

RESOLUTION NO. 17-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING
A GRANT OF EASEMENT TO THE TOWN OF CUTLER
BAY FROM THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FLORIDA FOR A PUBLIC BUS SHELTER;
PROVIDING FOR AUTHORIZATION; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, the School Board of Miami-Dade County (the “School Board”), currently owns the property located at 8601 SW 212 Street, Cutler Bay, FL 33189, more commonly known as Cutler Bay High School (“Property”); and

WHEREAS, the Town of Cutler Bay (the “Town”) desires to construct a new bus shelter (“Bus Shelter”) on the Property; and

WHEREAS, the Bus Shelter requires an area of approximately three hundred twenty-two (322) square feet inside the Property to be safely constructed, operated, and maintained; and

WHEREAS, the School Board has agreed to grant the Town a non-exclusive easement over the Property for the construction, operation, and maintenance of the Bus Shelter, as legally described and depicted in Exhibit “A” attached hereto (“Grant of Easement”); and

WHEREAS, the Grant of Easement is necessary for the construction of the Bus Shelter as per Invitation to Bid (ITB) #17-04 Townwide Bus Shelter Phase I Project as shown in the project plans as Location #1; and

WHEREAS, the Town finds that the Grant of Easement, in connection with the construction of the Bus Shelter, benefits the Town and the residents of the Town; and

WHEREAS, the Town Council finds the adoption of this Resolution is in the best interest of the health, safety and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Approving Grant of Easement.** The Town Council hereby approves the Grant of Easement from the School Board to the Town.

Section 3. **Authorization.** The Town Manager is authorized to execute the Grant of Easement, in substantially the form attached hereto as Exhibit “A,” subject to the Town

Attorney's approval as to form, content, and legal sufficiency, and to take any and all steps necessary to effectuate the intent and purpose of this Resolution.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of September, 2017.

Attest:

PEGGY R. BELL
Mayor

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____