

Facilities Operations, Maintenance and Planning
Ana Rijo-Conde, Interim Assistant Superintendent

SUBJECT: AUTHORIZATION TO MODIFY THE TERMS OF A SEWER LINE EASEMENT AT ERNEST R GRAHAM ELEMENTARY SCHOOL, LOCATED AT 9702 N.W. 130 STREET, TO NAME THE CITY OF HIALEAH GARDENS AS THE SOLE GRANTEE

COMMITTEE: FACILITIES MANAGEMENT

At its December 11, 2002 meeting, the Board authorized the execution of an easement with Miami-Dade County (County) and the City of Hialeah Gardens (City), to allow for the construction of a sewage pipe across a portion of the Ernest R Graham Elementary School campus. The City requested that the easement agreement name the City and County as joint recipients, since both parties were going to place sewer lines within the property.

Subsequent to Board action, the County advised that it would not enter into the easement agreement as currently written. In an attempt to remedy this issue, the City advised that it has no objection to being the sole recipient of the easement, and that the County will place its sewer line within the easement under the authority of the City, which will have the right to allow other qualified entities (in this case the County), to install sewer facilities within the easement area once the agreement is executed by the City and the Board.

All other terms and conditions of the easement agreement will remain unchanged, including the requirement for 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.

The proposed modified easement agreement will be reviewed by the School Board Attorney's Office prior to its execution.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the modification of terms of a sewer line easement at Ernest R Graham Elementary School, located at 9702 N.W. 130 Street, to name the City of Hialeah Gardens as the sole Grantee. All other terms and conditions of the easement agreement will remain unchanged.

MAL:rr