

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2009-353**

**A RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT  
TO AMERICAN TRAFFIC SOLUTIONS FOR A PHOTO RED LIGHT  
SYSTEM AT 525 SOUTH DIXIE HIGHWAY ON THE NORTHEAST  
CORNER OF RIVIERA DRIVE AND US1, CORAL GABLES, FLORIDA**

**WHEREAS**, Resolution No. 2009-247 Section 1(g) requires American Traffic Solutions to obtain a grant of easement from the land owner in the event that American Traffic Solutions construction is located in private property; and

**WHEREAS**, American Traffic Solution requires an easement for constructing, operating and maintaining a photo red light system in City of Coral Gables property at 525 South Dixie Highway, on the northeast corner of Riviera Drive and US1; and

**WHEREAS**, Resolution No. 2009-247 Section 1(h) indicates that all stated conditions for encroachment in right of way shall apply to encroachments in private property; and

**WHEREAS**, pursuant to Procurement Code Section 2-833(a) entitled "*Request for Authority to enter into an agreement*", contracts require City Commission approval;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption thereof.

**SECTION 2.** That the City Commission does hereby authorize the City Manager to grant an easement as described hereinafter, to American Traffic Solutions, its subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns, and for the purpose of constructing, operating and maintaining the photo red light system at 525 South Dixie Highway, on the northeast corner of Riviera Drive and US1.

A non exclusive easement for American Traffic Solutions over, under and across the following property is hereby legally described as follows:

Lying in Section 20, Township 54 South, Range 41 East. A camera easement lying in Lot 1, Re-subdivision of a portion of Block 36A revised Plat of Coral Gables Riviera Section Part 2, as recorded in Plat Book 57, page 13, Public Records of Miami Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Lot 1 and run N 90°00'00" E along the North line of said lot 1 and the South R/W line of the Florida East Coast Railroad a distance of 43.00 feet, thence run S 00°00'00" E a distance of 28.26 feet to the point

of beginning, thence run southeasterly along a curve concave to the South an arc distance of 55.03 feet, said curve having a radius of 1191.42 feet, a delta of 02°38'46", and a chord bearing of S 77°13'20" E, thence run S 75°53'57" E a distance of 50.00 feet, thence run S 14°06'03" W a distance of 3.00 feet, thence run N 75°53'57" W along the North R/W line of U.S. Highway 1 a distance of 50.00 feet to the point of curvature of a curve concave to the South, thence run northwesterly along said curve an arc distance of 54.89 feet, having a delta of 02°38'46", and a chord bearing of N 77°13'20" W, thence run N 11°27'17" E a distance of 3.00 feet to the point of beginning.

and

A power easement lying in lots 1&2, Re-subdivision of a portion of Block 36A Revised Plat of Coral Gables Riviera Section Part 2, as recorded in Plat Book 57, Page 13, Public Records of Miami Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said lot 1 and run N 90°00'00" E along the North line of said Lot 1 and the South R/W line of the Florida East Coast Railroad a distance of 43.00 feet, thence run S 00°00'00" E a distance of 28.26 feet, thence run southeasterly along a curve concave to the South an arc distance of 55.03 feet, said curve having a radius of 1191.42 feet, a delta of 02°38'46", and a chord bearing of S 77°13'20" E, thence run S 75°53'57" E a distance of 50.00 feet to the point of beginning, thence run S 14°06'03" W a distance of 3.00 feet, thence run N 60°38'05" E a distance of 113.22 feet, thence run N 90°00'00" W along the South R/W line of the said Florida East Coast Railroad a distance of 4.09 feet, thence run S 60°43'34" W a distance of 107.59 feet to the point of beginning.

**SECTION 3.** That the City Commission does hereby direct the City Manager to execute the attached Easement Agreement, in the attached form, with American Traffic Solutions, pursuant to Section 2-833 (a) entitled "*Request for Authority to enter into an agreement*" of the Procurement Code.

**SECTION 4.** That the City Commission at its discretion, reserves the right to have American Traffic Solutions facilities removed, at American Traffic Solution's sole expense.

**SECTION 5.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTEENTH DAY OF DECEMBER, A.D., 2009.  
(Yea: Cabrera / Seconded: Withers)  
(Yea: Withers, Anderson, Cabrera, Kerdyk, Slesnick)  
(Unanimous: 5-0 Vote)  
(Agenda Item: C-11)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERANNDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2009-247**

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT BETWEEN AMERICAN TRAFFIC SOLUTIONS AND THE CITY OF CORAL GABLES, SETTING FORTH CONDITIONS FOR ENCROACHMENTS UPON THE RIGHT-OF-WAY AND/OR THE EASEMENT AREA, CONSISTING OF POLES, FOUNDATIONS, CAMERA SYSTEMS AND RELATED INFRASTRUCTURE AT SEVERAL LOCATIONS THROUGHOUT THE CITY OF CORAL GABLES, FLORIDA.

**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the Agreement between American Traffic Solutions and the City of Coral Gables in order to set forth conditions for encroachments within the public right-of-way and/or the easement area, consisting of poles, foundations, camera systems and related infrastructure at several locations throughout the City of Coral Gables, be amended, to include the following requirements of the Public Works Department:

- a) American Traffic Solutions shall be listed as the contact agency with Sunshine One for proper underground locations in the area of the encroachments; and
- b) The use of the encroachment area(s) shall be private and American Traffic Solutions will not provide access or occupancy to any customer or third party without prior written approval from the City of Coral Gables; and
- c) The City of Coral Gables reserves the right to remove, add, and maintain the encroachments or have American Traffic Solutions remove any of the encroachments within the right-of-way at American Traffic Solutions' sole expense; and
- d) American Traffic Solutions shall maintain the proposed encroachments in good condition at all times at American Traffic Solutions' sole expense; and
- e) American Traffic Solutions shall replace, at American Traffic Solutions' sole expense, any portion of the encroachments affected, in the event the City of Coral Gables issues a permit for a utility company to excavate or construct in the proposed area(s) of encroachment; and
- f) The proposed encroachments shall be constructed in accordance with all applicable Codes; and
- g) In the event that ATS' construction is located within private property, ATS shall obtain a grant of easement from the land owner(s), a copy of which shall accompany ATS' permit application to the City; and

h) All stated conditions for encroachments in the public right-of-way shall apply to encroachments on private property; and

i) The right-of-way shall be restored to its original condition in the event that the encroachment(s) are removed.

**SECTION 2.** That the City Commission does hereby authorize the City Manager to execute an amendment to the Agreement between American Traffic Solutions and the City of Coral Gables, in order to set forth conditions for encroachments upon the right-of-way consisting of poles, foundations, camera systems and related infrastructure within the City of Coral Gables.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTH DAY OF SEPTEMBER, A.D., 2009.

(Moved: Kerdyk / Seconded: Cabrera)

(Yea: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

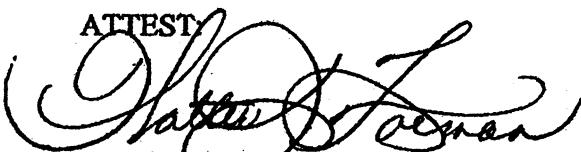
(Unanimous: 5-0 Vote)

(Agenda Item: C-2)

APPROVED:

DONALD D. SLESNICK II  
MAYOR

ATTEST:

  
WALTER J. BOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

LEGEND	
	CONDUIT
	DIRECTIONAL BORE
	REAR MONITOR CAMERA ON ATS POLE
	RED PHASE CAMERA
	ITERIS CAMERA ON ATS POLE
	VIDEO DETECTION TARGET ZONE
	PULL/ JUNCTION BOX
	PHOTO ENFORCEMENT SIGN
	EXISTING CONDUIT
	CITY PROPERTY LINE

ONE CALL  
DIGALERT

Dig  
Safely

811

KNOW WHAT'S BELOW  
CALL BEFORE YOU DIG!



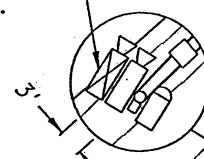
20 0 10 20  
SCALE: 1" = 20'

THE COLLECTION  
155 S. DIXIE HIGHWAY  
CORAL GABLES, FL 33133  
(305) 444-9399

PONCE DE LEON BLVD

USED CAR AUTO SALES  
CORAL GABLES, FL 33133

CONTROLLER CABINET REAR SCENE CAMERA, AXIS LIVE CAMERA, AND 300 W FLASH MOUNTED ON POLE ①. SEE DETAIL "A" ON SHEET 5 OF 8. CONTAINS EVDO MODEM. RED PHASE CAMERA MOUNTED ON POLE.



US 1/DIXIE HIGHWAY

VIDEO DETECTION TARGET ZONES (TYP.)

95'

CITY OF CORAL GABLES PROPERTY

EXISTING SIGN TO BE RELOCATED A MINIMUM OF 5' BEHIND ATS POLE.

RESIDENCE  
100 S. DIXIE HIGHWAY  
CORAL GABLES, FL 33133

PHOTO ENFORCEMENT SIGN. SEE DETAIL "A" ON SHEET 6 OF 8.

EXHIBIT A

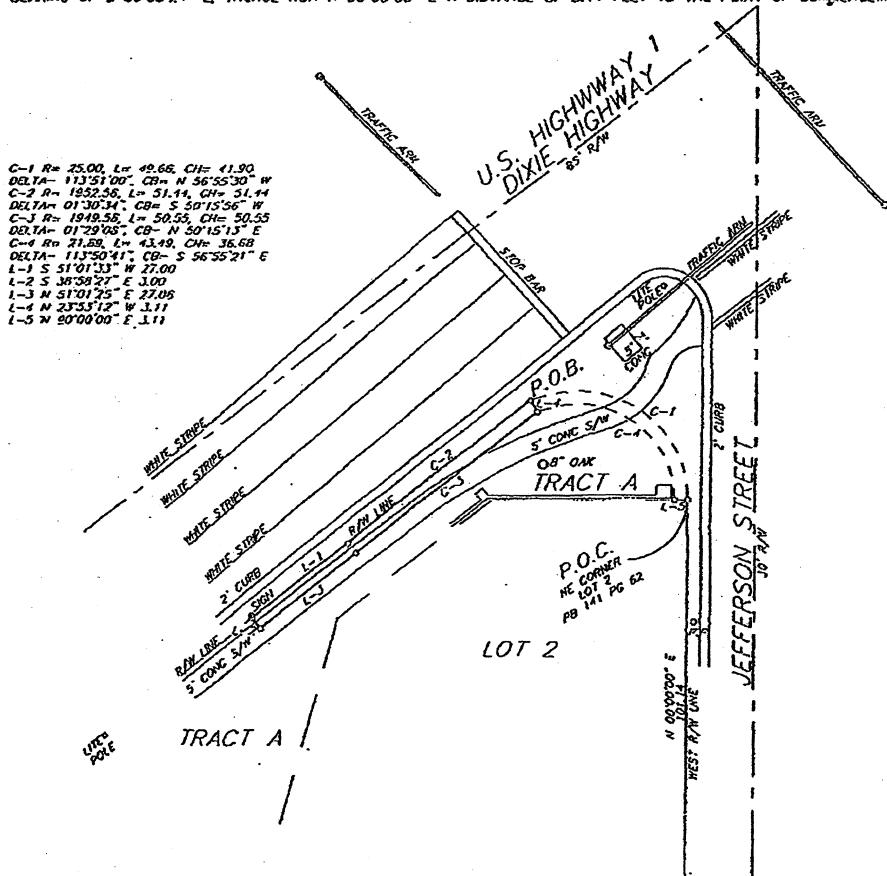
JEFFERSON & US 1

PLAT OF LAND SURVEY FOR and/or CERTIFIED TO: A.T.S.  
SITE NAME: NB US 1 @ JEFFERSON STREET, CORAL GABLES, FLORIDA.  
PARCEL ID No. 03-4120-057-0030

LYING IN SECTION 20, TOWNSHIP 54 SOUTH, RANGE 41 EAST.

DESCRIPTION AS FOLLOWS: A CANTER EASEMENT LYING IN TRACT A ANNIE CLARK SUBDIVISION, AS RECORDED IN PLAT BOOK 141, PAGE 62, PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 2 OF SAID PLAT OF ANNIE CLARK, AND RUN NORTHWESTERLY ALONG A CURVE CONCAVE TO THE WEST AN ARC DISTANCE OF 19.68 FEET, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A DELTA OF 113°51'00", AND A CHORD BEARING OF N 56°55'00" W TO THE POINT OF BEGINNING, THENCE RUN SOUTHWESTERLY ALONG THE SOUTHERLY R/W LINE OF U.S. HIGHWAY 1 AND A CURVE CONCAVE SOUTHEASTERLY AN ARC DISTANCE OF 51.44 FEET, SAID CURVE HAVING A RADIUS OF 1952.58 FEET, A DELTA OF 01°30'34", AND A CHORD BEARING OF S 50°15'56" W, THENCE RUN S 51°01'33" W A DISTANCE OF 27.00 FEET, THENCE RUN S 38°58'27" E A DISTANCE OF 3.00 FEET, THENCE RUN N 51°01'25" E A DISTANCE OF 27.08 FEET, THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY AN ARC DISTANCE OF 5.055 FEET, SAID CURVE HAVING A RADIUS OF 1949.58 FEET, A DELTA OF 01°29'08", AND A CHORD BEARING OF N 50°15'13" W, THENCE RUN N 23°53'12" E A DISTANCE OF 3.11 FEET TO THE POINT OF BEGINNING.

DESCRIPTION AS FOLLOWS: A POWER EASEMENT LYING IN TRACT A, ANNIE CLARK SUBDIVISION, AS RECORDED IN PLAT BOOK 141, PAGE 62, PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 2 OF SAID PLAT OF ANNIE CLARK, AND RUN NORTHWESTERLY ALONG A CURVE CONCAVE TO THE WEST AN ARC DISTANCE OF 49.68 FEET, SAID CURVE HAVING A RADIUS OF 31.00 FEET, A DELTA OF 113°51'00", AND A CHORD BEARING OF N 56°55'00" W, THENCE RUN S 25°53'12" E A DISTANCE OF 31.00 FEET, THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE WEST AN ARC DISTANCE OF 43.49 FEET, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A DELTA OF 113°50'41", AND A CHORD BEARING OF S 56°55'21" E, THENCE RUN N 90°00'00" E A DISTANCE OF 31.00 FEET TO THE POINT OF COMMENCEMENT.



GRUSENMAYER-SCOTT & WALKER, INC.-LAND SURVEYORS