

Business Operations
Larry W. Stanearth, Chief Business Officer

SUBJECT: GRANT OF TEMPORARY CONSTRUCTION EASEMENT TO CITY OF HIALEAH GARDENS AND PERMANENT EASEMENT TO MIAMI-DADE COUNTY AND THE CITY OF HIALEAH GARDENS AT THE ERNEST R GRAHAM ELEMENTARY SCHOOL SITE AND RESERVATION OF SEWER CAPACITY TO THE SCHOOL DISTRICT FOR FUTURE EDUCATIONAL FACILITIES

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

The City of Hialeah Gardens (City) has requested that the Board grant two easements along the north portion of the Ernest R Graham Elementary School campus for the installation of a sewage pipe, which will connect the City to an existing Miami-Dade County Water & Sewer Department (WASD) lift station located on the northeast corner of the school site. The City has assured the District that technical limitations preclude accomplishing the work using only the adjacent public right-of-way. Installation of the pipe will require a 15' wide permanent easement along W. 76 Street and to the west of the WASD lift station (see location map). The City has also requested a temporary construction easement adjacent to the permanent easement to be used as a construction staging area and safety buffer zone. The City will assure that the work area is fenced at all times and that the site will be restored to a safe, secure and usable condition at the completion of its construction activities. In addition, the City will coordinate its construction schedule with the school principal and other staff to accomplish the most disruptive work during non-school hours. Terms and conditions of the proposed easements are as follows:

Temporary Construction Easement

- the easement area shall only be used by the City to facilitate access to, and installation of, the sewer pipe, as well as temporary storage of equipment and materials related to the work;
- the easement shall terminate 90 days following completion of construction activities or two years from execution of the agreement, whichever occurs first;
- upon completion of the work, the City shall assure that the site is in compliance with all applicable building, safety and health codes, and shall restore the site to the same condition as existed before construction;

- the City shall install and maintain a temporary fence during the term of this agreement which shall separate the easement area from the balance of the school site;
- the City and the contractor doing the work shall indemnify the Board from all liability, and the Board shall be named as an additional insured on the contractor's insurance policy; and
- the City shall coordinate its on-site work with District staff in such a manner as to minimize interference with ingress, egress and access to the school site and shall require its contractor to implement appropriate safety precautions during the work.

Permanent Easement

- the site shall only be used for installation of sewage transmission facilities, and can not be used for the installation of such things as electrical power transmission lines or cell towers;
- the City may construct a permanent fence around the property, or portion thereof. However, the City shall forever provide the District with a means of ingress/egress over the northwest portion of the school site of sufficient width to allow vehicular and pedestrian traffic to access the school from West 76th Street, and the District may construct, use and maintain paved walkways, driveways and landscaping over this area;
- the City and the contractor doing the work shall indemnify the Board from all liability, and the Board shall be named as an additional insured on the contractor's insurance policy; and
- the City shall coordinate its on-site work with District staff in such a manner as to minimize interference with ingress, egress and access to the school site and shall require its contractor to implement appropriate safety precautions during the work.

As a means of reciprocating the District's grant of easement agreements, the District requested and the City agreed to reserve sewer capacity for the District within the City's boundary (or Water and Sewer Department service area, should said service area extend beyond the City boundaries), in an amount of 45,000 gallons per day. This is sufficient capacity to serve a future high school of 3,000 students, or some combination of elementary and middle schools, with a student capacity of 3,000 students. The District's Five Year Work Program currently provides for one elementary school, one middle school and one senior high school to be constructed within the City. The City will reserve this capacity for a period not to exceed eight years from the date of full execution of the easement documents.

The said temporary construction easement area is legally described as:

The South 120 Feet of the North 145 Feet of the West 133.92 Feet of the East 278.92 Feet of Tract 9 of "CHAMBER LAND COMPANY SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 2 at Page 68 of the Public Records of Miami-Dade County, Florida, lying in the S.W. ¼ of Section 28, Township 52 South, Range 40 East, Miami-Dade County, Florida; less the West 50.00 Feet thereof.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

Commence at the Northwest Corner of Tract 9 of 'CHAMBER LAND COMPANY SUBDIVISION', according to the Plat thereof as recorded in Plat Book 2 at Page 68 of the Public Records of Miami-Dade County, Florida; thence N89°30'09"E for 184 Feet; thence S02°12'35"E for 25 Feet to the point of beginning of the following described parcel of land; thence continue S02°12'35"E for 75 Feet; thence S89°30'09"W for 15 Feet; thence N02°12'35"W for 60 Feet; thence N89°30'09"E for 113.98 Feet; thence S43°38'47"W for 6.96 Feet; thence N02°12'35"W for 20 Feet; thence N89°30'09"E for 133.98 Feet to the point of beginning lying in the Southwest ¼ of Section 28, Township 52 South, Range 40 East, Miami-Dade County, Florida;

The said permanent easement area is legally described as:

Commence at the Northwest Corner of Tract 9 of "CHAMBER LAND COMPANY SUBDIVISION", according to the Plat thereof as recorded in Plat Book 2 at Page 68 of the Public Records of Miami-Dade County, Florida; thence N89°30'09"E for 184 Feet; thence S02°12'35"E for 25 Feet to the point of beginning of the following described parcel of land; thence continue S02°12'35"E for 75 Feet; thence S89°30'09"W for 15 Feet; thence N02°12'35"W for 60 Feet; thence S89°30'09"W for 113.98 Feet; thence S43°38'47"W for 6.96 Feet; thence N02°12'35"W for 20 Feet; thence N89°30'09"E for 133.98 Feet to the point of beginning lying in the Southwest ¼ Section 28, Township 52 South, Range 40 East, Miami-Dade County, Florida.

The grant of easement documents have been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Principal of Ernest R Graham Elementary School, Region Superintendent for Region I and Associate Superintendent of School Operations recommend approval of the temporary and permanent grants of easement. The Building Official, Educational Facilities Compliance; Executive Director of the Office of Capital Improvement Projects; Director of Relocatables and Special Projects; Director of the Department of Safety, Environment and Hazards Management; and Supervisor, Educational Facilities Compliance are in agreement with the proposed grants of easement.

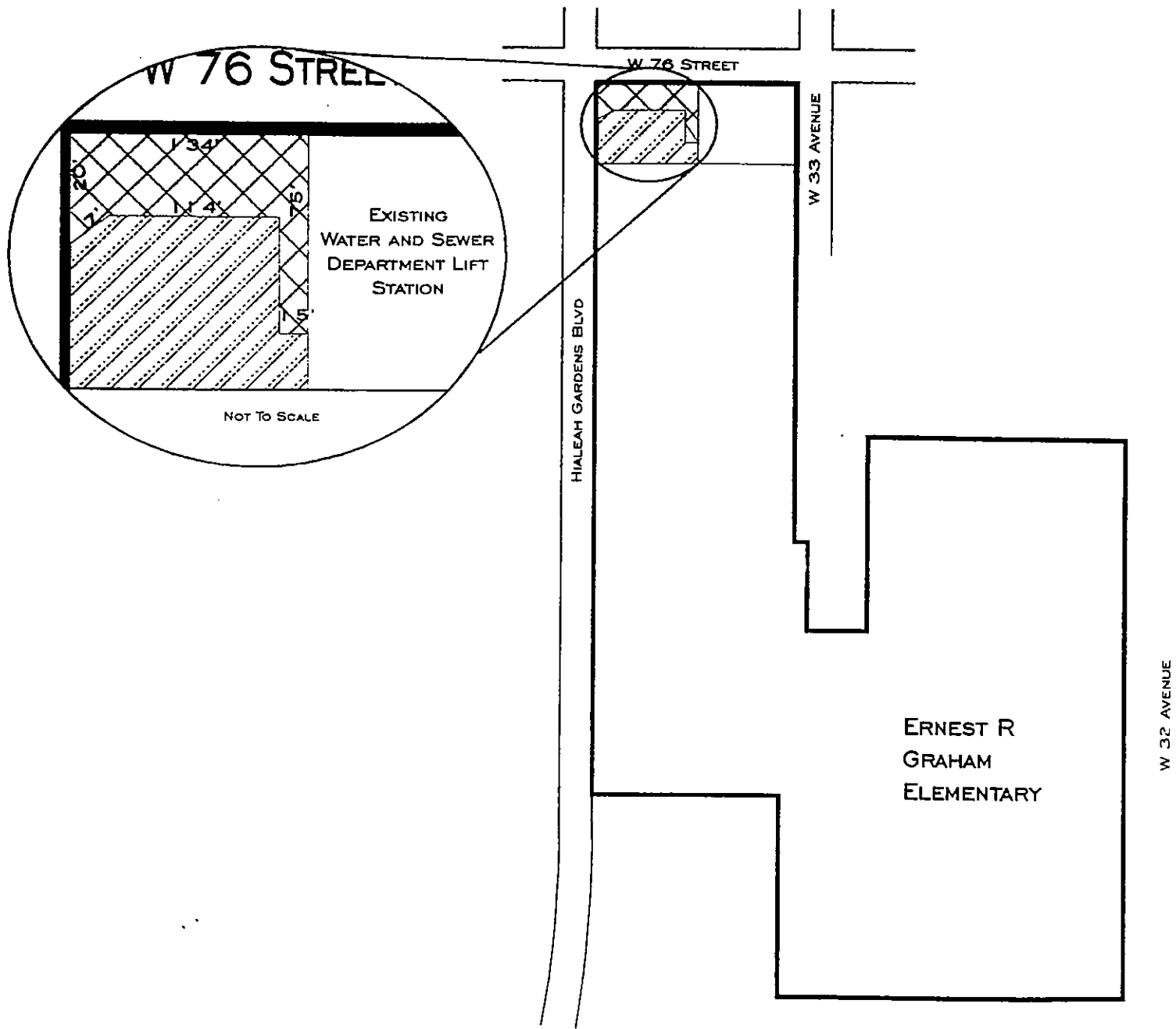
RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Chair and the Secretary to:


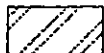
1. execute a temporary construction easement with the City of Hialeah Gardens for a portion of the Ernest R Graham Elementary School site, under the terms and conditions set forth above; and
2. execute a permanent easement with Miami-Dade County and the City of Hialeah Gardens for a portion of the Ernest R Graham Elementary School Site, with the City to reserve sewer capacity in an amount of 45,000 gallons per day for District use anywhere within the City's boundary or service area for a period not to exceed eight years from the date of full execution of the easement documents, and under the terms and conditions set forth above.

MAL:rr

LOCATION MAP



LEGEND

	PERMANENT EASEMENT
	TEMPORARY CONSTRUCTION EASEMENT

