

Office of School Facilities  
Jaime G. Torrens, Chief Facilities Officer

- SUBJECT:**
- 1) AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND THE CHAIR AND SECRETARY TO EXECUTE AN EASEMENT AGREEMENT WITH MIAMI-DADE COUNTY, FOR USE OF A PORTION OF COUNTY-OWNED PROPERTY AT SW 84 STREET AND THEORETICAL SW 110 AVENUE, AS A MEANS OF INGRESS/EGRESS TO STATE SCHOOL "YYY-1" (RELIEF FOR MIAMI PALMETTO, MIAMI KILLIAN AND MIAMI SUNSET SENIOR HIGH SCHOOLS), LOCATED AT 11005 SW 84 STREET, MIAMI; AND**
  - 2) AUTHORIZE THE CHAIR AND SECRETARY TO EXECUTE THE NECESSARY DOCUMENTS TO DEDICATE LAND TO THE COUNTY FOR RIGHT-OF-WAY PURPOSES, ADJACENT TO STATE SCHOOL "YYY-1"**

**COMMITTEE:** FACILITIES AND CONSTRUCTION REFORM

**LINK TO STRATEGIC PLAN:** IMPROVE CONSTRUCTION SERVICES

Background

The District is in the process of constructing State School "YYY-1" (School) on a portion of a 29-acre Board-owned parcel, located at 11005 SW 84 Street, Miami (Site). Miami-Dade County (County) staff have indicated a willingness to enter into an easement agreement with the District to allow use of an existing private County-owned road, located at approximately SW 84 Street and theoretical SW 110 Avenue (Easement Area), as a means of ingress/egress to the School (see location map). This road will be jointly used by the County and District, with the District's use to consist primarily of School buses and student drivers exiting the School.

In addition to the above, the project also requires the improvement of a portion of vacant Board-owned land located adjacent to the School, as well as additional County-owned land, to complete construction of SW 112 Avenue (see location map). As a result, the District must dedicate certain Board-owned land for use as public right-of-way. County staff have indicated a willingness to designate the remaining portion of County-owned land for public right-of-way purposes. The District will improve both parcels for use as SW 112 Avenue, at the District's expense.

### Easement Agreement

Terms of the proposed easement agreement (Agreement) are, substantially, as follows:

- the District shall have non-exclusive, perpetual use of the Easement Area as a means of ingress and egress to the School for vehicles and pedestrians;
- the County shall continue to have use of the Easement Area at all times;
- the District shall be responsible for maintaining the Easement Area, including any and all improvements constructed by the District therein;
- this Agreement shall constitute a covenant running with the land and remain in effect and be binding upon both the County and the District, and any successor owners of the Easement Area or the Site, in perpetuity;
- the parties shall each indemnify and hold harmless the other, subject to the limitations included within Section 768.28, Florida Statutes;
- in the event of litigation, each party shall be responsible for its own attorney's fees and court costs through trials and appellate levels; and
- for purposes of this Agreement, the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by this Agreement.

### Right-of-Way Dedication

The Board-owned land to be dedicated to the County for public right-of-way purposes totals approximately 3,040.16 square feet, or 0.07 acres, more or less, and is more fully described in Exhibit "A" attached hereto.

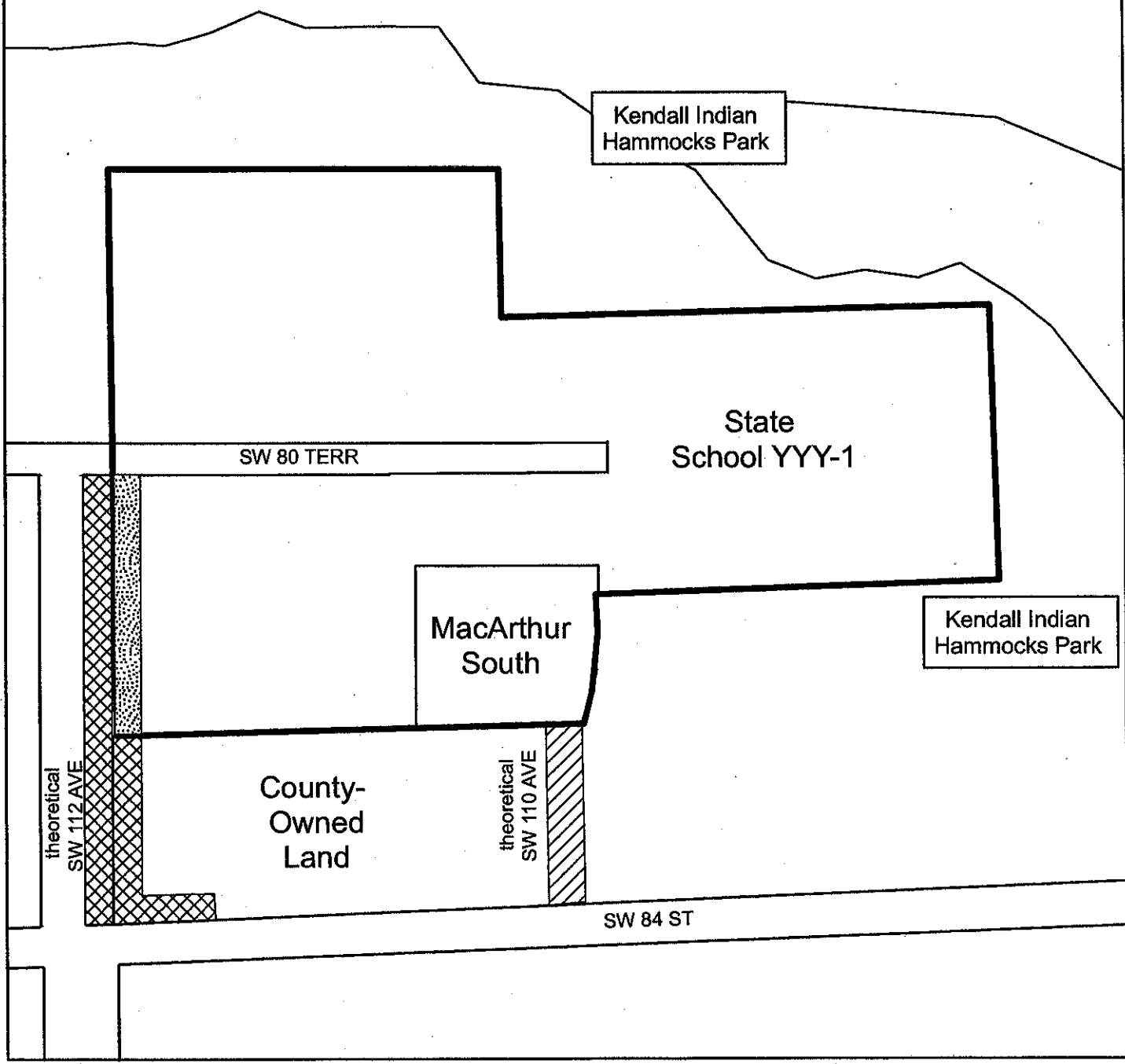
The proposed Agreement and any documents necessary to effectuate the right-of-way conveyance will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management prior to execution. The South Regional Center Superintendent and the Office of School Facilities concur with the proposed Agreement and right-of-way dedication.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

- 1) authorize the Superintendent to finalize negotiations and the Chair and Secretary to execute an easement agreement with Miami-Dade County, for use of a portion of County-owned property at SW 84 Street and theoretical SW 110 Avenue, as a means of ingress/egress to State School "YYY-1" (relief for Miami Palmetto, Miami Killian and Miami Sunset Senior High Schools), located at 11005 SW 84 Street, Miami; and
- 2) authorize the Chair and Secretary to execute the necessary documents to dedicate land to the County for right-of-way purposes, adjacent to State School "YYY-1".

MCA:mca

# Location Map



**Legend**




-  Easement Area
-  Land to be dedicated by Board
-  County- Owned Land to be designated by County for use as public right-of-way (not to scale)



Exhibit "A"

LEGAL DESCRIPTION:

PORTIONS OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE NORTHWEST CORNER OF SAID SOUTHEAST ¼ OF SECTION 31, THENCE S01° 26'59"E ALONG THE WEST LINE OF THE AFORESAID WEST LINE OF THE SOUTHEAST ¼ OF SECTION 31 FOR 292.53 FEET, THENCE N87°41'41"E FOR 35.00 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED: THENCE CONTINUE N87°41'41"E FOR 6.00 FEET, THENCE S01°26'59"E ALONG A LINE THAT IS 41.00 FEET EASTERLY OF AND PARALLEL WITH THE AFORESAID WEST LINE OF THE SOUTHEAST ¼ OF SECTION 31 FOR 506.75 FEET, THENCE S87°41'41"W FOR 6.00 FEET TO A POINT ON A LINE THAT IS 35.00 FEET EASTERLY OF AND PARALLEL WITH THE AFORESAID WEST LINE OF THE SOUTHEAST ¼ OF SECTION 31, THENCE N01°26'59"W ALONG SAID PARALLEL LINE FOR 506.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 3040.16 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

LEGEND:

ABBREVIATIONS:

LB = LICENSED BUSINESS  
NO. = NUMBER  
P.O.B. = POINT OF BEGINNING

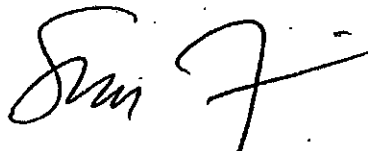
LINE TYPES:

PROPERTY LINE 

PROPOSED ROAD DEDICATION 

SURVEYOR'S NOTES:

- 1- NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.
- 2- DATE PREPARED: AUGUST 26, 2008.
- 3- THIS IS NOT A SURVEY.
- 4- BEARINGS ARE BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 31, RANGE 54S, TOWNSHIP 40E (S1°26'59"E-ASSUMED).
- 5- PREPARED FOR: MIAMI-DADE COUNTY PUBLIC SCHOOLS.



SAMUEL M. FISCHBEIN  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA REGISTRATION No.3587  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

### LOCATION MAP



**MILLER LEGG**

Miami-Dade Office: 10418 NW 31st Terrace  
 Miami, Florida - 33175-1200  
 305-690-6881 • Fax: 305-690-2797  
 www.millerlegg.com

SEE SHEET 1 OF 6 FOR LEGAL DESCRIPTION AND LEGEND  
 Certificate of Authorization LB 6680

**SKETCH & LEGAL DESCRIPTION**

PROJECT NO.  
 08-00220

FILE NO.  
 08-00220.DWG

P.O.C.  
NORTHWEST CORNER  
OF THE SOUTHEAST  
1/4 SECTION 31,  
TOWNSHIP 54 SOUTH,  
RANGE 40 EAST

N87°38'48"E 940.28'  
NORTH LINE SE 1/4, SECTION 31-54S-40E

MIAMI-DADE COUNTY PROPERTY

NOT SUBDIVIDED

S01°26'59"E 292.63'

WEST LINE SE 1/4, SECTION 31-54S-40E

MIAMI-DADE COUNTY PUBLIC  
SCHOOLS PROPERTY  
NOT SUBDIVIDED

SW 80 TERRACE

FOLIO 30-  
4031-  
000-0070  
NOT SUBDIVIDED

SW 112 AVENUE

N87°41'41"E  
35.00' 6.00' P.O.B.

41'

N01°28'59"W 506.75'

S01°28'59"E 506.75'

MATCHLINE 'A'

GRAPHIC SCALE



( IN FEET )

1. INCH = 60 FEET

SEE SHEET 1 OF 6 FOR LEGAL DESCRIPTION AND LEGEND

Certificate of Authorization LB 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

**MILLER LEGG**

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MATCHLINE 'A'

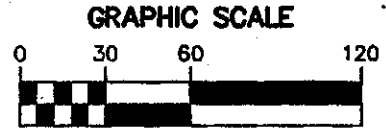
FOLIO 30-4031-000-0070  
NOT SUBDIVIDED

SW 112 AVENUE  
WEST LINE SE 1/4, SECTION 31-54S-40E

MIAMI-DADE COUNTY PUBLIC  
SCHOOLS PROPERTY  
NOT SUBDIVIDED

THE PALACE  
OF KENDALL  
PLAT BOOK 137,  
PAGE 22

MIAMI-DADE COUNTY PROPERTY  
NOT SUBDIVIDED



( IN FEET )  
1 INCH = 60 FEET

SEE SHEET 1 OF 6 FOR LEGAL DESCRIPTION AND LEGEND  
Certificate of Authorization LB 6690 THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

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