

Business Operations
Joe Arriola, Chief Business Officer

SUBJECT: AUTHORIZATION TO TERMINATE AN ACCESS EASEMENT RUNNING SOUTHERLY THEN EASTERLY THROUGH A PORTION OF THE SUNSET ELEMENTARY SCHOOL SITE

Background

On April 23, 1937 the owners of property lying adjacent to and east of the existing Sunset Elementary School site joined, for their mutual benefit, and created certain access easements throughout the East 1/2 of Lot 1, of A. E. Kingsley's Subdivision. Subsequently, in 1955, the Board of Public Instruction, through eminent domain, acquired the West 146.64 feet of the East 1/2 of Lot 1, of A. E. Kingsley's Subdivision. With this acquisition the Board also obtained a 20-foot access easement running in a north/south direction along the west line of the above referenced West 146.64 feet and a 25-foot access easement along the south line of the West 146.64 feet (see location map and Attachment "A").

Additional Information

The current owners of all properties lying east of Sunset Elementary School have joined to vacate that portion of the 25-foot easement running along the south line of Lot 1, and as such, it is appropriate for the School Board to also vacate the above referenced easement to remove any encumbrance to the property, particularly since the easement is not needed. In addition, staff recommends that the aforementioned 20-foot easement also be vacated since it will no longer be needed.

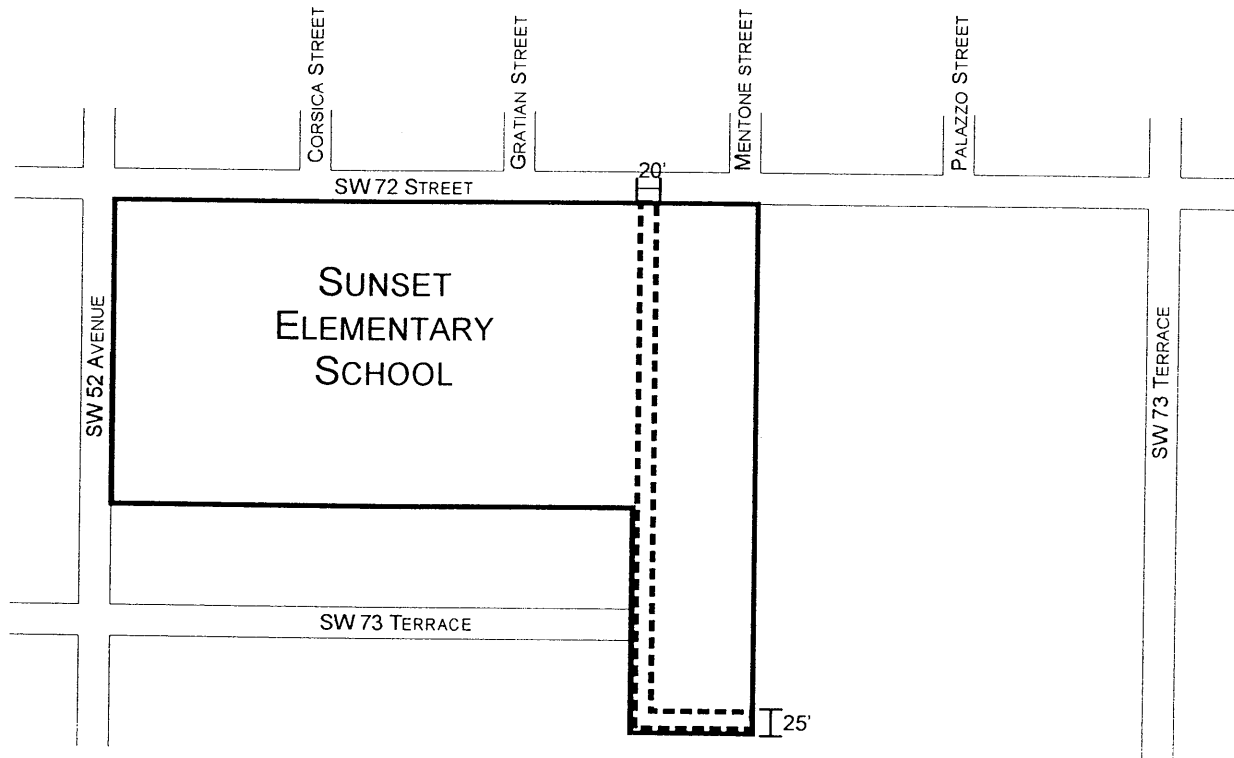
The Termination of Access Easement document (Attachment "B") will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Bureau of Facilities Planning and Construction, the Principal of Sunset Elementary School and the Superintendent of Region IV recommend approval of this item. The Department of Safety, Environment and Hazard Management is in agreement with the proposal.

A copy of the document will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

RECOMMENDED: That The School Board of Miami-Dade County, Florida authorize the Termination of Access Easement which currently encumbers a portion of the Sunset Elementary School site, as discussed above, and authorize the execution of said document.

AAD:lh

LOCATION MAP



LEGEND

--- ACCESS EASEMENT

ACCESS EASEMENT LEGAL DESCRIPTION

The West 20 feet of the East 652.70 feet and the South 25 feet of the West 146.64 feet of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 31, Township 54 South, Range 41 East, being part of the East $\frac{1}{2}$ of Lot 1 of A.E. KINGSLEY'S SUBDIVISION, according to the plat, thereof recorded in Plat Book 1 at Page 41 of the Public Records of Dade County, Florida.

This instrument was prepared by:
Miami-Dade County Public Schools
Department of Governmental Affairs
And Land Use Policy and Acquisition
1450 N.E. 2nd Avenue
Suite 525
Miami, Florida 33132

Space reserved for Clerk

Reviewed by:
School Board Attorneys Office
Miami-Dade County Public Schools

TERMINATION OF ACCESS EASEMENT

This indenture is made this _____ day of _____, 2002 by The School Board of Miami-Dade County, Florida.

Whereas, by Indenture dated April 23, 1937 and recorded in Deed Book 1797, Page 51 of the Public Records of Dade County, Florida, the then owners in fee simple of that certain property in Dade County, Florida described as follows:

East one-half of Lot 1, of A.E. Kingsley's Subdivision of the West one-half of the NE ¼, and South one-half of the SE ¼ Section 31, Township 54 S., Range 42 East, Dade County, Florida, according to the Plat Thereof recorded in Plat Book 1, at Page 41 of the Public Records of Dade County, Florida.

created for their mutual benefit certain easements over and across the property described above, and

Whereas, the undersigned being the present owner of a portion of the above described property desires to terminate the remaining easement covering the South 25 feet and the West 20 feet of the East ½ of Lot 1, of A.E. Kingsley's Subdivision created by the Indenture dated April 23, 1937 as the easement has never been used and the termination of the easement will increase the use and enjoyment of the property.

Now, therefore, in consideration of the premises and the advantage accruing to the undersigned, the undersigned hereby discontinues, abandons and terminates the remaining easement created by the Indenture of April 23, 1937 recorded in Deed Book 1797 at Page 51.

ATTACHMENT "B"

