



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-04-21 10:00 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	L. OFFICE OF PORTFOLIO SERVICES
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

ITEM No.:
L-1.

TITLE:
Termination of Temporary Exclusive Easement

REQUESTED ACTION:
Approve the Termination of Exclusive Temporary Easement granted to The Florida Department of Transportation (FDOT) for staging, storing and construction activities for building a new bridge over North Fork New River.

SUMMARY EXPLANATION AND BACKGROUND:
The Temporary Exclusive Easement that was granted to the FDOT on August 28, 2015, is set to expire on March 31, 2021. However, the FDOT notified staff that the project was completed on June 7, 2019. As such, the Exclusive Temporary Easement is no longer needed by the FDOT. This document has been reviewed and approved as to form and legal content by the Office of the General Counsel and upon approval by the School Board, the document will be recorded in the Broward County Public Records.

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 the District.

EXHIBITS: (List)
(1) Executive Summary (2) Northfork Termination of Easement (3) FDOT Final Acceptance Letter (4) Temporary Easement

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

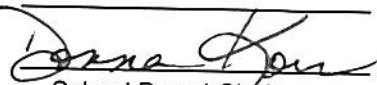
SOURCE OF ADDITIONAL INFORMATION:

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
4/6/2020, 11:38:35 AM

Approved In Open Board Meeting On: **APR 21 2020**
By: 
School Board Chair

EXECUTIVE SUMMARY

Termination of Temporary Exclusive Easement

The Temporary Exclusive Easement was granted to the Florida Department of Transportation (FDOT) on August 28, 2015, with an expiration date of March 31, 2021. As stated in the agenda request form, the FDOT notified staff that it no longer needs, the Temporary Exclusive Easement.

It should be noted that the FDOT complied with the provisions of Temporary Exclusive Easement, including the restoration of the subject easement area to its original condition.

Therefore, staff recommends that the Temporary Exclusive Easement be should be terminated.

This instrument prepared by,
record and return to:

THOMAS C. COONEY, ESQ.
Office of the General Counsel
600 S.E. 3rd Ave., Floor 11
Fort Lauderdale, Florida
33301

TERMINATION OF EXCLUSIVE TEMPORARY EASEMENT

THIS TERMINATION OF EXCLUSIVE TEMPORARY EASEMENT (the "Easement Termination") is given as of this 21st day of April, 2020, by The School Board of Broward County, Florida ("School Board"), a corporate body politic of the State of Florida, whose address is 600 S.E. 3rd Avenue, Fort Lauderdale, Florida 33301.

WHEREAS, the School Board granted an exclusive temporary easement to the Florida Department of Transportation ("FDOT") for staging, storing and construction activities for building a new bridge over North Fork New River via Exclusive Temporary Easement dated August 28, 2015, and recorded on October 9, 2015, Instrument # 113279036, in the Official Records of the Public Records of Broward County, Florida; and

WHEREAS, pursuant to the express terms of the Exclusive Temporary Easement, the rights granted by the Exclusive Temporary Easement terminated upon completion of the FDOT project; and

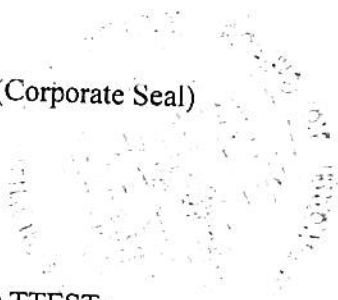
WHEREAS, the FDOT project was completed on June 7, 2019.

NOW, THEREFORE, the School Board hereby states as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by this reference.
2. Termination of Easement: The School Board hereby terminates, releases and relinquishes all easements and other rights created or reserved in the favor of the Florida Department of Transportation as set forth in the Exclusive Temporary Easement.
3. Binding Effect. The covenants contained in this Easement Termination are not personal but shall run with the land and shall be binding upon and inure to the benefit of the fee simple title holder of the Property, and their respective heirs, personal representatives, transferees, successors or assigns.


FOR SCHOOL BOARD

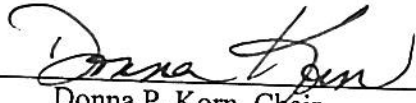
(Corporate Seal)



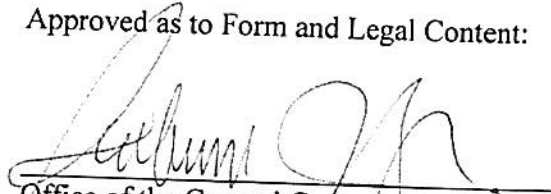
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:


Robert W. Runcie, Superintendent of Schools

By 
Donna P. Korn, Chair

Approved as to Form and Legal Content:


Office of the General Counsel



TARGET ENGINEERING GROUP, INC.

2100 N. Commerce Pkwy
Weston, FL 33026
Phone: (305) 486-7168

June 7, 2019

Transmitted Via E Mail

Munilla Construction Management, LLC d/b/a MCM
6201 SW 70th Street 2nd Floor
Miami, FL 33143
Attn: Yohei Castro, Project Manager

RE: PROJECT FINAL ACCEPTANCE LETTER

Subject: Lead FIN Project ID: 428724-1-52-01
Federal Aid No.: 6724019P
Contract No.: T4433
County: Broward
Description: SR 842 Broward Blvd. Bridge over North Folk River

Dear Sir:

Please be advised that as of June 7, 2019, all outstanding items identified on the deficiency list generated by Florida Department of Transportation have been satisfactorily addressed and corrected.

In accordance with Section 5-11 of the Standard Specifications, this office is providing written notice of Final Acceptance. June 7, 2019 will be the last chargeable day for this project. A total of nine hundred seventy-four (974) calendar days were used on this project.

If you have questions or need additional information, please do not hesitate to contact our office.

Sincerely,

Sara Duffoo, P.E.
Sr. Project Engineer

cc: David Schweiger, P.E.	FDOT Broward Operations Program Engineer
Yveins Jean-Pierre, P.E.	FDOT Construction Manager
Paul Lampley, P.E.	FDOT District Construction Engineer
Deborah Ihsan, P.E.	FDOT Assistant District Construction Engineer
Francis Lewis, P.E.	FDOT Broward Operations Engineer
Michael Kim, P.E.	FDOT District Materials Engineer
Project File, EDMS	

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08-TB.17-06/98

This instrument prepared under the direction of: *SEM*
Laurice C. Mayes, Esq.
Legal Description prepared by: *SEM*
Louis Cefolia, P.S.M. (05-15-14)
Document prepared by: Susanna Rowland (02-04-15)
Department of Transportation
Right of Way Production Services
3400 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

Parcel No. 703.1
Item/Segment No. 4299581
Section: 86006-2547
Managing District: 04
S.R. No. 842
County: Broward

EXCLUSIVE TEMPORARY EASEMENT

THIS EASEMENT made this 28 day of August, 2015,
by and between THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, a
corporate body, whose address is: 600 Southeast 3rd Avenue, Fort
Lauderdale, Florida 33301-3125, grantor, and the STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION, its successors and assigns, grantee.

WITNESSETH that for and in consideration of the sum of One Dollar
and other valuable considerations, receipt and sufficiency of which is
hereby acknowledged, the grantor hereby gives, grants, bargains and
releases to the grantee, an exclusive temporary easement for the
purpose of staging and storage of construction equipment, demolition
and removal of the existing bridge and related improvements, the
installation and removal of a Temporary Bridge during the construction
of the new bridge and related improvements, construction activities
for building the new bridge and related improvements, and tying in and
harmonizing said property and driveways, walkways, etc. thereon with
the construction to be undertaken by the Department on Bridge #860063
& #860284 over North Fork New River on State Road No. 842 (Broward
Boulevard) adjacent thereto, in, upon, over and through the following
described land in Broward County, Florida, described as follows, viz:

Parcel No. 703 Item/Segment No. 4299581

A portion of the Southwest One-Quarter (SW 1/4) of Section 4, Township
50 South, Range 42 East, Broward County, Florida, as shown on Sheets 3
and 4 of the Florida Department of Transportation Right of Way Map for
Item/Segment No. 4299581, Section 86006-2547, being more particularly
described as follows:

Commence at the South One-Quarter (S 1/4) Corner of said Section 4,
also being a point of the Baseline of Survey of State Road 842
(Broward Boulevard); thence South 89*18'04" West along the South line
of the Southwest One-Quarter (SW 1/4) of said Section 4 and said

(Continued on the next page)

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Baseline of Survey of State Road 842 (Broward Boulevard), a distance of 274.78 feet; thence North $00^{\circ}41'56''$ West along a line at a right angle to the previously described course, a distance of 83.00 feet to the Northerly Existing Right of Way line of said State Road 842 (Broward Boulevard) and the POINT OF BEGINNING; thence North $89^{\circ}13'23''$ East along said Northerly Existing Right of Way line, a distance of 220.53 feet to the beginning of a curve concave Northwesternly, having a chord bearing of North $81^{\circ}20'31''$ East, thence Northeastly along said Northerly Existing Right of Way line and said curve, having a radius of 22.00 feet, through a central angle of $17^{\circ}25'23''$, an arc distance of 6.69 feet; thence North $85^{\circ}47'50''$ West, a distance of 112.91 feet; thence North $75^{\circ}10'34''$ West, a distance of 50.52 feet; thence North $86^{\circ}22'38''$ West, a distance of 41.23 feet; thence North $69^{\circ}44'19''$ West, a distance of 114.69 feet; thence South $89^{\circ}16'26''$ West, a distance of 136.37 feet to a point on the Easterly Mean High Water line of the North Fork of the New River; thence South $26^{\circ}38'28''$ East along said Easterly Mean High Water line, a distance of 75.18 feet to a point on said Northerly Existing Right of Way line of State Road 842 (Broward Boulevard); thence North $89^{\circ}18'01''$ East along said Northerly Existing Right of Way line, a distance of 185.96 feet to the POINT OF BEGINNING.

Containing 15,679 square feet, more or less.

THIS EASEMENT is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined above. All work will be performed in such manner that any existing structural improvements that are damaged or destroyed will be replaced with substantially like improvements, so that the area will be restored to similar condition as existed before the project.

It is understood and agreed by the parties hereto that the rights granted herein shall terminate upon completion of this transportation project, but no later than the last day of March 2021.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

Attest: Robert W. Kuncie
Print Name: Robert W. Kuncie
Its _____ Secretary

THE SCHOOL BOARD OF
BROWARD COUNTY, FLORIDA

By: Donna Korn
Print Name: Donna P. Korn
Its Chairperson
(or Vice-Chairperson)

Signed, sealed and delivered in the presence of: (two witnesses required by Florida Law)

J. Cadre Babb Natcher
SBBC General Counsel
3/2/15

D. Van Nus
Print Name: D. Van Nus

Betty McClary
Print Name: Betty McClary

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 30 day of March, 2015, by Donna P. Korn, Chairperson or Vice-chairperson and Robert W. Kuncie, its Secretary, on behalf of THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, who are personally known to me or who have produce _____ as identification.

Print Name: Noemi Gutierrez
Notary Public in and for the County and State last aforesaid.
My Commission Expires: 3/2/2015
Serial No., if any: _____



TE.18-19/91

This instrument prepared under the direction of: *[Signature]*
 Laurice C. Mapes, Esq.
 Legal Description prepared by: Louis Cefolis, P.E.N. (05-15-16)
 Document prepared by: Suzanna Rowland (02-02-15)
 Department of Transportation
 Right of Way Production Services
 3400 W. Commercial Boulevard
 Ft. Lauderdale, Florida 33309

Parcel No. 703.1
 Item/Segment No. 4299581
 Section: 86006-2547
 Managing District: 08
 S.R. No. 842
 County: Broward

RESOLUTION

ON BEHALF of _____
 executed by _____
 the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 842 (Broward Blvd), Item/Segment No. 4299581, Section 86006-2547, in Broward County, Florida; and

WHEREAS, it is necessary that certain lands now owned by The School Board of Broward County, Florida, be acquired by the State of Florida Department of Transportation; and

WHEREAS, said use is in the best interest of the School Board; and

WHEREAS, the State of Florida Department of Transportation has made application to said School Board to execute and deliver to the State of Florida Department of Transportation a temporary easement, or easements, in favor of the State of Florida Department of Transportation, for the purpose of staging and storage of construction equipment, demolition and removal of the existing bridge and related improvements, the installation and removal of a temporary bridge during the construction of the new bridge and related improvements, construction activities for building the new bridge and related improvements, and tying in and harmonizing said property and driveways, walkways, etc. thereon with the construction to be undertaken by the Department on Bridge #860063 & #869284 over North Fork New River on State Road No. 842 (Broward Boulevard) adjacent thereto, and said request having been duly considered,

NOW THEREFORE, as it resolved by The School Board of Broward County, Florida, that the application of the State of Florida Department of Transportation for a temporary easement, or easements, is for transportation purposes which are in the public or community interest and for public welfare; that a temporary easement, or easements, in favor of the State of Florida Department of Transportation, in Broward County, Florida, should be drawn and executed by this School Board. Consideration shall be \$ 513,868.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at 3400 W. Commercial Boulevard, Ft. Lauderdale, Florida 33309.

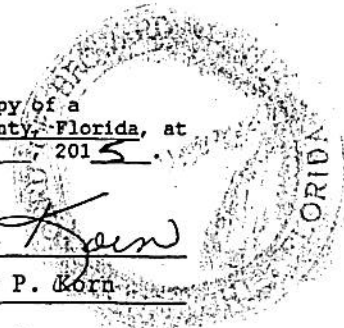
STATE OF FLORIDA

COUNTY OF BROWARD

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by The School Board of Broward County, Florida, at a meeting held on the 10th day of MARCH, 2015.

Donna Korn

Print Name: Donna P. Korn
Its Chairperson
(or Vice-Chairperson)
The School Board of Broward
County, Florida



*2/10/15 JPC of Special Counsel Bob Wutcher
SABBC General Counsel*