



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
A-1.

MEETING DATE	2019-09-17 10:05 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	A. RESOLUTIONS
DEPARTMENT	Facility Planning and Real Estate

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input type="radio"/> Yes <input checked="" type="radio"/> No

TITLE:
Resolution #20-99, Declare the Easterly 0.0112 Acre Portion of Land at the New River Middle School Site as Surplus

REQUESTED ACTION:
Adopt Resolution #20-99, to declare the Easterly 0.0112 acre portion of land located to the rear of the New River Middle School site as surplus.

SUMMARY EXPLANATION AND BACKGROUND:
Section 1013.28, Florida Statutes (FS) allows a school board to dispose of any land or real property that is by resolution of the board, determined to be unnecessary for educational purposes as recommended in an educational plant survey.
See Supporting Docs for continuation of Summary Explanation and Background.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction Goal 2: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:
There is no financial impact to Broward County Public Schools; therefore, this item does not require a Collaboration Form from the Capital Budget Department.

EXHIBITS: (List)
(1) Continuation of Summary Explanation and Background (2) Executive Summary - Easterly Encroachment (3) Res- Easterly Encroachment (4) Exhibit A - Easterly Encroachment

BOARD ACTION:
ADOPTED
(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
9/6/2019, 11:22:09 AM

Approved In Open Board Meeting On:

SEP 17 2019

By: *Heather P. Burkwood*
School Board Chair

CONTINUATION OF SUMMARY EXPLANATION AND BACKGROUND

The School Board of Broward County, Florida (SBBC), at the June 25, 2019 Regular School Board Meeting, approved Agenda Item L-4, authorizing staff to conduct a spot survey to amend the Educational Plant Five-Year Survey Report 2015 – 2020 (Plant Survey) to enable the sale/disposition of a 0.0112 acre portion of land at the New River Middle School site. The Florida Department of Education (FDOE) has since approved the SBBC request to amend the Plant Survey; hence this request for the SBBC to adopt Resolution # 20-99 .

If adopted by SBBC, staff will proceed with the sale/disposition of the 0.0112 acre portion of land located at the rear most easterly section of the New River Middle School site.

EXECUTIVE SUMMARY

Resolution #20-99 - Declare the Easterly 0.0112 Acre Portion of Land at the New River Middle School Site as Surplus

The New River Middle School Site (Parcel 70) located at 3100 Riverland Road, Fort Lauderdale, Florida 33312, currently consists of a total of 18 acres, and one of the few Broward County Pubic School (BCPS) sites located on a navigable body of water. The purpose of this Resolution is to enable BCPS staff to sale/dispose of the Easterly 0.0112-acre portion of land to the adjacent property owner whose boat dock currently encroaches on a portion of The School Board of Broward County, Florida (SBBC) owned land.

For background purposes, BCPS staff was notified of such encroachment back in 2014. Upon notification, staff conducted extensive due diligence to include ordering surveys, issuing cease and desist letters to the subject adjacent property owner, researching SBBC ownership rights as it relates to a body of water, etc. to eventually the Office of the General Counsel (OGC) pursuing litigation actions against the property owner. Throughout the due diligence process, the SBBC via closed-door attorney client meetings held on February 7, 2017, November 7, 2018, and March 5, 2019 was made aware of all the different strategies and steps taken in efforts to resolve this matter. Directions received from the SBBC in the closed-door attorney client meetings was to work towards selling the encroachment area to the adjacent property owner, hence the request to adopt Resolution #20-99.

If adopted, BCPS staff will continue to work with the OGC and SBBC cadre attorney to sale/dispose of the Easterly 0.0112-acre portion of land to the subject adjacent property owner.

Resolution # 20-99

Declare the Easterly 0.0112 Acre Portion of Land at the New River Middle School Site as Surplus

WHEREAS, Florida Statutes 1013.28, subject to the rules of the State Board of Education, allows a board to dispose of any land or real property that is, by resolution of the board, determined to be unnecessary for educational purposes as recommended in an educational plant survey; and

WHEREAS, The School Board of Broward County, Florida has determined that the Easterly 0.0112-acre portion of the New River Middle School is unnecessary for educational purposes; and

WHEREAS, The Easterly 0.0112 acre portion of the New River Middle School is currently recommended for disposition in the Educational Plant Five Year Survey Report, Broward County School District 2015-2020 (Plant Survey); and

NOW, THEREFORE, BE IT RESOLVED by The School Board of Broward County, Florida:

SECTION 1 That it is deemed that the 0.0112-acre portion of the New River Middle School located to the rear most easterly section of the property line for the property address located at 3100 Riverland Road, within the City of Fort Lauderdale, is unnecessary for educational purposes; and therefore, is hereby declared surplus and should be disposed of.

SECTION 2 That the real property is legally described in the attached Exhibit "A".

Given at Fort Lauderdale, Florida this 17th day of September 2019.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BY: 
Heather P. Brinkworth, Chair

Attest: 
Robert W. Runcie, Superintendent of Schools



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE (954) 763-7611 * FAX (954) 763-7615

SKETCH AND DESCRIPTION
SEAWALL AREA
2671 ARBOR DRIVE
FORT LAUDERDALE, FLORIDA
SHEET 1 OF 2 SHEETS

LEGAL DESCRIPTION:

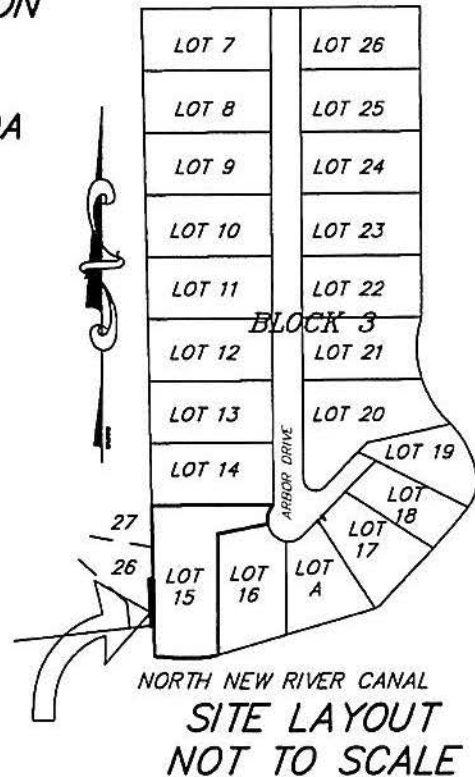
A portion of Lot 26, LYNN BROOK, according to the plat thereof, as recorded in Plat Book 44, Page 24, of the public records of Broward County, Florida, all more fully described as follows:

Commencing at the Northwest corner of Lot 15, Block 3, RIVERLAND MANORS, according to the plat thereof, as recorded in Plat Book 27, Page 49, of the public records of Broward County, Florida; thence South 03°33'27" East, on the West line of said Lot 15, being the East line of Lots 27 and 26, of said LYNN BROOK, a distance of 111.61 feet to the Point of Beginning; thence continuing South 03°33'27" East, on said West line of Lot 15 and on the East line of said Lot 26, a distance of 81.37 feet; thence South 81°17'59" West, on the South line of said Lot 26, a distance of 5.26 feet; thence North 04°35'43" West, on the wetface of an existing 2.0 foot seawall cap, a distance of 81.64 feet; thence North 84°35'25" East, on the wetface of an existing 2.0 foot concrete seawall cap and Easterly extension thereof, a distance of 6.72 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 487 square feet or 0.0112 acres more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of Lot 15 (27/49 B.C.R.), as South 03°33'27" East.



CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 8th day of May, 2019.

McLAUGHLIN ENGINEERING COMPANY

 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4232

CHECKED BY: _____

REF. DWG.: 15-2-067

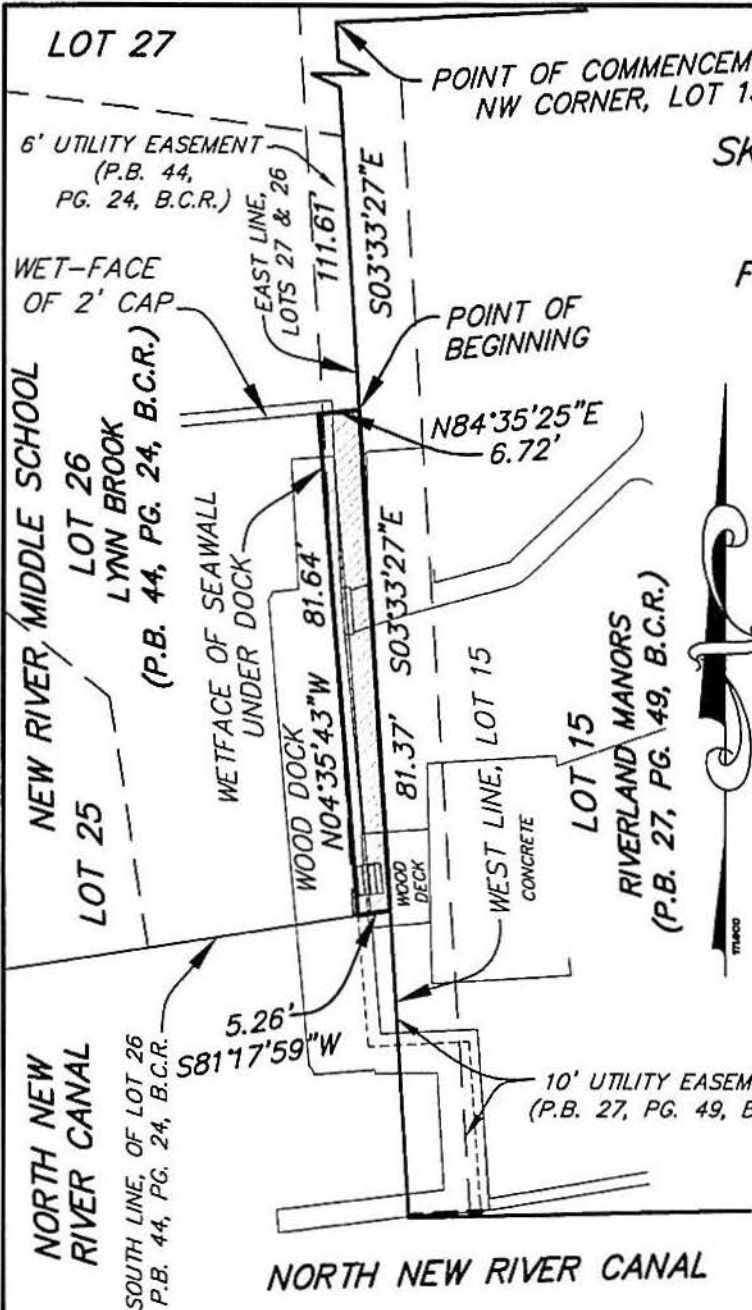
C: \JMMjr\2019\V4232 (SKETCH)



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1" = 30'



SKETCH AND DESCRIPTION
SEAWALL AREA
2671 ARBOR DRIVE
FORT LAUDERDALE, FLORIDA
SHEET 2 OF 2 SHEETS

LEGAL DESCRIPTION:

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Certified Correct. Dated at Fort Lauderdale, Florida this 8th day of May, 2019.

McLAUGHLIN ENGINEERING COMPANY

[Signature]
 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

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