

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

SUBJECT: AUTHORIZATION FOR THE CHAIR AND SECRETARY TO EXECUTE A GRANT OF EASEMENT AGREEMENT WITH THE CITY OF NORTH MIAMI TO ALLOW FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A FREESTANDING IDENTIFICATION SIGN ON CITY-OWNED LAND FOR ALONZO AND TRACY MOURNING SENIOR HIGH BISCAYNE BAY, LOCATED AT 2601 NE 151 STREET, NORTH MIAMI

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

The School Board and City of North Miami ("City") entered into an Interlocal Agreement in 2005 to provide for the financing, construction, maintenance and operation of new educational and recreational facilities within the City, including the development of Alonzo and Tracy Mourning Senior High Biscayne Bay, located at 2601 NE 151 Street, North Miami ("School"). The School's Parent Teacher Association has now facilitated the donation of a freestanding identification sign containing an electronic message display ("Sign"), to be installed on City-owned property, immediately adjacent to the School. At its meeting of December 19, 2012, the City's Board of Adjustment granted a variance to allow the sign faces to be 64 square feet in area, when 40 square feet is the maximum permitted by the City's land development regulations. The Board of Adjustment conditioned the variance on, among other issues, the approval of an easement by the City Council, as Grantor, and acceptance of the terms and conditions of same by the School Board, as Grantee ("Easement"). The City Council, at its meeting of January 8, 2013, authorized the granting of the Easement.

The Easement area consists of approximately 100 square feet, or 0.0023 acres, more or less, and is legally described in Exhibit "A", attached hereto.

Terms and conditions of the Easement are, substantially, as follows:

- the District shall have the right to install, operate and maintain the Sign, with the full right of ingress thereto and egress therefrom;
- the District shall have the right to clean and keep the area clear of trees and undergrowth which may interfere with the Sign;
- to the extent provided and allowed under Section 768.28, Florida Statutes, the Board agrees to indemnify and hold harmless the City from any and all lawsuits, claims, judgments, losses, damages, costs or charges solely arising from the installation, maintenance, repair, use or existence of the Sign; and

- any disputes between the parties under the Easement will be resolved in accordance with the Florida Governmental Conflict Resolution Act, Chapter 164, Florida Statutes, as amended from time to time.

The School Principal and Region Superintendent, North Region Office recommend the granting of the proposed Easement. The Easement document will be reviewed and approved by the School Board Attorney's Office and Office of Risk and Benefits Management prior to execution.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Chair and Secretary to execute a Grant of Easement Agreement with The City of North Miami to allow for the installation, operation and maintenance of a freestanding identification sign on City-owned land for Alonzo and Tracy Mourning Senior High Biscayne Bay, located at 2601 NE 151 Street, North Miami, as described above.

IB:

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR A PARCEL OF LAND AT THE
ALONZO AND TRACY MOURNING SENIOR HIGH SCHOOL EXHIBIT "A"
IN SECTION 16, TOWNSHIP 52 SOUTH, RANGE 42 EAST
CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA
PREPARED FOR: MIAMI-DADE PUBLIC COUNTY PUBLIC SCHOOLS**

LEGAL DESCRIPTION:

ALL THAT LOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 16, TOWNSHIP 52 SOUTH, RANGE 42 EAST, CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA, THE SAME BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, VIZ.:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE N03°00'20"W ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 16 FOR 110.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF N.E. 151ST STREET AS DESCRIBED IN THE RIGHT OF WAY DEED FROM THE CITY OF NORTH MIAMI TO DADE COUNTY DATED OCTOBER 18, 1976 AND RECORDED OCTOBER 21, 1976 IN OFFICIAL RECORDS BOOK 9477 AT PAGE 1556 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA; THENCE S87°02'55"W ALONG SAID NORTH RIGHT OF WAY LINE OF N.E. 151ST STREET FOR 48.59 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE OF N.E. 151ST STREET, N02°57'05"W FOR 8.54 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; FROM SAID POINT OF BEGINNING, THENCE S86°59'40"W FOR 10.00 FEET; THENCE N03°00'20"W FOR 10.00 FEET; THENCE N86°59'40"E FOR 10.00 FEET; THENCE S03°00'20"E FOR 10.00 FEET TO THE POINT OF BEGINNING.

SOURCES OF DATA:

1. A BOUNDARY AND TOPOGRAPHIC SURVEY MAP ENTITLED "STATE SCHOOL QQQ-1 CITY OF NORTH MIAMI, FLORIDA," PREPARED BY PBS&J FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS, DATED SEPTEMBER 11, 2006 UNDER JOB NUMBER 01-1741.00 0001 (FILE 37-27). (HEREINAFTER, "THE 2006 PBS&J SURVEY.") BEARINGS AS SHOWN HEREON REFER TO A BEARING OF N03°00'20"W ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 52 SOUTH, RANGE 42 EAST. THIS LINE IS BASED ON CALCULATED AND MEASURED VALUES DERIVED FROM THE 2006 PBS&J SURVEY.
2. THE TOPOGRAPHIC DATA SHOWN ON THE SKETCH WAS OBTAINED FROM THE 2006 PBS&J SURVEY AND VERIFIED BY ATKINS NORTH AMERICA, INC. ON JANUARY 28, 2013. SAID DATA IS DEPICTED FOR REFERENCE ONLY.
3. MIAMI-DADE COUNTY TAX ROLL ENTRY NUMBER 06-2216-000-0060 FOR THE 2012 TAX YEAR.
4. THE LOCATION OF THE BOUNDARIES AS SET FORTH IN THE LEGAL DESCRIPTION ARE BASED ON GROUND MARKINGS MADE BY THE CLIENT ON JANUARY 30, 2013.

LIMITATIONS/EXPRESS PURPOSE:

1. THE CLIENT IS HEREBY ADVISED THAT THERE MAY BE LEGAL RESTRICTIONS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THE SKETCH OR CONTAINED WITHIN THIS REPORT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, THE CITY OF NORTH MIAMI, OR THE RECORDS OF ANY OTHER PUBLIC AND PRIVATE ENTITIES AS THEIR JURISDICTIONS MAY APPEAR.
2. THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" DOES NOT REPRESENT A FIELD BOUNDARY SURVEY OF THE PROPERTY DESCRIBED IN ARTICLE II AND IS SUBJECT TO SUCH ADJUSTMENTS THAT A BOUNDARY SURVEY MAY REQUIRE.
3. THIS DOCUMENT WAS PREPARED FOR THE EXPRESS PURPOSE OF CREATING A PERIMETRICAL DESCRIPTION OF THE DESCRIBED AREA FOR A PROPOSED SIGN. THE LOCATION OF SAME WAS DETERMINED BY THE CLIENT.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND FURTHER, THAT SAID SKETCH AND THE DOCUMENTATION APPENDED THEREIN MEETS THE INTENT OF THE APPLICABLE PROVISIONS OF THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA," PURSUANT TO RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING LAW, CHAPTER 472.027 OF THE FLORIDA STATUTES.


ATKINS NORTH AMERICA, INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NO. LB24
BY: *Carlos M. Del Valle*
CARLOS M. DEL VALLE, PLS
PROFESSIONAL LAND SURVEYOR NO. 4408
STATE OF FLORIDA
DATE OF CERTIFICATION: JANUARY 31, 2013

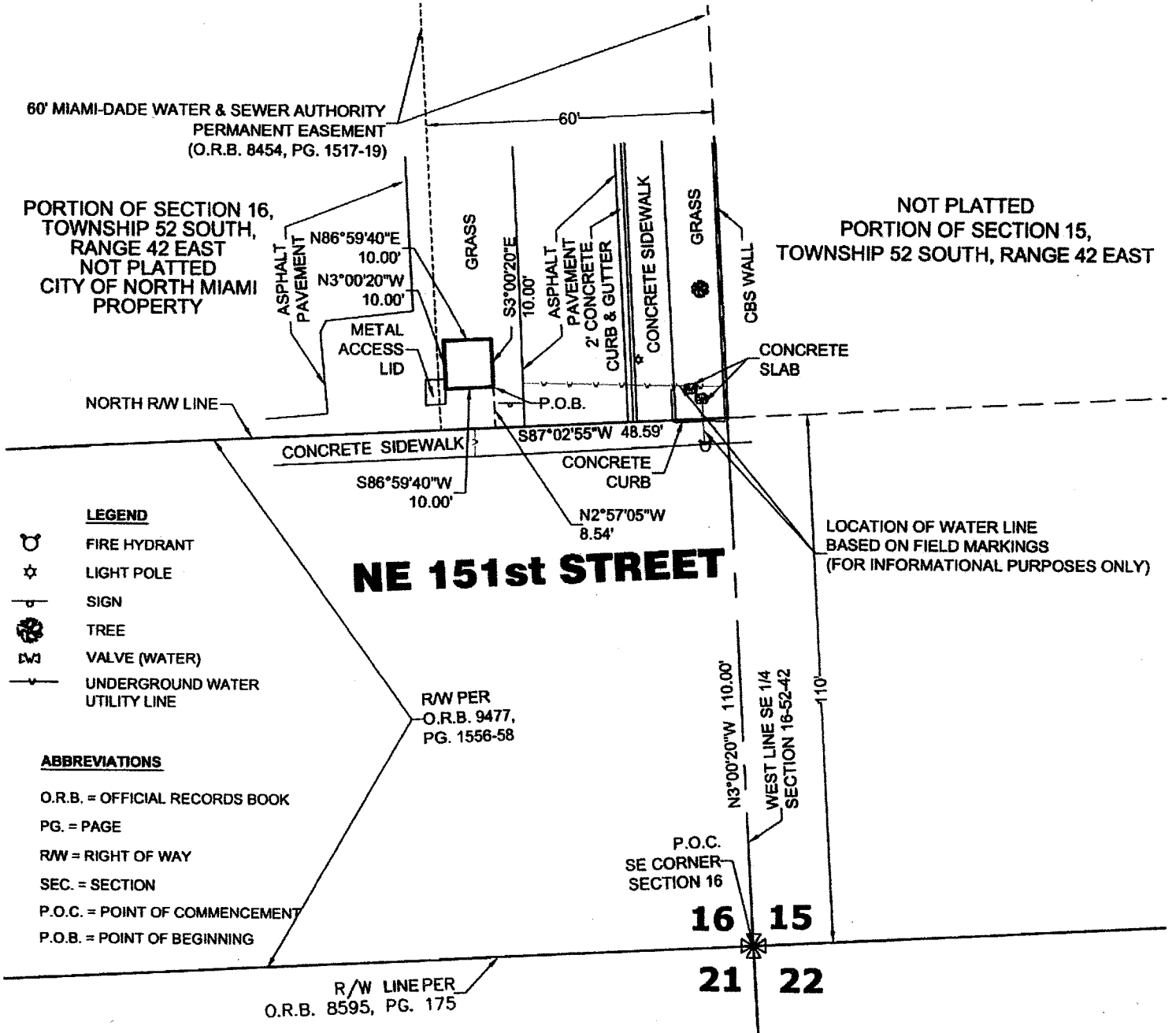
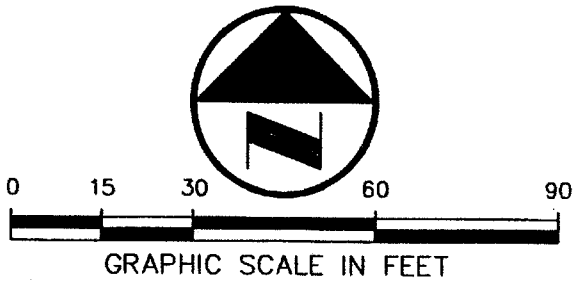
NOTICE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. THIS DOCUMENT CONSISTS OF MULTIPLE EXHIBITS AND TEXT DATA AND EACH PAGE AND COMPONENT THEREOF SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS APPENDED TO THE OTHERS. THIS NOTICE IS REQUIRED PURSUANT TO RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

2013-ATKINS NORTH AMERICA, INC.
AS SUCCESSOR IN NAME TO PBS&J
ALL RIGHTS RESERVED

THIS DOCUMENT CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

DRAWING: Y:\PROJECTS\WORTH MIAMI CHARTER HIGH SCHOOL\100033182 SPECIFIC PURPOSE SURVEY\DWG\100033182 EASEMENT.DWG / PRINTED: 10/1/2013 8:15 AM

 <p>2001 N.W. 107th AVE. MIAMI, FL 33172-2507 (305) 592-7275</p> <p>ATKINS NORTH AMERICA, INC. FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER LB24</p>	<p>ALONZO AND TRACY MOURNING SENIOR HIGH SCHOOL SKETCH TO ACCOMPANY LEGAL DESCRIPTION</p>	<p>ORIGINALS: 1-31-2013</p>	<p>JOB NO. 100033182</p>
		<p>REVISIONS:</p>	<p>DRAWN Z.G.P.</p>
		<p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p>	<p>CHECKED D.W.D.</p> <p>QC _____</p>
		<p>SHEET: 1 OF 2</p>	



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DRAWING: K:\PROJECTS\NORTH MIAMI CHARTER HIGH SCHOOL\10003182 SPECIFIC PURPOSE SURVEY\DWG\10003182 EASEMENT.DWG / PRINTED: 1/31/2013 9:15 AM

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	<p>2: _____</p>		<p>QC D.W.D.</p>	
	<p>3: _____</p>		<p>SHEET: 2 OF 2</p>	