

**DRAFT**

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT TO AMERICAN TRAFFIC SOLUTIONS FOR A PHOTO RED LIGHT SYSTEM AT 198 SOUTH DIXIE HIGHWAY, ON THE SOUTHWEST CORNER OF JEFFERSON STREET 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 Solutions requires an easement for constructing, operating and maintaining a photo red light system in City of Coral Gables property at 198 South Dixie Highway, on the southwest corner of Jefferson Street 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 of Coral Gables is hereby authorized 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 198 South Dixie Highway, on the southwest corner of Jefferson Street and US1.

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

Lying in Section 20, Township 54 South, Range 41 East.

A camera 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 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.

And

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 25.00 feet, a delta of 113°51'00", and a chord bearing of N 56°55'00" W, thence run S 23°53'12" E a distance of 3.11 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 3.11 feet to the point of commencement.

**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 of Coral Gables, at its discretion, reserves the right to have American Traffic Solutions facilities removed, at American Traffic Solutions' sole expense.

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

PASSED AND ADOPTED THIS FIFTEENTH DAY OF DECEMBER A.D., 2009.

APPROVED:

DONALD D. SLESNICK, II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY