

May 8, 2017

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

SUBJECT: AUTHORIZE THE CHAIR AND SECRETARY TO EXECUTE A RIGHT OF WAY DEED WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) TO CONVEY BOARD-OWNED LAND LOCATED ADJACENT TO RON EHMANN PARK, AT THE INTERSECTION OF S.W. 97 AVENUE AND S.W. 112 STREET, MIAMI-DADE COUNTY, FOR IMPROVEMENT BY FDOT FOR TRANSPORTATION PURPOSES

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

The State of Florida Department of Transportation (“FDOT”) will be initiating a roadway project along portions of S.W. 112 Street (Miami Killian Drive) beginning in early 2018. The work will include milling and resurfacing the roadway, and addressing safety/ADA compliance issues. A portion of the proposed work is slated to be completed by FDOT on a small portion of Board-owned land at the intersection of S.W. 112 Street and S.W. 97 Avenue (“subject parcel”). The subject parcel is located south of Miami Killian Senior High School (“Miami Killian”) and adjacent to Ron Ehmman Park (“Park”), and comprises approximately 300 square feet of land, as more specifically described in the attached Right of Way Deed. The subject parcel is not utilized by the Park or School, and conveyance of the land will not impact operations at the Park or at Miami Killian.

Right of Way Deed

The proposed Right of Way Deed (“Deed”) grants, bargains, sells, aliens, remises, releases, quitclaims, conveys and confirms unto FDOT the subject parcel, for the purpose of a public highway and/or road, and purposes incidental thereto (“transportation purposes”). The Board shall convey title to the subject parcel without any representations whatsoever. If and when the said transportation purposes shall be lawfully and permanently discontinued, title to the subject parcel shall immediately revert to the Board, which shall have the right to immediately re-possess the same.

The Deed and exhibits is attached hereto as Attachment “A”.

The Deed has been reviewed and approved by the School Board Attorney’s Office and the Office of Risk and Benefits Management. The Office of School Facilities recommends approval of the Deed.

RECOMMENDED: That The School Board of Miami-Dade County, Florida authorize the Chair and Secretary to execute a Right Of Way Deed with the State of Florida Department of Transportation ("FDOT"), to convey Board-owned land located adjacent to Ron Ehmann Park, at the intersection of S.W. 97 Avenue and S.W. 112 Street, Miami-Dade County, for improvement by FDOT for transportation purposes.

MAL:

ATTACHMENT "A"

03-BSD.07

This instrument prepared by,
or under the direction of,
Alicia Trujillo, Esq.
District Six Chief Counsel
State of Florida
Department of Transportation
1000 N.W. 111th Avenue
Miami, Florida 33172
10/21/2016 - CMF

Parcel No. : 100.1
Item/Segment No. : 436342-1
Managing District : 6

RIGHT OF WAY DEED

THIS INDENTURE, made this _____ day of _____, 20 ____, by **THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**, a body corporate and politic existing under the laws of the State of Florida, having its principal place of business in the County of Miami-Dade, State of Florida, whose mailing address is 1450 NE 2nd Avenue, Miami, Florida 33132, hereinafter referred to as the "Grantor", and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, an agency of the State of Florida, , whose mailing address is _____, hereinafter referred to as the "Grantee". Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations.

WITNESSETH: That the Grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, quitclaims, conveys and confirms unto the Grantee, all that certain land situate in Miami-Dade County, Florida, for the purpose of a public highway and/or road and purposes incidental thereto ("transportation purposes") viz :

PARCEL 100

FIN No. 436342-1

A portion of the NW 1/4 of Section 9, Township 55 South, Range 40 East, lying in Miami-Dade County, Florida and more particularly described as follows:

Commence at the SW Corner of the NW 1/4 of said Section 9, Township 55 South, Range 40 East; thence N88°00'34"E along the Baseline of Survey of State Road 990 (SW 112th Street / Killian Parkway) as shown in Florida Department of Transportation Right-of-Way Map, Section 87046, for a distance of 71.66 feet to a point on said Baseline of Survey; thence N01°59'26"W for a distance of 35.00 feet to a point on the Existing northerly Right-of-Way line of said State Road 990 (SW 112th Street / Killian Parkway), also being THE POINT OF BEGINNING of the hereinafter described parcel; thence S88°00'34"W along said Existing northerly Right-of-Way line of said State Road 990 (SW 112th Street / Killian Parkway) for a distance of 6.64 feet to a point of curvature of a circular curve concave to the Northeast; thence southwesterly, westerly and northwesterly along the arc of said curve to the Right having a Radius of 25.00 feet and a central angle of 90°01'39" for a distance of 39.28 feet to a point on the Existing easterly Right-of-Way line of SW 97th Avenue; thence N01°57'47"W along said Existing easterly Right-of-Way line of SW 97th Avenue for a distance of 4.83 feet; thence S48°39'31"E for a distance of 43.49 feet to THE POINT OF BEGINNING.

Containing 338 square feet more or less.

AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND TO BE MADE A PART HEREOF

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

It is the intention of the Grantor hereto by this instrument to convey to the Grantee, and its heirs, successors and/or assigns in interest, the Property herein described for the transportation purposes stated herein.

It is further expressly provided that if and when the said transportation purposes shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the Grantor, its successors and assigns, and they shall have the right to immediately re-possess the same.

And the Grantor does hereby convey title to said land without any representations whatsoever.

TO HAVE AND TO HOLD, the same in fee simple forever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by the School Board acting by the Chair and Secretary of said Board, the day and year aforesaid.

WITNESSES:

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Print Name

Print Name

GRANTOR:

**THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FLORIDA, a body corporate and politic
existing under the laws of the State of Florida**

By: _____

Grantor's Signature
Dr. Lawrence S. Feldman, Chair
1450 NE 2nd Avenue
Miami, Florida 33132

Attest: _____

Secretary's Signature
Alberto M. Carvalho, Secretary
1450 NE 2nd Avenue
Miami, Florida 33132

To the School Board:

Approved as to Form & Legal Sufficiency:

By: _____

School Board Attorney

ACKNOWLEDGMENT

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by LAWRENCE S. FELDMAN, as Chair, and ALBERTO M. CARVALHO, as Secretary, acting on behalf of THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, a body corporate and politic existing under the laws of the State of Florida, who personally appeared before me, and are [] personally known to me or [] produced _____ as identification, and who further acknowledged that they signed the above instrument with full authority, as set forth therein, on behalf of The School Board of Miami-Dade County, Florida.

[NOTARY SEAL]

Notary: _____

Print Name: _____

My Commission expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the NW 1/4 of Section 9, Township 55 South, Range 40 East, lying in Miami-Dade County, Florida and more particularly described as follows:

Commence at the SW Corner of the NW 1/4 of said Section 9, Township 55 South, Range 40 East; thence N88°00'34"E along the Baseline of Survey of State Road 990 (SW 112th Street / Killian Parkway) as shown in Florida Department of Transportation Right-of-Way Map, Section 87046, for a distance of 71.66 feet to a point on said Baseline of Survey; thence N01°59'26"W for a distance of 35.00 feet to a point on the Existing northerly Right-of-Way line of said State Road 990 (SW 112th Street / Killian Parkway), also being THE POINT OF BEGINNING of the hereinafter described parcel; thence S88°00'34"W along said Existing northerly Right-of-Way line of said State Road 990 (SW 112th Street / Killian Parkway) for a distance of 6.64 feet to a point of curvature of a circular curve concave to the Northeast; thence southwesterly, westerly and northwesterly along the arc of said curve to the Right having a Radius of 25.00 feet and a central angle of 90°01'39" for a distance of 39.28 feet to a point on the Existing easterly Right-of-Way line of SW 97th Avenue; thence N01°57'47"W along said Existing easterly Right-of-Way line of SW 97th Avenue for a distance of 4.83 feet; thence S48°39'31"E for a distance of 43.49 feet to THE POINT OF BEGINNING.

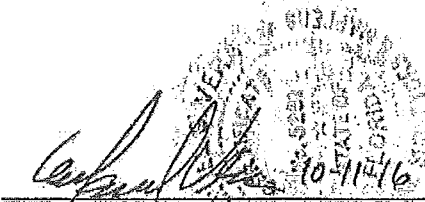
Containing 338 square feet more or less.

SURVEYOR'S NOTES:

- Bearings and coordinates are relative to the State Plane Coordinate System, Florida, East Zone (901), Transverse Mercator Projection, North American Datum 1983 (NAD83), 1990 adjustment.
- A bearing of N88°00'34"E has been established along the Baseline of State Road 990 (SW 112th Street / Killian Parkway) and South line of the NW 1/4 of Section 9, Township 55 South, Range 40 East.
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- Baseline of Survey for State Road 990 (SW 112th Street / Killian Parkway) provided by Florida Department of Transportation as per Primary Network Control done by F.R. Aleman and Associates, Inc., Project No. 436343-1-52-01, dated 01-05-2015.
- I hereby certify that the Sketch and Legal Description was prepared under my direction and that said Sketch and Legal Description is in compliance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- All stations and offsets refer to the Baseline of Survey of State Road 990 (SW 112th Avenue / Killian Parkway).

LEGEND:

Δ	- DELTA	PI	- POINT OF INTERSECTION
A	- ARC LENGTH	LT	- LEFT
B	- BASE LINE	R	- RADIUS
F.P. NO.	- FINANCIAL PROJECT NUMBER	N/A	- NOT APPLICABLE
STA.	- STATION	SQ. FT.	- SQUARE FEET
SEC.	- SECTION	SR	- STATE ROAD
TWP.	- TOWNSHIP	R/W	- RIGHT OF WAY
RGE.	- RANGE	COR.	- CORNER
EXIST.	- EXISTING	100	- PARCEL NUMBER
P.O.B.	- POINT OF BEGINNING		
P.O.C.	- POINT OF COMMENCEMENT		
LB.	- LICENSED BUSINESS		


 Manuel G. Vera, Jr. Date
 Professional Surveyor & Mapper
 Florida Certificate No. 5291
 Licensed Business: LB-2439
 13960 SW 47th Street
 Miami, Florida 33175

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

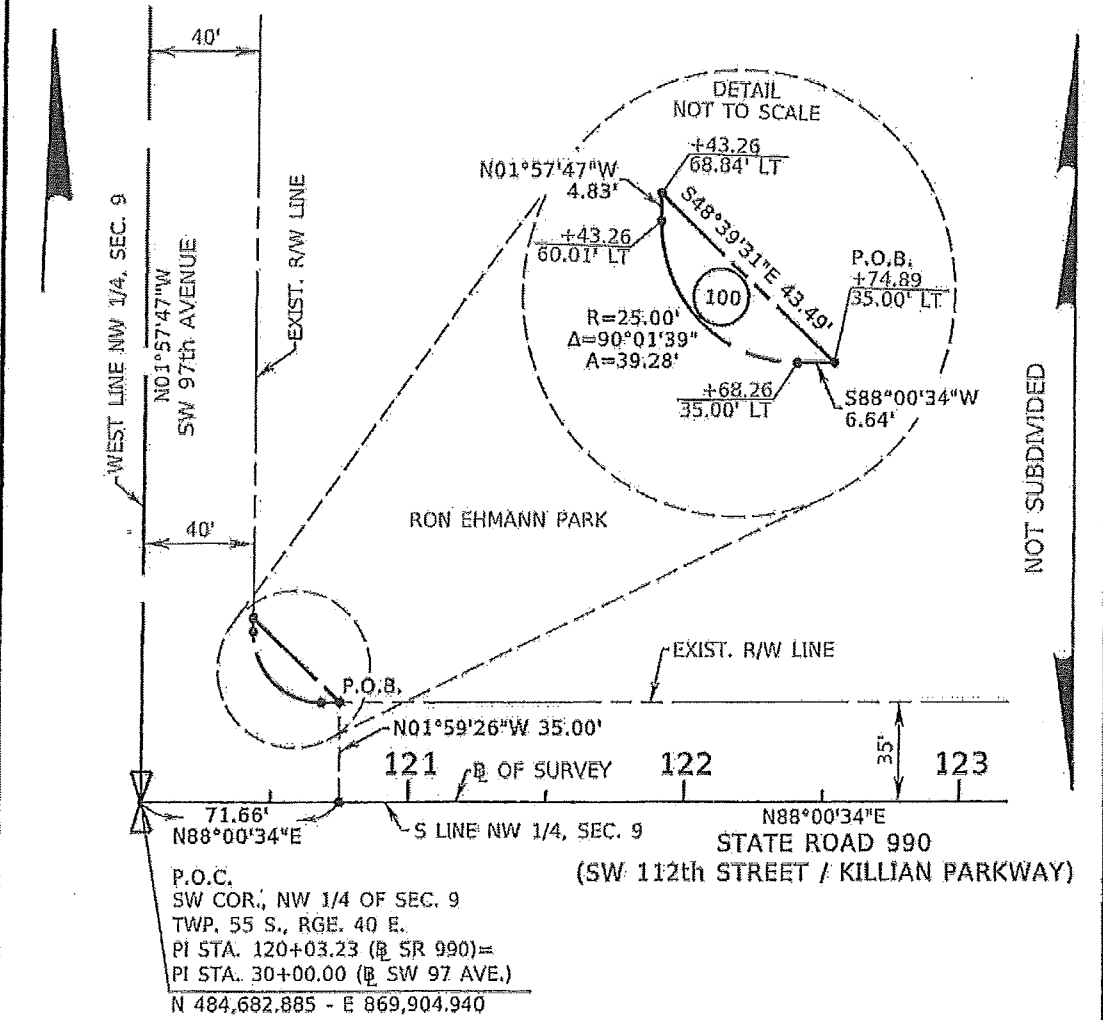
THIS IS NOT A BOUNDARY SURVEY

FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH TO ACCOMPANY LEGAL DESCRIPTION							
STATE ROAD NO. 990 (SW 112th STREET/KILLIAN PARKWAY) MIAMI-DADE COUNTY							
			BY	DATE	PREPARED BY: MANUEL G. VERA, JR. ASSOCIATES INC., (LB)2439 13960 SW 47th STREET, MIAMI FLORIDA, 33175	DATA SOURCE: SEE SURVEYOR'S NOTES	
			DRAWN	JP	09-16		
			CHECKED	SH	09-16	F.P. NO. 436342-1	SECTION 87046 SHEET 01 OF 02
REVISION			BY	DATE			

EXHIBIT "A" PARCEL 100

NW 1/4 SECTION 9, TOWNSHIP 55 S., RANGE 40 E. MIAMI-DADE COUNTY, FLORIDA

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
100	SCHOOL BOARD OF MIAMI-DADE COUNTY	± 338 SQ. FT.	N/A	



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THIS IS NOT A BOUNDARY SURVEY

FLORIDA DEPARTMENT OF TRANSPORTATION			
SKETCH TO ACCOMPANY LEGAL DESCRIPTION			
STATE ROAD NO. 990 (SW 112th STREET/KILLIAN PARKWAY) MIAMI-DADE COUNTY			
	BY	DATE	PREPARED BY: PARCEL & VERA AND ASSOCIATES INC. (892438) 33560 SW 47th STREET, MIAMI, FLORIDA 33175
	DRAWN	JP	03-16
	CHECKED	SN	03-16
REVISION	BY	DATE	F.P. NO. 436342-1
			SECTION 87046 SHEET 02 OF 02