



REVISED

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:

LL-3.

MEETING DATE

2019-05-21 10:05 - Regular School Board Meeting

AGENDA ITEM

ITEMS

CATEGORY

LL. OFFICE OF PORTFOLIO SERVICES

DEPARTMENT

Facility Planning and Real Estate

Special Order Request

☐ Yes☒ No

Time

Open Agenda

☒ Yes☐ No

TITLE:

Old Plantation Water Control District Permit No. 00

REQUESTED ACTION:

Approve the Old Plantation Water Control District (OPWCD) Permit No. 00 to allow The School Board of Broward County, Florida (SBBC) use of OPWCD's property for right-of-way access to Plantation Middle School.

SUMMARY EXPLANATION AND BACKGROUND:

OPWCD is requesting that SBBC and OPWCD enter into an updated agreement which restates, more clearly defines and incorporates SBBC's encroachment on OPWCD's Right of Way located on the canal bank adjacent to Plantation Middle School.

See Supporting Docs for continuation of Summary Explanation and Background.

SCHOOL BOARD GOALS:

☐ Goal 1: High Quality Instruction ☒ Goal 2: Continuous Improvement ☐ Goal 3: Effective Communication

FINANCIAL IMPACT:

The granting of the Permit by OPWCD This item will result in a financial impact to the District in the form of a permit fee; one-time permit fee which permit fee shall not exceed \$5,000 in the amount of \$3,000. Other expenses would include any future maintenance obligations of SBBC as delineated in the Permit.

EXHIBITS: (List)

(1) Executive Summary (2) Memo to Revise

BOARD ACTION:**APPROVED**

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Chris O. Akagbosu

Phone: 754-321-2162

Name:

Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown

5/17/2019, 4:04:54 PM

Electronic Signature

Form #4189 Revised 08/04/2017

RWR/ LMB/COA/SR:ts

Approved In Open
Board Meeting On:

MAY 21 2019

By:

School Board Chair

Continuation of Summary Explanation and Background

Such encroachments include a roadway, fencing, paving and gates as indicated in Exhibit B to Permit No. (to be assigned at a later date).

Permit No. (to be assigned at a later date) has been reviewed and approved as to form and legal content by the Office of the General Counsel, and after approval by SBBC will be approved by the OPWCD.

~~OPWCD is requesting that SBBC restate and incorporate all SBBC's right-of-way encroachments on OPWCD property, adjacent to Plantation Middle School including the access way, and gates relating to Plantation Middle School as described in Exhibit A attached to Permit No. 00.~~

~~Permit No. 00 has been reviewed and approved as to form and legal content by the Office of the General Counsel and upon approval by the SBBC, will be formally considered by OPWCD and if approved, will become effective. (Pending)~~

~~This Agreement will be forthcoming on Friday, May 17, 2019.~~

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT
ROBERT W. RUNCIE
SUPERINTENDENT OF SCHOOLS

May 17, 2019

TO: School Board Members

FROM: Leslie M. Brown *L. Brown*
Chief Portfolio Services Officer

VIA: Robert W. Runcie *Robert W. Runcie*
Superintendent of Schools

SUBJECT: **Revision to LL-3, Old Plantation Water Control District Permit No. 00, for the May 21, 2019 Regular School Board Meeting**

Attached are the revisions for LL-3, Old Plantation Water Control District Permit No. 00, for the May 21, 2019 Regular School Board Meeting.

RWR/LMB: lh
Attachments

c: Senior Leadership Team

EXECUTIVE SUMMARY

Old Plantation Water Control District Permit No. (To Be Assigned At A Later Date)

In July 1967, The School Board of Broward County, Florida (SBBC) was granted Semi-Permanent Permit No. 166 (Permit) by Old Plantation Water Control District (OPWCD) for the construction, maintenance, and operation of a road, together with drainage culverts along, over, and across a right-of-way owned by OPWCD. The road constructed by SBBC under the Permit is currently used for ingress and egress by Broward County Public Schools (BCPS) buses into the Plantation Middle School bus loop area. The Permit also allowed SBBC to construct a gate and galvanized chain link fence within the area described in the Permit and which runs alongside a canal.

In March 1978, the City of Plantation (City) was granted Permit No. 404 by OPWCD for the construction, maintenance, and operation of a pedestrian walkway and bridge. The pedestrian walkway constructed by the City is currently used by Plantation Middle School students to access the School site.

In July 1986, SBBC requested an amendment to the Permit for the purpose of installing a chain link fence and paving at a bicycle compound area. The purpose and intent of the fence and paving was to provide additional safety for Plantation Middle School students utilizing the pedestrian walkway to access the School site.

Recently, OPWCD requested the SBBC to enter into a new, updated agreement including requirements for insurance and indemnification. Before consensus could be reached on a type of viable agreement (Permit vs New Agreement), OPWCD informed SBBC staff that at its monthly meeting on April 9, 2019, "...the Board of Supervisors of the Water Control District voted unanimously to terminate SEMI-PERMANENT PERMIT 166 because of Broward County Public School's fifty-one year default in its terms and to block off its right-of-way as of July 1, 2019".

After receipt of OPWCD's notification, BCPS had additional discussions with OPWCD representatives, and the consensus was for the SBBC and OPWCD to enter into a new Permit No. (To Be Assigned At A Later Date) which in addition to updating requirements for insurance, indemnification and maintenance of the roadway, fencing, paving and gates, adds identical requirements associated with a pedestrian walkway which provides access to Plantation Middle School.

OPWCD's Permit is a special type of agreement which contains their standard provisions as articulated in the Permit No. (To Be Assigned At A Later Date). This type of agreement has also been accepted and approved by Broward County for other types of access and use within the OPWCD. Most importantly, it includes insurance provisions which are consistent with the SBBC insurance and indemnification provisions as verified by BCPS Risk Management Department.

If approved by SBBC, Permit No. (To Be Assigned At A Later Date) will ensure BCPS's continued use of the right-of-way at Plantation Middle School for bus access and student walkway access to the campus. Permit No. (To Be Assigned At A Later Date) also includes non-recordability language which meets OPWCD's requirements. This language has been used in other OPWCD's permits with public entities. All records will be managed by the Facility Planning and Real Estate Department and subject to Public Records Request for any external parties asking for documentation of Permit No. (To Be Assigned At A Later Date).

OPWCD has advised BCPS staff that as part of its standard permit review and issuance requirements, the Permittee is required to pay a permit fee. Thus, prior to issuing the permit to SBBC, OPWCD requires a one-time permit fee in the amount of \$3,000.00 to be paid by SBBC to OPWCD for permit processing and review.

The scheduling of the Permit for SBBC's action was requested by OPWCD. OPWCD is slated to take formal action on the Permit at its June 2019 scheduled meeting, and upon its approval of the Permit, it would become effective.

THIS PERMIT IS NOT RECORDABLE

THIS PERMIT is given this 21st day of May, 2019, by Old Plantation Water Control District, a water control district established according to the laws of the State of Florida, hereinafter referred to as "District", and it is accepted by The School Board of Broward SBBC, Florida, a political subdivision of the State of Florida, hereinafter referenced to as "SBBC", collectively referred to as ("Parties").

WITNESSETH:

WHEREAS, the District is a Water Control District, deriving its authority pursuant to Chapter 298, Laws of the State of Florida. The District owns in fee simple title, real property which is generally depicted in Exhibit "A" (hereinafter, "Right-Of-Way");

WHEREAS, SBBC, a political subdivision of the State of Florida, is organized and exists pursuant to the laws of the State of Florida, in 1967, made application to the District, in which it requested permission from the District to utilize the District's property for access into Plantation Middle School (hereinafter, "School");

WHEREAS, on July 7, 1967, the District issued Semi-Permanent Permit No. 166 ("Permit 166") to SBBC for the construction, maintenance and operation of a road, together with drainage culverts under said road, and a galvanized wire fence (hereinafter, "Roadway") along, over, and across a portion of the Right-Of-Way commencing at the intersection of NW 70th Avenue and proceeding East as depicted in Exhibit "B";

WHEREAS, on March 20, 1978, The District issued Permit No. 404 to the City of Plantation ("City") authorizing the construction and maintenance of a Pedestrian Walkway and Bridge, over, and across a portion of the Right-Of-Way located at the intersection of NW 65th Avenue as depicted in Exhibit "B";

WHEREAS, in July 1986, SBBC and the District agreed to amend Semi-Permanent Permit No. 166 for the purpose of SBBC installing a six (6) foot chain link fence with a four (4) foot personnel gate, and to pave a bicycle parking area;

WHEREAS, in October of 2018, the District requested that SBBC and District enter into a new agreement ("Permit") to incorporate the District's current-day permit terms and conditions, to take assignment of the duties and liabilities of the City's Permit 404, and to identify and incorporate all encroachments adjacent to Plantation Middle School through the use of an engineered survey;

WHEREAS, pursuant to each of these permits, the District has permitted improvements to be constructed upon the Right-Of-Way and the nature of and location of these encroachments are depicted on Exhibit "B";

WHEREAS, should District cancel Permit 404, the use of the land enumerated and described in Permit 404 shall be governed by this Permit simultaneously upon its cancellation;

WHEREAS, the SBBC desires to enter into this Permit which more clearly defines the uses and maintenance of all encroachments to the Right-Of-Way.

NOW, THEREFORE, in consideration of the sum of \$10.00 and other good and valuable consideration given to the District by SBBC and the terms of this Permit granted by the District, the Parties agree as follows:

1. RECITALS: The Parties warrant that the recitals contained herein are true and correct.

2. DEFINITIONS: The Parties agree that the following definitions shall prevail herein:

2.1 "Right-Of-Way" shall mean that portion of real property owned by the District, which is more particularly depicted in Exhibit "A".

2.2 "Improvements" refers to improvements constructed in accordance with Non-Permanent Permit 166, as amended, or which may be constructed after written approval from the District, and those improvements made in accordance with Permit No. 404 or which may be constructed on the land referenced by Permit No. 404 after written approval by the District.

2.3 "City" means the City of Plantation.

2.4 "District" means Old Plantation Water Control District or its successors and assigns.

2.5 "SBBC" shall mean The School Board of Broward County, Florida, a political subdivision of the State of Florida, its successors and assigns.

2.6 The Rodeway shown on Exhibit "B" is for motor vehicle traffic only. SBBC shall monitor it to prevent pedestrian traffic and shall erect signage which prohibits pedestrian traffic.

2.7 SBBC shall maintain the areas subject to this Permit in a safe condition and for the safety of person upon these lands shall monitor these lands.

2.8 SBBC shall pay to the District a one-time permit fee of Three Thousand and 00/100 Dollars (\$3,000.00).

2.9 This Permit is limited to only the land in the Right-Of-Way that is currently encroached upon as shown in Exhibit "B". No other land in the Right-Of-Way is to be used by SBBC.

3. AFFIRMATION OF RIGHT-OF-WAY: SBBC affirms and acknowledges that the District's title to the Right-Of-Way, which is the subject of this Permit, is superior in right, title, or dignity to the rights granted to SBBC under this Permit or any claims of SBBC and its successors and assigns, and SBBC hereby subordinates its interests under this Permit to the District's title to the Right-Of-Way.

4. DESCRIPTION OF PERMIT: The District does hereby grant to SBBC this non-exclusive, revocable Permit to construct (or have constructed), maintain, and repair the Improvements for public purposes only, in the Right-Of-Way ("Permit"). This Permit grants ingress and egress to this Right-Of-Way to construct (or have constructed), to maintain, and to repair the Improvements and to store and

install equipment and material during the course of construction or repair operations. This Permit does not grant to SBBC the right to discharge storm water or pollutants into the District's adjacent canal.

5. LIMITATIONS ON PERMIT: The Permit granted to SBBC, as described in paragraph 4, is non-exclusive, revocable and subject to these additional limitations and agreements which SBBC agrees to abide by:

- a) This Permit shall not convey to SBBC any property rights nor any rights or privileges other than those specified herein, nor relieve SBBC from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. This Permit only grants to SBBC a license to use the lands shown in Exhibit "B". All structures and works installed by SBBC hereunder shall remain the property of the SBBC unless otherwise provided immediately below.
- b) The dumping or discharging of stormwater, organics or inorganics, hyacinths, naiad or stormwater pollutants, whether directly or indirectly, into works of this District will constitute grounds for cancellation of this Permit.
- c) The SBBC shall maintain all artificial surfaces, pavement, asphalt, fencing, gates and drainage culverts constructed pursuant to Permit No. 166, and if District cancels Permit No. 404, the SBBC shall maintain all artificial surfaces, pavement, asphalt and fencing pursuant to Permit No. 404, as amended, at its own expense.
- d) SBBC agrees that if the District cancels Permit 404, this Permit shall govern the use of the land depicted in Permit No. 404. Upon fully execution of this Permit, Permit 166 and any amendment are cancelled.
- e) The District reserves the right to utilize said Right-of-Way to maintain, repair, and clean said canal, and SBBC shall not block its access.
- f) This Permit is subject to the right of condemnation of the Right-of-Way held by the District and by any other authorized governmental agency, is subject to the continued existence of the District, and is subject to all instruments in the chain of District's title. District has not provided a title examination as that is the obligation of SBBC, and no warranties of title, express or implied are given by District.
- g) In the event any potential, future Improvements are not approved by the District or are defectively constructed, improperly maintained or are negligently operated so as to endanger life or other property owners' improvements, or damage or endanger the District's improvements or canals, or should SBBC discharge any pollutants into the District's canal or otherwise impede or degrade the operation of the District's canal, the District may in addition to its other rights of revocation, at its option, subject to the time limit for notification, revoke this Permit.
- h) Any future improvement to those land in the Right-Of-Way, subject to this

Permit, shall comply with all Federal and state laws, codes, standards, regulations and ordinances, and must have District's written approval. During SBBC's construction of any subsequent improvements to the Right-of-Way, SBBC's contractors, subcontractors, laborers, and those working on these job sites shall observe and comply with all OSHA, State of Florida, and governmental safety regulations and all governmental laws and regulations dealing with environmental issues, and the District in delivering to SBBC the right of possession in and to the permitted area during and after construction is not exercising any degree of control over the construction site, the means or methods of construction, maintenance, or repair, of the Improvements once completed. During and after construction, it shall be the duty of SBBC to see to the maintenance and repair of the construction site and to take all precautions for the safety of workers and the public.

- i) This Permit shall be terminated if SBBC fails to correct any default of the terms of this Permit within Three Hundred Sixty (360) days of written notice of said default.
- j) This Permit is revocable at any time by either the District or SBBC after providing six (6) months written notice to the other.

6. INSURANCE: SBBC shall deliver to District a Certificate of Liability Insurance indicating its full limits of coverage and liability as depicted in Exhibit "C", the coverage of which shall be maintained for the full term of this Permit, and if improvements are requested to be made by SBBC, SBBC shall deliver all certificates of liability and worker's compensation insurance that it requires of its contractors or sub-contractors for construction, maintenance or repair of the Improvements and the District shall be designated as an additional insured on all these certificates. SBBC shall require its contractor(s) and subcontractor(s) to have general liability, workers' compensation, and automobile liability insurance during the term of their work on this project, and to make SBBC and District additional insureds on the general liability and automobile liability policies. Proof of contractor(s) coverage shall be provided to the District before construction commences.

7. INDEMNITY: Except for the indemnity delineated in this paragraph, neither the District, nor the SBBC, to which sovereign immunity is applicable herein, intend anything in this Permit to serve as a waiver of sovereign immunity by any party nor shall anything included herein be construed as consent to be sued by third parties in any matter arising out of this Permit or any other associated contract. SBBC, to the fullest extent permitted by law, will defend, indemnify and save District, its employees, supervisors, and agents harmless against any and all liabilities, suits, obligations, fines, damages, claims bills, assessments, penalties, claims, costs, charges, expenses including, without limitation, court costs, deposition fees, investigative fees, expert fees and attorney's fees, which District, its employees, or agents may incur as a result of claims, lawsuits, administrative proceedings, governmental prosecution or legislative claim's bills arising out of SBBC's or its contractors' use of the Right-Of-Way under this Permit, whether at trial, upon appeal, or in a legislative-claims bill proceeding. There is excepted from this duty of indemnity damage, injury or death caused by the fault of the District through its agents, servants, employees, professional consultants and independent contractors. Additionally, SBBC shall permit no liens related to the

Improvements or use of the Right-of-Way to be filed against the District's Right-of-Way in which the Improvements are located, shall require its contractors to obtain and record a payment and performance bond pursuant to section 255.05 Fla. Stat. and indemnify and hold the District harmless from any all claims against it for failure to post such bond.

8. CONDITION OF PERMITTED PREMISES: SBBC accepts the lands that are the subject of this Permit in an "as-is"- "where-is" condition, and acknowledges that no oral or written representations, statements, warranties, or affirmations concerning these lands or their suitability have been given by the District to SBBC and that SBBC has made its own independent analysis of the suitability of accepting this Permit and utilizing the lands that are the subject matter of this Permit.

9. LAWS OF THE STATE OF FLORIDA AND VENUE: This Permit shall be governed in accordance with the laws of the State of Florida, and venue shall be in Broward County, Florida.

10. NOTICES: Notices shall be written and shall be given to the Parties, by delivery or US Mail. as their addresses appear below:

Old Plantation Water Control District
P.O. Box 15405
Plantation, Florida 33318
(954) 472-5596 (telephone number)
(954) 472-5950 (fax number)

The School Board of Broward County, Florida
Superintendent of Schools
600 Southeast 3rd Avenue, 10th Floor
Fort Lauderdale, Florida 33301

With Copy to: Director, Facility Planning & Real Estate
The School Board of Broward County, Florida
600 Southeast 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301

11. SURRENDER OF PREMISES: In the event of revocation of this Permit, the Right-of-Way shall be peaceably surrendered to the District, and SBBC, shall at its expense, remove all Improvements and restore the District's Right-of-Way to its condition existing before the Permit.

12. NONRECORDABILITY: SBBC cannot record this Permit in the Public Records of Broward County, Florida. In the event that SBBC records this Permit in the Public Records of Broward County, Florida, then SBBC shall pay all costs and fees incurred in removing that from the Public Records of Broward County, Florida, and shall agree to execute any and all documents necessary to remove the same. If anybody, not a party to this Permit, records this Permit in the Public Records, the parties agree to execute the documents necessary to remove this from the Public Records.

13. ATTORNEYS FEES AND VENUE: In the event it becomes necessary to enforce this Permit in a legal proceeding, then venue shall be exclusively in Broward County, Florida and the prevailing party shall be reimbursed for reasonable attorneys' fees and awardable court costs at a trial or

appellate level.

14. MERGER OF AGREEMENTS: This Permit contains the full and complete agreement of the Parties and any prior arrangements, written or oral, shall be extinguished and merged into this Permit. This Permit may be only modified by a document executed by both Parties thereto. In the event of a conflict between this Permit and other Permits issued prior to September 21, 1990, the terms of this Permit shall prevail.

15. SUCCESSORS AND ASSIGNS: This Permit shall be binding upon the Parties' successors and assigns. No assignment of this Permit is permitted unless it is to another governmental body that agrees in writing to be bound by this Permit.

Date Permit Issued: ____ day of _____, 2019.

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DISTRICT

WITNESSES:

OLD PLANTATION WATER CONTROL DISTRICT

Signature

By _____
Chairman

Print/Type Name

Print/Type Name

Signature

Print/Type Name

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SBBC:

(Corporate Seal)

The School Board of Broward County, Florida

By: Heather P. Brinkworth
Heather P. Brinkworth, Chair

ATTEST

Robert W. Runcie
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

M. C. Coney
Office of the General Counsel



Prepared By: The Facility Planning and Real Estate Department

November 14, 2018



LEGEND

- _____ SCHOOL BOARD PROPERTY
 OPWCD PROPERTY

PLANTATION MIDDLE SCHOOL
Exhibit "B"



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/16/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2255 Glades Road, Suite #200E Boca Raton FL 33431	CONTACT NAME: Livia Oliveira PHONE (A/C, No, Ext): 561-995-6706 FAX (A/C, No): 561-995-6708 E-MAIL ADDRESS: Livia_Oliveira@ajg.com
INSURED The School Board of Broward County Risk Management - 11 Floor 600 SE Third Avenue Fort Lauderdale FL 33301	INSURER(S) AFFORDING COVERAGE INSURER A: Lloyd's Synd 2987 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 186762565

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$300,000 SIR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			PK1000618	7/1/2018	7/1/2019	EACH OCCURRENCE \$700,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY ☒ \$300,000 SIR			PK1000618	7/1/2018	7/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$700,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

As a Florida political subdivision, the liability for the School Board of Broward County, FL and its officers, employees and agents are subject to substantial limitations, including but not limited to those contained in Florida Statute 768.28, as amended by Chapter 87-134. Please be advised that by formal action, the Board has adopted the position that the purchase of insurance does not constitute a waiver of any available defense of sovereign immunity, or otherwise waive any limitations on the liability of the Board of its officers, employees and agents. Please also be advised that neither we nor the adjusters, respective attorneys, agents or employees have the authority to waive any of the defense or limitations on the liability and that no action or inaction taken or not taken by the Board or its officers, employees, agents, adjusters or respective attorneys shall constitute a waiver. As per FS768.28 and FS234.03 SIR \$200,000 per claimant/\$300,000 per accident - as per special limits.

CERTIFICATE HOLDER**CANCELLATION**

Old Plantation Water Control District
P.O. Box 15405
Plantation FL 33318

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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PERMIT

ISSUED TO: City of Plantation
(Address) 400 NW 73 Avenue
Plantation, Florida 33317

NO. 404

AUTHORIZING: Pedestrian Walkway and Bridge

LOCATION: County Broward Section 34 Township 49 Range 41 (Walkway)
3 50 41 (Bridge)

This permit is issued pursuant to Application for Permit No. 404 dated March 20, 1978. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

All work, construction and use of the facilities of the Old Plantation Water Control District permitted hereunder shall be performed in strict compliance with this permit and the Requirements and Minimum Standards of Construction heretofore adopted by the Old Plantation Water Control District and as the same may be hereinafter from time to time amended, changed or revised, said Requirements and Minimum Standards of Construction being expressly made a part and condition of this permit, and any departure therefrom shall be grounds for revocation of this permit. A copy of the existing Requirements and Minimum Standards of Construction have been made available to Applicant and any future changes or amendments will be available upon request.

The permittee agrees and understands that this permit is subject to the following conditions:

- (1) Old Plantation Water Control District is not the owner of the fee simple title to the canal right-of-way for which this permit is being issued. The permittee understands and agrees that this permit is subject to the reversionary interest owned by the owner of said fee simple title and it is also subject to the continued existence of Old Plantation Water Control District as a legal entity under the laws of the state of Florida.
- (2) This permit is subject to any and all applicable laws of the state of Florida relating to Water Management Districts, Flood Control or Natural Resources which may now be in effect or which may hereinafter be enacted by the state of Florida.
- (3) This permit is subject to the right of condemnation of the right-of-way held by the District by any other authorized governmental agency.

This permit shall not be considered permanent but is subject to cancellation for any of the foregoing reasons.

This permit shall not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee unless otherwise provided immediately below.

This permit may also be canceled in the event that the permittee does not submit to Old Plantation Water Control District an affidavit executed by its engineer supervising the construction called for by this permit within 180 days from date hereof, stating that the work and construction contemplated by this permit has been completed according to attached specifications and the requirements and minimum standards of construction referred to above.

Old Plantation Water Control District shall not be responsible for maintaining the facilities permitted by this permit and the permittee agrees to hold and save harmless Old Plantation Water Control District, its successors and assigns, from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of the work or structure involved in this permit or which may arise from the occupancy or use of Old Plantation Water Control District's right-of-way adjoining the permitted work or structure for purposes not related to flood control operations.

In the event the structure being constructed pursuant to this permit is a structure of a type which will be dedicated to the public, such as a bridge, roadway over a culvert, or other type of easement or use dedicated to the public, the District shall have the right to require the permittee upon completion of said structure and dedication of the same to the public to assign this permit to the governmental body having jurisdiction over the structure so dedicated. It will also be the responsibility of the permittee to secure the acceptance of said assignment by the appropriate governmental body indicating their agreement to accept the assignment of this permit and to further agree to abide by the rules and regulations of the District, the conditions of this permit and to maintain the structure, or structures, so assigned to said governmental body at no cost to the District.

The dumping or discharging of noxious aquatic plants or any form of debris, whether directly or indirectly, into works of this District will constitute grounds for cancellation of this permit.

SPECIAL CONDITIONS ARE AS FOLLOWS:

City agrees to construct gates in walkway fence as required by the District to allow egress and ingress to canal easement.

Date Issued March 27, 1978 OLD PLANTATION WATER CONTROL DISTRICT

By R. P. Blakeley
Chairman, R. P. Blakeley

Date: Affidavit Received May 30, 1978 File # 397
District acceptance _____

PLANTATION
MIDDLE
SCHOOL.

4
TENNIS
COURTS

MEDICAL
SERVICES BLDG.

SUNRISE

APPROVED AS NOTED
GEE & JENSON ENGINEERS.
ARCHITECTS-PLANNERS, INC.

BY

DATE

AGW
3/24/78

OLD PLANTATION
WATER CONTROL DIST.

APPROVAL

☒ AS PRESENTED
☐ AS AMENDED

DATE 3-21-78

BY *ABR*

PROPOSED 6' PEDESTRIAN WALKWAY - 1' OFF R/W LINE

EXIST. C&D R/W

SUNRISE

CANAL

PROPOSED PEDESTRIAN
BRIDGE
LOW MEMBER ELEV. 40 MSL

EXIST. 12' 6" WIDE
SIDEWALK

N.W. 9TH ST.

N.W. 65TH AVE.

CANAL



NOTE:

WALKWAY TO BE PERMANENT, BOTH SIDES

3/20/78

DRAWING TO ACCOMPANY
APPLICATION NO. _____
FOR PEDESTRIAN WALKWAY
AND BRIDGE AT SUNRISE
CANAL.

SCALE ~ 1" = 100'

CITY OF PLANTATION, FLA.

DATE: 3/20/78

SIGNED:

J. Campbell

March 22, 1978

City of Plantation
400 NW 73 Avenue
Plantation, Florida 33317

Attn: Mr. Stuart Campbell

Re: Permit No. 404
Pedestrian Walkway and Bridge

Dear Mr. Campbell,

Enclosed is your permit as authorized by the Board of Supervisors for your proposed construction. Please note the special conditions on page two.

If we can be of further assistance, please call.

Sincerely,

Old Plantation Water
Control District

L. E. Bitting, Sr.
Superintendent

LSB:ph

encs

cc: Geo & Jenson Engineers, Inc. w/enc

March 22, 1978

Mr. Hans Wolfer
Goe & Jensen Engineering, Inc.
2019 Okeechobee Boulevard
West Palm Beach, Florida 33409

Dear Hans,

The final plan for the East end of this fenced walkway is not complete.

Since the whole intersection is now under construction, the City wishes to build the walkway now, develop specific plans for the pedestrian bridge and negotiate with the District later for a possible exit from our easement. This is generally bad policy, but I think we can deal reasonably with the City, and should permit the proposed construction.

Call if you have suggestions.

Sincerely,

Les Bitting, Sr.

LB:ph
encs

24 0 11



City of Plantation

400 N.W. 73rd Avenue
Plantation, Florida 33317

May 28, 1980

Mayor
FRANK VELTRI

City Council
NEIL J. LAHURD
President

JOHN R. GIBBS
Pres. Pro tem

THOMAS ARMSTRONG
RALPH MERRITT, III
MICHAEL G. SHAYNE

City Clerk
CHESTER MERRICK

Mr. Les Bitting
Old Plantation Water Control District
P. O. Box 15405
Plantation, Florida 33318

RE: Certificates of Completion for
O.P.W.C.D. Permits

Dear Mr. Bitting:

In response to our recent conversation regarding the above subject, please see the attached memorandum from the Plantation Director of Utilities in addition to copies of letters of completion from Williams, Hatfield and Stoner, Inc. I believe the attached will attest to the completion of projects permitted as mentioned in your letter of February 15, 1980.

Please be advised regarding Permit Number 404 that the walkway adjacent to canal 1L-2W was completed; however, the bridge or pedestrian walkway over the canal just west of the 65th Avenue bridge was deleted and to date has not been constructed.

I hope this information closes this matter. Should it not, please advise.

Very truly yours,


Harry J. Mertz,
Assistant to the Mayor

HJM/lmz
Attachments
80-527

404

SEMI-PERMANENT PERMIT

ISSUED TO: BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY, FLORIDA
1320 S. W. 4th Street, Fort Lauderdale, Florida

AUTHORIZING: Construction, maintenance and operation of a road, together with drainage culverts under said road, and a galvanized wire fence along, over and across a right-of-way owned by the District, running from the East right-of-way line of Northwest 70th Avenue to property presently owned by the Board of Public Instruction of Broward County, Florida, lying to the East thereof, over and across the South 20' of the North 23' of the District right-of-way along the South line of Section 34, Township 49 South, Range 41 East, for an approximate distance of 350', in Broward County, Florida.

This Permit is issued pursuant to Application for Permit No. 166, dated July 7, 1967. Said Application, including all plans and specifications attached thereto, is by reference made a part hereof.

This Permit is also issued pursuant to the following terms and conditions:

- 1) All work, construction and use of the facilities of the Old Plantation Water Control District permitted hereunder shall be performed in strict compliance with this Permit and the Requirements and Minimum Standards of Construction heretofore adopted by the Old Plantation Water Control District and as the same may be hereafter from time to time amended, changed or revised, said Requirements and Minimum Standards of Construction being expressly made a part and condition of this Permit, and any departure therefrom shall be ground for revocation of this Permit. A copy of the Requirements and Minimum Standards of Construction are available upon request.
- 2) This Permit shall not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee unless otherwise provided immediately below.
- 3) The dumping or discharging of hyacinths and naiad, whether directly or indirectly, into works of this District will constitute grounds for cancellation of this Permit.
- 4) That the Board of Public Instruction of Broward County, Florida, construct and maintain said 20' road and drainage culverts at its own expense.
- 5) That separate permits be issued to the Board of Public Instruction for the construction of drainage culverts after the same had been approved by the District's Engineers.

- 6) That the Board of Public Instruction shall fence said road along the South side thereof, and maintain said fence in good condition so as to prevent children from going into the District canal.
- 7) That the District reserves the right to utilize said right-of-way to clean said canal.
- 8) That the Board of Public Instruction pay to the District an annual fee for the use of said right-of-way equal to the increase in any public liability insurance rates brought about by reason of said new use.

This Permit shall continue until such time as the Board of Public Instruction of Broward County, Florida is able to provide permanent access to the school site to be constructed by it on its property by another means, unless a default should be made at any time in the terms and conditions of this Permit, in which event this Permit shall terminate in case said default is not corrected by the Board of Public Instruction of Broward County, Florida, within sixty (60) days from written notice of said default.

DATED this 3 day of August, 1967.

OLD PLANTATION WATER CONTROL DISTRICT

By R. P. Blakely

APPLICATION TO
BOARD OF SUPERVISORS OF OLD PLANTATION WATER CONTROL DISTRICT
FOR PERMIT

(1) PROPOSED USE OF OLD PLANTATION WATER CONTROL DISTRICT FACILITY

(2) LOCATION OF WORK

County: Broward Section: 34 Township: 49 Range: 41

(3) DISTRICT WORKS INVOLVED IN PROPOSED CONSTRUCTION OR USE:

(4) OWNER OF PROPOSED WORK OR STRUCTURE: Board of Public Instruction

Street or P. O. Box: 3369 City: Fort Lauderdale State: Florida

(5) APPLICANT OTHER THAN OWNER: (If any)

Serving as _____ for Owner _____

Street or P. O. Box: _____ City: _____ State: _____

(6) AREA PROPOSED TO BE SERVED: (Give property description sufficient for identification, including size in acres. Use reverse side of this sheet if additional space is needed to supply descriptive data):

(7) This application, including sketches, drawings or plans and specifications attached contains a full and complete description of the work proposed or use desired of the above described facilities of the District and for which permit is herewith applied. It shall be a part of any permit that may be issued. It is agreed that all work or the use of the District's facilities involved will be in accordance with the permit to be granted and with the Requirements and Minimum Standards of Construction heretofore adopted by the District which have been examined and are understood by applicant and as the same may be hereafter from time to time amended, changed or revised, and which it is further understood shall be incorporated by reference as a part of any permit which may be granted.

Submitted this 7 day of July

1967

ENGINEERING

Checked:

APPROVED AS NOTED

GEE & JENSON

Recommendation

ENGINEERING ENGINEERS, INC.

Signature of Owner

Superintendent of Public Instruction

Approved:

BY

DATE

8-5-67

CHAIRMAN

Reviewed:

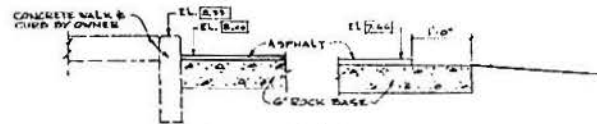
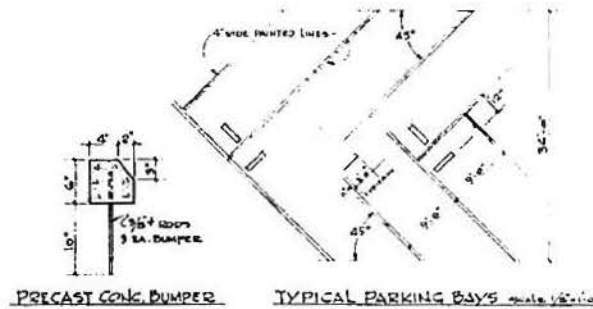
Approved:

APPROVED AS NOTED
GEE & JENSON
CONSULTING ENGINEERS, INC.

BY *L. J. Jenson*

DATE *8-5-67*

CURB DE



NOTE: ASPHALTIC PAVING CONTRACT INCLUDES ROADS, PARKING AREA & PLAY COURTS. THESE AREAS ARE SHOWN SHADED.

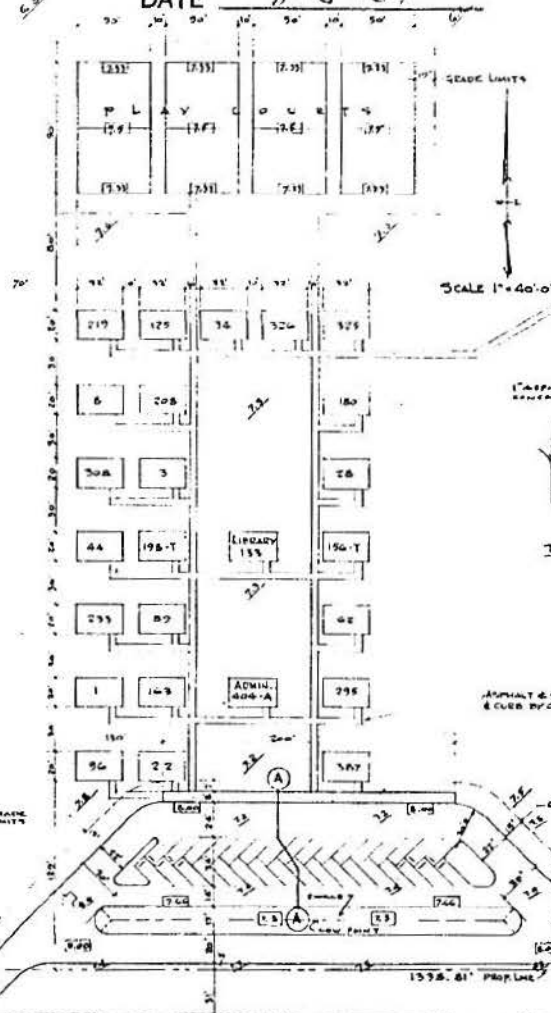
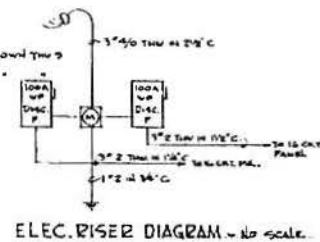
THE CONTRACTOR PRIOR TO SUBMITTING HIS BID, SHALL INVESTIGATE THE SITE TO VERIFY ALL CONDITIONS SHOWN ON THE DRAWINGS. ANY DISCREPANCIES FOUND SHALL BE SUBMITTED TO THE SCHOOL PLANNING DEPT. OF THE BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY, FLORIDA.

CULVERTS: 18" DIA. REINFORCED CONCRETE PIPE WITH C-74-65T (18" ROUND EQUIV.) 25' W x 14" H w/ DIAPHRAGM JOINTS.

LEGEND

8.00 FINISH GRADES SHOWN THUS

EXISTING



BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY, FLORIDA
ROBERT PULVER
DIRECTOR OF SCHOOL PLANNING

DATE: JUNE 25, 1967
REVISED:
DRAWN BY: HCV/LS
CHECKED BY: L

LEROI T CROUCH
ARCHITECT

ASPHALTIC PA
PLANTATION JUN
1450 S.W. 41 ST. COURSE

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
FACILITIES DEPARTMENT

DATE: September 8, 1986

TO: Kenneth Perkins, Principal
William Dandy, Superintendent
Judi Hunt, Director, Safety Dept.

FROM: *7.2.86* Jose A. Rodriguez, Architect
Senior Facility Planner/Architectural

SUBJECT: PLANTATION MIDDLE SCHOOL
SAFETY FENCE MCO 17-87

Please find attached two (2) copies of the prints indicating the details for the above project.

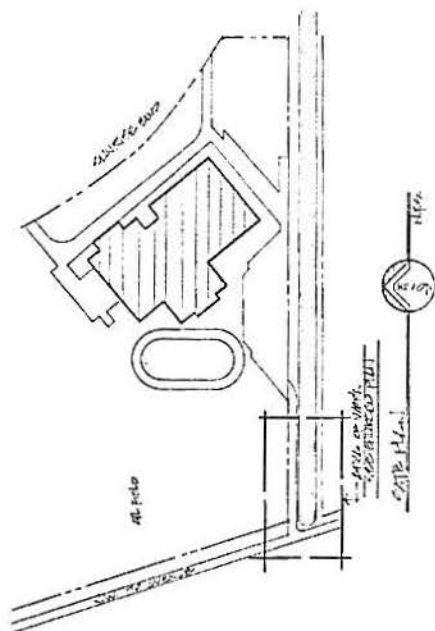
It is requested that you review and comment on these drawings, and return one copy of the prints and one copy of this letter to this office.

JAR:ep
Attachments


Signature

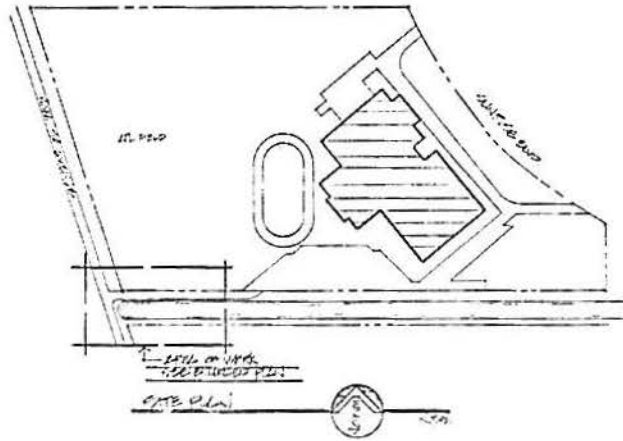
9/15/86
Date

SCHOOL FACILITIES
1986 SEP 17 PM 3:22



SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, DEPARTMENT OF SCHOOL FACILITIES	
NEW FENCE SCHOOL: PLANTATION MIDDLE SCHOOL #5 6668 W. CHANDLER BLVD., WILMINGTON, FL	
SUBMITTED BY _____ DATE _____	SCHOOL FACILITY Dwg NO. _____
SCHOOL FACILITIES _____	PROJECT NO. _____
ARCH _____ MECH _____	SCALE 1/2"=1'-0" SHEET _____ OF _____
APPROVED BY _____ DATE _____	
SUPERVISOR TO _____	
PRINCIPAL _____	

REVISIONS				
LTR	DESCRIPTION	PREP BY	DATE	APPROVED



		SCHOOL BOARD OF BROWARD COUNTY, FLORIDA DEPARTMENT OF SCHOOL FACILITIES	
SUBMITTED BY <u>DATE</u>		NEW FENCE FOR:	
SCHOOL FACILITIES		PLANTATION MIDDLE SCH. #55	
ARCH <u>DATE</u> MECH <u>DATE</u>		Paved w/ concrete curb, PLANTATION, FL.	
CIV <u>DATE</u> ELEC <u>DATE</u>		PROJECT NO. SCHOOL FACILITY DWS NO.	
APPROVED: <u>DATE</u>		SCALE: AS SHOWN SHEET # OF 1 HCS-17-51	
SATISFACTORY TO <u>DATE</u>			
PRINCIPAL <u>DATE</u>			

**OLD PLANTATION
WATER CONTROL
DISTRICT**

R. P. BLAKELEY
MAX M. GREEN
ARNOLD RAMOS

P. O. BOX 15405
PLANTATION, FLORIDA 33318
TELEPHONE (305) 472-5596
LESLIE E. BITTING, SR.
SUPERINTENDENT

July 16, 1986

School Board of Broward County
1320 S. W. 4th Street
Ft. Lauderdale, Florida 33312

RE: Amendment to Permit #166
ATTN: Mr. Frank Robbins, Safety Specialist

Dear Mr. Robbins:

Per your written request, the board of supervisors of Old Plantation Water Control District is pleased to amend Permit #166, issued to the school system on August 3, 1967, as follows:

1. Broward County School Board is authorized to construct a six foot chain link fence (per sketch #055.1 by Thompson & Craven, dated March 27, 1970). A four foot personnel gate must be installed so that an automatic water level recorder can be serviced. The exact location is to be determined by Old Plantation Water Control District and school board employees prior to installation; the District will furnish a chain and lock for safety.
2. The School Board is also authorized to pave an area approximately 10' X 230' in the present bicycle parking area as shown on the above noted sketch. All other permit provisions remain unchanged.

The Safety Department is to be commended for its cooperation in this matter. If there are questions, please call the District office.

Sincerely,

R. P. Blakeley
R. P. Blakeley
Secretary

Accepted for the School Board.

Frank Robbins

Date

Frank Robbins, Safety Specialist

July 18, 1986

Mr. Frank Robbins
Broward County School Board
1320 S. W. 4th Street
Ft. Lauderdale, Florida 33312

Dear Mr. Robbins:

Please examine the provisions of this permit modification, and if you find them as we discussed, we request you to sign the enclosed copy and return it to the District.

Thank you for your cooperation.

Sincerely,

L. E. Bitting, Sr.
Superintendent

LEB/db
encs

July 16, 1986

School Board of Broward County
1320 S. W. 4th Street
Ft. Lauderdale, Florida 33312

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Sincerely,

R. P. Blakeley
Secretary

The Nation's Largest Fully



Accredited School System

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Judith A. Hunt, Director
Risk Management and Safety Department
1320 Southwest Fourth Street
Fort Lauderdale, Florida 33312
(305) 765-6300

July 2, 1986

Chairperson
Jan R. Cummings
Vice Chairperson
Neil Sterling
Thomas A. Evans
Marie H. Harrington
Lori Nance Parrish
Donald J. Samuels
Toni J. Siskin
Superintendent
William J. Leary, Ed.D.

Mr. Les Bitting, Sr.
Superintendent
Old Plantation Water Control District
P. O. Box 15405
Plantation, FL 33318

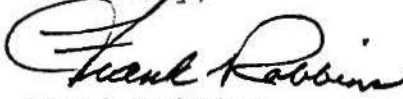
RE: Plantation Middle School - Bicycle Compound

Dear Mr. Bitting:

As per our conversation today, I am enclosing a site plan of Plantation Middle School depicting in yellow the area in the bicycle compound that we would like to asphalt. Since this property does not belong to the School Board we are requesting permission to install the asphalt in your right-of-way. This asphalt area will be inside of the existing bicycle compound, giving the entire area an asphalt surface.

As always, we appreciate your cooperation and support in these endeavors.

Sincerely,

 - 765-6300
Frank Robbins
Safety Specialist
Risk Management and Safety Department

FR:pd

cc: Jose Rodriquez, School Facilities

The Nation's Largest Fully



Accredited School System

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Judith A. Hunt, Director
Risk Management and Safety Department
1320 Southwest Fourth Street
Fort Lauderdale, Florida 33312
(305) 765-6300

June 19, 1986

Chairperson
Jan R. Cummings
Vice Chairperson
Neil Sterling
Thomas A. Evans
Marie H. Harrington
Lori Nance Parrish
Donald J. Samuels
Toni J. Siskin
Superintendent
William J. Leary, Ed.D.

Mr. L. E. Bitting, Sr.
Superintendent
Old Plantation Water Control District
P. O. Box 15405
Plantation, FL 33318

Dear Mr. Bitting::

Pursuant to our conversation yesterday, I would like to request permission for The School Board of Broward County to construct a six foot chain link fence, with gate, on the east side of North-west 70th Avenue at the canal. The purpose for this fence is to afford an extra margin of safety to the students attending Plantation Middle School and Peters Elementary, utilizing the sidewalk adjacent to this location.

I would like to take this opportunity to thank you for your co-operation and support in this endeavor and hopefully we can create a safer environment for the students involved.

Sincerely,

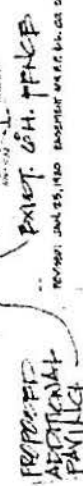
Frank Robbins
Safety Specialist
Risk Management and Safety Department

FR:pd

cc: Jose Rodriquez, School Facilities
Joyce Holms, Principal, Plantation Middle School

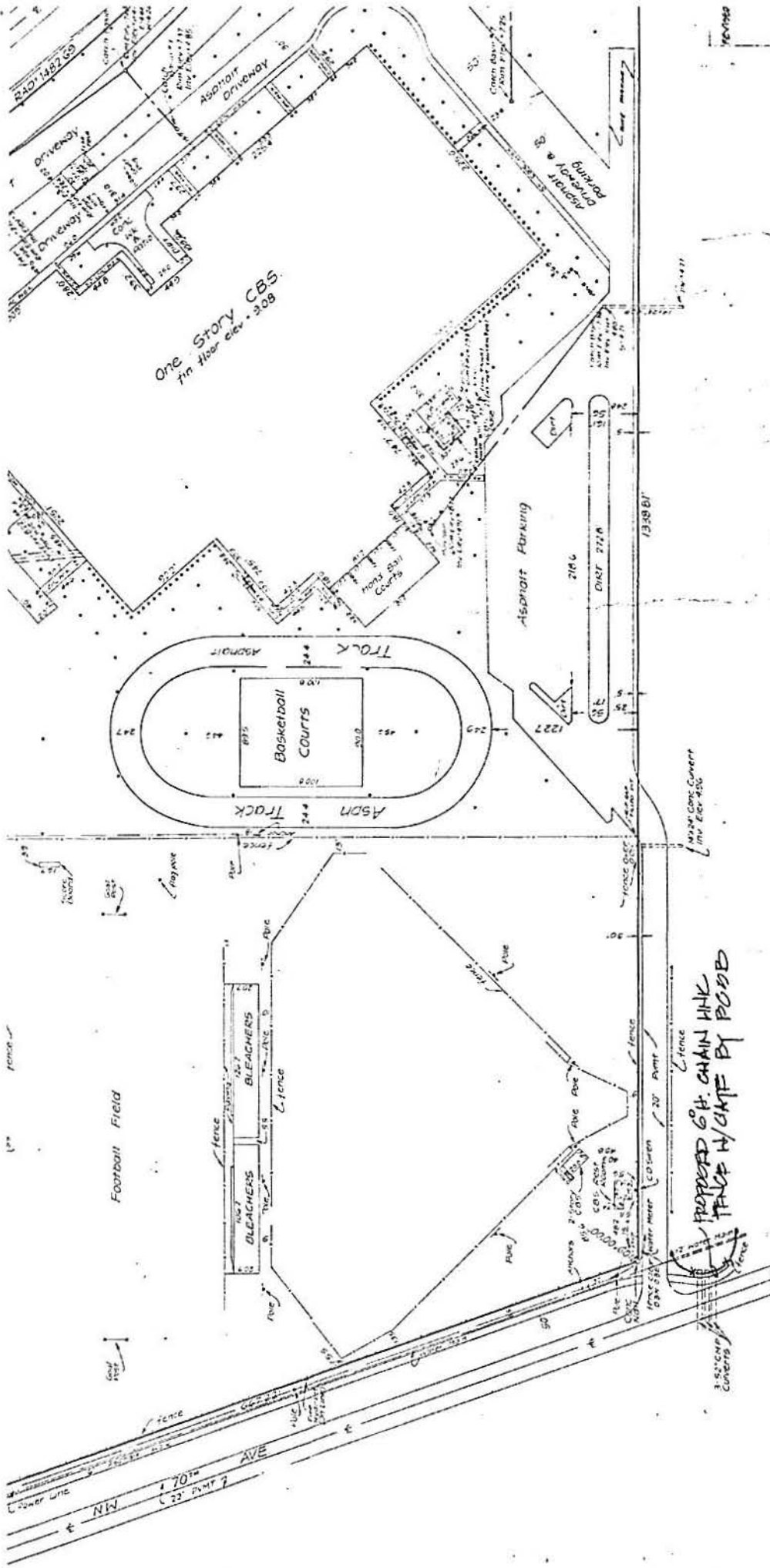
[illegible]

100



NAME MURPHY, JAMES
ADDRESS 100 N. 1st St.
St. Louis, Mo.

Note: 8-20-67
Note: Original "Military" copy received by McLaughlin, Tampa, FL dated August 1967.
Noted by James M. McLaughlin, Reg. Land Surveyor
NS 202, State of Florida
McLaughlin Job Order NS-23



Note: * denotes, unmarked
 Note: Original Boundary Survey prepared by
 McLaughlin Engineering Co. dated August 28, 1956,
 signed by James M. McLaughlin, Reg. Land Surveyor
 No. 2021, State of Florida. McLaughlin's Job Order No. 48-23



BOARD OF **COUNTY COMMISSIONERS** BROWARD COUNTY
FORT LAUDERDALE, FLORIDA

ENGINEERING DEPARTMENT
Room 365, Courthouse
Fort Lauderdale, Fla. 33301
Telephone: Jackson 5-1641

July 24, 1967

J. W. (BILL) STEVENS
Chairman
EARLE R. KRAFT
Vice Chairman
JOHN D. EASTERLIN
County Commissioner
F. R. (JACK) HUMPHRIES
County Commissioner
ROBERT B. BARKELEW
County Commissioner
JOHN U. LLOYD
County Attorney

Old Plantation Water Control District
7049 N. W. 4 Street
Plantation, Florida

Gentlemen:

Re: Portion of the Northeast 1/4 of Section 16, Township
50 South, Range 41 East, Broward County, Florida.

We are enclosing a copy of a letter requesting the release of
drainage reservations on the above described property.

Our records indicate this area is within your drainage district.
Therefore, would you please review this request and forward your
recommendation to the Central and Southern Florida Flood Control
District.

Very truly yours,

J. Stanley Weedon
J Stanley Weedon, P.E.
Water Control Engineer

JSW:fg
Enclosure
CC: Broward County Title Co.

BROWARD COUNTY TITLE COMPANY

Abstracts - Escrows - Title Insurance

222 EAST LAS OLAS BOULEVARD • POST OFFICE BOX 1382 • FORT LAUDERDALE, FLORIDA
PHONE JACKSON 5-1341

July 21, 1967

_____, 19__.

County Engineer
Broward County Court House
Fort Lauderdale, Florida

Re: Release of Reservations
Our file No. 51999

Gentlemen:

We have requested release of reservations on the following described property, and have been advised by the Central and Southern Florida Flood Control District that it will be necessary for them to have a resolution from the Board of County Commissioners of Broward County indicating that the subject land will not be involved in plans for secondary drainage channels.

The property involved is:

Please see Search certificate No. S 01617 with complete legal description attached.

We would appreciate your obtaining the above mentioned resolution at your earliest convenience. Please forward the original copy of the resolution directly to the Central and Southern Florida Flood Control District, and a copy of same to this office for our files.

Thank you for your cooperation in this matter.

Yours very truly,

Harriet Chmelik
Harriet Chmelik
Secretary to Ingrid N. Tiller

Copy to Stan

nc

Titles Insured by Lawyers Title Insurance Corporation of Richmond, Virginia 76-5041
Florida Title Insurance

BROWARD COUNTY TITLE COMPANY

Abstracts - Escrows - Title Insurance

1926 HARRISON STREET

POST OFFICE BOX 560

HOLLYWOOD, FLORIDA

PHONE WABASH 2-2643

July 21, 1967

Trustees of the Internal Improvement Fund
Land Office Section
Elliot Building
Tallahassee, Florida

Re: Our File No. 51999
Release of Reservations
State Board of Education
Portion of ME., Sec. 16-50-42

Gentlemen:

We would appreciate receiving releases of reservations as to phosphate, minerals, metals, petroleum, canal rights-of-way, lyles, timber, earth, stone, rock or gravel, as set forth in deed from State Board of Education of Florida, to O. L. Daniel and Henrietta Daniel, his wife, dated March 16, 1943, recorded in Deed Book 415, Page 351, of the Broward County Records.

A copy of this deed is enclosed, in duplicate.

Also enclosed, in duplicate, is Search Certificate No. S 01617 showing record ownership, with complete description of the property involved.

Please advise us the cost of these releases and we will forward our check to you.

Thank you for your cooperation in this matter.

Very truly yours,

Harriet Chmelik
Secretary to Ingrid H. Tiller

P.S. Anything that you can do to expedite this matter will be very much appreciated.

Encls. as stated

Copy to: Central and Southern Florida Flood Control District
901 Evernia Street
West Palm Beach, Florida

Copy to County Engineer
Broward County Court House
Fort Lauderdale, Florida

No. 49

State Board of Education of
Florida, A body corporate,
by authority of Section
229.08 (6), Florida Statutes
of 1941

to

O. L. Daniel and Henrietta
Daniel, his wife

Deed.

Clerk's File No. 236370.

Deed Book #415, page 351,
Broward County Records.

Dated March 18, 1943.

Filed March 29, 1943.

SIGNATURES: "Spessard L. Holland (Seal), Governor,
R. A. Gray (Seal), Secretary of State, J. Tom Watson (Seal),
Attorney General, J. Edwin Larson (Seal), Treasurer, Colin
English (Seal), Superintendent of Public Instruction, As
Members of and constituting the State Board of Education of
Florida; Attest: Nathan Mayo, Commissioner of Agriculture",
with Seal of The Department of Agriculture affixed.

CONSIDERATION: \$572.50 paid.

GRANT, BARGAIN, SELL and CONVEY: The following de-
scribed lands, to-wit:

All Tiers 58, 60 and 62 of Section 16, Township 33
South, Range 41 East, "Newman's Survey", containing 57.23
acres, more or less, lying and being in the County of Broward,
State of Florida.

RECITES: Saving and Reserving unto the said State
Board of Education of Florida, and its successors, the right
at any time to enter upon the said lands and make or cause to
be made and constructed thereon such canals, cuts, sluice-ways,
dikes and other works as may in the judgment of the said State
Board of Education of Florida, or its successors, be necessary
and needful for the drainage or reclamation of any of the lands
granted to the State of Florida by Act of Congress approved
September 28, 1850; and also the right to construct and main-
tain dikes, levees, locks or other artificial devices or means
for regulating the level of any lake or lakes in or on the
above described lands, for the purpose of commerce, navigation,
drainage or irrigation; and to own exclusively all rock, stone,
gravel, earth or other material excavated from the works afore-
said, and to appropriate or dispose of the same, or any part
thereof, as they see fit.

And Further Saving and Reserving unto the said State
Board of Education of Florida, the right to the exclusive pos-
session, occupation, use and enjoyment of a strip of land run-
ning across the above described premises, one hundred and
thirty feet on each side of the center line of any canal, cut,
sluice-way or dike that may be made and constructed on said
land by the said State Board of Education of Florida, or its
successors, for the purpose aforesaid and the exclusive right
to take, use, sell, dispose of and enjoy any timber, earth,
stone, rock or gravel lying in or upon said strip of land.

No. 49 (Continued).

And Further Saving and Reserving unto the said State Board of Education of Florida, and its successors, an undivided three-fourths interest in, and title in and to, an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on or under the said above described lands, with the privilege and right to mine and develop the same.

And Further Saving and Reserving unto the said State Board of Education of Florida, and its successors, an undivided one-half interest in, and title in and to, an undivided one-half interest in all the petroleum that is or may be in, on or under the said above described lands, with the privilege to mine and develop the same.

Record Ownership

Search CERTIFICATE No. S 01617

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

To Whom It May Concern:

Broward County Title Company, a Florida corporation, established 1915, hereby certifies that it has caused a search to be made of the public records of Broward County, Florida, and finds the record title to the following described land in Broward County, Florida, to-wit:

Portions of the NE $\frac{1}{4}$ in Section 16, Township 50 South, Range 41 East.

(See attached surveys).

Frederick Todd Peters - 1/4 interest
Lewis William Peters - 1/4 interest
Ferguson Edgar Peters - 1/4 interest
is vested in: Berenice Todd Peters - 1/4 interest

297850, D.B. #555, page 246
371033, D.B. #673, page 248
494320, D.B. #806, page 183
679920 O.R. #500, page 392

according to deed recorded under Clerk's File No. 679920

The following mortgages and liens, showing the above legal description, are on record and no satisfactions or releases thereof are recorded:

No search made.

No search has been made for taxes or assessments.

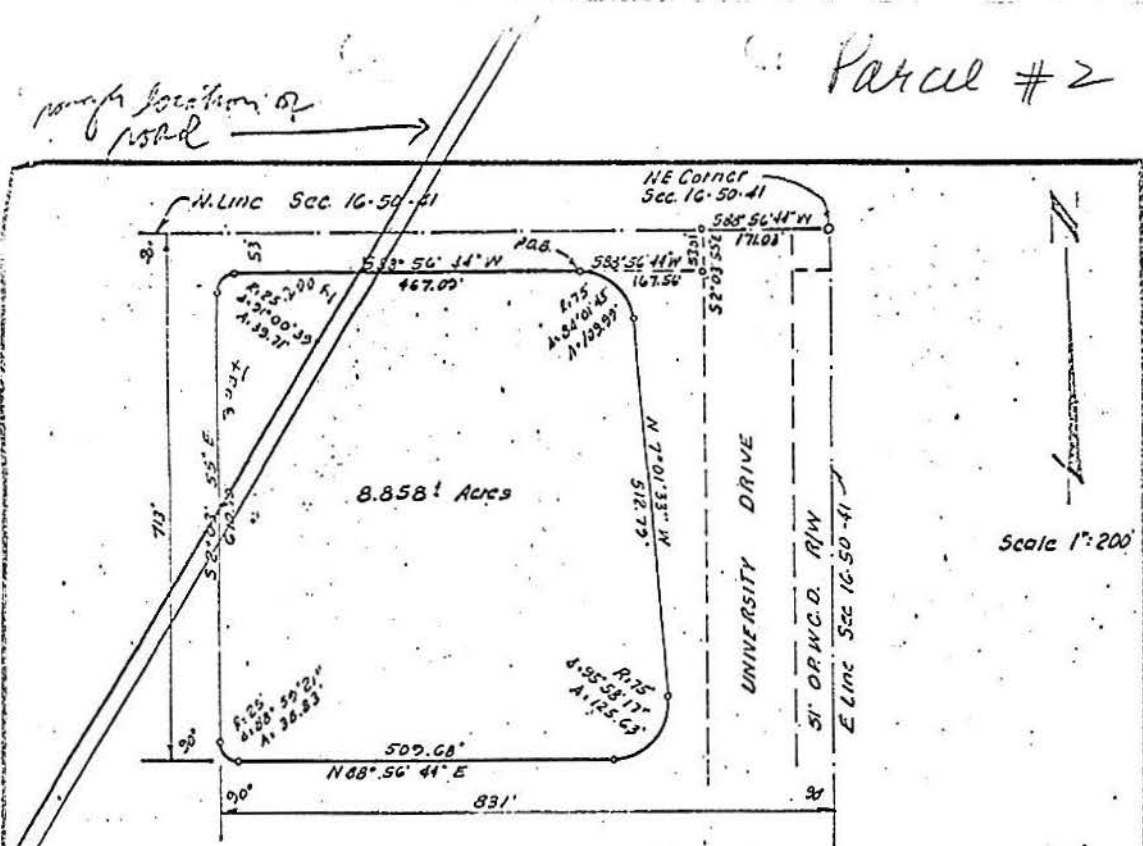
While a careful search has been made, no financial responsibility is assumed for this search.

IN WITNESS WHEREOF, Broward County Title Company has caused this certificate to be signed by an authorized officer and sealed with the corporate seal this 13th day of July, 1967, the date of this search, at eight o'clock A. M.

BROWARD COUNTY TITLE COMPANY

(Corporate Seal)

By Charles S. Potter
Authorized signature
Charles S. Potter



DESCRIPTION

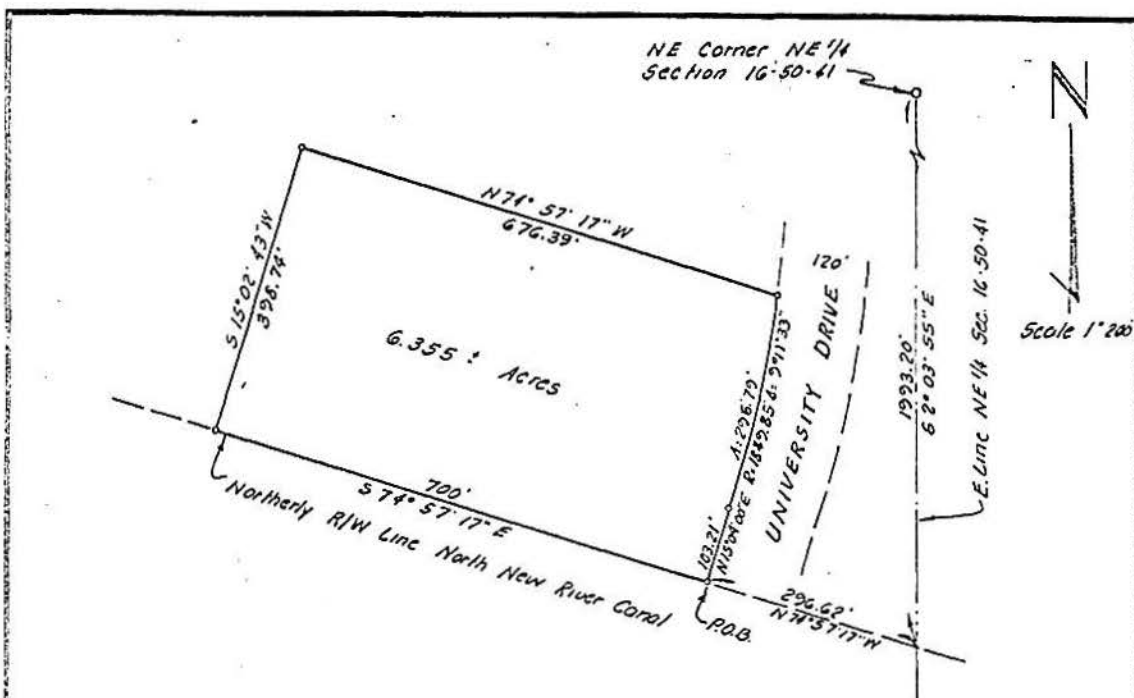
A portion of the Northeast one-quarter (NE $\frac{1}{4}$) of Section 16, Township 50 South, Range 41 East being more particularly described as follows:

Commence at the Northeast Corner of Section 16, Township 50 South, Range 41 East and run on an assumed bearing of S 88°56'44" W along the North Line of said Section 16 for 171.03 feet; thence run S 2°03'55" E along a line parallel to and 171 feet West of as measured at right angles to the East Line of aforesaid Section 16 for 53.01 feet, said course being coincident with the West Right-of-Way Line of University Drive as recorded in Miscellaneous Map Book 2 at Page 34 of the Public Records of Broward County, Florida; thence run S 88°56'44" W along a line parallel to and 53 feet South of as measured at right angles to the North Line of aforesaid Section 16 for 167.56 feet to the Point of Beginning; thence continue S 88°56'44" W along the last described course for 467.09 feet to a point of curvature; thence run Westerly, Southwesterly and Southerly along a curve concave to the Southeast having a radius of 25 feet and a central angle of 91°00'39" for an arc distance of 39.71 feet to a point of tangency; thence run S 2°03'55" E along a line parallel to and 831 feet West of as measured at right angles to the aforesaid East Line of Section 16 for 610.10 feet to a point of curvature; thence run Southerly, Southeasterly, and Easterly along a curve concave to the Northeast, having a radius of 25 feet and a central angle of 88°59'21" for an arc distance of 38.83 feet to a point of tangency; thence run N 88°56'44" E along a line parallel to and 713 feet South of as measured at right angles to the aforesaid North Line of Section 16 for 509.68 feet to a point of curvature; thence run Easterly, Northeasterly, and Northerly along a curve concave to the Northwest having a radius of 75 feet and a central angle of 95°58'17" for an arc distance of 125.63 feet to a point of tangency; thence run N 7°01'33" W for 512.79 feet to a point of curvature; thence run Northerly, Northwesterly, and Westerly along a curve concave to the Southwest having a radius of 75 feet and a central angle of 84°01'43" for an arc distance of 109.99 feet to the Point of Beginning, containing 8.858 Acres more or less. Said lands lying and being in Broward County, Florida.

Lauderdale '70, Inc.
May 18, 1967
Order #14102A

NORMAN NIEMEYER
CIVIL ENGINEER - LAND SURVEYOR
PLANTATION, FLORIDA

Parcel # 1



DESCRIPTION

A portion of the Northeast one-quarter (NE 1/4) of Section 16, Township 50 South, Range 41 East being more particularly described as follows:

Commence at the Northeast Corner of the Northeast one-quarter (NE 1/4) of Section 16, Township 50 South, Range 41 East and run on an assumed bearing of S 2°03'55" E along the East Line of the said Northeast one-quarter (NE 1/4) of Section 16 for 1993.20 feet to a point of intersection with the Northerly Right-of-Way Line of North New River Canal; thence run N 74°57'17" W along the said Northerly Right-of-Way Line of North New River Canal for 296.62 feet to a point of intersection with the Westerly Right-of-Way Line of University Drive as shown on "Right-of-Way Map University Drive" recorded in Miscellaneous Map Book 2 at Page 34 of the Public Records of Broward County, Florida, said point being the Point of Beginning of the parcel of land hereinafter to be described; thence run N 15°04'00" E along the said Westerly Right-of-Way Line of University Drive for 103.21 feet to a point of curvature; thence continue along the said Westerly Right-of-Way Line of University Drive, Northerly along a curve concave to the Northwest having a radius of 1849.85 feet and a central angle of 90°11'33" for an arc distance of 296.79 feet; thence run N 74°57'17" W for 676.39 feet; thence run S 15°02'43" W for 398.74 feet to a point of intersection with the aforesaid Northerly Right-of-Way Line of North New River Canal; thence run S 74°57'17" E along the said Northerly Right-of-Way Line of North New River Canal for 700 feet to the Point of Beginning, containing 6.355 Acres more or less. Said lands lying and being in Broward County, Florida.

Lauderdale '70, Inc.
April 26, 1967
Order #13901

NORMAN NIEMEYER
CIVIL ENGINEER - LAND SURVEYOR
PLANTATION, FLORIDA



MYRON L. ASHMORE, Ed D
SUPERINTENDENT

THE BOARD OF PUBLIC INSTRUCTION
OF BROWARD COUNTY, FLORIDA

1320 S. W. 4TH STREET
FORT LAUDERDALE, FLORIDA
P.O. BOX NO. 8369
33310

W. SAMUEL TUCKER, JR., CHAIRMAN
OAKLAND PARK
FERGUSON E. PETERS, VICE CHAIRMAN
FORT LAUDERDALE
WILSON C. ATKINSON
HOLLYWOOD
VERLON BURRELL
DANIA
CHARLES R. FORMAN, DVM
FORT LAUDERDALE

July 7, 1967

Mr. Robert P. Blakeley
Old Plantation Water Control District
Plantation, Florida

Dear Mr. Blakeley:

Herewith find enclosed Application Form No. 1, No 166. This application deals with a request of the Board of Public Instruction of Broward County, Florida, for the right and/or permit to use certain properties owned by the Old Plantation Water Control District. The use for which this property is requested is for right-of-way purposes to the Plantation Junior High School, all of which is more specifically shown on the attached sketch wherein the right-of-way requested is marked in red.

We would appreciate your processing this application at the earliest possible date in that time is of the essence as far as the School Board is concerned in that portable school construction has started and a bid letting has been arranged for the purposes of constructing the road in question.

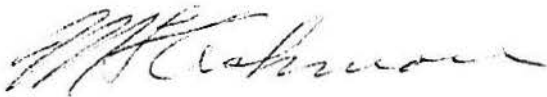
Subject to the Board approving the arrangements previously discussed with you by phone, I have had the application completed and it will be my recommendation to the Board, at its next meeting, that it approve the application on a formal basis. Your District, in the meantime, I would hope, could act on this application, subject to this approval. I will also recommend to the Board that if this application is approved that it pay a nominal, annual permit fee or rental. In conjunction with this, it is my understanding that in the event the District requires any kind of insurance which the Board is not able to pay for, that there will be some relationship between the annual permit fee and the cost thereof. The Board will construct the road at its expense and arrange fencing to your satisfaction, at its expense. It is also my understanding that the permitted use of the property will continue until such time as the Board is able to provide permanent

Mr. Robert P. Blakeley - July 7, 1967 - Page two

access to the permanent construction or complex of buildings to be constructed on the school site in question. Also in this connection, if your District would at any time require a more permanent arrangement due to the length of time involved, I am sure that a substitution of lands for your easement and canal purposes could be arranged to the South of the canal bordering the right-of-way in question.

Trusting this matter will be considered at your Thursday meeting, I remain,

Sincerely,

A handwritten signature in cursive script, appearing to read "Myron L. Ashmore".

Myron L. Ashmore
Superintendent

DWH:MLA:lb
Attachments