

MEMORANDUM

Agenda Item No. 8(N)(5)

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

DATE: October 16, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the conveyance of a perpetual easement within Miami-Dade County canal right-of-way adjacent to State Road 823 between West 71st Street and West 75th Place to the Florida Department of Transportation for the purpose of installing and maintaining streetlights and related electrical equipment; and authorizing the County Mayor to execute the easement for and on behalf of Miami-Dade County, to take all actions to effectuate same and to exercise all provisions contained therein

Resolution No. R-935-24

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: October 16, 2024

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

From: Daniella Levine Cava
Mayor 

Subject: Recommendation Authorizing the Conveyance of a Perpetual Easement to the Florida Department of Transportation for the Purpose of Installing and Maintaining Streetlights and Related Electrical Equipment

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the conveyance of a perpetual easement within County canal right-of-way to the Florida Department of Transportation (FDOT) for the purpose of installing and maintaining streetlights and related electrical equipment to support a new residential development.

Scope

The proposed easement is located in Commission District 13, represented by Commissioner Rene Garcia.

Delegated Authority

Pursuant to Section 125.38 of the Florida State Statutes, the Board is authorized to convey the perpetual easement to FDOT. The authority of the County Mayor or the County Mayor's designee to execute the easement is consistent with the authorities granted under the Miami-Dade County Code of Ordinances.

Fiscal Impact/Funding Source

There is no fiscal impact to the County resulting from the granting of the easement.

Track Record/Monitor

Javier Bustamante, Assistant Director of Right-of-Way, Utilities and Joint Development, Department of Transportation and Public Works (DTPW), will be responsible for monitoring the easement.

Background

The developer of Manor Hialeah, a 28-acre residential development located on the west side of State Road 823 (Red Road/W 4th Avenue) between approximately West 71st Street and West 75th Place, has obtained approval from FDOT to construct a new driveway and turn lane into the new development. However, the construction of the driveway and turn lane required the existing streetlights, which were located on State Road 823 right-of-way, to be relocated to their current location farther west onto County canal right-of-way.

Subsequently, FDOT has requested the conveyance of a perpetual easement in County canal right-of-way to allow for the installation and maintenance of these new streetlights and related electrical equipment.

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
Page 2

FDOT will retain ownership and the responsibility of maintaining these streetlights. County staff has no objections to granting the easement to FDOT.



Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

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

DATE: October 16, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(5)

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 ____, majority plus one ____, 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) ____, 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)(5)
10-16-24

RESOLUTION NO. _____ R-935-24

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERPETUAL EASEMENT WITHIN MIAMI-DADE COUNTY CANAL RIGHT-OF-WAY ADJACENT TO STATE ROAD 823 BETWEEN WEST 71ST STREET AND WEST 75TH PLACE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF INSTALLING AND MAINTAINING STREETLIGHTS AND RELATED ELECTRICAL EQUIPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, TO TAKE ALL ACTIONS TO EFFECTUATE SAME AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

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

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

Section 1. Incorporates the foregoing recitals and accompanying memorandum as if fully set forth herein and approves a perpetual easement to Florida Department of Transportation (FDOT) for the installation and maintenance of streetlights and related electrical equipment on County canal right-of-way between Miami-Dade County, Florida and FDOT, in substantially the form attached hereto and incorporated herein.

Section 2. Authorizes the conveyance of a perpetual easement to the Florida Department of Transportation for the purpose of installing and maintaining streetlights and related electrical equipment within Miami-Dade County canal right-of-way and authorizes the County

Mayor or County Mayor's designee to execute the easement, in substantially the form attached hereto as Attachment "A" and incorporated herein by reference, to take all actions to effectuate same and to exercise all provisions contained therein.

Section 3. Directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record the easement in the public records of the County and provide a recorded copy to the Clerk of the Board within 30 days of execution of the easement and directs the Clerk of the Board to permanently store the recorded copies with this resolution.

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

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	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of October, 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 "B. Libhaber", is written over a horizontal line.

Bruce Libhaber

07-PE.11-04/93

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
Miami, Florida 33172

Parcel No. :
Item/Segment No. :
Managing District: 6

PERPETUAL EASEMENT

THIS EASEMENT made the _____ day of _____, 20 __, by MIAMI-DADE COUNTY, a political subdivision of the State of Florida, Grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, 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 and maintaining street lights, conduits, pull boxes and related electrical equipment (collectively, the "Traffic Features") in, over, under, upon and through the following described land (the "Easement Area") in Miami-Dade County, Florida:

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

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

Grantee shall be responsible for the maintenance of the Traffic Features, provided however that Grantor shall continue to be responsible for maintaining any other improvements within the easement area granted herein.

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

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

THAT this easement is solely for the purpose of installing and maintaining streetlights, conduits, pull boxes and related electrical equipment and no other uses of the Easement Area are permitted.

THAT in the event said transportation use is permanently discontinued or abandoned as reasonably determined by Grantor, then upon written notice by Grantor to Grantee this easement shall terminate, and title to the above described property shall revert to the Grantor, its successors and assigns, and it shall have the right to immediately possess same. In the event Grantee's easement terminates and Grantor deems it necessary to request the removal of the Traffic Features or any of its components occupying the Easement Area, Grantee shall remove the Traffic Features or its components, as requested, and restore the Easement Area to a like or similar condition as existed prior to this Easement, at Grantee's sole cost and expense.

THAT Grantee shall not obstruct the County right-of-way, except as may be required temporarily from time to time to effect construction, inspections, maintenance, repairs, improvements and replacement of the Traffic Features.

Any construction, improvement, or hazards to the public resulting from the project construction that requires major repair and/or replacement work is subject to formal approval and permit as may be required by Grantor. Grantee shall promptly repair any damage to the Grantor's right-of-way, resulting from Grantee's exercising its rights hereunder. In the event that Grantee fails to do so, Grantor may repair such damage and Grantee shall pay all costs and expenses of such repair upon thirty (30) days' notice, and receipt of an invoice from Grantor.

Any contractor retained by Grantee to perform work within the Easement Area ("the Contractor") shall be required to indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of the work by the Contractor or its employees, agents, servants, partners principals or subcontractors. The agreement with the Contractor shall provide that the Contractor shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon, and that any insurance protection required by the agreement with the Contractor or otherwise provided by Contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the County or its officers, employees, agents and instrumentalities as herein provided.

The Contractor shall be required to furnish to the County, Certificate(s) of Insurance which indicate that insurance coverage has been obtained which meets the requirements as outlined below:

- A. Worker's Compensation Insurance for all employees of the Contractor as required by Florida Statute 440.
- B. Commercial General Liability Insurance in an amount not less than \$1,000,000 per occurrence, and \$2,000,000 in the aggregate, not to exclude Explosion Collapse and Underground Hazards and Products and Completed Operations. Miami-Dade County must be shown as an additional insured with respect to this coverage.
- C. Automobile Liability Insurance covering all owned, non-owned and hired vehicles, in an amount not less than \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
- D. Umbrella Liability Insurance in an amount not less than \$3,000,000 per occurrence, and \$3,000,000 in the aggregate.
- a. If Excess Liability is provided a "follow form" policy for the coverage's listed in Section(s) B and C herein, must be provided.

All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications:

The company must be rated no less than "A-" as to management, and no less than "Class VII" as to financial strength, by Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the County Risk Management Division.

Or

The company must hold a valid Florida Certificate of Authority as shown in the latest "List of All Insurance Companies Authorized or Approved to Do Business in Florida" issued by the State of Florida Department of Financial Services.

NOTE: CERTIFICATE HOLDER MUST READ: MIAMI-DADE COUNTY
111 NW 1st STREET
SUITE 2340
MIAMI, FL 33128

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

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

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

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

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

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

SIGNATURES APPEAR ON NEXT PAGE

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by the Board of County Commissioners acting by the County Mayor or the County Mayor's designee, the day and year aforesaid.

ATTEST: _____

Clerk (or Deputy Clerk) of the Circuit Court

(Affix County Seal)

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

By: _____
Daniella Levine Cava
Mayor

(Address)

Approved as to form
and legal sufficiency.

Assistant County Attorney

The foregoing was authorized and approved by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, A.D. 20____.

EXHIBIT "A"

LEGAL DESCRIPTION, NOTES & CERTIFICATION

LEGAL DESCRIPTION: Light Pole Easement 1

A Light Pole Easement lying in land adjacent East to Tract 50, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Miami Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the Easterly extension of the South line of said Tract 50 and the East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East, the following two (2) courses being along said East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East, 1) thence N 02°41'06" W for 38.91 feet to the Point of Beginning of the hereinafter described Light Pole Easement; 2) thence continue N 02°41'06" W for 10.00 feet, thence S 87°18'54" W for 7.00 feet; thence S 02°41'06" E for 10.00 feet, thence N 87°18'54" E for 7.00 feet to the Point of Beginning.

SURVEYOR'S NOTES:

This site lies in Section 25, Township 52 South, Range 40 East, City of Hialeah, Miami Dade County, Florida.

All documents are recorded in the Public Records of Miami Dade County, Florida unless otherwise noted.

Bearings hereon are referred to a value of S 02°41'06" E for the East right of way line of State Road No. 823 per Florida Department of Transportation Surveying and Mapping Right of Way Monumentation Map, Section No. 87002 (Sheet 8 of 35).

Lands shown hereon were not abstracted for easements and/or rights of way of records.

This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.

Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2014 175.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on November 17, 2023, 2023 and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653


STATE OF FLORIDA
Surveyor and Mapper, LS6435

Daniel C. Fortin Jr., for The Firm
Surveyor and Mapper, LS6435
State of Florida

THIS IS NOT A SURVEY

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Drawn By: MAP	Ref. Dwg: 2014-175	Date: 11/17/23
Cad No: 200597	Job No: 230882	Scale: NOT TO SCALE
Plotted: 4/4/24 2:00p	Dwg No: 1023-066-1	

Florida Department of Transportation, District VI
Item Segment No.:
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 1 of 3

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft

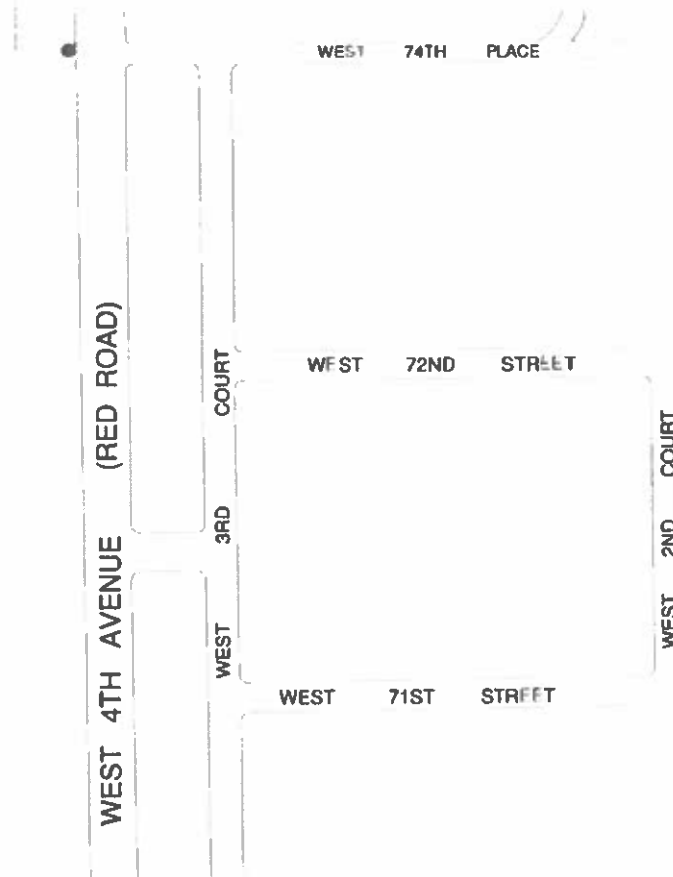


MDC013

EXHIBIT "A"

LOCATION SKETCH

LIGHT POLE EASEMENT



THIS IS NOT A SURVEY

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida, 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/17/23
Cad No.	200597	Job No.	230882	Scale	NOT TO SCALE
Plotted	4/4/24 2:00p	Dwg No.	1073-066-1		

Florida Department of Transportation, District VI
Item Segment No.: -
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 3 of 3

EXHIBIT "A"

LEGAL DESCRIPTION, NOTES & CERTIFICATION

LEGAL DESCRIPTION: Light Pole Easement 2

A Light Pole Easement lying in and adjacent East to Tract 51, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Miami Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the Easterly extension of the North line of said Tract 51 and the East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East, the following two (2) courses being along said East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East; 1) thence S 02°41'06" E for 82.49 feet to the Point of Beginning of the hereinafter described Light Pole Easement; 2) thence continue S 02°41'06" E for 10.00 feet; thence S 87°18'54" W for 7.00 feet; thence N 02°41'06" W for 10.00 feet; thence N 87°18'54" E for 7.00 feet to the Point of Beginning.

SURVEYOR'S NOTES:

This site lies in Section 25, Township 52 South, Range 40 East, City of Hialeah, Miami Dade County, Florida.

All documents are recorded in the Public Records of Miami Dade County, Florida unless otherwise noted.

Bearings hereon are referred to a value of S 02°41'06" E for the East right of way line of State Road No. 823 per Florida Department of Transportation Surveying and Mapping Right of Way Monumentation Map, Section No. 87002 (Sheet 8 of 35).

Lands shown hereon were not abstracted for easements and/or rights of way of records.

This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.

Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2014 175.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on November 17, 2023, 2023 and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statute.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653


Daniel C. Fortin, Jr., for the Firm
Surveyor and Mapper, LB3653
State of Florida

THIS IS NOT A SURVEY

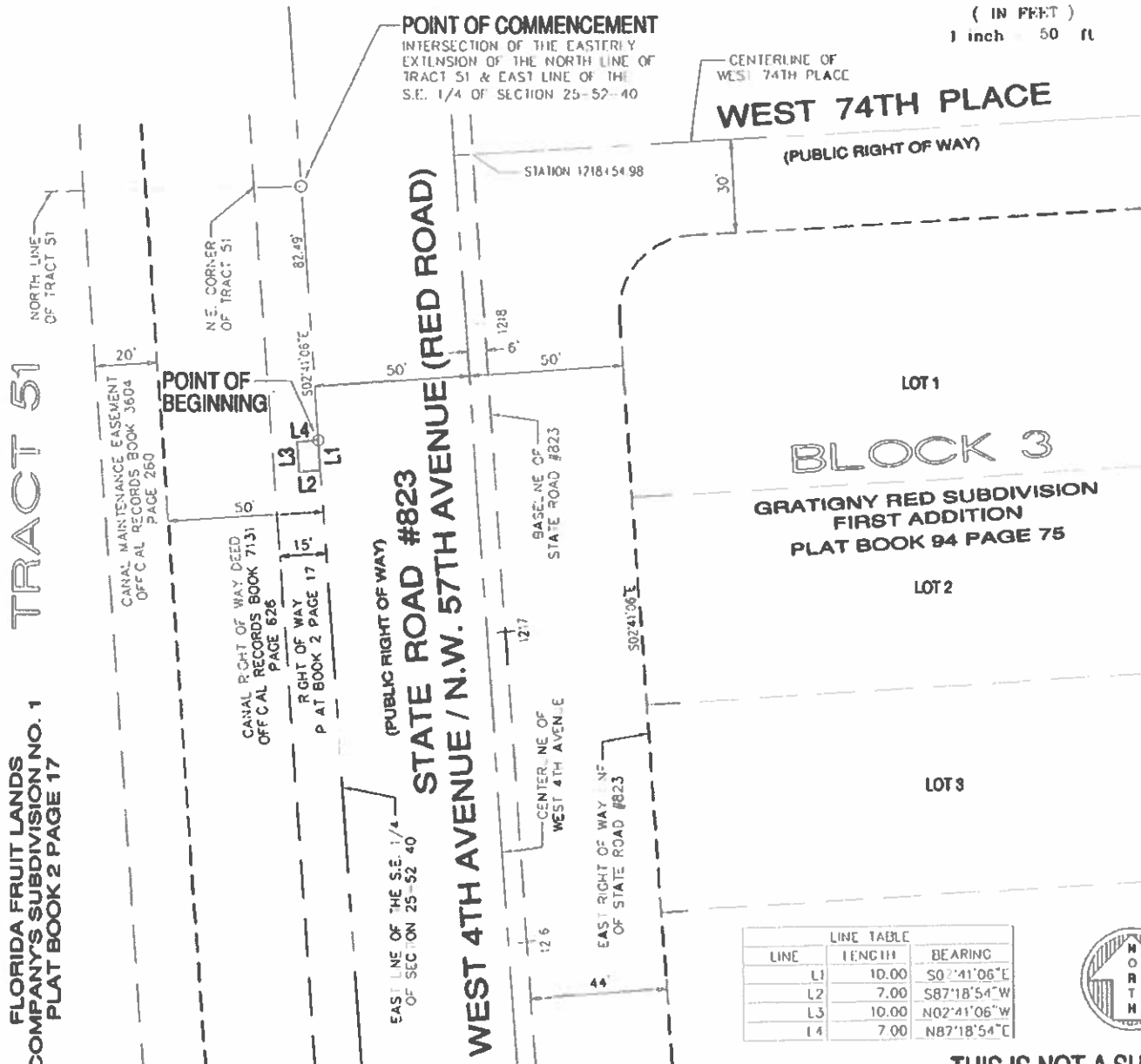
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CONSULTING ENGINEERS, SURVEYORS & MAPPERS
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180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email ls@flesurvey.com

Drawn By	MA	Ref. Dwg.	2014-175	Date	11/17/23
Cad No.	210597	Job No.	230882	Scale	NOT TO SCALE
Plotted	4/4/24 2:00p	Dwg No.	1023-066-2		

Florida Department of Transportation, District VI
Item Segment No.:
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 1 of 3

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft



THIS IS NOT A SURVEY

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CONSULTING ENGINEERS, SURVEYORS & MAPPERS
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Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/17/23
Cad No	200597	Job No.	23-882	Scale	1"=50'
Plotted	4/4/24 2:00p	Dwg No.	1023-C66-?		

Florida Department of Transportation, District VI
Item Segment No.:

State Project No.: 87002

Federal Project No.: N/A

State Road No.:

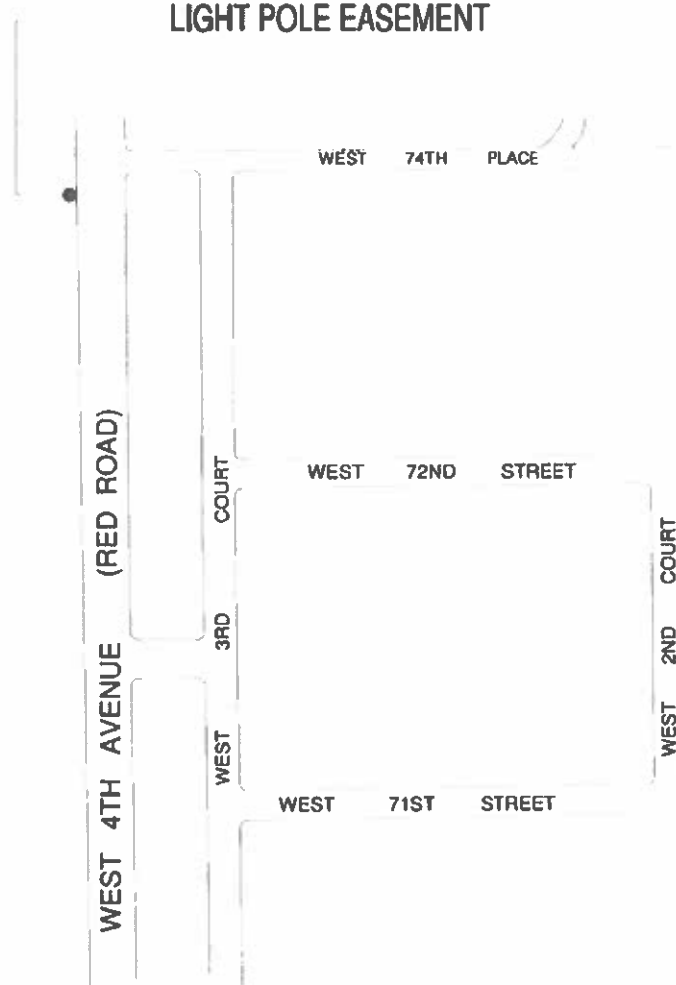
County: Miami-Dade

Parcel No: Not yet allocated Sheet 2 of 3

EXHIBIT "A"

LOCATION SKETCH

LIGHT POLE EASEMENT



THIS IS NOT A SURVEY

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
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Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/17/23
Cad No	200597	Job No	230882	Scale	NOT TO SCALE
Plotted	4/4/24 2:00p	Dwg No	1023-066-2		

Florida Department of Transportation, District VI
 Item Segment No.: -
 State Project No.: 87002
 Federal Project No.: N/A
 State Road No.: 823
 County: Miami-Dade
 Parcel No: Not yet allocated **Sheet** 3 **of** 3

EXHIBIT "A"

SURVEYOR'S NOTES & CERTIFICATION

SURVEYOR'S NOTES:

This site lies in Section 25, Township 52 South, Range 40 East, City of Hialeah, Miami Dade County, Florida.

All documents are recorded in the Public Records of Miami Dade County, Florida unless otherwise noted.

Bearings hereon are referred to a value of S 02°41'06" E for the East right of way line of State Road No. 823 per Florida Department of Transportation Surveying and Mapping Right of Way Monumentation Map, Section No. 87002 (Sheet 8 of 35).

Lands shown hereon were not abstracted for easements and/or rights of way of records.

This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.

Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2014 175.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on November 17, 2023, 2023 and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

By 
 Daniel C. Fortin Jr., For The Firm
 Surveyor and Mapper, LS6435
 State of Florida.

THIS IS NOT A SURVEY

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
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Phone: 305-653-4493 / Fax: 305-651-7152 / Email: fl@flsurvey.com

Drawn By: MAP	Ref. Dwg. 2014-175	Date: 11/17/23
Cad No. 200597	Job No. 230882	Scale NOT TO SCALE
Plotted 4/4/24 2:00p	Dwg No. 1023-066-3	

Florida Department of Transportation, District VI
Item Segment No.: --
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 1 of 4

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION: Lighting and Utility Easement

A Lighting and Utility Easement across a portion of Tract 51 and lying adjacent to said Tract 51, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2 at Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the Easterly extension of the North line of said Tract 51 and the East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East, the following two (2) courses being along said East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East; 1) thence S 02°41'06" E for 201.17 feet to the Point of Beginning of the hereinafter described aforementioned Easement; 2) thence continue S 02°41'06" E for 8.47 feet; thence S 32°10'14" W for 14.06 feet; thence S 46°13'40" E for 2.12 feet; thence S 45°26'46" E for 9.68 feet; thence S 02°41'06" E along said East line of the Southeast 1/4 of Section 25, Township 52 South, Range 40 East for 14.73 feet; thence N 45°26'46" W for 20.50 feet to a point of curvature; thence Northwesternly along a 67.75 foot radius curve leading to the left through a central angle of 35°36'36" for an arc distance of 42.11 feet to a point on a non-tangent line; thence N 02°41'06" W along the West line of a fifty (50) foot wide Canal Right of Way Deed as recorded in Official Records Book 7131 at Page 626 in said Public Records of Public Records of Miami-Dade County, Florida for 12.22 feet to a point on a circular curve concave to the Southwest and whose radius point bears S 03°33'36" W; thence Southeasterly along a 74.46 foot radius curve leading to the right through a central angle of 30°38'37" for an arc distance of 39.82 feet to a point on a non-tangent line; thence N 32°10'14" E for 15.16 feet to a point on a circular curve concave to the Southwest and whose radius point bears S 14°07'12" W; thence Southeasterly along a 18.21 foot radius curve leading to the right through a central angle of 16°31'35" for an arc distance of 5.25 feet to a point on a non tangent line, also being the Point of Beginning.

THIS IS NOT A SURVEY

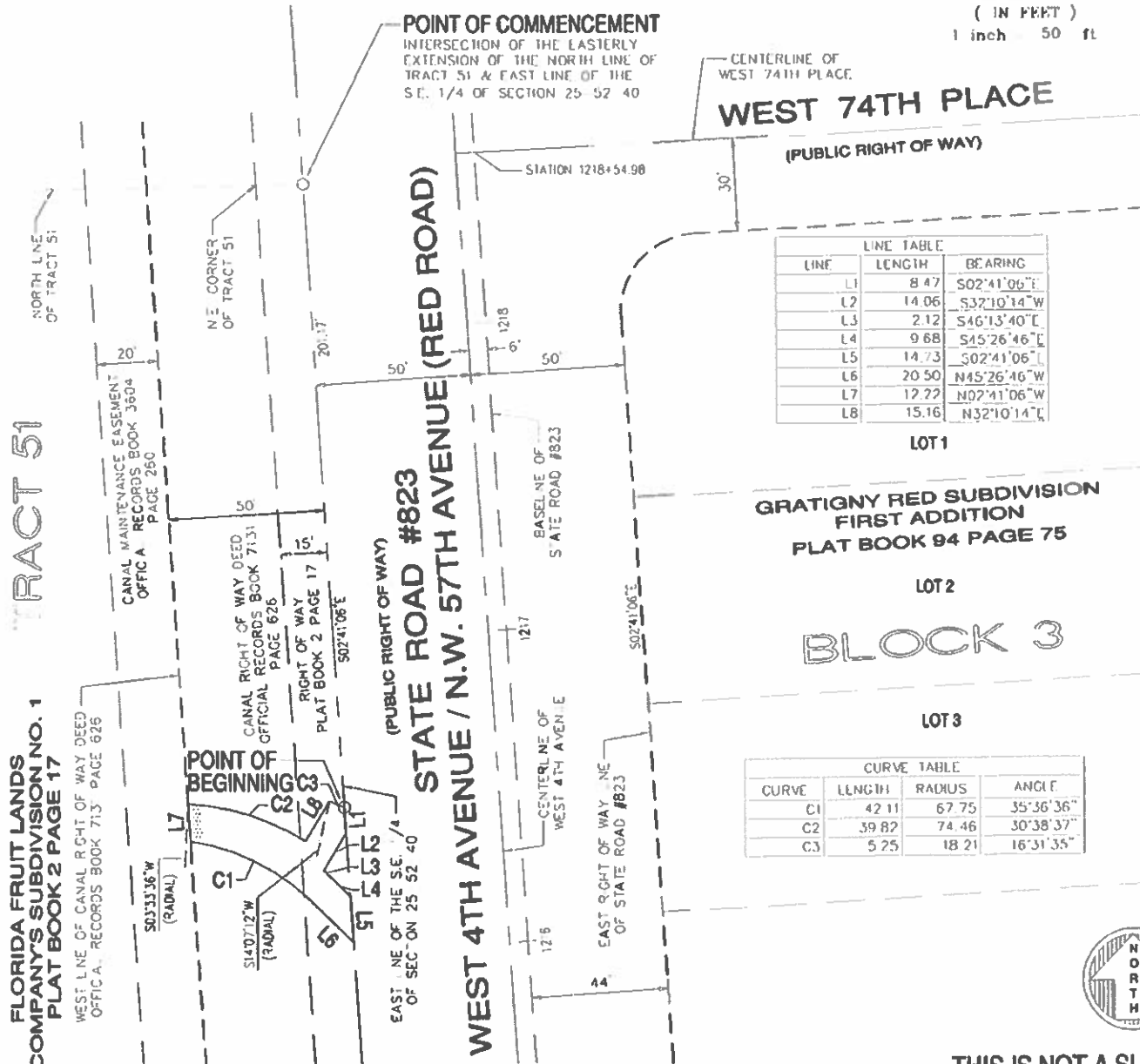
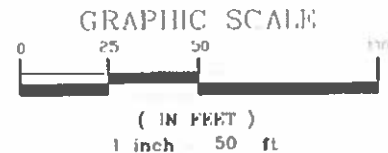
FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida, 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/17/23
Cad No.	200597	Job No.	230882	Scale	NOT TO SCALE
Plotted	4/4/24 2:00p	Dwg No.	1023-066-3		

Florida Department of Transportation, District VI
Item Segment No.:
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 2 of 4

EXHIBIT "A"

SKETCH OF DESCRIPTION



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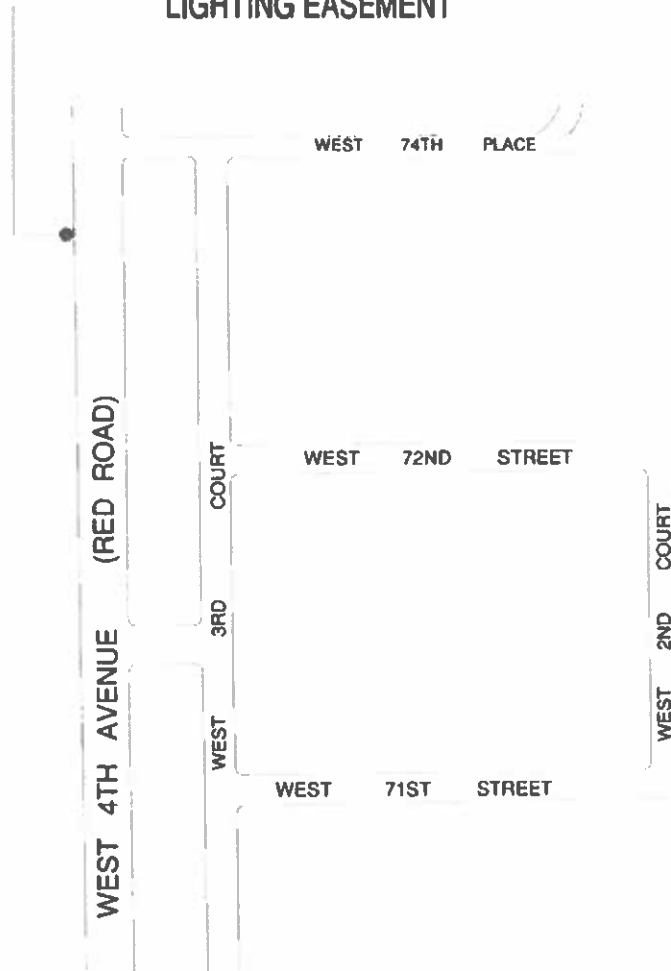
Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/11/25
Cad No	200597	Job No	230882	Scale	1"=50'
Plotted	4/4/24 2:00p	Dwg No.	1023-066-3		

Florida Department of Transportation, District VI
Item Segment No.: -
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 3 of 1

EXHIBIT "A"

LOCATION SKETCH

LIGHTING EASEMENT



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Drawn By	MAP	Ref. Dwg.	2014-175	Date	11/17/23
Cad No.	200597	Job No.	230882	Scale	NOT TO SCALE
Plotted	4/4/24 2:00p	Dwg No.	1023-066-3		

Florida Department of Transportation, District VI
Item Segment No.: -
State Project No.: 87002
Federal Project No.: N/A
State Road No.: 823
County: Miami-Dade
Parcel No: Not yet allocated Sheet 4 of 4