

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 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 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 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 of Coral Gables, 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 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