

Business Operations  
Joe Arriola, Chief Business Officer

**SUBJECT: AUTHORIZATION TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA AND MIAMI-DADE COUNTY, FLORIDA AFFECTING A PORTION OF THE PARKING LOT AT WEST MIAMI MIDDLE SCHOOL IN ORDER TO FACILITATE THE RECONSTRUCTION OF CORAL WAY AND BRIDGE OVER THE CORAL GABLES CANAL**

**Background**

The Miami-Dade County Public Works Department (MDCPWD) will be widening Coral Way from four (4) to six (6) lanes from SW 75 Avenue to SW 87 Avenue. Included in this project will be roadway resurfacing, new curbs and gutters, landscaping, sidewalks, signalization, lighting, a bicycle path, widening of the referenced bridge and constructing a pedestrian bridge over the canal.

In order to construct the pedestrian bridge and widen the existing bridge the MDCPWD is requesting a temporary construction easement approximately 50 feet by 60 feet in size on a portion of the parking lot at the southwest corner of the school (see attached location map). This easement area is adjacent to the Coral Gables Canal.

**Additional Information**

The Temporary Construction Easement Agreement (Attachment "A"), if approved, will allow for the use of said area during the Summer of 2003 only and provisions will be made to ensure the completion of work by the beginning of the 2003-2004 school year. This area will accommodate construction equipment, and will be fenced and restored to its previous condition by the Miami-Dade County Public Works Department once all work is completed. The Agreement will automatically terminate on August 16, 2003.

The Temporary Construction Easement Agreement 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 Superintendent of Region V and the Principal of West Miami Middle School recommend approval of this item. The Department of Safety, Environment and Hazard Management is in agreement with the proposal.

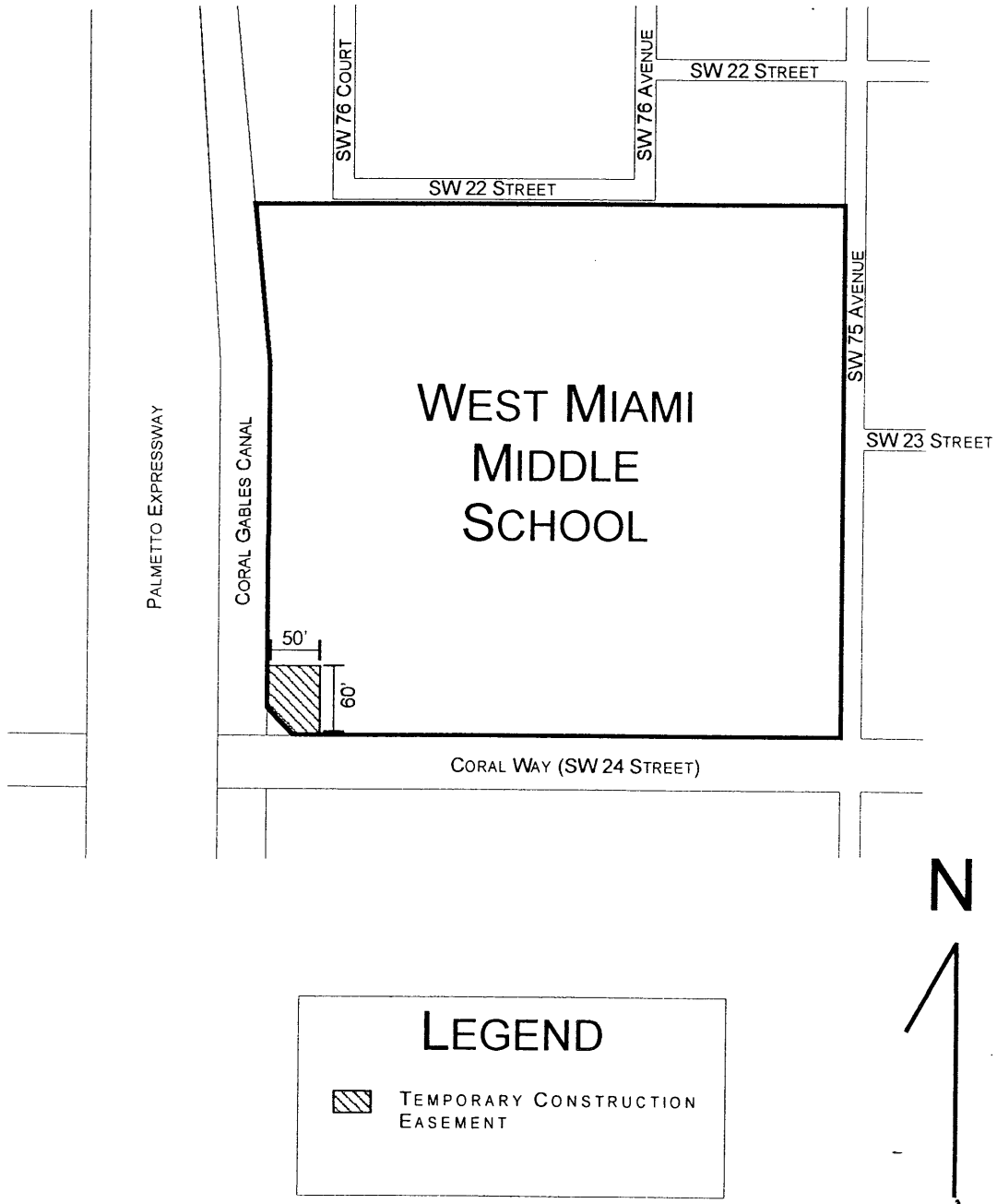
A copy of the proposed Agreement will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida authorize the execution of the Temporary Construction Easement Agreement between the School Board and Miami-Dade County by the School Board Chair, and the Superintendent of Schools for the temporary use of a portion of the parking lot at West Miami Middle School.

AAD:lh

# LOCATION MAP



Department of Governmental Affairs  
And Land Use Policy and Acquisition  
1450 N.E. 2<sup>nd</sup> Avenue  
Suite 525  
Miami, Florida 33132

Space reserved for Clerk

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

### TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2002, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, is given by THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, organized and existing under the laws of the State of Florida, herein called the "Grantor" to and in favor of MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida, herein called the "Grantee", its licenses, agents, successors and assigns, and the Grantor hereby grants to the Grantee, its agents, contractors and employees, a temporary privilege, right and easement to enter upon and have access to the real property owned by the Grantor graphically depicted on the location map attached hereto, more particularly described as follows, to-wit:

The Southwest corner of the West Miami Middle School site and measuring 50 feet by 60 feet less that portion of the Right-of-Way for Coral Way (S.W. 24 Street) and the Palmetto Expressway (State Road No. 826)

herein called the "Property" pursuant and subject to the following:

1. This temporary easement is for the express purposes of use, access, ingress and egress to the Grantee, and its agents or contractors, for the construction and reconstruction of Coral Way and the pedestrian bridge being constructed on lands abutting and adjacent to the Property, and temporary storage of equipment and materials in connection therewith, and the Grantor further grants unto the Grantee, to the fullest extent the Grantor has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over along, under and across the roads, streets or highways adjoining or through said Property.
2. This grant of temporary easement will terminate on or before August 16, 2003 following completion of the project.

**ATTACHMENT "A"**

3. Upon completion of the construction herein contemplated or the termination hereof as hereinabove provided, the Grantee shall cause to be removed from the Property, all debris, surplus material and construction equipment and leave the premises in a neat and presentable condition.
4. In the event that fences, driveways, or permanent buildings of the Grantor are removed or damaged by the Grantee or Grantee's agents during the construction, Grantee will cause the improvements on the property herein described to be reasonably repaired and restored to the condition of the existing before construction operations were commenced.

Signed, witnessed, executed and acknowledged this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Miami-Dade County, Florida

Witnesses:

Attest: \_\_\_\_\_ print

Sign \_\_\_\_\_

By: \_\_\_\_\_

Print \_\_\_\_\_

Aristides Rivera, Director  
Public Works Department

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA )  
 )  
COUNTY OF DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by \_\_\_\_\_, Chair and \_\_\_\_\_, Secretary who are personally known to me or who have produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC

Sign \_\_\_\_\_

Print \_\_\_\_\_

State of Florida at Large (Seal)  
My commission expires:

My commission expires:

The School Board of Miami-Dade  
County, Florida

Witnesses:

Attest: \_\_\_\_\_ print

Sign \_\_\_\_\_

By: \_\_\_\_\_

Print \_\_\_\_\_

Perla Tabares Hantman, Chair

Attest: \_\_\_\_\_ print

Sign \_\_\_\_\_

By: \_\_\_\_\_

Print \_\_\_\_\_

Merrett R. Stierheim, Secretary

STATE OF FLORIDA )  
                                  )  
COUNTY OF DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by \_\_\_\_\_, Chair and \_\_\_\_\_, Secretary who are personally known to me or who have produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC

Sign \_\_\_\_\_

Print \_\_\_\_\_

State of Florida at Large (Seal)