

RESOLUTION NO. 11-2035

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN EASEMENT GRANTING AND GIVING TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION A PERPETUAL EASEMENT DESCRIBED IN EXHIBIT "A" FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SIDEWALK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation ("FDOT") proposes to construct or improve State Road No. A-1-A, Section No. 4198581, in Miami-Dade County, Florida; and

WHEREAS, it is necessary that an easement across certain lands now owned by The Town of Surfside, Florida, ("TOWN") be acquired by the State of Florida Department of Transportation; and

WHEREAS, the State of Florida Department of Transportation has made application to the Town to execute and deliver to the State of Florida Department of Transportation a Perpetual Easement (Exhibit "A") in favor of the State of Florida Department of Transportation for the purpose of constructing and maintaining a sidewalk, with a condition subsequent that FDOT complete the title work and conditioned upon an acknowledgement by FDOT that such easement shall not be recorded until the title search is completed and all interests, if any, are adequately addressed; and

WHEREAS, it is in the best interest of the Town to grant the Perpetual Easement.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Granting of Perpetual Easement Approved. The FDOT Perpetual Easement attached as "Exhibit "A" is hereby approved and the Town Manager is hereby authorized to do to do all things necessary to effectuate this easement.

Section 3. Be It Further Resolved. A certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Tallahassee, Florida.

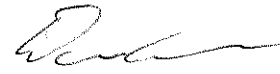
Section 4. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and **ADOPTED** on this 9 day of Aug., 2011.

Motion by Commissioner Karukin, second by Commissioner Olchyk.


FINAL VOTE ON ADOPTION

Commissioner Michael Karukin	<u>yes</u>
Commissioner Edward Kopelman	<u>absent</u>
Commissioner Marta Olchyk	<u>yes</u>
Vice Mayor Joseph Graubart	<u>yes</u>
Mayor Daniel Dietch	<u>yes</u>



Daniel Dietch, Mayor

ATTEST:



Debra E. Eastman, MMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Lynn M. Dannheisser
Town Attorney

STATE OF FLORIDA)

)ss:

COUNTY OF MIAMI- DADE)

I, Debra E. Eastman, M.M.C., Town Clerk of the Town of Surfside, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 11-²⁰³⁵ adopted by the Town Commission at its meeting held on the 9 day of Aug., 2011.

Issued: _____

Debra E. Eastman, M.M.C.
Town Clerk

07-PE.13

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
 August 8, 2011 - NE

Parcel No. : 800.1
 Item/Segment No. : 4198581
 Managing District : 6

PERPETUAL EASEMENT

THIS EASEMENT Made the 9 day of August, 20 11, by **THE TOWN OF SURFSIDE**, a municipality of the State of Florida, grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining a sidewalk in, over, under, upon and through the following described land in Miami-Dade County, Florida, viz:

PARCEL 800

F.P. NO. 425913-1

Being a portion of SECOND AMENDED PLAT OF NORMANDY BEACH, according to the Plat thereof, as recorded in Plat Book 16, Page 44 of the Public Records of Miami-Dade County, Florida, lying in Section 35, Township 52 South, Range 42 East, and being more particularly described as follows:

COMMENCE at the intersection of the Baseline of Survey of State Road A1A (Collins Avenue), as shown on the Florida Department of Transportation Project Survey Control for said State Road A1A (Collins Avenue), Project No. 419858-1, Dated 08/13/2008, with the Centerline of 88th Street; thence S 86°53'45" W, along said Centerline of 88th Street, 69.79 feet; thence S 03°06'15" E 25.00 feet to the intersection with the Southerly right-of-way line of said 88th Street, as shown on the Florida Department of Transportation Right-of-Way Map for aforesaid State Road A1A, Project No. 250747-1, last revised 03/12/2009, said point being the POINT OF BEGINNING of the following described parcel:

Thence S 11°56'19" E 1.18 feet; thence S 67°32'52" E 5.12 feet; thence S 38°26'23" W 13.09 feet to the beginning of a curve concave to the southeast, having a radius of 40.00 feet; thence southwesterly along the arc of said curve 21.29 feet, through a central angle of 30°30'00" to a point of reverse curvature with a tangent curve concave to the northwest, having a radius of 23.00 feet; thence southwesterly along the arc of said curve 26.18 feet, through a central angle of 65°12'25" to the intersection with a non-tangent curve concave to the southwest, having a radius of 240.50 feet, to which point a radial line bears N 51°15'02" E; thence southeasterly along the arc of said curve 20.89 feet, through a central angle of 04°58'36" to a point of compound curvature with a tangent curve concave to the southwest, having a radius of 21.00 feet; thence southeasterly, southerly, and southwesterly along the arc of said curve 19.81 feet, through a central angle of 54°03'09"; thence S 20°16'47" W 6.38 feet; thence S 62°56'13" W 4.43 feet; thence S 20°16'47" W 14.53 feet; thence S 28°39'45" E 3.98 feet; thence S 14°32'36" W 21.63 feet to the beginning of a curve concave to the southeast, having a radius of 29.00 feet; thence southwesterly and southerly along the arc of said curve 7.14 feet, through a central angle of 14°06'30"; thence S 00°26'06" W 56.70 feet to the intersection with a non-tangent curve concave to the northwest, having a radius of 15.00 feet, to which point a radial line bears S 48°23'31" E; thence northeasterly along the arc of said curve 9.43 feet, through a central angle of 36°02'10" to a point of reverse curvature with a tangent curve concave to the southeast, having a radius of 388.27 feet, said curve being the westerly right-of-way line of aforesaid State Road A1A (Collins Avenue), as shown on aforesaid Right-of-Way Map of State Road A1A; thence northeasterly along the arc of said curve and said westerly right-of-way line 104.36 feet;

thence N 20°06'46" E, along said westerly right-of-way line, 72.10 feet to the beginning of a curve concave to the southwest, having a radius of 15.00 feet; thence northerly and northwesterly along the arc of said curve 29.64 feet, through a central angle of 113°13'01" to the intersection with the aforesaid southerly right-of-way line of 88th Street; thence S 86°53'45" W, along said southerly right-of-way line of 88th Street, 8.47 feet to the POINT OF BEGINNING.

Containing 3,253 Square Feet, more or less.

CG/DD/08/08/2011

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

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever, together with immunity unto the said grantee, its successors and assigns from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the grantor, lying adjacent or contiguous to the lands hereinabove described and the grantor will defend the title to said lands against all persons claiming by, through or under said grantor.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its Town Clerk, the date first above written.

ATTEST: _____
Town Clerk, Debra E. Eastman, M.M.C.

Town of Surfside, Florida

By: _____
Mayor Daniel Dietch

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,
by _____, Mayor, who is personally known to me or who has produced
_____ as identification.

(Signature of person taking acknowledgment)

(Type, print or stamp name under signature)
Title or rank and serial number, if any: _____

EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 800:

Being a portion of SECOND AMENDED PLAT OF NORMANDY BEACH, according to the Plat thereof, as recorded in Plat Book 16, Page 44 of the Public Records of Miami-Dade County, Florida, lying in Section 35, Township 52 South, Range 42 East, and being more particularly described as follows:

COMMENCE at the intersection of the Baseline of Survey of State Road A1A (Collins Avenue), as shown on the Florida Department of Transportation Project Survey Control for said State Road A1A (Collins Avenue), Project No. 419858-1, Dated 08/13/2008, with the Centerline of 88th Street; thence S 86°53'45" W, along said Centerline of 88th Street, 69.79 feet; thence S 03°06'15" E 25.00 feet to the intersection with the Southerly right-of-way line of said 88th Street, as shown on the Florida Department of Transportation Right-of-Way Map for aforesaid State Road A1A, Project No. 250747-1, last revised 03/12/2009, said point being the POINT OF BEGINNING of the following described parcels:

Thence S 11°56'19" E 1.18 feet; thence S 67°32'52" E 5.12 feet; thence S 38°26'23" W 13.09 feet to the beginning of a curve concave to the southeast, having a radius of 40.00 feet; thence southwesterly along the arc of said curve 21.29 feet, through a central angle of 30°30'00" to a point of reverse curvature with a tangent curve concave to the northwest, having a radius of 23.00 feet; thence southwesterly along the arc of said curve 25.18 feet, through a central angle of 65°12'25" to the intersection with a non-tangent curve concave to the southwest, having a radius of 240.50 feet, to which point a radial line bears N 51°15'02" E; thence southeasterly along the arc of said curve 20.89 feet, through a central angle of 04°58'35" to a point of compound curvature with a tangent curve concave to the southwest, having a radius of 21.00 feet; thence southeasterly, southerly, and southwesterly along the arc of said curve 19.81 feet, through a central angle of 54°03'09"; thence S 20°16'47" W 6.38 feet; thence S 62°56'13" W 4.43 feet; thence S 20°16'47" W 14.53 feet; thence S 28°39'45" E 3.99 feet; thence S 14°32'35" W 21.63 feet to the beginning of a curve concave to the southeast, having a radius of 29.00 feet; thence southwesterly and southerly along the arc of said curve 7.14 feet, through a central angle of 14°05'30"; thence S 00°25'06" W 56.70 feet to the intersection with a non-tangent curve concave to the northwest, having a radius of 15.00 feet, to which point a radial line bears S 48°23'31" E; thence northeasterly along the arc of said curve 9.43 feet, through a central angle of 36°02'10" to a point of reverse curvature with a tangent curve concave to the southeast, having a radius of 388.27 feet, said curve being the westerly right-of-way line of aforesaid State Road A1A (Collins Avenue), as shown on aforesaid Right-of-Way Map of State Road A1A; thence northeasterly along the arc of said curve and said westerly right-of-way line 104.35 feet; thence N 20°06'46" E, along said westerly right-of-way line, 72.10 feet to the beginning of a curve concave to the southwest, having a radius of 15.00 feet; thence northerly and northwesterly along the arc of said curve 29.64 feet, through a central angle of 113°13'01" to the intersection with the aforesaid southerly right-of-way line of 88th Street; thence S 86°53'45" W, along said southerly right-of-way line of 88th Street, 5.47 feet to the POINT OF BEGINNING.

Containing 3,253 Square Feet, more or less.

PRELIMINARY

This document consists of three (3) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

CARLOS R. GARCIA
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 6790

DATE

			FLORIDA DEPARTMENT OF TRANSPORTATION			
			SKETCH TO ACCOMPANY LEGAL DESCRIPTION			
			STATE ROAD NO. A1A		MIAMI-DADE COUNTY	
			BY	DATE	PREPARED BY	DATE CHECKED
			DRAWN	CHECKED	BY	DATE
			CHECKED	C. GARCIA	08/08/11	F.P. NO. 419858-1 SECTION 8000
						SHEET 1 OF 3

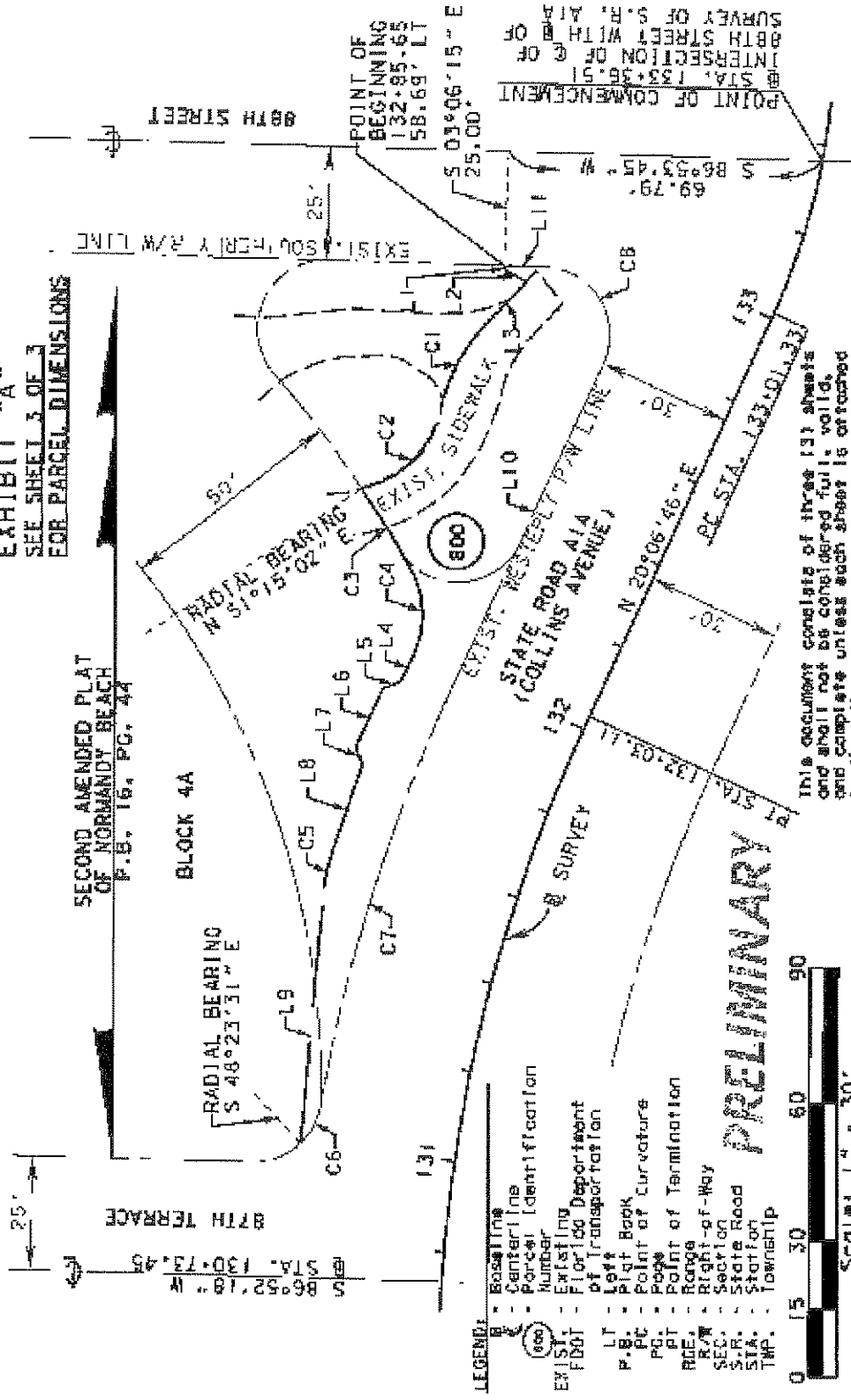
PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
800	TOWN OF SURFSIDE	3.253 SQ.FT.	UNDETERMINED	

SEC. 35, TWP. 52S, R2L. 42E

EXHIBIT "A"
SEE SHEET 3 OF 3
FOR PARCEL DIMENSIONS

SECOND AMENDED PLAT
OF NORMANDY BEACH
P.B. 16, PG. 44

BLOCK 4A



FLORIDA DEPARTMENT OF TRANSPORTATION
 SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. A1A

MIAMI-DADE COUNTY

DATE: 08/08/11

BY: C. GARCIA

CHECKED: C. GARCIA

DESIGN: D. DENNIS

DATE: 08/08/11

PROJECT NO.: 419858-1

SECTION: 87080

SHEET: 2 OF 3

EXHIBIT "A"

DIMENSIONS OF PARCEL 800 (SEE SHEET 2 of 3 FOR PARCEL BOUNDARIES)

LINE LABEL	BEARING	DISTANCE
L1	S 11°56'19" E	1.18'
L2	S 67°32'52" E	5.12'
L3	S 38°26'23" W	13.09'
L4	S 20°16'47" W	6.38'
L5	S 62°56'13" W	4.43'
L6	S 20°16'47" W	14.53'
L7	S 28°39'45" E	3.98'
L8	S 14°32'36" W	21.63'
L9	S 00°26'06" W	56.70'
L10	N 20°06'46" E	72.10'
L11	S 88°53'45" W	8.47'

CURVE LABEL	RADIUS	ARC LENGTH	DELTA
C1	40.00'	21.29'	30°30'00"
C2	23.00'	26.18'	65°12'25"
C3	240.50'	20.89'	04°58'36"
C4	21.00'	19.81'	54°03'09"
C5	29.00'	7.14'	14°06'30"
C6	15.00'	9.43'	36°02'10"
C7	388.27'	104.36'	15°24'02"
C8	15.00'	29.64'	113°13'01"

GENERAL NOTES:

- Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
- Lands shown hereon were not obstructed by this office for rights-of-way, easements of record, ownership, abandonments, deed restrictions, or Murphy Act Deeds. This information should be obtained through appropriate verification.
- The Bearings shown hereon are referenced to the Baseline of Survey of State Road A1A (Collins Avenue), having a bearing of N 20°06'46" E, as shown on the Florida Department of Transportation Project Survey Control for said State Road A1A (Collins Avenue), Project No. 419858-1, Dated 08/13/2008.
- Dimensions shown on sketch are calculated based on design files provided by project manager for Project No. 419858-1.
- 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.

PRELIMINARY

This document consists of three (3) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

		FLORIDA DEPARTMENT OF TRANSPORTATION																	
		SKETCH TO ACCOMPANY LEGAL DESCRIPTION																	
		STATE ROAD NO. A1A	MIAMI-DADE COUNTY																
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">DRAWN BY</td> <td style="font-size: 8pt;">D. DENNIS</td> <td style="font-size: 8pt;">DATE</td> <td style="font-size: 8pt;">08/04/11</td> </tr> <tr> <td style="font-size: 8pt;">CHECKED BY</td> <td style="font-size: 8pt;">C. GARCIA</td> <td style="font-size: 8pt;">DATE</td> <td style="font-size: 8pt;">08/08/11</td> </tr> </table>	DRAWN BY	D. DENNIS	DATE	08/04/11	CHECKED BY	C. GARCIA	DATE	08/08/11	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">PREPARED BY:</td> <td style="font-size: 8pt;">FOOT DISTRICT V:</td> <td style="font-size: 8pt;">DATA SOURCE:</td> <td style="font-size: 8pt;">SFC (S. M. H. L. ADIEN)</td> </tr> <tr> <td colspan="2" style="font-size: 8pt;">F.P. NO. 419858-1 SECTION 87060</td> <td colspan="2" style="font-size: 8pt;">SHEET 3 OF 3</td> </tr> </table>	PREPARED BY:	FOOT DISTRICT V:	DATA SOURCE:	SFC (S. M. H. L. ADIEN)	F.P. NO. 419858-1 SECTION 87060		SHEET 3 OF 3	
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