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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 8(A)(1)

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

DATE: September 6, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
County Mayor to execute and
record in the public records a
Declaration of Restrictive
Covenant at former WECA
Building #2072, Miami
International Airport

Resolution No. R-748-23

The accompanying resolution was prepared by the Aviation Department and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.


Geri Bonzon-Keenan
County Attorney

GBK/jp

MDC001

Date: September 6, 2023

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

From: Daniella Levine Cava
Mayor 

Subject: Declaration of Restrictive Covenant for a Portion of Property that Included Former West End Cargo Area Building No. 2072 at Miami International Airport

Executive Summary

This agenda item seeks concurrence from the Board of County Commissioners (Board) to delegate approval authority to the County Mayor or County Mayor's designee to execute and record a Declaration of Restrictive Covenant for a portion of property approximately .599 acres or 26,097 square feet in size (Restricted Property) located in an area that included former West End Cargo Area (WECA) Building No. 2072 at Miami International Airport (MIA). The Declaration of Restrictive Covenant implements certain restrictions, which among other things, prohibits the use of the groundwater in the Restricted Property where a discharge took place that was reported to the Florida Department of Environmental Protection (FDEP) on March 2, 1993.

In March 1993, the demolition of WECA Building No. 2072, which had been used for aircraft maintenance and storage and shops since 1946 was completed. The demolition process included the removal of underground structures, fuel/oil tanks, and utilities close to WECA Building No. 2072. The tanks consisted of two (2) concrete tanks with used oil, one (1) 5,000 vehicular diesel tank, and one (1) gasoline tank located west of WECA Building No. 2072. The soil impacted around the tanks was removed and disposed of, however, free floating product was detected during the demolition process. In order to address any possible groundwater impacts, soil and groundwater assessments were conducted for nine (9) years from February 1994 to January 2002, followed by natural attenuation monitoring (which relies on the natural processes to decrease concentrations of contamination) from June 2005 to April 2008. Because elevated organic vapors were detected, mostly likely from the used oil in the concrete tanks, additional soil and groundwater assessments were performed from July 2010 to March 2011, which confirmed the existence of elevated levels of arsenic, polycyclic aromatic hydrocarbons, and isopropyl benzene in the groundwater. Consequently, from December 2011 to March 2016, quarterly monitoring was performed to obtain approval from FDEP for a "No Further Action with Conditions" (NFAC) pursuant to Rule 62-780.680, Florida Administrative Code (F.A.C.). The NFAC requires the implementation of the attached Declaration of Restrictive Covenant which restricts the use of, or access to, the groundwater within the Restricted Property to reduce or eliminate the risk of exposure to users or occupants of the Restricted Property, and to reduce or eliminate the threat of migration of the contaminants, thereby affording a level of protection to human health, public safety and the environment that is equivalent to that provided by the State of Florida.

It is important to note that the assessment reports performed within the Restricted Property between 1994 and 2016 confirm that soil and groundwater contamination exists on the Restricted Property as defined by Chapter 62-780 F.A.C., that the contamination does not exceed the boundaries of the Restricted Property, and that it is not migrating.

The Declaration of Restrictive Covenant was prepared by the County's Department of Regulatory and Economic Resource's Division of Environmental and Resources Management (DERM) in conjunction with FDEP and will be sent to FDEP for execution upon Board approval.

Recommendation

It is recommended that the Board approve the attached resolution delegating authority to the County Mayor or County Mayor's designee to execute and record the attached Declaration of Restrictive Covenant for the Restricted Property at MIA that is approximately .599 acres or 26,097 square feet in size and is located in an area that included former WECA Building No. 2072.

The Declaration of Restrictive Covenant imposes certain restrictions and requirements on the Restricted Property as it: (i) bans the use of the groundwater, (ii) requires FDEP approval of any dewatering activities, (iii) prohibits stormwater swales, stormwater detection or retention facilities and ditches, (iv) regulates the excavation of soil to minimize the risk of exposure, and (v) forbids specific land uses such as agricultural uses, including forestry, fishing and mining; hotels or lodging; recreational uses including amusement parks, parks and camps, museums, zoos or gardens; residential uses; and educational uses including elementary or secondary schools or day care services.

Scope

The contaminated site is located within the Restricted Property at MIA in the vicinity of N.W. 59 Ave. and N.W. 22 Street, which is currently a grass swale and part of N.W. 22 Street in District 6 represented by Commissioner Kevin M. Cabrera.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to execute and record a Declaration of Restrictive Covenant for the Restricted Property at MIA.

Fiscal Impact/Funding Source

The Declaration of Restrictive Covenant shall be recorded for a fee of approximately \$150.00. The recording fees will be paid from the Miami-Dade Aviation Department (Aviation Department or MDAD) budget.

Track Record / Monitor

MDAD's Environmental Engineering System Section Chief, Gustavo Leal, will comply with the conditions of the Declaration of Restrictive Covenant.

Background

Since 1946, the Restricted Property had been used for aircraft maintenance and storage and shops. In March 1993, the demolition of WECA Building No. 2072 was completed including the removal of underground structures, fuel/oil tanks, and utilities. As a matter of procedure, soil and groundwater assessments were conducted from February 1994 to January 2002, followed by quarterly groundwater monitoring from June 2005 to April 2008 to address any groundwater impacts. The quarterly groundwater monitoring results indicated that natural attenuation was not an effective remedy at the demolition site. As such, supplemental soil and groundwater assessments were conducted from July 2010 to March 2011. Soil analytical results reported contaminants of concern that exceeded the direct exposure soil cleanup target levels (SCTL) but were below the direct exposure commercial/industrial SCTLs. Additionally, groundwater analytical results reported contaminants of concern above the applicable groundwater cleanup target levels (GW-CTLs). Consequently, quarterly groundwater monitoring was conducted from December 2011 to March 2016. The monitoring results indicated that the applicable NFAC criteria of Rule 62-780.680, F.A.C. has been met.

As mentioned earlier, the NFAC requires that a Declaration of Restrictive Covenant be implemented, which is meant to restrict the use of, or access to, the groundwater at the site to reduce or eliminate the risk of exposure of users or occupants of the Restricted Property and reduce or eliminate the threat of migration of the contaminants. As such, it is in the best interest of the County to approve the execution and recording of the attached Declaration of Restrictive Covenant.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

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

Please note any items checked.

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(A)(1)
9-6-23

RESOLUTION NO. R-748-23

RESOLUTION AUTHORIZING THE COUNTY MAYOR
OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND
RECORD IN THE PUBLIC RECORDS A DECLARATION
OF RESTRICTIVE COVENANT AT FORMER WECA
BUILDING #2072, MIAMI INTERNATIONAL AIRPORT

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

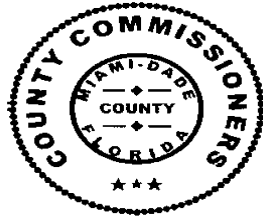
WHEREAS, this Board finds that the attached Covenant and related Exhibits meet the criteria for County acceptance as set forth in Rule 62-780.680, Florida Administrative Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the County Mayor or County Mayor's designee to execute and record in the public records the Declaration of Restrictive Covenant to implement restrictions on the property located at Former WECA Building #2072, Miami International Airport, to obtain approval for a No Further Action with Conditions proposal pursuant to Rule 62-780.680, Florida Administrative Code, in substantially the form attached to the accompanying memorandum. These restrictions afford a level of protection to human health, public safety and the environment that is equivalent to that provided by Rule 62-780.680, Florida Administrative Code.

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

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of September, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

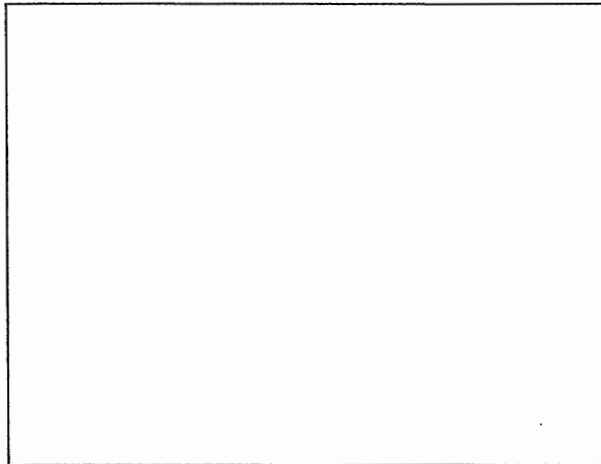
JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

DMM

David M. Murray



This instrument prepared by:
Michael L. Spievack
Langan Engineering and Environmental Services, Inc.
15150 NW 79th Ct, Suite 200
Miami Lakes, FL 33016

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made by Miami-Dade County, a political subdivision of the State of Florida, and its successors and assigns (hereinafter "GRANTOR"), and the Florida Department of Environmental Protection and its successors and assigns (hereinafter "FDEP").

RECITALS

- A. GRANTOR is the fee simple owner of that certain real property situated in the County of Miami-Dade, State of Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property"). The portion of the Property that is being restricted by this Declaration is more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Restricted Property").
- B. The FDEP Facility Identification Number for the Restricted Property is 139804503 (DERM UT-4285/File -9978). The facility name at the time of this Declaration is Former WECA Building #2072. This Declaration addresses the discharge that was reported to the FDEP on 2 March 1993.
- C. The facility has been used for aircraft maintenance and storage and shops since 1946. Former Building 2072 was demolished during December 1992 through March 1993, including the removal of underground structures, tanks and utilities. Discovered

tanks include two concrete tanks or vaults containing used oil, one 5,000-gallon vehicular diesel tank, and a gasoline tank located west of Building 2072. These tanks were removed. Impacted soil around the tanks was excavated and disposed of off site. Free floating product was noted in several locations during the building demolition. Soil and groundwater assessment were conducted from February 1994 to January 2002, followed by quarterly Natural Attenuation Monitoring from June 2005 to April 2008 to address groundwater impacts. No documented soil analytical data were available to confirm or deny the existence of soil contamination. However, elevated organic vapor analyzer (OVA) readings were recorded, likely resulting from the discharge of the used oil from the concrete vaults. The quarterly groundwater monitoring results indicated that natural attenuation was not an effective remedy at the site. Supplemental soil and groundwater assessment was conducted from July 2010 to March 2011. Soil analytical results reported arsenic concentrations at select samples exceeding the direct exposure soil cleanup target level (SCTL) of 2.1 mg/kg, but below the direct exposure commercial/industrial SCTL of 12 mg/kg, and the benzo(a)pyrene total equivalents exceed the direct exposure residential SCTL, but are below the direct exposure commercial/industrial SCTL. Because of the exceedance of volatile organic aromatics (VOAs), arsenic, polycyclic aromatic hydrocarbons (PAHs), and isopropylbenzene in groundwater, quarterly monitoring was conducted from December 2011 to March 2016. The monitoring results indicate that the applicable No Further Action with Conditions criteria of Rule 62-780.680, Florida Administrative Code (F.A.C.), has been met. The discharge of petroleum products on the Restricted Property is documented in the following reports that are incorporated by reference:

1. Contamination Assessment Report (CAR) and No Further Action Plan (NFAP) dated February 1994, submitted by M&E Pieco, Inc.; and
2. Contamination Assessment Report Addendum/Monitoring Only Plan (CARA/MOP) dated 1 July 1994, submitted by Meltcalf and Eddy, Inc.;
3. Monitoring Completion Report/ No Further Action (MCR/NFA) dated 1 November 1995, submitted by Meltcalf and Eddy, Inc.;
4. Monitoring Only Plan Supplemental Report dated 3 May 1996, submitted by Meltcalf and Eddy, Inc.;
5. Monitoring Only Plan Quarterly Status Report dated April 2008, submitted by Cherokee Enterprises, Inc.;
6. Supplemental Site Assessment Report dated September 2010, submitted by Cherokee Enterprises, Inc.;
7. Supplemental Site Assessment Report II dated May 2011, submitted by Cherokee Enterprises, Inc.;
8. Quarter 2 Year 3 Quarterly Status Report dated 19 December 2014, submitted by Cherokee Enterprises, Inc.;
9. Year 1 Quarter 4 Groundwater Monitoring Report dated 24 March 2016, submitted by Langan Engineering and Environmental Services, Inc.; and
10. Consent Order dated 27 May 1998

D. The reports noted in Recital C set forth the nature and extent of the contamination that is located on the Restricted Property. These reports confirm that

contaminated soil and groundwater as defined by Chapter 62-780, F.A.C., exists on the Restricted Property. Also, these reports document that the groundwater contamination does not extend beyond the Restricted Property boundaries, that the extent of the groundwater contamination does not exceed 1/4 acre, and the groundwater contamination is not migrating.

E. It is GRANTOR's and FDEP's intent that the restrictions in this Declaration reduce or eliminate the risk of exposure of users or occupants of the Restricted Property and the environment to the contaminants and to reduce or eliminate the threat of migration of the contaminants.

F. FDEP has agreed to issue a Conditional Site Rehabilitation Completion Order (hereinafter "Order") upon recordation of this Declaration. FDEP can unilaterally revoke the Order if the conditions of this Declaration or other requirements of the Order are not met. Additionally, if concentrations of petroleum products' chemicals of concern increase above the levels approved in the Order, or if a subsequent discharge occurs at the Restricted Property, FDEP may require site rehabilitation to reduce concentrations of contamination to the levels allowed by the applicable FDEP rules. The Order relating to FDEP Facility No. 139804503, can be found by contacting the appropriate FDEP district office or Tallahassee program area.

G. GRANTOR deems it desirable and in the best interest of all present and future owners of the Restricted Property that an Order be obtained and that the Restricted Property be held subject to certain restrictions, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, to induce FDEP to issue the Order and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. GRANTOR hereby imposes on the Restricted Property the following restrictions and requirements, as depicted on Exhibit A:

a. Groundwater Use. There shall be no use of the groundwater under the Restricted Property. There shall be no drilling for water conducted on the Restricted Property, nor shall any wells be installed on the Restricted Property other than monitoring or other wells pre-approved in writing by FDEP Division of Waste Management (DWM) in addition to any authorizations required by the FDEP Division of Water Resource Management (DWRM) and the applicable Water Management District (WMD).

b. Dewatering. For any dewatering activities on the Restricted Property a plan approved by FDEP DWM must be in place to address and ensure the appropriate handling, treatment and disposal of any extracted groundwater that

may be contaminated. FDEP will rely on this Declaration, Rule 62-621.300, F.A.C., and the guidance incorporated therein, and prior FDEP DWM review of any dewatering plan as the institutional control to ensure that no exposure to contaminated groundwater resulting in risk to human health, public safety or the environment will occur due to dewatering activities on the contaminated site. Rule 62-621.300, F.A.C., requires a permit when conducting dewatering in the area of a contaminated site. FDEP DWM can only approve a dewatering plan that ensures the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated to avoid adversely impacting or increasing the potential for exposure to contaminants resulting in risk to human health, public safety or the environment. Unless it is demonstrated that the cleanup criteria under Rule 62-780.680(1), F.A.C., have been achieved, FDEP, in addition to other remedies available at law, may institute proceedings to revoke this Declaration and the Order and require the resumption of site rehabilitation activities if any dewatering activities are commenced without FDEP DWM prior approval.

c. Stormwater Facilities.

There shall be no stormwater swales, stormwater detention or retention facilities, or ditches on the Restricted Property.

d. Excavation and Construction. Excavation of soil is not prohibited on the Restricted Property provided any contaminated soils that are excavated are either: 1) placed back into the excavation or 2) are removed and properly disposed of pursuant to Chapter 62-780, F.A.C., and any other applicable local, state, and federal requirements. Nothing herein shall limit any other legal requirements regarding construction methods and precautions that must be taken to minimize risk of exposure while conducting work in contaminated areas.

e. Land Use Restrictions. The following uses of the Restricted Property are prohibited: agricultural use of the land including forestry, fishing and mining; hotels or lodging; recreational uses including amusement parks, parks, camps, museums, zoos, or gardens; residential uses, and educational uses such as elementary or secondary schools, or day care services. These prohibited uses are specifically defined by using the North American Industry Classification System, United States, 2017 (NAICS), Executive Office of the President, Office of Management and Budget. The prohibited uses by code are: Sector 11 Agriculture, Forestry, Fishing and Hunting; Subsector 212 Mining (except Oil and Gas); Code 512132 Drive-In Motion Picture Theaters; Code 519120 Libraries and Archives; Code 531110 Lessors of Residential Buildings and Dwellings; Subsector 6111 Elementary and Secondary Schools; Subsector 623 Nursing and Residential Care Facilities; Subsector 624 Social Assistance; Subsector 711 Performing Arts, Spectator Sports and Related Industries; Subsector 712 Museums, Historical Sites, and Similar Institutions; Subsector 713 Amusement, Gambling, and Recreation Industries; Subsector 721 Accommodation (hotels, motels, RV parks, etc.); Subsector 813 Religious, Grantmaking, Civic, Professional, and Similar Organizations; and Subsector 814 Private Households.

3. In the remaining paragraphs, all references to "GRANTOR" and "FDEP" shall also mean and refer to their respective legal representatives, successors and assigns.

4. For the purpose of monitoring the restrictions contained herein, FDEP is hereby granted a right of entry upon, over and through, and access to the Restricted Property at reasonable times and with reasonable notice to GRANTOR. Access to the Restricted Property is provided via an immediately adjacent public right-of-way: NW 22 St.

5. It is the intention of GRANTOR that this Declaration shall touch and concern the Restricted Property, run with the land and with the title to the Restricted Property, and shall apply to and be binding upon and inure to the benefit of GRANTOR and FDEP, and to any and all parties hereafter having any right, title or interest in the Restricted Property or any part thereof. FDEP may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of FDEP to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of FDEP's rights hereunder. This Declaration shall continue in perpetuity, unless otherwise modified in writing by GRANTOR and FDEP as provided in paragraph 7 below. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by this Declaration. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify FDEP in writing within three (3) calendar days. Additionally, GRANTOR shall notify FDEP thirty (30) days prior to any conveyance or sale, granting or transferring the Restricted Property or portion thereof, to any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Restricted Property.

6. In order to ensure the perpetual nature of this Declaration, GRANTOR shall record this Declaration, and GRANTOR shall reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Restricted Property, GRANTOR agrees to notify in writing all proposed tenants of the Restricted Property of the existence and contents of this Declaration. Without limiting the generality of paragraph 3 above, it is the intention of the parties that if GRANTOR has conveyed the Restricted Property, the GRANTOR's successors and assigns shall be required to perform such notification.

7. This Declaration is binding until a release is executed by the FDEP Secretary (or designee) and is recorded in the public records of the county in which the land is located. To receive prior approval from the FDEP to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes and FDEP rules must be achieved. This Declaration may be modified in writing only. Any subsequent amendments must be executed by both GRANTOR and FDEP and be recorded by GRANTOR as an amendment hereto.

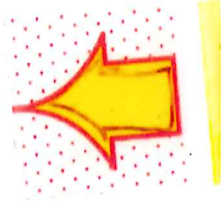
8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provisions of the Declaration. All such other provisions shall continue unimpaired in full force and effect.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Restricted Property in fee simple and has good right to create, establish, and impose this Declaration on the use of the Restricted Property.

IN WITNESS WHEREOF, Miami-Dade County has executed this instrument, this
_____ day of _____, 20__.

GRANTOR
Miami-Dade County

Ralph Cutié
Director and Chief Executive Officer
Miami-Dade Aviation Department
P.O. Box 025504
Miami, FL 33102-5504



Signed, sealed and delivered in the presence of:

Date: _____
Witness
Print Name: _____

Date: _____
Witness
Print Name: _____

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of ☐ physical
presence or ☐ online notarization, this _____ day of _____, 20 __,
by _____ OR by _____ as _____
for _____.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Print Name of Notary Public
Commission No. _____
Commission Expires _____

Approved as to form by the Florida Department of Environmental Protection, Office of General Counsel _____.

IN WITNESS WHEREOF, the Florida Department of Environmental Protection has executed this instrument, this _____ day of _____, 20__.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Natasha Lampkin
Administrator
Petroleum Restoration Program
2600 Blair Stone Road
Tallahassee, Florida 32399

Signed, sealed and delivered in the presence of:

Witness: _____ Date: _____
Print Name: _____

Witness: _____ Date: _____
Print Name: _____

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 20 __, by _____ as representative for the Florida Department of Environmental Protection.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Print Name of Notary Public

Commission No. _____

Commission Expires: _____

**EXHIBIT A - RESTRICTED PROPERTY
FORMER WECA BUILDING #2072
SPECIFIC PURPOSE SURVEY
AREA OF SOIL AND GROUNDWATER CONTAMINATION
/GROUNDWATER RESTRICTION AREA**

LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE NORTHWEST ONE-QUARTER (NW ¼) OF SECTION 36, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE SOUTH 01°15'51" EAST ALONG THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 1169.57 FEET; THENCE NORTH 88°32'24" EAST, A DISTANCE OF 94.17 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 88°32'24" EAST, A DISTANCE OF 177.77 FEET; THENCE SOUTH 01°27'36" EAST, A DISTANCE OF 144.28 FEET; THENCE SOUTH 29°05'35" WEST, A DISTANCE OF 51.78 FEET; THENCE NORTH 60°14'08" WEST, A DISTANCE OF 142.14 FEET; THENCE NORTH 65°34'59" WEST, A DISTANCE OF 20.43 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT AT WHICH A RADIAL LINE BEARS SOUTH 27°50'15" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 22.20 FEET AND A CENTRAL ANGLE OF 23°31'50", A DISTANCE OF 9.12 FEET; THENCE NORTH 13°17'58" WEST, A DISTANCE OF 1.17 FEET; THENCE SOUTH 89°28'54" WEST, A DISTANCE OF 2.66 FEET; THENCE NORTH 01°27'30" WEST, A DISTANCE OF 102.35 FEET TO THE **POINT OF BEGINNING**.

SAID LANDS SITUATE IN MIAMI-DADE COUNTY, FLORIDA, AND CONTAIN 0.599 ACRES (26,097 SQUARE FEET), MORE OR LESS.

NOTES:

1. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO DELINEATE AND DESCRIBE THE INSTITUTIONAL CONTROL AREA AND TO REFLECT THE FEATURES IN THAT AREA.
3. THE BENCHMARK NUMBERS AND THE MONITOR WELL LABELS SUCH AS "MW-7D" WERE PROVIDED BY THE CLIENT.
4. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. SUCH INFORMATION SHOULD BE OBTAINED BY OTHERS THROUGH AN APPROPRIATE TITLE SEARCH.
5. COORDINATES SHOWN HEREON ARE NAD 83 FLORIDA STATE PLANE EAST ZONE.
6. BEARINGS SHOWN HEREON ARE GRID AND BASED ON THE WEST LINE OF SECTION 36, TOWNSHIP 53 SOUTH, RANGE 40 EAST, HAVING A BEARING OF SOUTH 01°15'51" EAST.

ABBREVIATIONS:

A	= ARC LENGTH	P.B.	= PLAT BOOK
CONC.	= CONCRETE	PG.	= PAGE
D	= DELTA (CENTRAL ANGLE)	R	= RADIUS
MW	= MONITOR WELL	R/W	= RIGHT-OF-WAY
O.R.B.	= OFFICIAL RECORDS BOOK	SB	= SOIL BORING
		WPB	= WIRE PULL BOX

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

DANIEL C. LAAK
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. LS5118



HSQ GROUP, INC.
Engineers • Planners • Surveyors
1001 Yamato Road, Suite 105
Boca Raton, Florida 33431 • 561.392.0221
CA26258 • LB7924

PROJECT: **MIA INST. CONTROL AREA**

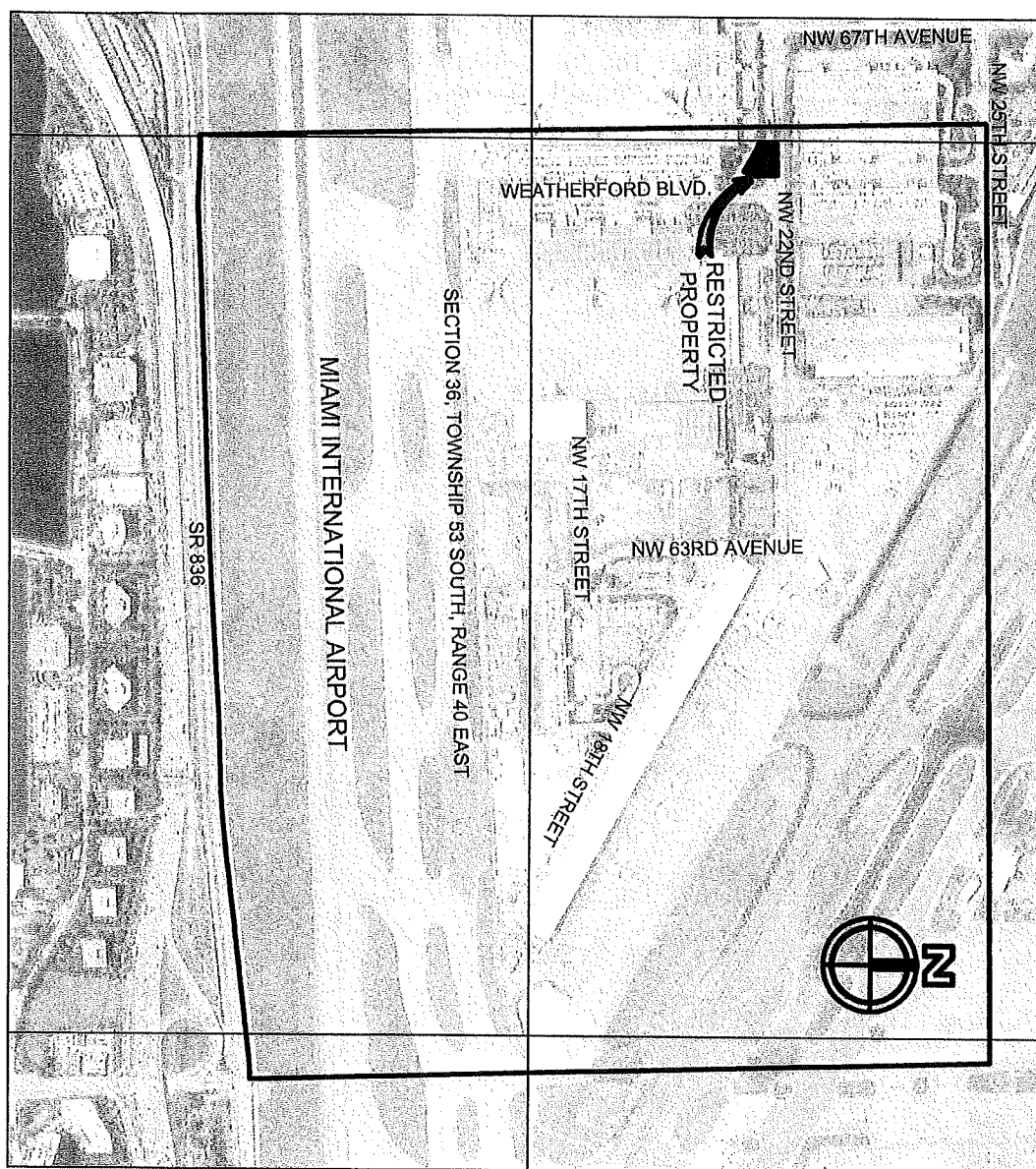
PROJECT NO.: 170319

DATE: 3/30/17

SHEET 1 OF 3



EXHIBIT A - RESTRICTED PROPERTY
FORMER WECA BUILDING #2072
AREA OF SOIL AND GROUNDWATER CONTAMINATION
/GROUNDWATER RESTRICTION AREA



LEGAL DESCRIPTION
THAT PORTION OF SECTION 36,
TOWNSHIP 53 SOUTH, RANGE
40 EAST LYING NORTHERLY OF
STATE ROAD EXX, CONTAINING
57.13 ACRES MORE OR LESS,
SAID LANDS SITUATE IN THE
COUNTY OF MIAMI, FLORIDA.
FILED: 30-3025-000-0010

LEGEND:

	CATCH BASIN		LIGHT POLE - CONC.
	CABLE JUNCTION BOX		LIGHT POLE - METAL
	CENTERLINE		MANHOLE - SANITARY SEWER
	CLEANOUT		MANHOLE - STORM SEWER
	WIRE PULL BOX		MANHOLE - AT&T
	FIRE HYDRANT		MANHOLE - FPL
			SOIL BORING
			WATER METER
			WATER VALVE

REVISE AREA NAME	10/03/18	JDV	DCL	N/A
ADD REFERENCE TO BUILDING 2072	7/20/17	JDV	DCL	N/A
ADD SOIL BORING LOCATIONS	4/26/17	JDV	DCL	N/A
REVISE PER COMMENTS	4/26/17	JDV	DCL	N/A
SPECIFIC PURPOSE SURVEY	3/30/17	JDV	DCL	FILE
REVISIONS	DATE	BY	CK'D	FIELD BK.
PROJECT: MIA INSTITUTIONAL CONTROL AREA	SCALE: NTS			
PROJECT NO.: 170319	SHEET 2 OF 3			

