

**AGENDA REQUEST FORM**  
**The School Board of Broward County, Florida**

**Meeting Date**  
 9/19/2006

**Open Agenda**  
 Yes  No

**Time Certain Request**  
 Yes  No

**Agenda Item Number**  
 J-5

**TITLE:**  
 Right-of-Way Deed to the City of Miramar, Florida, for a Turn Lane on SW 148th Avenue to serve Coral Cove Elementary School

**REQUESTED ACTION:**  
 Approve the Right-of-Way Deed to the City of Miramar, Florida, for a Turn Lane on SW 148th Avenue to serve Coral Cove Elementary School.

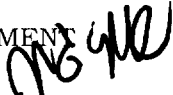
**SUMMARY EXPLANATION AND BACKGROUND:**  
 As part of the traffic circulation plan for Coral Cove Elementary School, a turn lane was constructed by the School Board on SW 148th Avenue to serve the school. The proposed Right-of-Way Deed together with a No-Lien, Possession and Affidavit is required by the City in order accept conveyance of this land area as part of a public roadway. The dedication of the area to the City is approximately 4,874 square feet.  
 The School Board Attorney has approved this deed as to form.

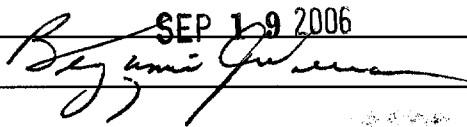
**SCHOOL BOARD GOALS:**  
 Goal One: All students will achieve at their highest potential.  
 Goal Two: All schools will have equitable resources.  
 Goal Three: All operations of the school system will demonstrate best practices while supporting student achievement.  
 Goal Four: All stakeholders will work together to build a better school system.

**FINANCIAL IMPACT:**  
 There is no financial impact to the School District.

**EXHIBITS: (List)**  
 1. Right-of-Way Deed  
 2. No-Lien, Possession and Affidavit

<p><b>BOARD ACTION</b>  <b>APPROVED</b>                  (For Official School Board Records' Office Only)</p>	<p><b>SOURCE OF ADDITIONAL INFORMATION</b>                  Name: Thomas J. Coates  Phone: 754-321-8351</p>
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**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**  
 DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT  
 MICHAEL GARRETSON, DEPUTY SUPERINTENDENT 

Approved in Open Board Meeting on: SEP 19 2006  
 Revised July 31, 2003 By: , School Board Chair  
 FT/MG/Coates/Messina/Walker

**Exhibit 1**

**Right-of-Way Deed**

This Instrument Prepared by:

Facility Management, Planning and Site Acquisition  
The School Board of Broward County, Florida  
600 Southeast Third Avenue  
For Lauderdale, Florida 33301

Property Appraiser's Parcel  
Identification No. 514033030020  
Grantee's Tax Payer's Identification No. \_\_\_\_\_

**RIGHT OF WAY DEED TO CITY OF MIRAMAR**  
**Conveys the Title For Highway Purposes**

**THIS INDENTURE**, made this 19 day of Sept., A.D., 2006, by and between The School Board of Broward County, Florida, a body corporate existing under the laws of the State of Florida, and having its principal place of business at 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301, party of the first part, and the City of Miramar, a Florida municipality whose post office address is 6700 Miramar Parkway, Miramar, Florida 33023 and its successors in interest, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, the following described land, situate, lying and being in the County of Broward, State of Florida, to-wit:

**See attached Exhibit "A" attached hereto and by this reference made a part hereof.**

It is the intention of the party of the first party by this instrument to convey to the said City, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

In Witness Whereof, the said party of the first part, has executed this instrument the day and year first above written.

Signed, Sealed, Attested and Delivered in our presence:

*Noemi Gutierrez*  
\_\_\_\_\_  
NOEMI GUTIERREZ  
Printed Name

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

*Benjamin J. Williams*  
\_\_\_\_\_  
Benjamin J. Williams, Chair

ATTEST:

*Franklin L. Till, Jr.*  
\_\_\_\_\_  
Franklin L. Till, Jr., Superintendent of Schools

*Delores Burrell*  
\_\_\_\_\_

DELORES BURRELL

Printed Name

(Corporate Seal)

Approved as to form:

*Edward J. Marko*  
\_\_\_\_\_  
Edward J. Marko, School Board Attorney

**ACKNOWLEDGEMENT**

STATE OF FLORIDA  
COUNTY OF BROWARD.

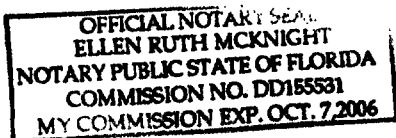
The foregoing instrument was acknowledged before me this 19 day of Sept., 2006 by Benjamin J. Williams, as Chair of The School Board of Broward, and Franklin L. Till, Jr. as Superintendent of Schools of The School Board of Broward County, Florida, who are personally known to me or who have produced personally known as identification and who did/did not take an oath.

Sign Ellen Ruth McKnight  
Notary Public, State of Florida

Print Ellen Ruth McKnight

My Commission expires:  
(Seal)

Commission No.: \_\_\_\_\_



# EXHIBIT "A"

**DESCRIPTION :**  
 A PORTION OF PARCEL "B", "HUNTINGTON SECTION TWO SCHOOL AND PARK PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 165, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

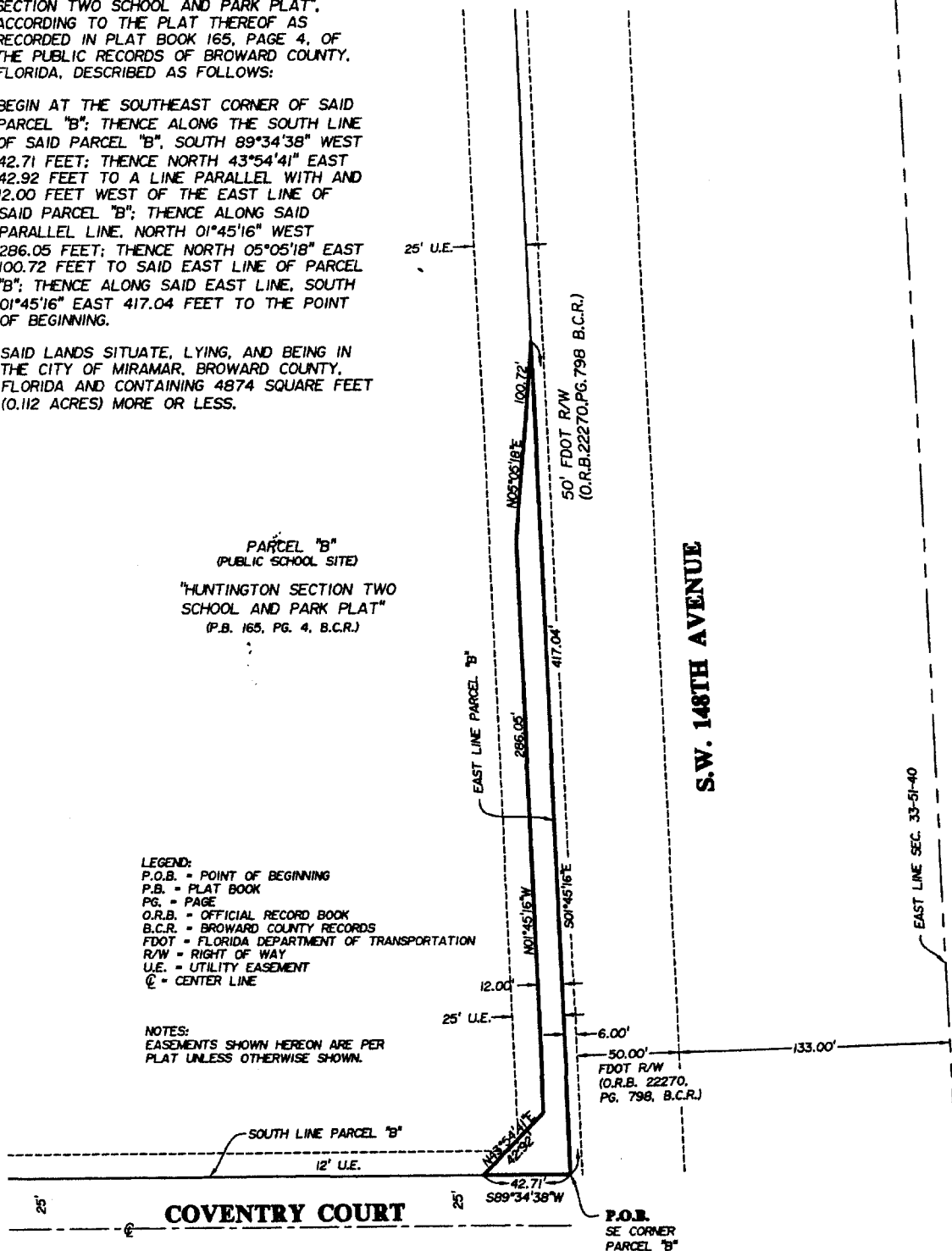
BEGIN AT THE SOUTHEAST CORNER OF SAID PARCEL "B"; THENCE ALONG THE SOUTH LINE OF SAID PARCEL "B", SOUTH 89°34'38" WEST 42.71 FEET; THENCE NORTH 43°54'41" EAST 42.92 FEET TO A LINE PARALLEL WITH AND 12.00 FEET WEST OF THE EAST LINE OF SAID PARCEL "B"; THENCE ALONG SAID PARALLEL LINE, NORTH 01°45'16" WEST 286.05 FEET; THENCE NORTH 05°05'18" EAST 100.72 FEET TO SAID EAST LINE OF PARCEL "B"; THENCE ALONG SAID EAST LINE, SOUTH 01°45'16" EAST 417.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE CITY OF MIRAMAR, BROWARD COUNTY, FLORIDA AND CONTAINING 4874 SQUARE FEET (0.112 ACRES) MORE OR LESS.

PARCEL "B"  
 (PUBLIC SCHOOL SITE)  
 "HUNTINGTON SECTION TWO SCHOOL AND PARK PLAT"  
 (P.B. 165, PG. 4, B.C.R.)

**LEGEND:**  
 P.O.B. = POINT OF BEGINNING  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 O.R.B. = OFFICIAL RECORD BOOK  
 B.C.R. = BROWARD COUNTY RECORDS  
 FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION  
 R/W = RIGHT OF WAY  
 U.E. = UTILITY EASEMENT  
 CL = CENTER LINE

**NOTES:**  
 EASEMENTS SHOWN HEREON ARE PER PLAT UNLESS OTHERWISE SHOWN.



## SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY


CERTIFIED TO:  
**SCHOOL BOARD OF BROWARD COUNTY**

**MILLER LEGG**  
 South Florida Office: 1800 North Douglas Road - Suite 200  
 Pembroke Pines, Florida - 33024-3200  
 954-436-7000 - Fax: 954-436-8884  
 www.millerlegg.com

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61017-5, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATED THIS 23rd DAY OF JUNE, 2008 A.D.  
  
**KAREN A. LYNCH**  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION No. 5837  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
 CERTIFICATE OF AUTHORIZATION: 180680

DATE:                      REVISIONS                      ORL      DKL  
 DRAWN BY:      RZ      CHECKED BY:      KL

PROJECT NO.                      FILE NO.  
**04-00157                      11-1C216**

**Exhibit 2**

**No-Lien, Possession and Affidavit**



federal court to which the Grantor is a party that would affect the and/or title to the Property or any portion thereof.

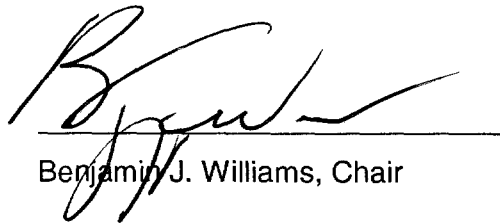
9. That to the best of Affiant's knowledge there are no unrecorded easements or claims of easements affecting the Property of any portion thereof.

10. That the Property does not constitute all or substantially all of the assets of the Grantor.

11. That there are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or any portion thereof between \_\_\_\_\_, 20 \_\_\_\_\_, and the recording of the Quit Claim Deed from the Grantor to the City of Miramar, a Florida municipal corporation ("Grantee") and that the Grantor has not and will not execute any instrument that would adversely affect the title to or transfer of the Property or any portion thereof from the Grantor to Grantee.

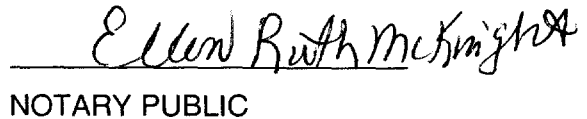
12. Affiant recognizes that Grantee is materially relying on the veracity of the contents of this Affidavit, and that this Affidavit is being given for the purpose of inducing Grantee to accept a dedication of the Property from the Grantor.

**FURTHER AFFIANT SAYETH NAUGHT.**

  
Benjamin J. Williams, Chair

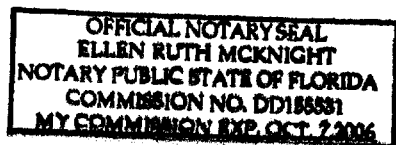
Sworn to and subscribed before me this 19 day of Sept.,  
20 06, who (check one)  is personally known to me or [ ] has produced  
personally known as identification.

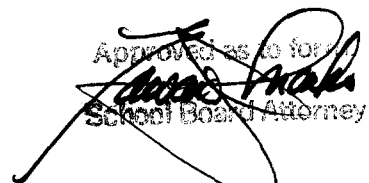
SEAL

  
NOTARY PUBLIC

Ellen Ruth McKnight  
Print or Type Name of Notary Public

My Commission Expires:



Approved as to form  
  
School Board Attorney