

MEMORANDUM

Agenda Item No. 8(N)(2)

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

DATE: May 7, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the release of a portion of two drainage easements to Miami-Dade County recorded in the public records of Miami-Dade County, Florida in Official Records Book 5591, at Page 34, and Official Records Book 5758, at Page 337, located in the Northwest 1/4 of Section 2, Township 55 South, Range 39 East and authorizing the County Mayor to take all actions necessary to effectuate same

Resolution No. R-389-24

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: May 7, 2024

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

From: Daniella Levine Cava 
Mayor

Subject: Release of a Portion of Drainage Easements Created by Documents Recorded in Official Records Book 5591, at Page 34, and Official Records Book 5758, at Page 337; Located on a Parcel of Land Lying East of SW 137 Avenue and North of SW 96 Street
Section: 2-55-39
Commission District: 7

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to approve the attached resolution authorizing the execution of a release of a portion of two drainage easements that is no longer needed by the County. This release will facilitate the development of the subject portion of land. There is no fiscal impact associated with this item.

Recommendation

It is recommended that the Board approve the attached resolution authorizing the execution of a Release of Drainage Easement Rights, attached to the resolution as Exhibit 1. The Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources and the Right-of-Way and Stormwater Design Division of the Department of Transportation and Public Works have reviewed this request and do not have any objections to the release of the portion depicted on Exhibit A of the attached Exhibit 1 of the resolution. The subject portion of land is currently part of an active construction site and has not been used or maintained by the County for drainage purposes. Location maps are included as Attachment 1 to this memorandum.

Scope

The subject drainage easements are located within District 7, which is represented by Commissioner Raquel A. Regalado.

Fiscal Impact/Funding Source

There is no fiscal impact associated with the approval of this resolution.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring it is Maria D. Molina, P.E., Chief, Right-of-Way Division.

Delegated Authority

The resolution delegates authority for the County Mayor or County Mayor's designee to take all actions necessary to effectuate this Release of Drainage Easement Rights.

Attachments: Attachment 1 – Location and Aerial Maps, Attachment 2 – Tentative Plat T-24548, Exhibit 1 to Resolution – Release of Drainage Easement Rights, Exhibit A – Sketch and Legal Description of Portion to be Released, Exhibit B – Copies of Drainage Easements Recorded in Official Records Book 5591, at Page 34, and Official Records Book 5758, at Page 337

Background

The current owner of the underlying land seeks to have the portion of the drainage easements depicted on Exhibit A of the Release of Drainage Easement Rights released and disclaimed by the County in order to facilitate the development of a commercial and residential project on this site. DERM and the Stormwater Design Section have reviewed this request, have determined that this portion of the drainage easements is no longer needed by the County, and therefore do not object to this release.

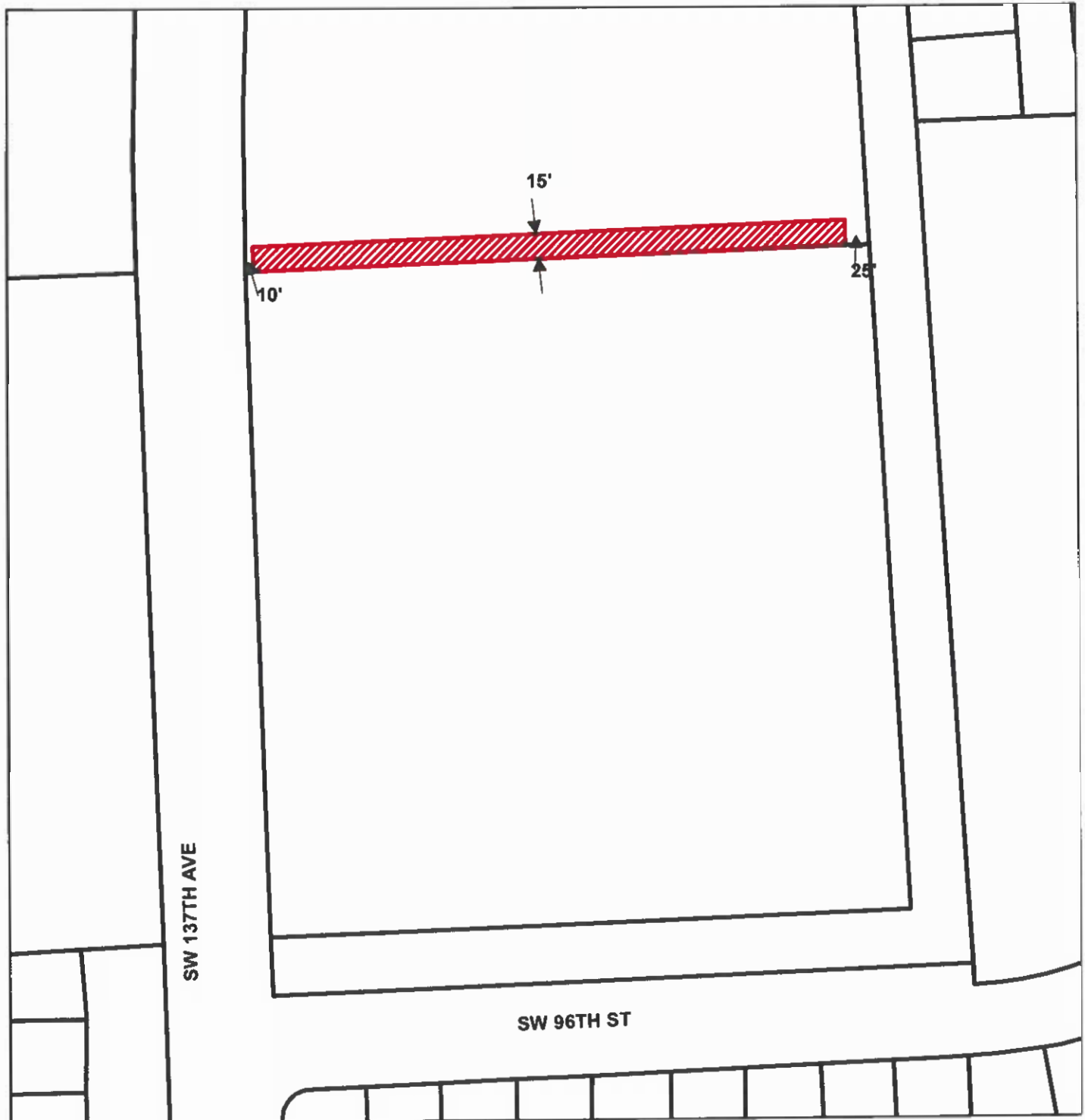
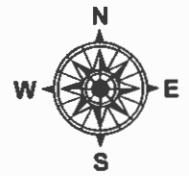
The land upon which the subject portion of the easements lies is currently an active construction site, being part of the approved TENTATIVE PLAT OF ALTRA KENDALL, T-24548, attached for reference to this memorandum as Attachment 2. The subject portion of the easements has not been used or maintained by the County for drainage purposes.

The easements were granted to Miami-Dade County in 1967 for drainage purposes by the instruments recorded in Official Records Book 5591, at Page 34, and Official Records Book 5758, at Page 337, of the Public Records of Miami-Dade County, Florida.



Jimmy Morales
Chief Operations Officer

Location & Aerial Map
SECTION 2 TOWNSHIP 55 RANGE 39
ATTACHMENT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Release of Drainage Easement

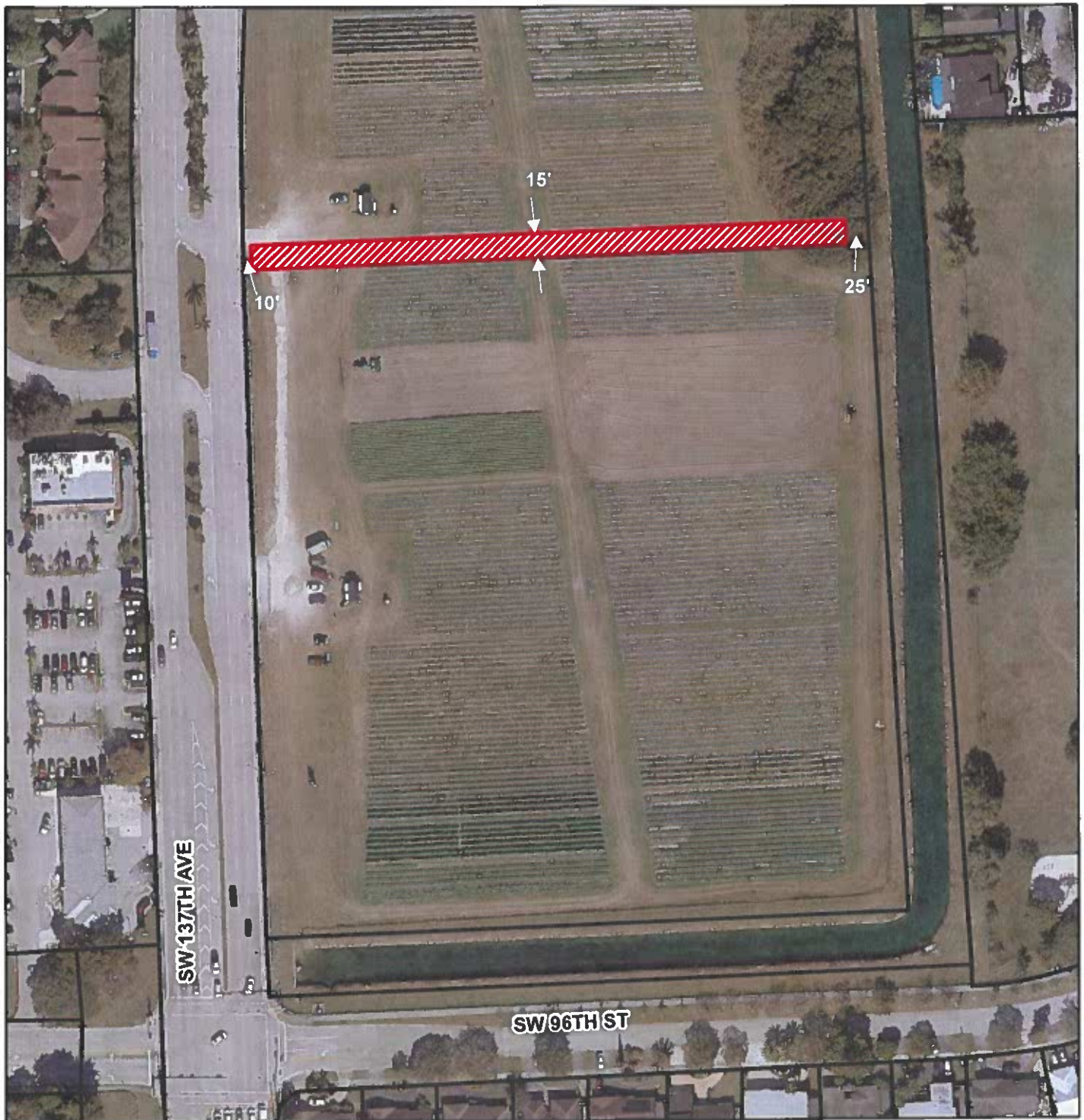
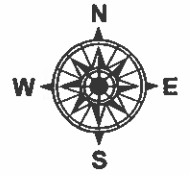
MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

Municipality: Unincorporated
Commission District 7
Raquel A. Regalado

Legend 
Release of Drainage Easement

Date: 11/28/2023
Drawn By: A.Santelices

Location & Aerial Map
SECTION 2 TOWNSHIP 55 RANGE 39
ATTACHMENT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Release of Drainage Easement

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

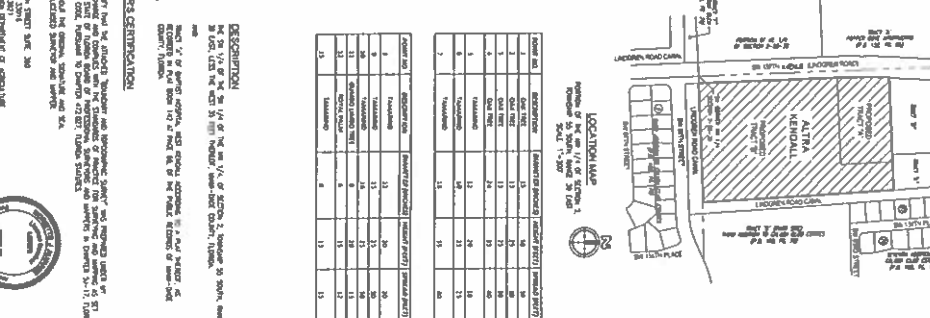
Municipality: Unincorporated
Commission District 7
Raquel A. Regalado

Legend 

Release of Drainage Easement

Date: 11/28/2023
Drawn By: A.Santelices

ATTACHMENT 2

[illegible]

patient no.	RESPIRATORY	HEARTBEAT (HR)	SPINAL (mmHg)
1	5	50	50
2	5	50	50
3	5	50	50
4	5	50	50
5	5	50	50
6	5	50	50
7	5	50	50
8	5	50	50
9	5	50	50
10	5	50	50
11	5	50	50
12	5	50	50
13	5	50	50
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15	5	50	50
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39	5	50	50
40	5	50	50
41	5	50	50
42	5	50	50
43	5	50	50
44	5	50	50
45	5	50	50
46	5	50	50
47	5	50	50
48	5	50	50
49	5	50	50
50	5	50	50

[illegible]



MEMORANDUM

(Revised)

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

DATE: May 7, 2024

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)
5-7-24

RESOLUTION NO. R-389-24

RESOLUTION APPROVING THE RELEASE OF A PORTION OF TWO DRAINAGE EASEMENTS TO MIAMI-DADE COUNTY RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA IN OFFICIAL RECORDS BOOK 5591, AT PAGE 34, AND OFFICIAL RECORDS BOOK 5758, AT PAGE 337, LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 55 SOUTH, RANGE 39 EAST AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

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

WHEREAS, in 1967 perpetual easements were granted to Miami-Dade County for the purpose of clearing, excavating, constructing, and maintaining outfall and drainage ditches and drains in, upon, and through a portion of land lying along SW 137 Avenue north of SW 96 Street, said easements having been recorded in Official Records Book 5591, at Page 34, and Official Records Book 5758, at Page 337, of the Public Records of Miami-Dade County, Florida, copies of which are included as Exhibit B to the Release of Drainage Easement Rights, attached to this resolution as Exhibit 1; and

WHEREAS, the current owner of the land upon which the said easements lie desires that a portion of the said easements be released and disclaimed by Miami-Dade County in order to facilitate the development of a commercial and residential project at this location; and

WHEREAS, the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources and the Right-of-Way and Stormwater Design Division of the Department of Transportation and Public Works have reviewed this request and do not have any objections to the release of the portion of the said easements depicted on Exhibit A of the attached Exhibit 1,

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

Section 1. The foregoing recitals are approved and incorporated by reference.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to execute the Release of Drainage Easement Rights in substantially the form attached to this resolution as Exhibit 1 and to take all actions necessary to effectuate same.

Section 3. Pursuant to Resolution No. R-974-09, (a) the County Mayor or County Mayor's designee shall record the Release of Drainage Easement Rights in the public records of Miami-Dade County, Florida and shall provide a copy of the recorded instrument to the Clerk of the Board within 30 days of the recordation of the release; and (b) the Clerk of the Board shall attach and permanently store a copy of the recorded instrument together with this resolution.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez** 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 7th day of May, 2024. 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.

A handwritten signature in black ink, appearing to read "LEM", is written over a horizontal line.

Lauren E. Morse

EXHIBIT 1

Return to:

Miami-Dade County Department of
Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610
Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore, P.S.M.
Folio No. 30-5902-050-0015
User Department: DTPW

RELEASE OF DRAINAGE EASEMENT RIGHTS

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

MIAMI-DADE COUNTY hereby releases of record and disclaims any rights and interest it may have in the portion described in **Exhibit A**, attached hereto and made a part hereof, of the easements granted by the Drainage Easement dated **May 12, 1967** and recorded in **Official Records Book 5591, at Page 34**, of the Public Records of Miami-Dade County, Florida, and the Drainage Easement dated **October 2, 1967** and recorded in **Official Records Book 5758, at Page 337**, of the Public Records of Miami-Dade County, Florida, copies of which are attached hereto as **Exhibit B** and made a part hereof.

Notwithstanding, **MIAMI-DADE COUNTY**, by this **RELEASE OF DRAINAGE EASEMENT RIGHTS** retains and specifically does not release or disclaim any interest or right which it may have in the real property encumbered by the Drainage Easements referred to above, exclusive to those interests released herein.

IN WITNESS WHEREOF, **MIAMI-DADE COUNTY** has caused these presents to be executed on its behalf, by the **COUNTY MAYOR** and attested by the **CLERK** or **DEPUTY CLERK** of the **BOARD OF COUNTY COMMISSIONERS** on this _____ day of _____, 202_.

The foregoing **RELEASE OF DRAINAGE EASEMENT RIGHTS** was approved on the ____ day of _____, A.D. 202_, by Resolution No. _____ of the **BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**.

ATTEST:

JUAN FERNANDEZ-BARQUIN,
Clerk of the Court
and Comptroller

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

By: _____
Deputy Clerk

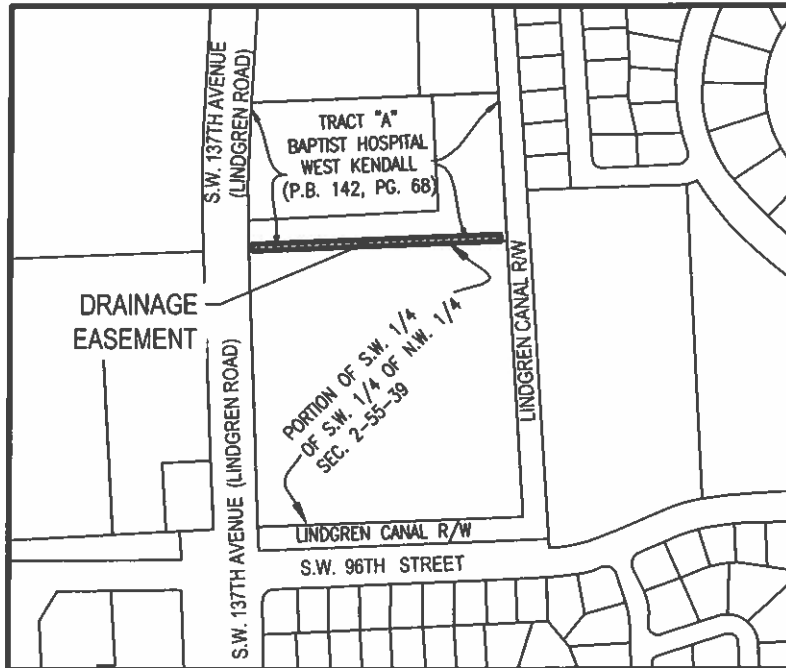
By: _____

Approved as to form and
legal sufficiency

Lauren E. Morse
Assistant County Attorney

EXHIBIT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
ALTIS BAPTIST KENDALL
EASEMENT TO RELEASE
"EXHIBIT A"



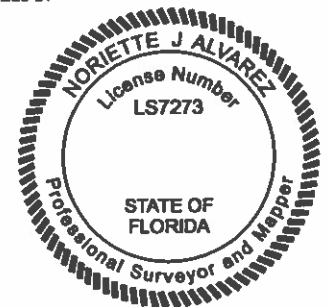
LOCATION MAP
(SCALE 1"= 500')



SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED BY



SURVEYOR'S NOTES

1. THIS EASEMENT LIES IN SECTION 2, TOWNSHIP 55 SOUTH, RANGE 39 EAST MIAMI-DADE COUNTY, FLORIDA.
2. BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF TRACT "A" BAPTIST HOSPITAL WEST KENDALL, ACCORDING TO THE PLAT, THEREOF AS RECORDED IN PLAT BOOK 142, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 87°36'54" EAST.
3. ALL EASEMENTS SHOWN HEREON ARE PER THE RECORD PLAT(S) UNLESS OTHERWISE INDICATED.
4. THIS SKETCH AND LEGAL DESCRIPTION ARE VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE DOCUMENT.
5. LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR EASEMENTS, RIGHTS-OF-WAY, OR OTHER MATTERS OF RECORD. SUCH INFORMATION SHOULD BE OBTAINED BY OTHERS THROUGH AN APPROPRIATE TITLE SEARCH.
6. THIS IS NOT A SURVEY, IT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.

ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

THIS IS NOT A SURVEY

HSQ GROUP
1001 YAMATO ROAD SUITE: 105
BOCA RATON, FLORIDA 33431
TEL 561-392-0221
STATE OF FLORIDA DEPARTMENT OF AGRICULTURE
CERTIFICATE OF AUTHORIZATION LB-7924

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION IS VALID ONLY WHEN ALL SHEETS ARE COMBINED, FORMING THE COMPLETE DOCUMENT.

ABBREVIATIONS:

P.B.	= PLAT BOOK
PG.	= PAGE
P.O.C.	= POINT OF COMMENCEMENT
P.O.B.	= POINT OF BEGINNING
N.E.	= NORTHEAST
N.W.	= NORTHWEST
R/W	= RIGHT OF WAY
SEC.	= SECTION
S.W.	= SOUTHWEST
¢	= CENTERLINE
E.	= EAST

REVISED SKETCH AND LEGAL DESCRIPTION	11/17/2023	NJA	NJA	N/A
SKETCH AND LEGAL DESCRIPTION	05/19/2023	FR	NJA	N/A
REVISIONS	DATE	BY	CK'D	FIELD BK.
PROJECT: ALTIS BAPTIST KENDALL	SCALE: N/A			
PROJECT NO.: 201084	SHEET 1 OF 3			

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
ALTIS BAPTIST KENDALL
EASEMENT TO RELEASE
"EXHIBIT A"

LEGAL DESCRIPTION:

A 15 FEET DRAINAGE EASEMENT BEING A PORTION OF TRACT "A" BAPTIST HOSPITAL WEST KENDALL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 142 AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "A" BAPTIST HOSPITAL WEST KENDALL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 142 AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 04°22'39" EAST ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 338.87 FEET; THENCE SOUTH 87°40'21" WEST ALONG A LINE 15 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 25.02 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND;

THENCE SOUTH 04°22'39" EAST, OF 15.01 FEET; THENCE SOUTH 87°40'21" WEST, ALONG THE SAID SOUTH LINE OF TRACT "A", A DISTANCE OF 592.05' FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EAST OF WHICH THE RADIUS POINT LIES NORTH 88°03'08" EAST, A RADIAL DISTANCE OF 5664.65 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°09'06", AN ARC DISTANCE OF 15.00 FEET; THENCE N87°40'21" EAST ALONG A LINE LYING 15.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO SAID SOUTH LINE OF TRACT "A", A DISTANCE OF 591.39 FEET TO THE POINT OF BEGINNING.

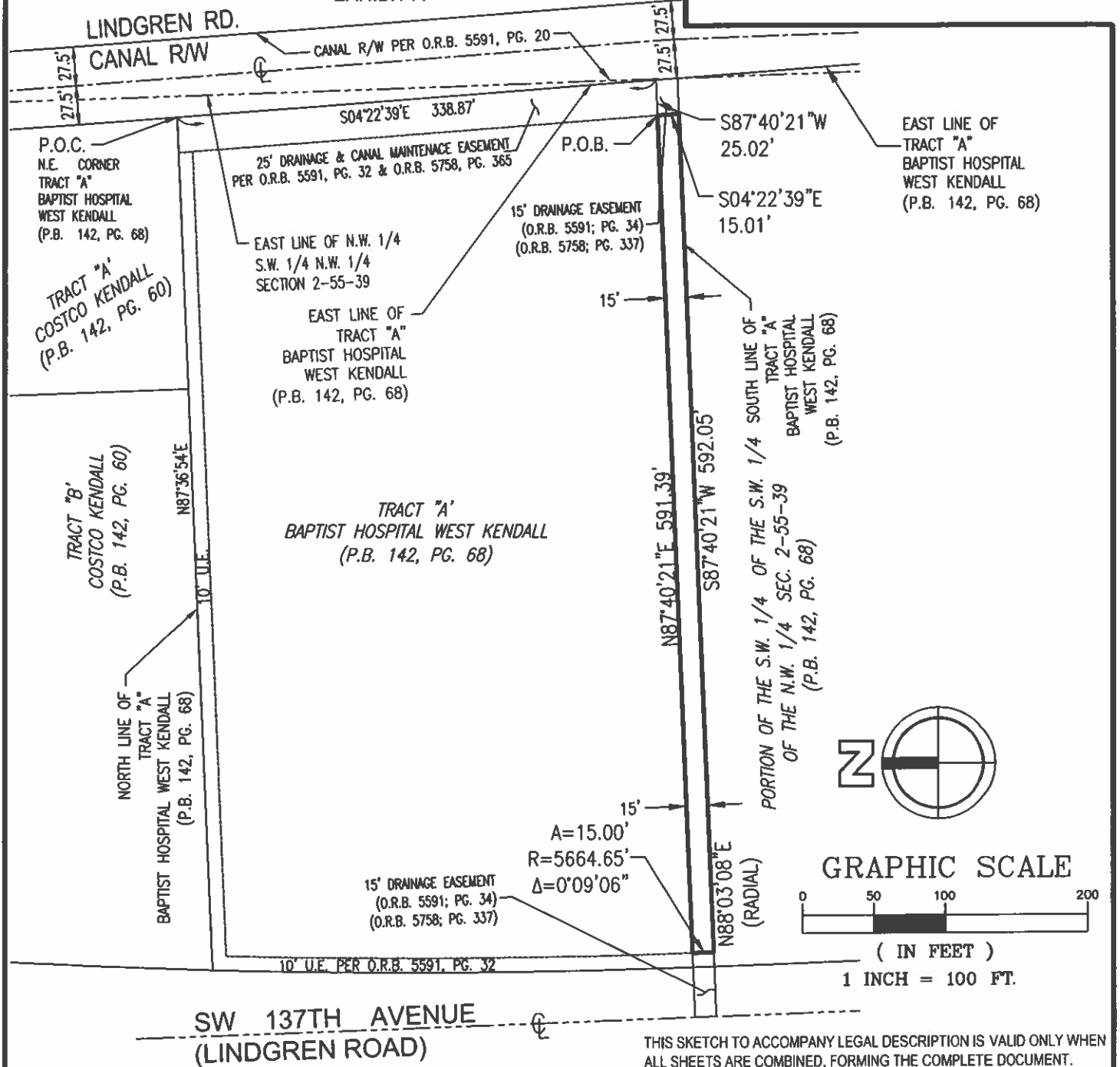
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SEC. = SECTION
S.W. = SOUTHWEST
C. = CENTERLINE
E. = EAST

REVISED SKETCH AND LEGAL DESCRIPTION	11/17/2023	NJA	NJA	N/A
SKETCH AND LEGAL DESCRIPTION	05/19/2023	FR	NJA	N/A
REVISIONS	DATE	BY	CK'D	FIELD BK.
PROJECT: ALTIS BAPTIST KENDALL		SCALE: N/A		
PROJECT NO.: 201084		SHEET 2 OF 3		

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
ALTIS BAPTIST KENDALL
EASEMENT TO RELEASE
"EXHIBIT A"



ABBREVIATIONS:

P.B.	=	PLAT BOOK
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N.E.	=	NORTHEAST
N.W.	=	NORTHWEST
R/W	=	RIGHT OF WAY
SEC.	=	SECTION
S.W.	=	SOUTHWEST
CL	=	CENTERLINE
E.	=	EAST

REVISED SKETCH AND LEGAL DESCRIPTION	11/17/2023	NJA	NJA	N/A
SKETCH AND LEGAL DESCRIPTION	05/19/2023	FR	NJA	N/A
REVISIONS	DATE	BY	CK'D	FIELD BK.
PROJECT: ALTIS BAPTIST KENDALL	SCALE: 1"=100'			
PROJECT NO.: 201084	SHEET 3 OF 3			

EXHIBIT B

720

DRAINAGE EASEMENT

BY CORPORATION

STATE OF FLORIDA)

COUNTY OF DADE)

THIS EASEMENT made this 12th day of May, A. D. 1967,
between North Kendall Investments, Limited, an Ontario

a corporation organized and existing under the laws of the State of Ontario CANADA,

as the first party, and the County of Dade, a body Corporate, and a Political
Subdivision of the State of Florida, and its successors in-interest, party of
the second part,

WITNESSETH: That the first party, in consideration of the sum of One
Dollar and other valuable considerations paid, the receipt of which is hereby
acknowledged, hereby grants unto the second party its successors and assigns,
a perpetual easement and right of way for the purpose of clearing, excavating,
constructing and maintaining outfall and drainage ditches and drains in, upon
and through the following described land in Dade County, Florida, to-wit:

That part of the South 15.00 feet of the NW¹/₄ of the NW¹/₄ of the NW¹/₄ of
Section 2, Township 55 South, Range 39 East, Dade County, Florida, which
lies East of the Easterly right of way line of SW 137th Avenue and West
of the Westerly right of way line of Lindgren Road Canal;

AND

That part of the South 15.00 feet of the SW¹/₄ of the NW¹/₄ of the NW¹/₄ of said
Section 2, which lies East of the Easterly right of way line of SW 137th
Ave. and West of the Westerly right of way line of Lindgren Road Canal;

AND

That part of the South 15.00 feet of the NW¹/₄ of the SW¹/₄ of the NW¹/₄ of said
Section 2 which lies East of the Easterly right of way line of SW 137th
Ave. and West of the Westerly right of way line of Lindgren Road Canal.

Approved as to description

Date 7-6-67
W. C. Lindgren

46

5967

MDC020

TO HAVE AND TO HOLD the same unto the second party, its successors and assigns, together with immunity unto the second party, its successors or assigns from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the first party, lying adjacent or contiguous to the lands hereinabove described and the party of the first part will defend the title to said lands against all persons claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the first party has caused these presents to be duly executed in its name by its President, and its corporate seal to be hereto affixed, attested by its Assistant Secretary, on the date first above written.

Signed, sealed and delivered in the presence of:

J. Mitchell

NORTH KENDALL INVESTMENTS, LIMITED
BY [Signature] Its President
ATTEST [Signature] Its Asst. Secy.

(CORPORATE SEAL)

STATE OF Florida
COUNTY OF Dade

Before me, the undersigned authority, this day personally appeared Robert Henry Pringle and Henry George Jones to me well known and known to me to be the individuals described in and who executed the foregoing instrument as The President and The Assistant Secretary, respectively, of the Corporation named in the foregoing instrument, and they severally acknowledged to and before me that they executed said instrument on behalf of and in the name of said corporation as such officers; that the seal affixed to said instrument is the corporate seal of said corporation and that it was affixed thereto by due and regular corporate authority; that they are duly authorized by said corporation to execute said instrument and that said instrument is the free act and deed of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 12 day of May, A. D. 1967
My commission expires: 10 for life

[Signature] Public, State of Bahama Islands
State of Florida, County of Dade.
This instrument was filed for record on 9 May 1967 at 2:11 P.M. and duly recorded in Book 557 on Page 34 121747

E. B. LEAH
Clerk Circuit Court

[Signature] D. C.

The foregoing dedication was recorded and approved on the 14 day of May 1967 by the City of Dade Clerk of the County of Dade, Florida.
ATTEST: [Signature] Clerk of the County

DADE COUNTY, FLORIDA

TO

North Kendall Investments, Limited
an Florida corporation

FROM

DRAINAGE EASEMENT

Trd. #128 SW (S.W. 137 Ave. Outfall)
LAKESHORE ROAD CANAL
Section 2-35-39 Dist. #8

2281

MDC021

DRAINAGE EASEMENT
BY CORPORATION

STATE OF FLORIDA,)
COUNTY OF DADE)

THIS INDENTURE, Made this 2nd day of October, A. D. 1967, by and between ARVIDA CORPORATION, a corporation under the laws of the State of Delaware, and having its office and principal place of business in the City of Miami, Florida, in said State, party of the first part, and the County of Dade, a body Corporate, and a Political Subdivision of the State of Florida, and its successors in interest, party of the second part,

KNOW ALL MEN BY THESE PRESENTS that whereas the Parties of the First Part are the mortgagees of the following described land in Dade County, Florida:

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 55 South, Range 39 East, Dade County, Florida.

NOW THEREFORE, in consideration of the premises, and of the sum of One Dollar (\$1.00) in hand paid by the Party of the Second Part to the Parties of the First Part, receipt whereof is hereby acknowledged, the Parties of the First Part have granted, bargained and sold and by these presents do hereby grant, bargain, sell and convey to the Party of the Second Part an easement over, along and across that certain strip of land, being a part of the land hereinabove described, the description of which is as follows:

That part of the South 15.00 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 55 South, Range 39 East, Dade County, Florida, which lies East of the Easterly right of way line of SW 137th Avenue and West of the Westerly right of way line of Lindgren Road Canal;

AND

That part of the South 15.00 feet of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 2 which lies East of the Easterly right of way line of SW 137th Ave. and West of the Westerly right of way line of Lindgren Road Canal;

AND

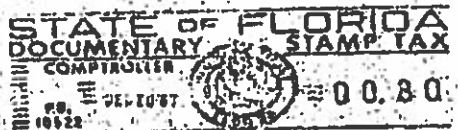
That part of the South 15.00 feet of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 2 which lies East of the Easterly right of way line of SW 137th Ave. and West of the Westerly right of way line of Lindgren Road Canal. Approved as to description Date

IN WITNESS WHEREOF, the first party has caused these presents to be duly executed in its name by its Vice President, and its corporate seal to be hereto affixed, attested by its Secretary, on the date first above written.

Signed, sealed and delivered
In the presence of:

ARVIDA CORPORATION

Frank M. [Signature]
Sr. Vice President
Attest [Signature]
Assistant Secretary



STATE OF Florida
COUNTY OF Dade

Before me, the undersigned authority, this day personally appeared _____

Frank M. Stephens and William J. Dunbar

to me well known and known to me to be the individuals described in and who executed the foregoing instrument as President and Secretary, respectively, of the Corporation named in the foregoing instrument, and they severally acknowledged to and before me that they executed said instrument on behalf of and in the name of said corporation as such officers; that the seal affixed to said instrument is the corporate seal of said corporation and that it was affixed thereto by due and regular corporate authority; that they are duly authorized by said corporation to execute said instrument and that said instrument is the free act and deed of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 2 day of October, A. D. 1967.

MY COMMISSION EXPIRES:
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES SEPT. 21, 1970
BONDED THROUGH FRED W. GIESSENHART

Alan Miller
Notary Public, State of Florida

State of Florida, County of Dade.
This instrument was filed for record the 2 day of October
1967 at 3:57 P.M. and duly recorded in OFFICIAL RECORDS
Book 5758 on Page 33 File # 67R 197345

E. B. LEATHERMAN
Clerk Circuit Court

By Frank M. Stephens D.C.

APPROVED
LEGAL [Signature]
ACCT. [Signature]
SALES [Signature]
ENGR. [Signature]

The foregoing dedication was accepted and approved on the 6 day of October

1967 by the Board of County Commissioners of the County of Dade

Charles H. Hall
Chairman of the Board

ATTEST: E. B. LEATHERMAN
Clerk of the Court

By James S. Miller
Deputy Clerk

DADE COUNTY, FLORIDA

TO

... corporation, ...

AVIATION CORPORATION, & Delaware

FROM

BY CORPORATION

DRAINAGE EASEMENT

Section 2-55-39

S.W. 137th Ave. to Lindgren Rd.
Canal