

Office of Facilities Design and Construction
Raul F. Perez, Chief Facilities Design & Construction Officer

SUBJECT: AUTHORIZATION FOR THE CHAIR AND SECRETARY TO EXECUTE A GRANT OF EASEMENT AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY FOR THE ELECTRICAL SERVICE REQUIREMENTS ASSOCIATED WITH THE CONSTRUCTION OF THE HERBERT A. AMMONS MIDDLE SCHOOL FACILITY REPLACEMENT

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

In order to meet the electrical service requirements associated with the construction of the Herbert A. Ammons Middle School facility replacement, located at 17990 SW 142 Avenue, Miami, Florida, a Grant of Easement was requested by Florida Power & Light Company. The easement area is legally described in Exhibit "A", attached hereto.

The Easement document has been reviewed by the School Board Office of the General Counsel and the Office of Risk and Benefits Management for legal sufficiency and risk management issues, respectively, and found to be in compliance.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Chair and Secretary to execute a Grant of Easement Agreement with Florida Power and Light Company for the electrical service requirements associated with the construction of the Herbert A. Ammons Middle School facility replacement, as described in the agenda item.

NR:nr

EASEMENT

This Instrument Prepared By

Sec.34, Twp 55S, Rge 39E

Parcel I.D. 30-5934-015-0800
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 7/94

Name: Nicole Reinoso
Co. Name: School Board of Miami-Dade County
Address: 1450 NE 2nd Avenue #525
Miami, FL 33132

The undersigned, The School Board of Miami-Dade County, Florida, ("Grantor") in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns ("Grantee"), an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See attached Exhibit "A" (attached hereto and incorporated by reference) (the "Easement Area")

Together with the right to permit Grantee to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for Grantee's communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned 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.

The laws of the State of Florida shall govern this Easement and venue for any litigation arising out of this Easement shall be the Florida County where the Easement Area is located.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2023.

Signed, sealed and delivered in the presence of:

The School Board of Miami-Dade County, Florida

(Witness' Signature)

By: _____
(Grantor's signature)

Print Name: _____
(Witness)

Print Name: Ms. Maria Teresa Rojas, Chair

(Witness' Signature)

Print Address: 1450 NE 2nd Avenue
Miami, Florida 33132

Print Name: _____

Attest: _____

(Witness)

**TO THE SCHOOL BOARD:
APPROVED AS TO FORM & LEGAL SUFFICIENCY:**

Print Name: Dr. Jose L. Dotres, Superintendent

Print Address: 1450 NE 2nd Avenue

OFFICE OF THE GENERAL COUNSEL

Miami, FL 33132

STATE OF FLORIDA AND COUNTY OF MIAMI-DADE. The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2023, by Ms. Maria Teresa Rojas and Dr. Jose L. Dotres, respectively the Chair and Secretary of The School Board of Miami-Dade County, Florida, a Florida public corporation, on behalf of said corporation, who are personally known to me or have produced _____ as identification, and who did (did not) take an oath.

(Type of Identification)

My Commission Expires:

Notary Public, Signature
Print Name _____

EXHIBIT A
SKETCH AND LEGAL DESCRIPTION

FPL EASEMENT

SURVEYORS NOTES:

- 1) LANDS SHOWN HEREON WERE NOT ABSTRACTED BY ROBAYNA AND ASSOCIATES, INC.
- 2) ROBAYNA AND ASSOCIATES, INC.'S CERTIFICATE OF AUTHORIZATION NO. LB 5004 IS ISSUED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
- 3) ALL DIMENSIONS SHOWN HEREON ARE IN THE UNITED STATES SURVEY FOOT.
- 4) BEARINGS SHOWN ARE ASSUMED AND ARE BASED ON THE EAST LINE OF TRACT "C" OF PLAT BOOK 146, PAGE 13, "ARISTOTLE SUBDIVISION - PHASE I" BEING S02°07'11"E, TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY.
- 5) THE HORIZONTAL DATUM IS BASED OF THE NORTH AMERICAN DATUM (NAVD) 1983/11 ADJUSTMENT.
- 6) THIS IS NOT A SURVEY.
- 7) THE LOCATION OF THE UNDERGROUND FPL LINES DEPICTED IN THIS SKETCH AND LEGAL WAS PROVIDED BY THE CLIENT. ROBAYNA AND ASSOCIATES, INC. CREATED THE FPL SKETCH AND LEGAL AS PER THE PAINTED MARKED LINES ON THE GROUND PROVIDED BY THE CLIENT.
ROBAYNA AND ASSOCIATES ARE NOT RESPONSIBLE FOR THE ACCURACY OF SAID LOCATION OF FPL LINES.

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS "SKETCH AND LEGAL DESCRIPTION" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED AND DRAWN UNDER MY RESPONSIBLE DIRECTION, AND THAT THE SURVEY MEETS THE "STANDARDS OF PRACTICE" AS SET FORTH IN CHAPTER 5J-17.051 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, OF THE FLORIDA STATUTES.

CERTIFIED TO:

The School Board of Miami-Dade County, Florida, its successors and/or assigns; and Walter J. Harvey, Esq., School Board General Counsel and his successors in office

THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND
RAISED EMBOSSED SEAL OF EDDIE A. MARTINEZ, PSM AFFIXED



BY: _____
EDDIE A. MARTINEZ PSM LS#6577 FOR THE FIRM
STATE OF FLORIDA

SHEET 1 OF 4

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH. (305) 823-9316
LICENSED BUSINESS No. LB 5004

JOB No.220039
DATE: 05-04-2023
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST

SHEET 1 IS NOT VALID
WITHOUT SHEET 2 THRU 4

EXHIBIT A
SKETCH AND LEGAL DESCRIPTION

FPL EASEMENT

LEGAL DESCRIPTION FPL EASEMENT:

A STRIP OF LAND 10.00 FEET WIDE, COMMENCING AT NE CORNER OF TRACT "C" OF PLAT BOOK 146, PAGE 13, "ARISTOTLE SUBDIVISION - PHASE I", OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE (POC) AT THE NORTHEAST CORNER OF TRACT "C" OF PLAT BOOK 146, PAGE 13;
THENCE SOUTH 2°07'34" EAST, 13.79 FEET ALONG THE EAST LINE OF TRACT "C",
THENCE SOUTH 87°52'26" WEST, 1.33 FEET TO THE POINT OF BEGINNING (POB);
THENCE SOUTH 89°53'27" WEST, 0.94 FEET;
THENCE SOUTH 18°12'04" WEST, 23.47 FEET;
THENCE SOUTH 4°04'39" WEST, 20.25 FEET;
THENCE SOUTH 1°58'43" EAST, 100.90 FEET;
THENCE SOUTH 4°15'20" EAST, 77.29 FEET;
THENCE SOUTH 2°07'34" EAST, 271.69 FEET ALONG THE WEST LINE OF THE EXISTING 10' UTILITY EASEMENT AS PER PLAT BOOK 146, PAGE 13 (TRACT "C");
THENCE SOUTH 40°14'27" WEST, 30.77 FEET;
THENCE SOUTH 59°35'26" WEST, 43.67 FEET;
THENCE SOUTH 66°32'24" WEST, 38.83 FEET;
THENCE SOUTH 85°30'16" WEST, 50.84 FEET;
THENCE SOUTH 89°04'01" WEST, 294.30 FEET;
THENCE NORTH 45°44'32" WEST, 32.17 FEET;
THENCE SOUTH 87°52'26" WEST, 1.35 FEET;
THENCE NORTH 2°07'34" WEST, 10.00 FEET;
THENCE NORTH 87°52'26" EAST, 10.00 FEET;
THENCE SOUTH 2°07'34" EAST, 4.58 FEET;
THENCE SOUTH 45°44'32" EAST, 25.97 FEET;
THENCE NORTH 89°04'06" EAST, 289.84 FEET;
THENCE NORTH 85°30'16" EAST, 48.86 FEET;
THENCE NORTH 66°32'24" EAST, 36.55 FEET;
THENCE NORTH 59°35'26" EAST, 41.36 FEET;
THENCE NORTH 40°14'27" EAST, 25.19 FEET;
THENCE NORTH 2°07'34" WEST, 267.63 FEET;
THENCE NORTH 4°15'20" WEST, 77.30 FEET;
THENCE NORTH 1°58'43" WEST, 101.63 FEET;
THENCE NORTH 4°04'39" EAST, 22.02 FEET;
THENCE NORTH 18°12'04" EAST, 26.08 FEET;
THENCE NORTH 0°06'33" WEST, 5.56 FEET;
THENCE NORTH 89°53'27" EAST, 10.00 FEET;
THENCE SOUTH 0°06'33" EAST, 10.00 FEET; TO THE POINT OF BEGINNING

CONTAINING 9,900 SQUARE FEET (0.23 ACRE), MORE OR LESS.

SHEET 2 OF 4

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH. (305) 823-9316
LICENSED BUSINESS No. LB 5004

JOB No. 220039
DATE: 05--04--2023
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST

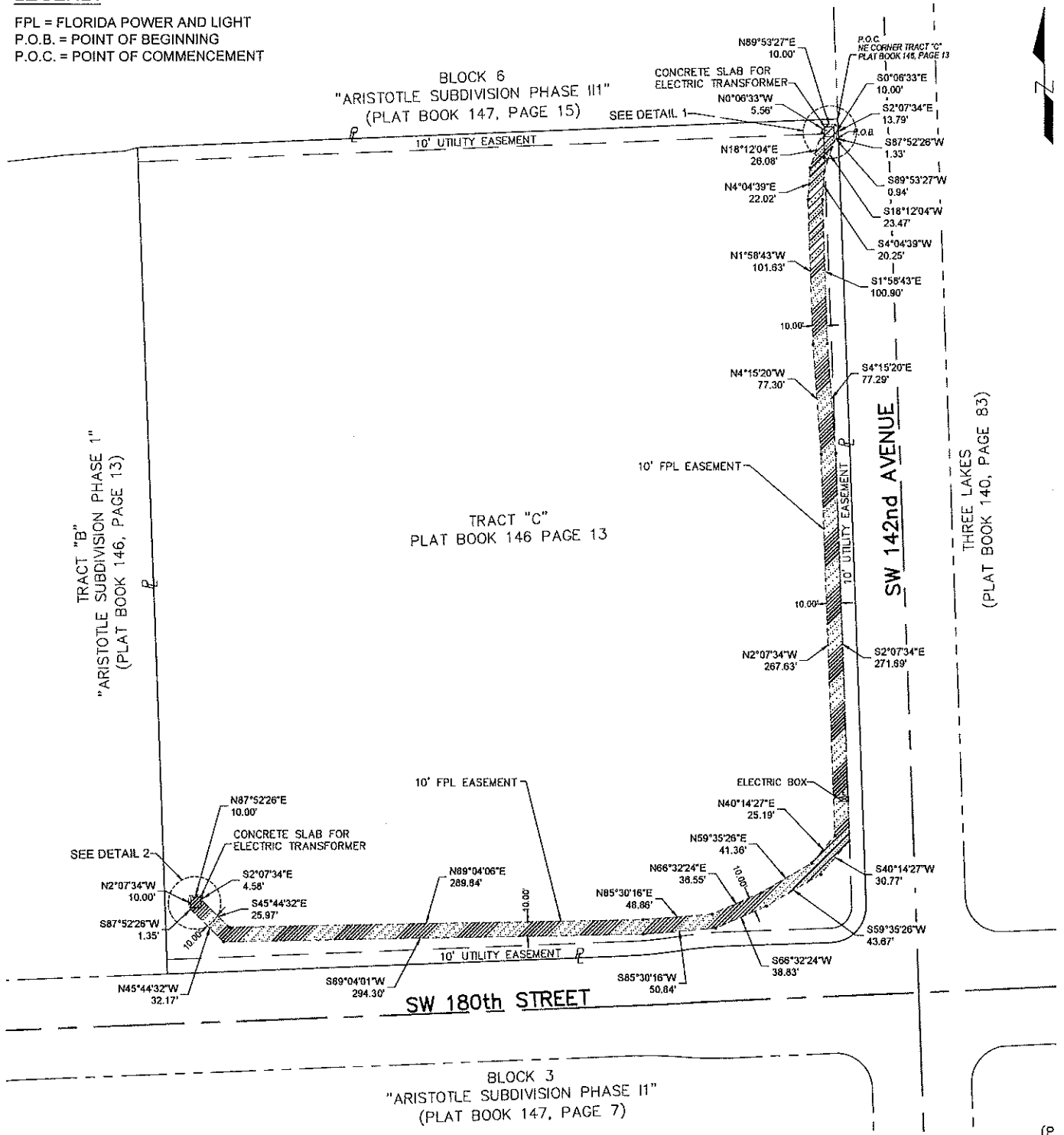
SHEET 2 IS NOT VALID
WITHOUT SHEET 1 AND 3, 4

EXHIBIT A SKETCH AND LEGAL DESCRIPTION

FPL EASEMENT

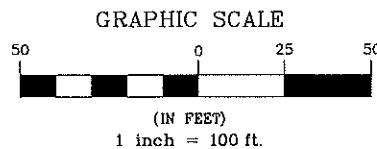
LEGEND:

FPL = FLORIDA POWER AND LIGHT
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT



SHEET 3 OF 4

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH. (305) 823-9316
LICENSED BUSINESS No. LB 5004



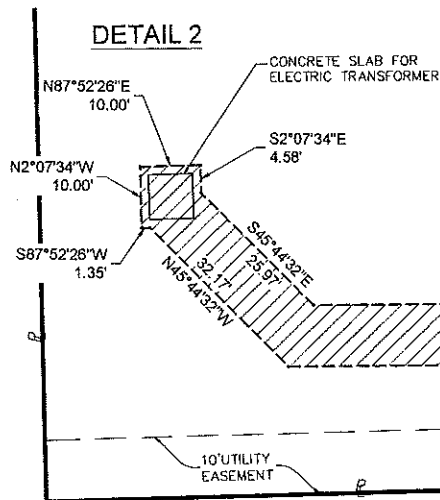
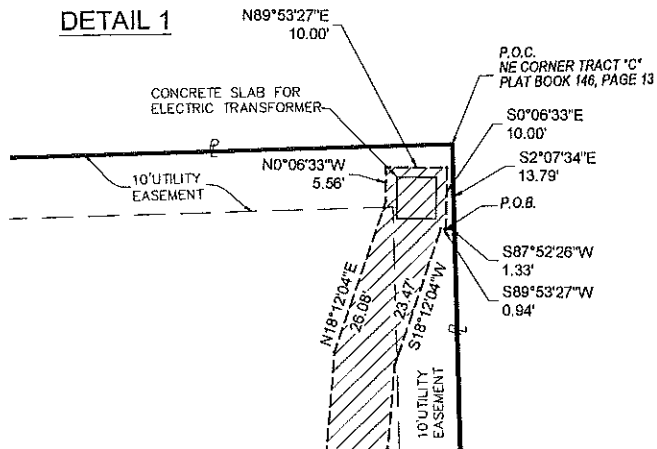
JOB No.220039
DATE: 05-04-2023
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST

SHEET 3 IS NOT VALID
WITHOUT SHEET 1, 2 AND 4

EXHIBIT A SKETCH AND LEGAL DESCRIPTION

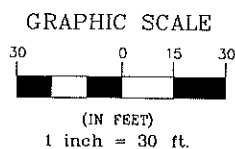
FPL EASEMENT

DETAILS:



SHEET 4 OF 4

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH. (305) 823-9316
LICENSED BUSINESS No. LB 5004



JOB No. 220039
DATE: 05-04-2023
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST

SHEET 4 IS NOT VALID
WITHOUT SHEET 1 THRU 3