, tangent bearing of South 44°38'24" East, central angle of 15°09'12" and a chord bearing South 52°13'00" East; THENCE Southeasterly along the arc of said circular curve for an arc distance of 45.75 feet to a point of compound curvature of a circular curve concave to the Northeast, having as its elements a radius of 74.00 feet, a central angle of 27°33'16" and a chord bearing South 73°34'15" East; THENCE Southeasterly along the arc of said circular curve for an arc distance of 35.59 feet; THENCE North 02°39'07" East, a distance of 18.00 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 56.00 feet, a tangent bearing of North 87°20'53" West, a central angle of 27°33'16", and a chord bearing of North 73°34'15" West; THENCE along the Northeasterly Existing Right-of-Way Line of State Road 997 / Krome Avenue (S.W. 177th Avenue) as described in the Official Record Book 26634 at Page 4489 of the Public Records of Miami-Dade County, Florida for the following two (2) courses: (1) THENCE Northwesterly along the arc of said circular curve, a distance of 26.93 feet to a point of compound curvature of a circular curve concave to the Northeast, having as its elements a radius of 155.00 feet, a central angle of 14°22'11" and a chord bearing North 52°36'31" West; (2) THENCE Northwesterly along the arc of said circular curve, a distance of 38.87 feet; THENCE along the Northeasterly Existing Right-of-Way Line of State Road 997 / Krome Avenue (S.W. 177th Avenue) as shown on Miami-Dade County Public Works Department Right-of-Way Map of Krome Avenue (S.W. 177th Avenue), Road Map Book 112, at Page 90 of the Public Records of Miami-Dade County, Florida, Dated: 07, September 1982, Prepared by Miami-Dade County Public Works Department Right of Way Division for the following two (2) courses: (1) THENCE North 30°49'54" West, a distance of 195.11 feet to a point of curvature of a circular curve concave to the Northeast having as its elements a radius of 2,814.93 feet, a central angle of 14°21'48", and a chord bearing North 23°39'00" West; (2) THENCE Northwesterly along the arc of said circular curve, being coincident with said Existing Right-of-Way line, a distance of 705.67 feet; THENCE South 79°30'08" West, a distance of 102.67 feet; THENCE North 47°57'12" West, a distance of 120.56 feet; THENCE North 47°25'01" West, a distance of 20.98 feet; THENCE North 41°48'28" East, a distance of 10.52 feet to the POINT OF BEGINNING. All of the foregoing lying in Section 30, Township 57 South, Range 39 East and Section 25, Township 57 South, Range 38 East, Unincorporated Miami-Dade County, Florida and containing 23,384 square feet (0.537 acres) more or less.

MB/IV /09/28/2020

Prepared by:

Biscayne Engineering Company, Inc. LB 0129

529 West Flagler Street, Miami, FL 33130

Tel (305) 324-7671, Fax (305) 324-0809

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

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns forever.

GRANTOR and GRANTEE further agree as follows:

THAT this Easement is solely for the purpose set forth herein, including any related and ancillary uses, and no other uses of the Easement Area are permitted.

THAT, in the event said transportation use is permanently discontinued or abandoned, Grantee's Easement shall terminate, Grantor shall have the right to immediately repossess same, and all property rights shall automatically revert to the Grantor without the necessity of any further action or proceeding. In

such event Grantee shall restore the Easement Area to a like or similar condition as existed prior to the conveyance of the Easement at its sole cost and expense.

THAT Grantee shall promptly repair any damage resulting from Grantee's exercising its rights hereunder at its sole expense.

THAT Grantor retains all rights on the land subject to the Easement Area that are not inconsistent with the rights conveyed to Grantee herein.

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 for the use set forth herein.

THAT Grantee shall not obstruct the County right-of-way located immediately above and underneath the Easement Area except as may be required temporarily from time to time to affect the construction, inspection, maintenance, repairs, improvements and replacement of its road improvements. Any construction in the Easement Area is subject to formal approval and permit by Grantor.

THAT during construction, Grantee shall require its construction contractor(s) to maintain Commercial General Liability insurance providing continuous coverage for all work or operations performed under the construction contract. Such insurance shall be no more restrictive than that provided by the latest occurrence form edition of the standard Commercial General Liability Coverage Form as filed for use in the state of Florida. The limits of coverage shall not be less than \$1,000,000 for each occurrence and not less than a \$5,000,000 annual general aggregate, inclusive of amounts provided by an umbrella or excess policy, or such other minimum insurance coverage that may be required by the Department for the construction of the project, in accordance with the Florida Department of Transportation's Standards and Specifications for Road Construction.

THAT no assignment of this Easement shall be permitted without the express written consent of Grantor.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Mayor, and attested by the Clerk or Deputy Clerk of said Board, the day and year aforesaid.

ATTEST: HARVEY RUBIN
Clerk of said Board

County of Miami-Dade Florida
By its Board of County Commissioners

By: _____
Deputy Clerk

By: _____
County Mayor

Approved by County Attorney as
to form and legal sufficiency. _____

The foregoing was accepted and approved on the _____ day of _____ A.D. 2021,
by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

GENERAL NOTES:

- THIS IS NOT A SURVEY
- Bearings shown hereon are relative to the Baseline along State Road 997 / KROME AVE. (S.W. 177th AVE.), having a bearing of N30°49'54"W and are based on the Right-of-Way Corridor Map S.R. 997 / Krome Avenue (S.W. 177th Avenue), State Project No. 405575-3 from S.R.5 / U.S. 1 to S.W. 328th Street / Lucy Street and State Project No. 405575-4 from S.W. 328th Street / Lucy Street to S.W. 296th Street / Avocado Drive, City of Florida, City of Homestead, Miami-Dade, Florida, section 87150, prepared by Metric Engineering, Inc., date: 11-27-07.
- Bearings and distances are calculated unless noted.
- 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.
- This document consists of seven (7) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.
- No Title Search was provided and / or reviewed by Biscayne Engineering in connection with this sketch preparation.
- Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.
- This sketch to accompany Legal Description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors and Mappers, Referenced in Rule 5J-17 Florida Administrative code pursuant to Section 472.027, Florida Statutes.

REFERENCES:

- F.D.O.T. R/W Corridor Map S.R. 997 / Krome Avenue (S.W. 177th Avenue), State Project NO. 405575-3 From S.R. 5 / U.S. 1 to S.W. 328th Street / Lucy Street and State Project NO. 405575-4 from S.W. 328th Street / Lucy Street to S.W. 296th Street / Avocado Drive, CITY OF FLORIDA, CITY OF HOMESTEAD, MIAMI-DADE, FLORIDA, section 87150, prepared by Metric Engineering, INC., Date: 11-27-07.
- F.D.O.T. R/W F.E.C. Railroad Acquisition Map Section 99006-2565, Prepared by E.R. Brownell & Associates, date 11-21-91, recorded in Road Map Book 124 at PG. 77, of the Public Records of MIAMI-DADE County, Florida.
- Miami-Dade County Public Works Department R/W Map of Krome Avenue (S.W. 177th Avenue), Road Map Book 112, at Page 90 of the Public Records of Miami-Dade County, Florida, Dated: 07, September 1982. prepared by Miami-Dade County Public Works department Right of Way division.

LEGEND:

B - Baseline
 C.B. - Chord Bearing
 CL - Centerline
 800 - Parcel Identification Number
 EXIST. - Existing
 F.D.O.T.-Florida Department of Transportation
 F.P. - Financial Project
 L - Length
 LT - Left
 NO. - Number
 P.B. - Plat Book
 PG. - Page
 P.O.T. - Point of Termination
 S. - South
 C&S.F.F.C.D. - Central & South Florida Flood Control District
 PNC - Project Network Control
 R - Radius
 RGE. - Range
 R/W - Right-of-Way
 SEC. - Section
 STA. - Station
 S.R. - State Road
 T.B. - Tangent Bearing
 TWP. - Township
 P.O.B. - Point of Beginning
 P.O.C. - Point of Commence
 (P)- Plat
 S.R. - State Road
 Δ - Delta
 E. - East

BISCAYNE ENGINEERING COMPANY, INC.
 529 W. FLAGLER ST, MIAMI, FL 33130
 TEL. (305) 324-7671
 STATE DEPARTMENT OF AGRICULTURE
 CERTIFICATE OF AUTHORIZATION LB0129


 DATE: 9/24/2020

B.E.C. 03-86931
 DWG# 2321-SS-01

THIS IS NOT A SURVEY

MIKE BARTHOLOMEW, PSM, FOR THE FIRM
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE NO. 5666

				FLORIDA DEPARTMENT OF TRANSPORTATION	
				SKETCH TO ACCOMPANY LEGAL DESCRIPTION	
		STATE ROAD NO. 997		MIAMI-DADE COUNTY	
	BY	DATE	PREPARED BY:	BISCAYNE ENGINEERING COMPANY, Inc. 529 W FLAGLER STREET MIAMI FLORIDA 33130 TEL. 305-324-7671 LB0129	
	DRAWN	I.G.	09/24/2020	DATA SOURCE: SEE GENERAL NOTES	
	CHECKED	M.B.	09/24/2020	F.P. NO. 441812-1	SECTION 87150
R EVISION	B - Y	DATE		SHEET 1 OF 7	

Parcel 800

Legal Description:

A portion of Tract 6 and Tract 7, Block 3, MIAMI LAND AND DEVELOPMENT COMPANY, according to the Plat thereof, as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, being a portion of the Southwest one-quarter (S.W. 1/4) of Section 30, Township 57 South Range 39 East and a portion of the Southeast (S.E. 1/4) of Section 25, Township 57 South Range 38 East, being more particularly described as follows:

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THENCE South 00°16'03" East, along the West line of the Southwest one-quarter (S.W. 1/4) of said Section 30, a distance of 292.05 feet; THENCE South 89°43'57" West at right angles to the last described course, a distance of 16.26 feet to the POINT OF BEGINNING; THENCE North 44°58'33" West, a distance of 23.00 feet; THENCE South 41°48'28" West, a distance of 34.51 feet; THENCE South 47°25'01" East, a distance of 43.85 feet; THENCE South 47°57'12" East, a distance of 124.62 feet; THENCE North 88°58'09" East, a distance of 4.80 feet; THENCE North 79°30'08" East, a distance of 97.55 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 2,832.93 feet, tangent bearing of South 16°47'47" East, central angle of 14°02'07" and a chord bearing South 23°48'50" East; THENCE Southeasterly along the arc of said circular curve for an arc distance of 693.96 feet; THENCE South 30°49'54" East, a distance of 197.35 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 173.00 feet, tangent bearing of South 44°38'24" East, central angle of 15°09'12" and a chord bearing South 52°13'00" East; THENCE Southeasterly along the arc of said circular curve for an arc distance of 45.75 feet to a point of compound curvature of a circular curve concave to the Northeast, having as its elements a radius of 74.00 feet, a central angle of 27°33'16" and a chord bearings South 73°34'15" East; THENCE Southeasterly along the arc of said circular curve for an arc distance of 35.59 feet; THENCE North 02°39'07" East, a distance of 18.00 feet to the point of intersection with a circular curve concave to the Northeast, having as its elements a radius of 56.00 feet, a tangent bearing of North 87°20'53" West, a central angle of 27°33'16", and a chord bearing of North 73°34'15" West; THENCE along the Northeasterly Existing Right-of-Way Line of State Road 997 / Krome Avenue (S.W. 177th Avenue) as described in the Official Record Book 26634 at Page 4489 of the Public Records of Miami-Dade County, Florida for the following two (2) courses:

(Continues next Page)

THIS IS NOT
A SURVEY

This document consists of seven (7) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

			FLORIDA DEPARTMENT OF TRANSPORTATION				
			SKETCH TO ACCOMPANY LEGAL DESCRIPTION				
			STATE ROAD NO. 997			MIAMI-DADE COUNTY	
				BY	DATE	PREPARED BY:	DATA SOURCE:
						BISCAYNE ENGINEERING COMPANY, Inc. 529 W FLAGLER STREET MIAMI, FLORIDA 33130 TEL. 305-324-7671 LB0129	SEE GENERAL NOTES
			DRAWN	I.G.	09/24/2020		
REVISION	BY	DATE	CHECKED	M.B.	09/24/2020		
						F.8 NO. 441812-1	SECTION 87150
						SHEET 2 OF 7	

(Continues from previous page)

(1) THENCE Northwesterly along the arc of said circular curve, a distance of 26.93 feet to a point of compound curvature of a circular curve concave to the Northeast, having as its elements a radius of 155.00 feet, a central angle of 14°22'11" and a chord bearing North 52°36'31" West; (2) THENCE Northwesterly along the arc of said circular curve, a distance of 38.87 feet; THENCE along the Northeasterly Existing Right-of-Way Line of State Road 997 / Krome Avenue (S.W. 177th Avenue) as shown on Miami-Dade County Public Works Department Right-of-Way Map of Krome Avenue (S.W. 177th Avenue), Road Map Book 112, at Page 90 of the Public Records of Miami-Dade County, Florida, Dated: 07, September 1982, Prepared by Miami-Dade County Public Works Department Right of Way Division for the following two (2) courses: (1) THENCE North 30°49'54" West, a distance of 195.11 feet to a point of curvature of a circular curve concave to the Northeast having as its elements a radius of 2,814.93 feet, a central angle of 14°21'48", and a chord bearing North 23°39'00" West; (2) THENCE Northwesterly along the arc of said circular curve, being coincident with said Existing Right-of-Way line, a distance of 705.67 feet; THENCE South 79°30'08" West, a distance of 102.67 feet; THENCE North 47°57'12" West, a distance of 120.56 feet; THENCE North 47°25'01" West, a distance of 20.98 feet; THENCE North 41°48'28" East, a distance of 10.52 feet to the POINT OF BEGINNING.

All of the foregoing lying in Section 30, Township 57 South, Range 39 East and Section 25, Township 57 South, Range 38 East, Unincorporated Miami-Dade County, Florida and containing 23,384 square feet (0.537 acres) more or less.

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			FLORIDA DEPARTMENT OF TRANSPORTATION						
			SKETCH TO ACCOMPANY LEGAL DESCRIPTION						
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				BY	DATE	PREPARED BY:	BISCAYNE ENGINEERING COMPANY, Inc. 529 W FLAGLER STREET MIAMI, FLORIDA 33130 TEL. 305-324-7671 LB0129		DATA SOURCE:
			DRAWN	I.G.	09/24/2020		SEE GENERAL NOTES		
REVISION	BY	DATE	CHECKED	M.B.	09/24/2020	F. 9 NO. 441812-1		SECTION 87150	SHEET 3 OF 7

NOT SUBDIVIDED

DETAIL "A"

NOT SUBDIVIDED

S.E. 1/4 SEC. 25, TWP. 57 S., RGE. 38 E.



(*)1- AS SHOWN ON F.O.T. R/W CORRIDOR MAP S.R. 997 / KROME AVENUE (S.W. 177TH AVENUE), STATE PROJECT NO. 405575-3 FROM S.R.5 / U.S. 1 TO S.W. 328TH STREET / LUCY STREET AND STATE PROJECT NO. 405575-4 FROM S.W. 328TH STREET / LUCY STREET TO S.W. 296TH STREET / AVOCADO DRIVE, CITY OF FLORIDA, CITY OF HOMESTEAD, MIAMI-DADE, FLORIDA, SECTION 87150, PREPARED BY METRIC ENGINEERING, INC., DATE: 11-27-07.

(*)1- AS SHOWN ON F.O.T. R/W F.E.C. RAILROAD ACQUISITION MAP SECTION 99006-2565, PREPARED BY E.R. BROWNELL & ASSOCIATES, DATE 11-21-91, RECORDED IN ROAD MAP BOOK 124 AT PG. 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

(*)2- AS SHOWN ON MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT R/W MAP OF KROME AVENUE (S.W. 177TH AVENUE), ROAD MAP BOOK 112, AT PAGE 90 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DATED: 07, SEPTEMBER 1982. PREPARED BY MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT RIGHT OF WAY DIVISION.



S.W. 1/4 SEC. 30, TWP. 57 S., RGE. 39 E.

MIAMI LAND AND DEVELOPMENT COMPANY
P.B. 5, PG. 10

THIS IS NOT
A SURVEY

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FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH TO ACCOMPANY LEGAL DESCRIPTION				STATE ROAD NO. 997			MIAMI-DADE COUNTY	
					BY	DATE	DATA SOURCE:	
					I.G.	09/24/2020	BISCAYNE ENGINEERING COMPANY, INC. 529 W. FLAGLER STREET MIAMI, FLORIDA 3330 TEL. 30.39.24-76 /1B0129	
				DRAWN			SEE GENERAL NO TES	
	REVISION	BY	DATE	CHECKED	M.B.	09/24/2020	F.P. NO. 441812-1 SECTION 87150 SHEET 5 OF 7	

UNINCORPORATED MIAMI-DADE COUNTY, FLORIDA

DETAIL "A"

NOT SUBDIVIDED

NOTE:
(*)- AS SHOWN ON F.D.O.T. R/W CORRIDOR MAP S.R. 997 / KROME AVENUE (S.W. 177th AVENUE), STATE PROJECT NO. 405575-3 FROM S.R.5 / U.S. 1 TO S.W. 328th STREET / LUCY STREET AND STATE PROJECT NO. 405575-4 FROM S.W. 328th STREET / LUCY STREET TO S.W. 296th STREET / AVOCADO DRIVE, CITY OF FLORIDA, CITY OF HOMESTEAD, MIAMI-DADE, FLORIDA, SECTION 87150, PREPARED BY METRIC ENGINEERING, INC., DATE: 11-27-07.
(*)1)- AS SHOWN ON F.D.O.T. R/W F.E.C. RAILROAD ACQUISITION MAP SECTION 99006-2565, PREPARED BY E.R. BROWNELL & ASSOCIATES, DATE 11-21-91, RECORDED IN ROAD MAP BOOK 124 AT PG. 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
(*)2)- AS SHOWN ON MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT R/W MAP OF KROME AVENUE (S.W. 177th AVENUE), ROAD MAP BOOK 112, AT PAGE 90 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DATED: 07 SEPTEMBER 1982. PREPARED BY MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT RIGHT OF WAY DIVISION.

MATCHLINE STA. 25+00.00
(SEE PAGE 5 OF 7)

S.E. 1/4 SEC. 25, TWP. 57 S., RGE. 38 E.

TRACT 7

S.R. 997 / KROME AVENUE
(S.W. 177th AVENUE)

RIGHT OF SURVEY (*)

C1
 $\Delta=14^{\circ}02'07''$ (LT)
 $R=2,832.93'$
 $L=693.96'$
 $C.B.=S23^{\circ}48'50''E$

C6
 $\Delta=14^{\circ}21'48''$ (RT)
 $R=2,814.93'$
 $L=705.67'$
 $C.B.=N23^{\circ}39'00''W$

12

MATCHLINE STA. 20+00.00
(SEE PAGE 7 OF 7)

50'

20

18'

EXIST. R/W
LINE (*)

TRACT 7

TRACT 6



THIS IS NOT
A SURVEY

S.W. 1/4 SEC. 30, TWP. 57 S., RGE. 39 E.

MIAMI LAND AND DEVELOPMENT COMPANY
P.B. 5, PG. 10

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FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH TO ACCOMPANY LEGAL DESCRIPTION	STATE ROAD NO. 997				MIAMI-DADE COUNTY			
	REVISION	BY	DATE	CHECKED	M.B.	09/24/2020	F.P. NO. 441812-1	SECTION 87150
	DRAWN	I.G.	09/24/2020	DRAWN	I.G.	09/24/2020	F.P. NO. 441812-1	SECTION 87150
	DATE	BY	DATE	CHECKED	M.B.	09/24/2020	F.P. NO. 441812-1	SECTION 87150

DETAIL "A" UNINCORPORATED MIAMI-DADE COUNTY, FLORIDA

C1
 $\Delta=14^{\circ}02'07''$ (LT)
 $R=2,832.93'$
 $L=693.96'$
 $C.B.=S23^{\circ}48'50''E$

C2
 $\Delta=15^{\circ}09'12''$ (LT)
 $R=173.00'$
 $L=45.75'$
 $C.B.=S52^{\circ}13'00''E$

C3
 $\Delta=27^{\circ}33'16''$ (LT)
 $R=74.00'$
 $L=35.59'$
 $C.B.=S73^{\circ}34'15''E$

C4
 $\Delta=27^{\circ}33'16''$ (RT)
 $R=26.93'$
 $L=56.00'$
 $C.B.=N73^{\circ}34'15''W$

C5
 $\Delta=14^{\circ}22'11''$
 $L=38.87'$
 $R=155.00'$
 $C.B.=N52^{\circ}36'31''W$

C6
 $\Delta=14^{\circ}21'48''$ (RT)
 $R=2,814.93'$
 $L=705.67'$
 $C.B.=N23^{\circ}39'00''W$

L5 $N02^{\circ}39'07''E$ 18.00'

TRACT 8 3

TRACT 7

S.R. 997 / KROME AVE.
 # OF SURVEY(*)

P.C. STA. 18+59.44

S.E. 1/4 SEC. 25, TWP. 57 S., RGE. 38 E.

NOT SUBDIVIDED

50'

18'

18+59.44

32.00'RT

197.35'

195.11'

18+59.44

50.00'RT

13

15

NOTE:
 (*)- AS SHOWN ON F.D.O.T. R/W CORRIDOR MAP S.R. 997 / KROME AVENUE (S.W. 177th AVENUE), STATE PROJECT NO. 405575-3 FROM S.R.5 / U.S. 1 TO S.W. 328th STREET / LUCY STREET AND STATE PROJECT NO. 405575-4 FROM S.W. 328th STREET / LUCY STREET TO S.W. 296th STREET / AVOCADO DRIVE, CITY OF FLORIDA, CITY OF HOMESTEAD, MIAMI-DADE, FLORIDA, SECTION 87150, PREPARED BY METRIC ENGINEERING, INC., DATE: 11-27-07.
 (*)- AS SHOWN ON F.D.O.T. R/W F.E.C. RAILROAD ACQUISITION MAP SECTION 99006-2565, PREPARED BY E.R. BROWNELL & ASSOCIATES, DATE 11-21-91, RECORDED IN ROAD MAP BOOK 124 AT PG. 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
 (*)- AS SHOWN ON MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT R/W MAP OF KROME AVENUE (S.W. 177th AVENUE), ROAD MAP BOOK 112, AT PAGE 90 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DATED: 07, SEPTEMBER 1982, PREPARED BY MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT RIGHT OF WAY DIVISION.

T.B.=S44°38'24"E
 16+62.09
 32.00'RT

16+19.61
 48.64'RT

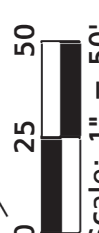
16+64.33
 50.00'RT

EXIST. R/W LINE
 (O.R.B. 26634-4489)

T.B.=N59°47'36"W
 16+28.33
 64.38'RT

15+93.73
 72.56'RT

T.B.=N87°20'53"W
 16+08.74
 82.49'RT



THIS IS NOT
 A SURVEY

S.W. 1/4 SEC. 30, TWP. 57 S., RGE. 39 E.

S.R. 5 / U.S. 1 / S. DIXIE HIGHWAY
 MIAMI LAND AND DEVELOPMENT COMPANY

PARCEL NO.	OWNER'S NAME	PARCEL AREA
800	MDC	23,384 SQ. FT.

P.B. 5, PG. 10

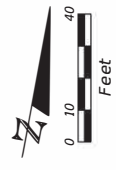
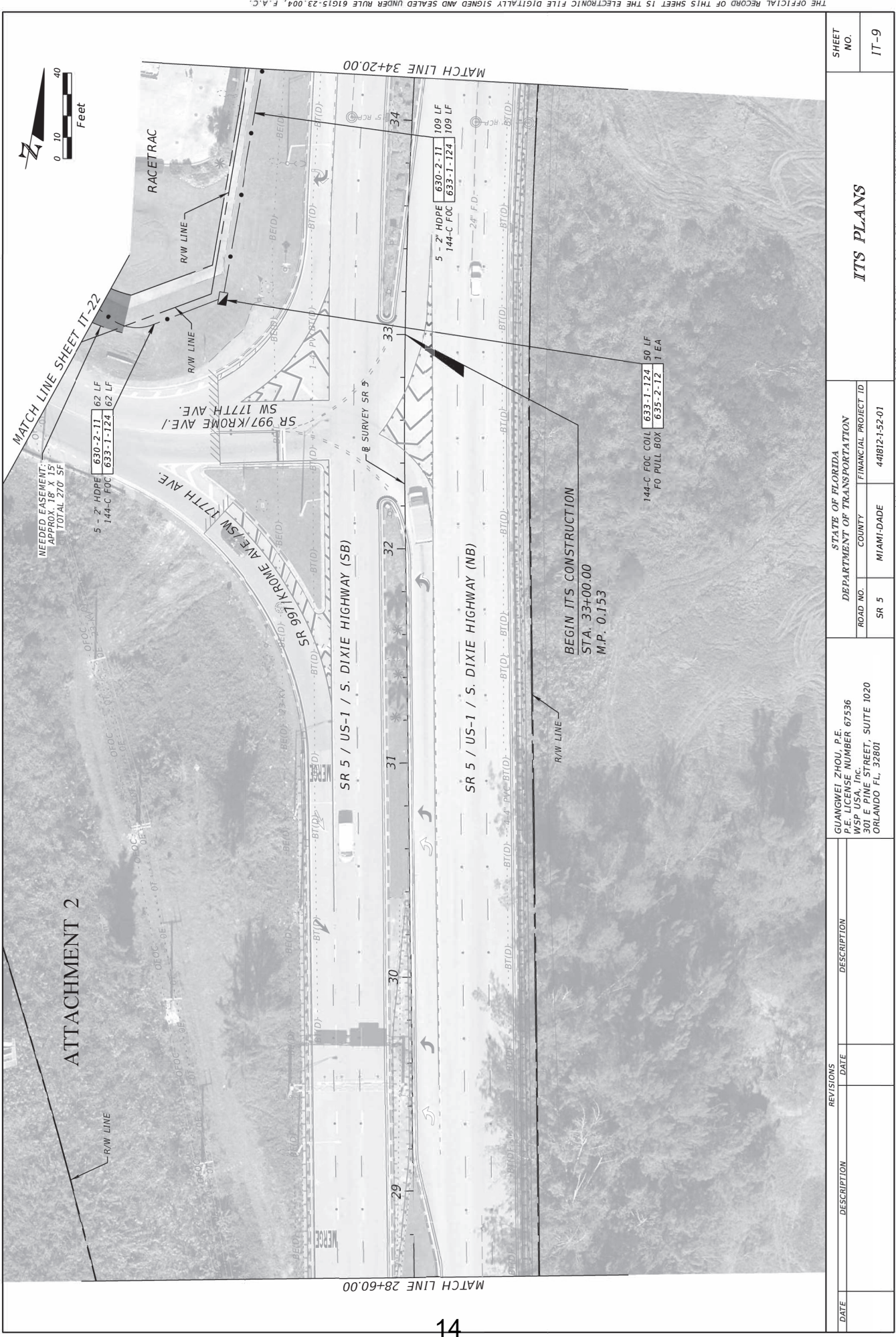
This document consists of seven (7) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH TO ACCOMPANY LEGAL DESCRIPTION	STATE ROAD NO. 997				MIAMI-DADE COUNTY			
	REVISION	BY	DATE	CHECKED	M.B.	09/24/2020	DRAWN	I.G.
						09/24/2020		
F.P. NO. 441812-1						SECTION 87150		
						SHEET 7 OF 7		

PREPARED BY:
 BISCAYNE ENGINEERING COMPANY, Inc.
 279 W. FLAGLER STREET
 MIAMI, FL 33135
 TEL. 305-386-1129

DATA SOURCE:
 SEE GENERAL NOTES

MATCHLINE STA. 20+00.00
 (SEE PAGE 6 OF 7)

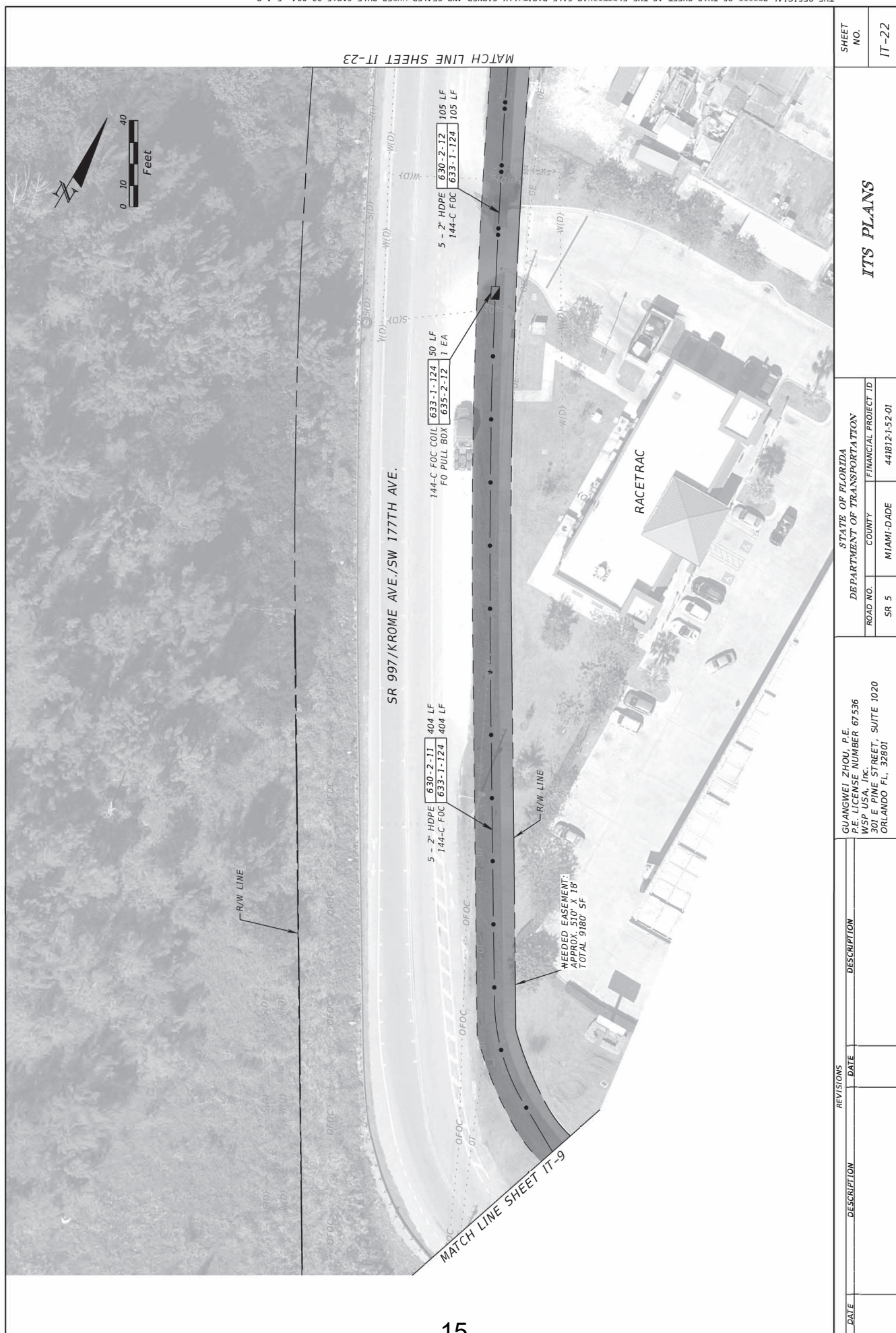


ATTACHMENT 2

MATCH LINE 28+60.00

MATCH LINE 34+20.00

REVISIONS		STATE OF FLORIDA		ITS PLANS		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO.	FINANCIAL PROJECT ID	
				SR 5	MIAMI-DADE 44812-1-52-01	IT-9
GUANGWEI ZHOU, P.E. P.E. LICENSE NUMBER 67536 WSP USA, INC. 301 E PINE STREET, SUITE 1020 ORLANDO FL, 32801				COUNTY		
				MIAMI-DADE		
				44812-1-52-01		
				SR 5		
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				44812-1-52-01		
				SR 5		



[illegible]



MEMORANDUM

(Revised)

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

DATE: November 16, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(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(N)(2)
11-16-21

RESOLUTION NO. R-1105-21

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERPETUAL EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES, FOR A NOMINAL PRICE OF \$1.00, FOR THE CONSTRUCTION AND MAINTENANCE OF A FIBER OPTIC CABLE SYSTEM AND ASSOCIATED INFRASTRUCTURE TO OPTIMIZE THE INTERRUPTED FLOW OF TRAFFIC AT THE INTERSECTION OF SR-5/US-1 AND COUNTY ROAD KROME AVENUE/SW 177 AVENUE FROM SR-5 TO SW 177 COURT, ALSO KNOWN AS PARCEL 800; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAME; TO EXECUTE THE PERPETUAL EASEMENT AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

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

WHEREAS, the Florida Department of Transportation (FDOT) desires the conveyance of an easement upon certain County-owned right-of-way, on County Road SW 177 Avenue from SW 177 Court to State Road 5/US-1, as identified, depicted, and described in Exhibit "A" of Attachment 1 to the Mayor's memorandum, referred to as Parcel 800 ("perpetual easement"); and

WHEREAS, the FDOT requires a perpetual easement to install a Fiber Optic cable backbone and associated infrastructure for an Intelligent Transportation System as depicted in Attachment 2 to the Mayor's memorandum, and has applied to the County to convey the same for such purpose; and

WHEREAS, this Board finds the County's conveyance of the perpetual easement to the FDOT would be necessary in order to construct such transportation improvements, would be utilized for the benefit of the public and community interest and welfare, and are consistent with the County's use; and

WHEREAS, the County desires to convey the perpetual easement to the FDOT pursuant to Section 125.38, Florida Statutes, for a nominal price of \$1.00; and

WHEREAS, the acceptance of the perpetual easement by the FDOT is in accordance with Sections 337.25, Florida Statutes, governing FDOT's acceptance of the donation for transportation facilities; and

WHEREAS, the perpetual easement will revert to the County in the event that the use by the FDOT for such transportation purpose ever ceases,

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 Mayor's memorandum with exhibits as if fully set forth herein.

Section 2. This Board authorizes the conveyance of the perpetual easement for Parcel 800 to FDOT, pursuant to Section 125.38, Florida Statutes, for a nominal price of \$1.00, in substantially the form attached to the Mayor's Memorandum as Attachment 1, to install a Fiber Optic cable backbone and associated infrastructure for an Intelligent Transportation System, for the use and purpose of optimizing the interrupted flow of traffic and enhancing traffic flow.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to take all actions necessary to accomplish the conveyance of the perpetual easement, to execute the perpetual easement, and to exercise all rights conferred therein.

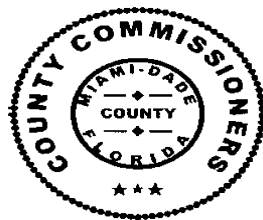
Section 4. Pursuant to Resolution No. R-974-09, this Board directs the County Mayor or County Mayor's designee to record the perpetual easement in the Public Records of Miami-

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 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 **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Eileen 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	absent	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 16th day of November, 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

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.

Lauren E. Morse